



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 2

LOCAL DEMOCRACY AND DEVOLUTION

CHAPTER 1

COMBINED COUNTY AUTHORITIES

Functions of CCAs

22 Directions relating to highways and traffic functions

- (1) The Secretary of State may by regulations confer on a CCA a power to give a direction about the exercise of an eligible power.
- (2) An “eligible power” means a power of a county council or a unitary district council which the council has—
 - (a) as highway authority by virtue of section 1 of the Highways Act 1980, or
 - (b) as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984.
- (3) In this section references to a power do not include a reference to a duty.
- (4) A power of direction under this section must relate only to the exercise of an eligible power in—
 - (a) the area of the CCA, and
 - (b) the area of the authority subject to the direction.
- (5) A power of direction under this section must relate only to the exercise of an eligible power in respect of—
 - (a) a particular road (whether or not specified in the regulations), or
 - (b) a description of road (whether or not specified in the regulations).

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 22. (See end of Document for details)

- (6) In subsection (5) “road”—
- (a) has the meaning given by section 142(1) of the Road Traffic Regulation Act 1984, and
 - (b) does not include any road which is the subject of a concession agreement under Part 1 of the New Roads and Street Works Act 1991.
- (7) A power of direction under this section must relate only to any one or more of—
- (a) the provision of information about the exercise of an eligible power which the authority subject to the direction has or might reasonably be expected to acquire;
 - (b) the imposition on such an authority of requirements relating to procedures to be followed prior to the exercise of an eligible power;
 - (c) the imposition on such an authority of requirements relating to the obtaining of consent prior to the exercise of an eligible power;
 - (d) the imposition on such an authority of conditions subject to which an eligible power may be exercised (including conditions relating to the times at which, and the manner in which, an eligible power may be exercised);
 - (e) a requirement to exercise an eligible power (including a requirement to exercise an eligible power subject to conditions);
 - (f) a prohibition on the exercise of an eligible power.
- (8) A power of direction under this section may be conferred subject to conditions.
- (9) Any direction given by virtue of this section—
- (a) must be given in writing and may be varied or revoked by a further direction in writing, and
 - (b) may make different provision for different cases and different provision for different areas.
- (10) If regulations under subsection (1) make provision for a direction by virtue of subsection (7)(e), the regulations must make provision for the direction not to have effect unless the CCA meets the cost of complying with the direction.
- (11) Except as provided for by section 24(7), regulations under subsection (1) may be made in relation to a CCA only with the consent of—
- (a) the constituent councils, and
 - (b) in the case of regulations in relation to an existing CCA, the CCA.

Commencement Information

II S. 22 in force at 26.12.2023, see s. 255(2)(c)

Changes to legislation:

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 22.