STATUTORY INSTRUMENTS

2026 No. 820

LOCAL GOVERNMENT, ENGLAND

TRANSPORT, ENGLAND

The West Midlands Combined Authority (Key Route Network) (Amendment) Order 2026

Made - - - -	*14th July 2026*
Coming into force - -	*5th August 2026*

The Secretary of State makes this Order in exercise of the powers conferred by sections 105(1), 114 and 117(5) of the Local Democracy, Economic Development and Construction Act 2009(**a**) ("the Act").

A proposal for the making of this Order has been prepared by the West Midlands Combined Authority and submitted to the Secretary of State, in accordance with section 112A(**b**) of the Act ("the proposal").

In making this Order, the Secretary of State has had regard to the proposal and considers, that—

(a) in accordance with section 113(1)(a)(**c**) of the Act, that the "statutory test" in section 110(6)(**d**) of the Act is satisfied and that it is appropriate to make this Order in relation to the area (which has the same meaning as "the combined area" in article 2 of the West Midlands Combined Authority (Functions and Amendment) Order 2017(**e**)) having regard to the need to secure effective and convenient local government in relation to the areas of competence(**f**); and

(b) in view of the consultation carried out in connection with the proposal by the West Midlands Combined Authority in accordance with section 112A(3) of the Act, no further consultation is necessary, in accordance with section 113(1)(b) and (3) of the Act.

(**a**) 2009 c. 20. Section 114 was amended by paragraph 26 of Schedule 5 to the Cities and Local Government Devolution Act 2016 (c. 1) ("the 2016 Act") and S.I. 2021/1265. Section 117(5) was amended by paragraph 29(3) of Schedule 5 to the 2016 Act and section 104(1) and (5) of the English Devolution and Community Empowerment Act 2026 (c. 23). There are other amendments to sections 105 and 117 but none are relevant.

(**b**) Section 112A was inserted by section 66(3) of the Levelling-up and Regeneration Act 2023 (c. 55) and was amended by paragraph 17 of Part 1 of Schedule 1 to the English Devolution and Community Empowerment Act 2026.

(**c**) Section 113 was substituted by paragraph 19 of Part 1 of Schedule 1 to the English Devolution and Community Empowerment Act 2026.

(**d**) Section 110 was substituted by paragraph 16 of Part 1 of Schedule 1 to the English Devolution and Community Empowerment Act 2026.

(**e**) S.I. 2017/510, amended by S.I. 2018/880, S.I. 2022/71, S.I. 2022/576 and S.I. 2026/519.

(**f**) "Areas of competence" is defined in section 2 of the English Devolution and Community Empowerment Act 2026, with "transport and infrastructure" being a subject specified at paragraph (a) of that section.

In accordance with section 117(2)(**a**) of the Act, a draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement and extent

1.—(1) This Order may be cited as the West Midlands Combined Authority (Key Route Network) (Amendment) Order 2026 and comes into force on the 21st day after the day on which it is made.

(2) This Order extends to England and Wales.

Amendments to the West Midlands Combined Authority (Functions and Amendment) Order 2017

2.—(1) The West Midlands Combined Authority (Functions and Amendment) Order 2017 is amended as follows.

(2) In article 2 (interpretation)—

(a) omit the definition of "Combined Authority roads"; and

(b) before the definition of "the Mayor", insert—

> ""key route network roads" means highways or proposed highways in the combined area designated as key route network roads pursuant to section 107ZA(1)(**b**) (designation of key route network roads) of the Local Democracy, Economic Development and Construction Act 2009; and".

(3) In article 8(1) and (2) (permit schemes), for "Combined Authority roads", in both places where those words appear, substitute "key route network roads".

(4) In article 9(1) (apparatus affected by highway, bridge or transport works), for "Combined Authority roads", substitute "key route network roads".

(5) Omit Schedule 1 (Combined Authority roads).

Signed by authority of the Secretary of State for Transport

Lilian Greenwood
Parliamentary Under-Secretary of State
Department for Transport

14th July 2026

(**a**) Section 117(2) was substituted by section 13(2) of the Localism Act 2011 (c. 20) and amended by section 104(1) and (2) of the English Devolution and Community Empowerment Act 2026. There are other amendments to section 117 but none are relevant.

(**b**) 2009 c. 20. Section 107ZA was inserted by section 63(4) of the Levelling-up and Regeneration Act 2023 (c. 55); and was amended by paragraph 10 of Part 1 of Schedule 1 and paragraphs 2 and 6 of Part 1 of Schedule 11 to the English Devolution and Community Empowerment Act 2026 (c. 23).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the West Midlands Combined Authority (Functions and Amendment) Order 2017 (S.I. 2017/510) ("the 2017 Order") to allow the West Midlands Combined Authority ("the WMCA") either to designate a road or proposed road in its area as a key route network road, or to remove such a designation, using the power provided by section 107ZA of the Local Democracy, Economic Development and Construction Act 2009 (c. 20) ("the 2009 Act").

The 2017 Order gives the WMCA the ability to exercise concurrently with the constituent councils certain functions in relation to "Combined Authority roads" under sections 83 to 85 of the New Roads and Street Works Act 1991 (c. 22), sections 33, 33A and 36 of the Traffic Management Act 2004 (c. 18), the Street Works (Sharing of Costs of Works) (England) Regulations 2000 (S.I. 2000/3314) and the Traffic Management Permit Scheme (England) Regulations 2007 (S.I. 2007/3372). "Combined Authority roads" are specified in Schedule 1 to the 2017 Order.

Article 2 of this Order replaces references to "Combined Authority roads", wherever the term appears in the 2017 Order, with references to "key route network roads" and omits Schedule 1 to that Order, which specifies highways that are Combined Authority roads. The new term "key route network roads" is defined with reference to section 107ZA(1) of the 2009 Act. These amendments will enable the WMCA to designate the roads in respect of which the above functions transferred by the 2017 Order are to apply.

A full impact assessment has not been produced for this instrument as no significant impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk.

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