

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 10: Regulation of the use of roads and railways

Part 3: Road humps

695. *Paragraph 15* relates to the removal of the Secretary of State's additional powers under section 90B of the Highways Act 1980 (the "HA 1980") to construct road humps. In view of the fact that in practice the construction of road humps is undertaken by local authorities, this power is no longer required. Paragraph 15(2) removes the Secretary of State's powers. Powers of the Welsh Ministers to construct road humps under this section are retained but the changes do not affect the two parts of roads in Wales (parts of the two Severn crossings) for which the Secretary of State is the highway authority. *Paragraph 16* includes consequential amendments to section 90C of the HA 1980.
696. Section 90C of the HA 1980 currently makes provision in relation to consultation requirements where it is proposed to construct road humps. In doing so, it sets out requirements about such matters as publication of notices and procedures for dealing with objections. Paragraph 16 amends section 90C to enable the consultation requirements to be dealt with in regulations rather than by section 90C. This is intended to provide flexibility to simplify the requirements, in particular by making them less prescriptive.
697. *Part 3* of the Schedule includes amendments to sections 90A to 90F of the HA 1980 to deal with transferred functions on the face of the Act, changing references to the Secretary of State to references to the appropriate national authority (as defined in section 90F) where appropriate. New section 90FA is inserted by *paragraph 20* to deal with parliamentary procedure for regulations under section 90C or 90D.
698. The repeal and amendments made in this Part of the Schedule form part of the law of England and Wales and will come into force on a day to be appointed by the Secretary of State in a commencement order.