
DRAFT STATUTORY INSTRUMENTS

2021 No.

**The West Yorkshire Combined Authority
(Election of Mayor and Functions) Order 2021**

PART 6

Transport

Apparatus affected by highway, bridge or transport works

22.—(1) The functions of the constituent councils as highway authorities specified in the following enactments are exercisable by the Combined Authority in relation to the Area—

- (a) sections 83, 84 and 85 of the New Roads and Street Works Act 1991⁽¹⁾ (“the 1991 Act”); and
- (b) the 2000 Regulations.

(2) The functions mentioned in paragraph (1) are exercisable by the Combined Authority concurrently with the constituent councils.

(3) The 2000 Regulations apply in relation to the sharing of costs of diversionary works between the Combined Authority and undertakers as they apply in relation to the sharing of costs of diversionary works between a constituent council and undertakers.

(4) For the purposes of paragraph (3), references in the 2000 Regulations to an authority are to be read as including references to the Combined Authority.

(5) In this article—

- (a) “the 2000 Regulations” means the Street Works (Sharing of Costs of Works) (England) Regulations 2000⁽²⁾;
- (b) “undertaker” has the same meaning as in sections 48(4) and (5) (streets, street works and undertakers) and 89(4) (public sewers, sewer authorities and related matters) of the 1991 Act⁽³⁾; and
- (c) “diversionary works” has the meaning given by regulation 2(1) of the 2000 Regulations.

(6) Any exercise of the functions conferred by paragraph (1) requires the consent of each member of the Combined Authority appointed by a constituent council pursuant to paragraph 1(2) of Schedule 1 to the 2014 Order or the substitute member acting in their place.

(1) 1991 c. 22. Section 83 was amended by section 40 of, and Schedule 1 to the Traffic Management Act 2004 (c. 18).

(2) S.I. 2000/3314.

(3) Section 48 was amended by section 124 of the Local Transport Act 2008 (c. 26) and section 89 was amended by Schedule 1 to the Water Consolidation (Consequential Provisions) Act 1991 (c. 60) and section 57 of the Traffic Management Act 2004 (c. 18).