
DRAFT STATUTORY INSTRUMENTS

2017 No.

**The Sub-national Transport Body
(Transport for the North) Regulations 2017**

Highways

- 10.** The functions exercisable jointly with the Secretary of State are—
- (a) the function in section 6(5)(1) (power to enter agreement with local authority for works relating to trunk road),
 - (b) the functions in sections 105A to 105C(2) (functions relating to environmental impact assessments),
 - (c) the functions in section 239(1)(3) and (2)(4) (powers to acquire land in connection with highways), in relation to trunk roads,
 - (d) the functions in section 239(3), (4) and (5) (powers to acquire land for improvement of a highway), insofar as those functions are exercisable by the Secretary of State,
 - (e) the functions in section 240(1), (2)(a) and (6) (acquisition of land in connection with highways: further general powers), insofar as those functions are exercisable by the Secretary of State,
 - (f) the functions in section 246(1), (2)(5), (2A)(6) and (5) (powers to acquire land to mitigate effects of constructing or improving highway), insofar as those functions are exercisable by the Secretary of State, and
 - (g) the functions in section 250(1) and (2) (powers relating to acquisition of rights over land), insofar as those functions are exercisable by the Secretary of State.

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- (1) Section 6(5) was amended by the Local Government Act 1985 (c.51), Schedule 4, paragraph 4(c) and the Infrastructure Act 2015 (c.7), Schedule 1, paragraphs 7(8)(a) and 7(8)(b).
- (2) Section 105A was inserted by the Highways (Assessment of Environmental Effects) Regulations 1988 (S.I. 1988/1241), regulation 2 and amended by the Highways (Assessment of Environmental Effects) Regulations 1999 (S.I. 1999/369), regulation 2, the Countryside and Rights of Way Act 2000 (c.37), Schedule 10, paragraph 5, Schedule 15, paragraph 5 and Schedule 16, Part 3, the Highways (Environmental Impact Assessment) Regulations 2007 (S.I. 2007/1062), regulation 2, the Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490), Schedule 6, paragraph 3 and the Infrastructure Act 2015 (c.7), Schedule 1, paragraph 30. Section 105B was inserted by the Highways (Assessment of Environmental Effects) Regulations 1999 (S.I. 1999/369), regulation 2 and amended by the Highways (Environmental Impact Assessment) Regulations 2007 (S.I. 2007/1062), regulation 3, the Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), article 4(1) and Schedule 2, paragraph 161 and the Infrastructure Act 2015 (c.7), Schedule 1, paragraph 31. Section 105C was inserted by the Highways (Assessment of Environmental Effects) Regulations 1999 (S.I. 1999/369), regulation 2 and amended by the Highways (Environmental Impact Assessment) Regulations 2007/1062, regulation 4 and the Infrastructure Act 2015 (c.7), Schedule 1, paragraph 32.
- (3) Section 239(1) was amended by the Infrastructure Act 2015 (c.7), Schedule 1, paragraph 45(2).
- (4) Section 239(2) was amended by the Infrastructure Act 2015 (c.7), Schedule 1, paragraphs 45(3)(a) and 45(3)(b).
- (5) Section 246(2) was amended by the Planning and Compensation Act 1991 (c.34), Schedule 15, paragraph 26.
- (6) Section 246(2A) was inserted by the Planning and Compensation Act 1991 (c.34), section 62(2).