

Economic Development and Transport Committee

Date: Wednesday 13 October 2004
Time: 9.00 – 12.30
Venue: National Assembly Building, Cardiff Bay
Title: Report on Secondary Legislation

Purpose of paper

At EDT on 22 September the Committee agreed to consider the list of forthcoming legislation from the Economic Development and Transport Minister (Annex A) out of Committee. The Committee had previously identified two items of secondary legislation for further scrutiny and no additional items have been selected. A report to the Business Minister confirming this is attached at Annex B.

Sian Wilkins
Clerk
Members Research and Committee Service

Annex A

EDT2 13-04(p8e)

Economic Development and Transport Committee

Date: Wednesday 22 September 2004
Time: 9.00 – 12.30
Venue: National Assembly Building, Cardiff Bay
Title: Forthcoming EDT Secondary Legislation

Purpose of paper

The attached information has been provided by the Economic Development and Transport Minister. The main part of the paper details the forthcoming legislation in the Economic Development and Transport portfolio. Members are invited to comment on this and to consider whether they wish to examine any of the items in more detail.

The Annex to the paper lists other legislation which is outside the EDT portfolio will impact on it. Members may also wish to consider whether they wish to look further at any of these.

John Grimes
 Clerk
 Members Research and Committee Service

Annex 1

Subordinate Legislation Programme 2004/2005

2004 Autumn Term			
Name/Working Title	Summary of proposed Purpose	Projected Month Legislation to be Made	Procedure/ Standing Order
The Welsh Development Agency (Land at Bridge Street, Wrexham) Compulsory Purchase Order 2004.	To acquire land for the purpose of assembling land and disposing of it for residential office and retail development	September	Standing order 30
The Street Works (Sharing of Costs of Works) (Wales) Regulations	To reduce, from 18% to 7.5%, the proportion of the cost of works that a utility has to bear where their appliances beneath the road need to be disturbed as a result of a major public transport scheme.	December	Accelerated

2005 Spring Term			
Name/Working Title	Summary of proposed Purpose	Projected Month Legislation to be Made	Procedure/ Standing Order
The Quiet Lanes And Home Zone Regulations, Wales	To enable local authorities to designate roads as quiet lanes or home zones; to enable local authorities to make use and / or speed orders for such designated roads.	To be confirmed.	To be confirmed.
The Street Works (Inspection Fees) (Wales) Regulations	To reform the basis on which highway authorities may charge for carrying out a proportion of their routine inspections of utilities' street works.	March	Accelerated
The Street Works (Charges for Unreasonably Prolonged Occupation of Highway) (Wales) Regulations	To allow street authorities to levy charges on contractors and utilities for street works which overrun their agreed deadlines.	February	Accelerated
The Street Works (Recovery of Costs) (Wales) Regulations	To standardise the basis on which staff costs, overheads and other administrative expenses for street works and related activities are calculated.	January	Accelerated
The Street Works (Records) (Wales) Regulations	To set out rules for utility undertakers to keep records of their apparatus in the highway.	March	Accelerated
The Street Works (Reinstatement) (Amendment) (Wales) Regulations	To amend the Street Works (Reinstatement) Regulations 1992 which prescribed requirements for the specification of materials to be used, and the standard of workmanship to be observed, by undertakers in reinstating streets by reference to a Code of Practice.	March	Accelerated

Commencement Order Traffic Management Act 2004	To commence provisions of the Traffic Management Act in Wales	To be confirmed	Accelerated
The Town and Country Planning (Blight provisions) (Wales) Order 2005	To introduce the new blight threshold regulations which need to be made as a consequence of the new rating lists in England and Wales.	March 2005	To be confirmed

2005 Summer Term			
Name/Working Title	Summary of proposed Purpose	Projected Month Legislation to be Made	Procedure/ Standing Order
The Congestion Charge Regulations	To enable local authorities to introduce two forms of charging; congestion charging and working place parking levies.	Towards the end of the financial year	to be confirmed

