



Birmingham Commonwealth Games Act 2020

2020 CHAPTER 10

PART 4

TRANSPORT

28 Power to direct a local traffic authority

- (1) The Secretary of State may direct a local traffic authority to make an order or issue a notice by virtue of section 26 if—
 - (a) the Secretary of State is satisfied that the making of the order, or issue of the notice, is necessary for a purpose specified in section 26(1),
 - (b) the Secretary of State has requested that the authority take the action to be directed, and
 - (c) the authority have failed to take the action before the end of the period of 7 days beginning with the day on which the Secretary of State made the request.
- (2) Before making a request under subsection (1)(b), the Secretary of State must consult—
 - (a) the local traffic authority to which the request would be made,
 - (b) if different, an authority directed under section 25(1),
 - (c) the Organising Committee, and
 - (d) any other person whom the Secretary of State considers it appropriate to consult.
- (3) Subsections (1)(b) and (c) and (2) do not apply if the Secretary of State is satisfied that, for reasons of urgency, the direction must be given without delay.
- (4) If the local traffic authority do not comply with the direction before the end of the period specified in the direction, the Secretary of State may—
 - (a) make the order or issue the notice in place of the authority, and

Status: This is the original version (as it was originally enacted).

- (b) recover from the authority any expenses incurred by the Secretary of State in connection with the making of the order or the issuing of the notice as if they were a debt.
- (5) An order made or notice issued by the Secretary of State under subsection (4)(a) is to be treated as though it were an order made or notice issued by the local traffic authority by virtue of section 26.
- (6) An authority directed under section 25(1) may not be directed under this section to exercise any power conferred on that authority by section 27(1).
- (7) A direction under subsection (1)—
 - (a) must be in writing, and
 - (b) may be revoked.