
Changes to legislation: There are currently no known outstanding effects for the High Speed Rail (London - West Midlands) Act 2017, Cross Heading: Traffic authority to consult Secretary of State before making traffic regulation order. (See end of Document for details)

SCHEDULES

SCHEDULE 25

TRAFFIC REGULATION

Traffic authority to consult Secretary of State before making traffic regulation order

- 1 (1) This paragraph applies where—
- (a) the traffic authority for a relevant road is a person other than the Secretary of State,
 - (b) the authority proposes to make a traffic regulation order in relation to the road, and
 - (c) it appears to the authority that provision made by the order could significantly interfere with the use of the road by heavy commercial vehicles for the purposes of the construction of Phase One of High Speed 2.
- (2) Before making the order, the authority must consult the Secretary of State (in addition to any other person the authority is required to consult under or by virtue of Part 3 of Schedule 9 to RTRA 1984).
- (3) In this paragraph—
- “heavy commercial vehicle” has the same meaning as in RTRA 1984 (see section 138 of that Act);
 - “relevant road” means a road, other than a special road or trunk road, which falls within one or more of the following paragraphs—
 - (a) a road which is part of a route identified in a deposited statement as a construction traffic route;
 - (b) a road which is part of a route in relation to which approval has been given under paragraph 6 of Schedule 17 (routes for transportation by large goods vehicles);
 - (c) where a request for approval under paragraph 6 of Schedule 17 has been made but not determined, a road which is part of a route to which the request for approval relates;
 - (d) a road any part of which is within the Act limits.
- (4) For the purposes of the definition of “relevant road”, “special road” and “trunk road” have the same meanings as in the Highways Act 1980.
- 2 (1) The Secretary of State may by notice designate—
- (a) a road, or part of a road, in relation to which paragraph 1(2) does not apply;
 - (b) a description of traffic regulation orders in relation to which paragraph 1(2) does not apply.
- (2) A notice under sub-paragraph (1)(a) has effect until further notice.
- (3) The Secretary of State must give a notice under sub-paragraph (1)(a) to the traffic authority for the road (or part of the road) to which the notice relates.

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- (4) A notice under sub-paragraph (1)(b) may have effect generally or in relation to areas specified in the notice.
 - (5) The Secretary of State must give a notice under sub-paragraph (1)(b) to every traffic authority which would be affected by the notice.
 - (6) Failure by a traffic authority to comply with paragraph 1(2) in relation to a traffic regulation order does not affect the validity of the order.
- 3
- (1) Paragraph 1(2) ceases to apply in relation to a traffic authority if the Secretary of State gives the authority a notice stating that—
 - (a) no further works are proposed to be constructed under this Act in the authority's area, and
 - (b) the use of relevant roads in the authority's area is no longer required by heavy commercial vehicles for the purposes of the construction of Phase One of High Speed 2.
 - (2) Paragraph 1(2) ceases to apply in relation to a particular part of the area of a traffic authority (“the relevant part”) if—
 - (a) the Secretary of State reasonably considers that the relevant part can be treated separately from the rest of the authority's area for the purposes of paragraph 1(2), and
 - (b) the Secretary of State gives the authority a notice stating that—
 - (i) no further works are proposed to be constructed under this Act in the relevant part, and
 - (ii) the use of relevant roads in the relevant part is no longer required by heavy commercial vehicles for the purposes of the construction of Phase One of High Speed 2.
 - (3) The Secretary of State must give a traffic authority a notice under sub-paragraph (1) or (2) as soon as reasonably practicable after the Secretary of State forms the view that the applicable requirements are met.
 - (4) For the purposes of sub-paragraph (3), the applicable requirements are met—
 - (a) in a sub-paragraph (1) case, if sub-paragraph (1)(a) and (b) apply in relation to the authority's area, and
 - (b) in a sub-paragraph (2) case, if sub-paragraph (2)(b)(i) and (ii) apply in relation to the relevant part.
 - (5) In this paragraph, “heavy commercial vehicle” and “relevant road” have the same meanings as in paragraph 1.

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