

---

*Changes to legislation: Highways Act 1980, Section 115E is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---



# Highways Act 1980

## 1980 CHAPTER 66

### [<sup>F1</sup>PART VIIIA

#### PROVISION OF AMENITIES ON CERTAIN HIGHWAYS

#### [<sup>F1</sup>115E Execution of works and use of objects etc. by persons other than councils.

- (1) Subject to subsections (2) to [<sup>F2</sup>(5)] below, a council may grant a person permission—
  - (a) to do on, in or over a highway to which this Part of this Act applies anything which the council could do on, in or over such a highway under section 115B(1) to (3) or 115C above; or
  - (b) to use objects or structures on, in or over a highway to which this Part of this Act applies—
    - (i) for a purpose which will result in the production of income;
    - (ii) for the purpose of providing a centre for advice or information; or
    - (iii) for the purpose of advertising.
- (2) A council may not grant a person permission under subsection (1)(a) above to place an object or structure on, in or over a highway to which this Part of this Act applies—
  - (a) for a purpose which will result in the production of income; or
  - (b) for the purpose of providing a centre for advice or information,unless they have first obtained the consent of the frontagers with an interest—
  - (i) to the placing of the object or structure;
  - (ii) to the purpose for which it would be placed; and
  - (iii) to the proposed grant of permission.
- (3) A council may not grant a person permission to do anything which the council could only do under section 115C above unless they have first obtained the consent of the frontagers with an interest.
- (4) A council may not grant a person permission—
  - (a) to carry out works on, in or over a walkway;
  - (b) to place an object or structure on, in or over a walkway; or

---

*Changes to legislation: Highways Act 1980, Section 115E is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (c) to provide, maintain or operate facilities for recreation or refreshment or both on a walkway,  
unless they have first obtained walkway consent.]

[<sup>F3</sup>(5) A council may not under this section grant a person permission to do anything which is capable of being authorised by a pavement licence under section 1 of the Business and Planning Act 2020.]

#### Textual Amendments

- F1** Pt. VIIA (ss. 115A–115K) inserted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. 20, **Sch. 5 para. 1**
- F2** Word in s. 115E(1) substituted (31.3.2024) by [Levelling Up and Regeneration Act 2023 \(c. 55\)](#), s. 255(9)(a), **Sch. 22 para. 11(2)** (with s. 247, Sch. 22 paras. 18, 19); S.I. 2024/389, **reg. 2(u)**
- F3** S. 115E(5) inserted (31.3.2024) by [Levelling Up and Regeneration Act 2023 \(c. 55\)](#), s. 255(9)(a), **Sch. 22 para. 11(3)** (with s. 247, Sch. 22 paras. 18, 19); S.I. 2024/389, **reg. 2(u)**

#### Modifications etc. (not altering text)

- C1** S. 115E(2) applied by [City of London \(Various Powers\) Act 1987 \(c. xv\)](#) 11B(2) (as inserted (18.12.2013) by City of London (Various Powers) Act 2013, (c. vii), s. 9)
- C2** S. 115E(3) applied by [City of London \(Various Powers\) Act 1987 \(c. xv\)](#) 11B(2) (as inserted (18.12.2013) by City of London (Various Powers) Act 2013, (c. vii), s. 9)
- C3** S. 115E(4) applied by [City of London \(Various Powers\) Act 1987 \(c. xv\)](#) 11B(2) (as inserted (18.12.2013) by City of London (Various Powers) Act 2013, (c. vii), s. 9)

**Changes to legislation:**

Highways Act 1980, Section 115E is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

**Changes and effects yet to be applied to :**

- s. 115E(2)(3) applied by 1987 c. xv s. 11B(2) (as inserted) by 2013 c. 7 s. 9
- s. 115E(4) applied by 1987 c. xv s. 11B(2) (as inserted) by 2013 c. 7 s. 9

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 79(15)(aa) inserted by 2023 asc 3 Sch. 13 para. 54(b)
- s. 90B(1A) inserted by 2015 c. 20 Sch. 10 para. 15(3)
- s. 90C(2)(2A) substituted for s. 90C(2) by 2015 c. 20 Sch. 10 para. 16(3)
- s. 90FA inserted by 2015 c. 20 Sch. 10 para. 20
- s. 118ZA(5)(a) words inserted by 2015 c. 20 s. 25(3)
- s. 120(3ZA) inserted by 2000 c. 37 Sch. 6 para. 13(6)
- s. 121E(1A)(1B) inserted by 2015 c. 20 s. 23(5)
- s. 146(6) inserted by 2015 c. 20 s. 24(6)(d)
- s. 147(1A) inserted by 2015 c. 20 s. 24(3)
- s. 147(5A) inserted by 2015 c. 20 s. 24(5)
- s. 203(2)(b)(ia) inserted by S.I. 2023/908 reg. 6(2)(b)
- s. 219(1)(a)(i)(ii) inserted by S.I. 2023/908 reg. 6(3)
- s. 220(1A) inserted by S.I. 2023/908 reg. 6(4)(b)
- s. 223(1A) inserted by S.I. 2023/908 reg. 6(5)(b)
- s. 223(5A) inserted by S.I. 2023/908 reg. 6(5)(d)
- s. 223(5B)-(6) s. 223(6) renumbered as s. 223(5B)(6) by S.I. 2023/908 reg. 6(5)(e)
- s. 322(5)(ab) inserted by 2004 c. 18 s. 64(2)
- s. 325(2B) inserted by 2015 c. 20 Sch. 10 para. 21
- Sch. 6 para. 1(3ZA) inserted by 2015 c. 20 Sch. 7 para. 8(2)(b)
- Sch. 6 para. 2(2ZA)-(2ZE) inserted by 2015 c. 20 Sch. 7 para. 8(3)
- Sch. 6 para. 2(4) inserted by 2015 c. 20 Sch. 7 para. 8(4)
- Sch. 6 para. 2(5)(6) inserted by 2015 c. 20 Sch. 7 para. 8(5)
- Sch. 6 para. 2ZZA inserted by 2015 c. 20 Sch. 7 para. 8(6)
- Sch. 6 para. 4A(2) inserted by 2015 c. 20 Sch. 7 para. 8(7)(c)
- Sch. 6 para. 5(ba) inserted by 2015 c. 20 Sch. 7 para. 8(8)
- Sch. 6 para. 4A(1) words renumbered as Sch. 6 para. 4A(1) by 2015 c. 20 Sch. 7 para. 8(7)(a)
- Sch. 6 para. 4A(1) words substituted by 2015 c. 20 Sch. 7 para. 8(7)(b)
- Sch. 6 Pt. 1 para. 2B(4) inserted by 2015 c. 20 s. 25(6)