

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Subject to transitional provisions, this Order replaces, with modifications, the Contracting Out (Highway Functions) Order 1995, the Local Authorities (Contracting Out of Highway Functions) Order 1999, the Local Authorities (Contracting Out of Highway Functions) (England) Order 2001 and article 3 of the Transport for London (Best Value) (Contracting Out of Investment and Highway Functions) Order 2006.

It continues to enable both the Secretary of State and a local authority (including Transport for London) to authorise another person, or that person's employees, to exercise certain of their functions in relation to maintenance, improvement and other dealings with highways, mainly in their respective capacities as a highway authority.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. An Explanatory Memorandum has been prepared and is available alongside the instrument on the OPSI website. The Memorandum may also be found by visiting the Department for Transport website at [www.dft.gov.uk](http://www.dft.gov.uk).