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STATUTORY INSTRUMENTS

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**2017 No. 251**

**The Cambridgeshire and Peterborough  
Combined Authority Order 2017**

**PART 3**

**Transport**

**Agreements between authorities**

**9.**—(1) The functions of the upper-tier authorities specified in section 6 of the 1980 Act (powers to enter into agreements with the Minister or strategic highways companies relating to the exercise of functions with respect to trunk roads etc.)(1) are exercisable by the Combined Authority in relation to the Area.

(2) The functions of the upper-tier authorities as local highway authorities specified in the following provisions of the 1980 Act are exercisable by the Combined Authority in relation to the Area—

- (a) section 8 (power to enter into agreements with local highway authorities and strategic highways companies for the doing of certain works)(2);
- (b) section 62 (general power of improvement)(3);
- (c) section 64 (dual carriageways and roundabouts)(4);
- (d) section 65 (cycle tracks);
- (e) section 66 (footways and guard-rails etc for publicly maintainable highways)(5);
- (f) section 68 (refuges);
- (g) section 69 (subways)(6);
- (h) section 70 (footbridges over highways);
- (i) section 73 (power to prescribe improvement line for widening street) (7);

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- (1) Section 6 was amended by section 8 of, and paragraph 4 of Schedule 4 to, the Local Government Act 1985 (c. 51), section 22 of, and paragraph 2 of Schedule 7 to, the Local Government (Wales) Act 1994 (c. 19), section 1 of, and paragraph 7 of Schedule 1 to, the Infrastructure Act 2015 (c. 7), and S.I. 1995/1986.
- (2) Section 8 was amended by section 22 of, and paragraph 3 of Schedule 7 to, the Local Government (Wales) Act 1994, section 8 of, and paragraph 5 of Schedule 4 to, the Local Government Act 1985, and section 1 of, and paragraph 8 of Schedule 1 to, the Infrastructure Act 2015 (c. 7).
- (3) Section 62 was amended by Schedule 10 to the Transport Act 1981 (c. 56), Schedule 17 to the Local Government Act 1985 (c. 51), and section 1(1) of the Traffic Calming Act 1992 (c. 30).
- (4) Section 64 was amended by Schedule 17 to the Local Government Act 1985 and Schedule 9 to the New Roads and Street Works Act 1991 (c. 22).
- (5) Section 66 was amended by paragraph 17 of Schedule 4 to the Local Government Act 1985, section 70(1) of the Countryside and Rights of Way Act 2000 (c. 37), and paragraph 23 of Schedule 1 to the Infrastructure Act 2015 (c. 7).
- (6) Section 69 was amended by Schedule 17 to the Local Government Act 1985, paragraph 7 of Schedule 7 to the Local Government (Wales) Act 1994 (c. 19), and paragraph 24 of Schedule 1 to the Infrastructure Act 2015 (c. 7).
- (7) Section 73 was amended by sections 37 and 46 of the Criminal Justice Act 1982 (c. 48) and paragraph 62 of Schedule 25 to the Water Act 1989 (c. 15).

- (j) section 74 (power to prescribe a building line)(**8**);
- (k) section 75 (variation of widths of carriageways and footways);
- (l) section 76 (levelling of highways);
- (m) section 77 (alteration of levels);
- (n) section 78 (cutting off of corners);
- (o) section 79 (prevention of obstruction to view at corners)(**9**);
- (p) section 80 (power to fence highways)(**10**);
- (q) section 81 (provision of highway boundary posts);
- (r) section 91 (construction of bridge to carry existing highway maintainable at public expense);
- (s) section 92 (reconstruction of bridge maintainable at public expense);
- (t) section 93 (power to make orders as to reconstruction, improvement, etc of privately maintainable bridges)(**11**);
- (u) section 94 (powers of highway authorities and bridge owners to enter into agreements);
- (v) section 96 (powers of highway and local authorities to plant trees, lay out grass verges etc);
- (w) section 97 (lighting of highways)(**12**);
- (x) section 98 (delegation of lighting functions of highway authority);
- (y) section 99 (metalling of highways);
- (z) section 100 (drainage of highways)(**13**); and
- (aa) section 101 (power to fill in roadside ditches etc).

(3) The functions specified in paragraphs (1) and (2) are exercisable by the Combined Authority concurrently with the constituent councils.

(4) In this article, “local highway authority” has the meaning given by section 329(1) of the 1980 Act (further provision as to interpretation)(**14**).

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- (8) Section 74 was amended by sections 37 and 46 of the Criminal Justice Act 1982 and paragraph 62 of Schedule 25 to the Water Act 1989.
  - (9) Section 79 was amended by paragraph 18 of Schedule 17 to the Local Government Act 1985, paragraph 8 of Schedule 7 to the Local Government (Wales) Act 1994, sections 37 and 46 of the Criminal Justice Act 1982, and paragraph 52 of Schedule 9 to the Crime and Courts Act 2013 (c. 22).
  - (10) Section 80 was amended by paragraph 19 of Schedule 4 to the Local Government Act 1985, paragraph 45(4) of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11) and paragraph 25 of Schedule 1 to the Infrastructure Act 2015 (c. 7).
  - (11) Section 93 was amended by paragraph 27 of Schedule 1 to the Infrastructure Act 2015 (c. 7).
  - (12) Section 97 was amended by paragraph 29 of Schedule 1 to the Infrastructure Act 2015 (c. 7).
  - (13) Section 100 was amended by paragraph 21 of Schedule 4 to the Local Government Act 1985, paragraph 62 of Schedule 25 to the Water Act 1989, paragraph 36(1) of Schedule 1 to the Water Consolidation (Consequential Provisions) Act 1991, and paragraph 9 of Schedule 7 to the Local Government (Wales) Act 1994.
  - (14) This definition in section 329(1) of the 1980 Act was amended by paragraph 60(1) of Schedule 1 to the Infrastructure Act 2015 (c. 7).