2005 Autumn Term			
Name/Working Title	Summary of proposed Purpose	Projected Month Legislation to be Made	Procedure/ Standing Order
Commencement Order, Transport Wales Act	To commence provisions of the Transport Wales Act	To be confirmed, depending on when/ if the bill receives Royal Assent.	Accelerated

Local Transport Plan Replacement Order	To set dates for the production of Local Transport Plans by Local Authorities	To be confirmed, depending on when/ if the Transport Bill receives Royal Assent	Accelerated
Local Transport Plan Modification Order, Transport Wales Act	To enable the Assembly to modify the duties of Local Authorities in relation to local transport plans to enable them to be prepared jointly	To be confirmed, depending on when/ if the Transport Bill receives Royal Assent	Standard
Special Roads (Classes of Traffic) Order 2004	To bring the Highways Act 1980 into line with changes in VED legislation (which is also being done in England) by prohibiting agricultural vehicles from using motorways.	September	SO 22

Key:

Projected Month Legislation - to be made -this is the month that the legislation is likely to come before Plenary for approval. Members are notified of draft instruments under Standing Order 22.1 and notification usually occurs at least 6 weeks in advance of proposed instruments coming forward to Plenary. Upon notification, Members will be invited to make representations on whether a proposed instrument merits formal consideration by a subject committee. The Deputy Presiding Officer is required to make a determination on whether a proposed instrument is to be considered formally by a Subject Committee under the "extended" procedure, having regard to any advice the Business Committee may provide and any representations received from members.

Recommended Procedure - this is the Standing Order procedure that the Welsh Assembly Government is likely to recommend should be adopted having regard to the nature of the proposed instrument and judgement as to how much scrutiny AMs may want to exercise.

Annex 2

Other Legislation of interest to EDT

2005 Spring Term			
Name/Working Title	Summary of proposed Purpose	Projected Month Legislation to be Made	Procedure/ Standing Order
Proposed Regulatory Reform Order - buses	<p>To increase the maximum permitted lengths of bus subsidy contracts.</p> <p>To remove the restrictions placed by the Transport Act 1985 on Councillor Directors of Public Transport Companies</p>	March/April	The draft order will be subject to two stages of parliamentary scrutiny. It will be debated in plenary between these two stages.

Annex B

Economic Development and Transport Committee	
<p>Jenny Randerson AM</p> <p>Chair of the Business Committee</p> <p>National Assembly for Wales</p>	<p>5 October 2004</p>

SUBORDINATE LEGISLATION FOR SCRUTINY BY ECONOMIC DEVELOPMENT AND TRANSPORT COMMITTEE

At its meeting on 22 September 2004 the Economic Development and Transport Committee considered

a list of forthcoming subordinate legislation presented by the Minister. The Committee identified no new items of draft legislation for future scrutiny.

Attached is a list of items previously identified. I will report to the Business Committee following their consideration by the Committee. I should be grateful if you would take into account our intention when making recommendations to the Deputy Presiding Officer on the handling of these draft regulations.

Copies of this letter go to Business Managers, the Deputy Presiding Officer and to the Minister for Economic Development and Transport.

Yours sincerely,

**Christine Gwyther
Committee Chair**

Draft Secondary Legislation selected for scrutiny

Items previously identified and included in Committee work programme

Ref. No.	Date selected by committee	Name/ Working Title	Purpose	Estimated timing for final draft to reach Committee
Topic				
	28-1-2004	The Quiet Lanes and Home Zone Regulations, Wales	To enable local authorities to designate roads as quiet lanes or home zones; to enable local authorities to make use and/or speed orders for such designated roads	To be confirmed

	28-1-2004	The Congestion Charge Regulations	To enable local authorities to introduce two forms of charging; congestion charging and working place parking levies	Toward the end of the financial year
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Additional (or new) items identified for future scrutiny

Ref. No.	Date selected by committee	Name/Working Title	Purpose	Estimated timing for final draft to reach Committee
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Topic