
Changes to legislation: There are currently no known outstanding effects for the High Speed Rail (West Midlands - Crewe) Act 2021, Cross Heading: Further powers of Secretary of State (including in relation to variation or revocation of orders). (See end of Document for details)

SCHEDULES

SCHEDULE 30

TRAFFIC REGULATION

Further powers of Secretary of State (including in relation to variation or revocation of orders)

- 7 (1) The Secretary of State may direct a traffic authority to revoke a traffic regulation order made by the authority in pursuance of a direction under paragraph 4.
- (2) The Secretary of State may direct a traffic authority to vary a traffic regulation order made by the authority in pursuance of a direction under paragraph 4, where—
- (a) the Secretary of State considers that the variation is—
 - (i) necessary for the purposes of the timely, efficient and cost-effective construction of the works authorised by this Act, and
 - (ii) reasonable in the circumstances, or
 - (b) the effect of the variation is to remove or relax a restriction imposed by the order on the use of any road.
- 8 (1) Where a traffic authority fails to comply with a direction under paragraph 4, the Secretary of State may make the traffic regulation order required by the direction.
- (2) Where a traffic authority fails to comply with a direction under paragraph 7, the Secretary of State may by order vary or revoke the traffic regulation order (as required by the direction).
- 9 (1) The Secretary of State may by order made by statutory instrument vary or revoke a traffic regulation order (whenever made) if the Secretary of State considers the variation or revocation—
- (a) necessary for the purposes of the timely, efficient and cost-effective construction of the works authorised by this Act, and
 - (b) reasonable in the circumstances.
- (2) This paragraph has effect without prejudice to the powers conferred on the Secretary of State by paragraphs 7 and 8.
- 10 (1) This paragraph applies to an order under paragraph 8 or 9.
- (2) Paragraph 4 of Schedule 9 to RTRA 1984 (reserve powers of Secretary of State, including power to recover expenses) applies to the order as it applies to an order made by virtue of paragraph 3 of that Schedule.
- (3) Parts 3 and 4 of Schedule 9 to RTRA 1984, and regulations made under paragraph 24 of that Schedule, apply to the order as they apply to an order made by virtue of the relevant paragraph of that Schedule, but as if—
- (a) any provision in the regulations relating to the holding of a public inquiry were omitted, and

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- (b) for the purposes of the application of paragraph 28 of that Schedule (provision about the variation or revocation of certain orders)—
 - (i) the reference in that paragraph to Part 2 of that Schedule included a reference to paragraph 10(5) of this Schedule, and
 - (ii) any reference in that Part to paragraph 13(1)(e) and (f) of that Schedule were read instead as a reference to paragraph 10(5) of this Schedule.
- (4) For the purposes of sub-paragraph (3), “the relevant paragraph” of Schedule 9 to RTRA 1984 is—
 - (a) in the case of an order under paragraph 8 of this Schedule, paragraph 3 of that Schedule, and
 - (b) in the case of an order under paragraph 9 of this Schedule, paragraph 7 of that Schedule.
- (5) Where the Secretary of State makes an order to which this paragraph applies, the relevant authority may not without the Secretary of State's consent make a further traffic regulation order which contains—
 - (a) provision varying or revoking the Secretary of State's order, or
 - (b) provision as respects any length of road for any purpose where—
 - (i) an order has been made as respects that length of road for a similar purpose, and
 - (ii) that order has been varied or revoked by the Secretary of State's order.
- (6) Paragraph 16 of Schedule 9 to RTRA 1984 (powers of Secretary of State where an order is submitted for consent) applies for the purposes of sub-paragraph (5) as if the further traffic regulation order had been submitted for consent under Part 2 of that Schedule.

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