STATUTORY INSTRUMENTS

1971 No. 1705 (C.46)

HIGHWAYS, ENGLAND AND WALES

The Highways Act 1971 (Commencement No. 1) Order 1971

Made - - - 19*th October* 1971

The Secretary of State for the Environment (as respects England, except Monmouthshire) and the Secretary of State for Wales (as respects Wales and Monmouthshire) make this Order in exercise of their powers under section 87 of the Highways Act 1971(a):—

1. This Order may be cited as the Highways Act 1971 (Commencement No. 1) Order 1971.

2. The provisions of the Highways Act 1971 (hereinafter referred to as "the Act") which are specified in the first column of the Schedule to this Order and which relate to the matters respectively specified in relation to those provisions in the second column of that Schedule shall come into operation in the whole of England and Wales on the 1st November 1971.

SCHEDULE

PROVISIONS OF THE ACT COMING INTO OPERATION ON THE 1ST NOVEMBER 1971

Provisions of the Act	*Subject matter of provisions*
Part I, except sections 14(10) and 18.	Provisions with respect to construction, improvement, etc. of highways.
Part II, except sections 31, 32 and 40 to 43 (inclusive).	Lawful and unlawful interference with highways and streets.
Part III, except section 53(4).	Acquisition of land and interests in land for highway purposes.

(a) 1971 c. 41.

Provisions of the Act	*Subject matter of provisions*
Part IV, except section 86(1) and (2) insofar as those subsections apply to the provisions of Schedules 11 and 12 which are excepted below.	Miscellaneous and general provisions.
Schedule 1	Amendments of Highways Act 1959(a) for which sections 1, 3, 12 and 14 of the Act provide.
Schedule 2	Section 103 of the Highways Act 1959 as amended.
Schedule 4	Purposes for which additional land may be taken in advance of requirements.
Schedule 5	Highway land acquisition powers.
Schedule 6	Compulsory acquisition of rights.
Schedule 7	Amendment of planning blight provisions.
Schedule 8	Acquisition of land or rights; related schemes and orders.
Schedule 9	Amendments of section 300 of the Highways Act 1959.
Schedule 10	Modifications of certain provisions of the Town and Country Planning Acts as applied by section 63 of the Act.
Schedule 11, except paragraph 5.	Transitional provisions and savings.
Schedule 12, except the entries relating to the following provisions of the Highways Act 1959:— section 155, section 284(2), (3)(*a*) and (*b*), and (4)(*a*) and (*b*), Schedule 6, and Schedule 18; and the entry relating to paragraph 44 of Schedule 6 to the London Government Act 1963(b).	Repeals.
Schedule 13	Part I of Schedule 1 to the Highways Act 1959 as amended.

Peter Walker,
Secretary of State for the Environment.

19th October 1971.

Peter Thomas,
Secretary of State for Wales.

19th October 1971.

(a) 1959 c. 25.

(b) 1963 c. 33.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into operation for the whole of England and Wales on the 1st November 1971 the provisions of the Highways Act 1971 which are specified in the Schedule to the Order and which constitute the whole of the Act with the exception of the provisions relating to walkways (section 18). builders' skips (sections 31 and 32), vehicle crossings over footways and verges (section 40, Schedule 3, paragraph 5 of Schedule 11 and certain entries in Schedule 12), the placing of apparatus in or under highways (sections 41 and 42), the planting of trees, shrubs etc. in highways (section 43) and the repeal of certain provisions of the Highways Act 1959 relating to concurrent procedure as respects schemes, orders etc. (section 14(10), section 53(4) and certain entries in Schedule 12).