

# Enterprise Innovation and Networks Committee

**EIN(2) 01-06(p.6)**

**Date: Wednesday 3 May 2006**

**Venue: Committee Room 2, Senedd, Cardiff Bay**

**Title: Forthcoming EIN Secondary Legislation**

## **Purpose of paper**

The attached information has been provided by the Enterprise Innovation and Networks Minister.

The main part of the paper details the forthcoming legislation in the Enterprise Innovation and Networks portfolio. Members are invited to comment on this and to consider whether they wish to examine any of the items in more detail.

Claire Morris

Clerk

Members Research and Committee Service

## **EIN Subordinate Legislation Programme 2006/07**

Summer Term 2006

<b>Name/Working Title</b>	<b>Summary of Proposed Purpose</b>	<b>Projected Month Legislation to be Made</b>	<b>Procedure/ Standing Order</b>	<b>Contact</b>
Commencement Orders Traffic Management Act 2004	To commence provisions of the Traffic Management Act in Wales.	Phased programme starting in 2006	Standard	Sian Lewis (TP&A)
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.	June 2006	Accelerated SO 24	Russell Dewey TP&A

Commencement Order, Transport Wales Act	To commence provisions of the Transport Wales Act	May 2006	Standard (SO 24)	Zoe Holland (TP&A)
Road Traffic (Permitted Parking Area and Special Parking Area) (County of Conwy) Order 2006	To give the local authority the powers to enforce decriminalised parking restrictions within the County of Conwy.	August 2006	SO 24	Helen Burr (TP&A)

Autumn Term 2006

<b>Name/Working Title</b>	<b>Summary of proposed Purpose</b>	<b>Projected Month Legislation to be Made</b>	<b>Procedure/ Standing Order</b>	<b>Contact</b>
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.	November 2006	Accelerated  SO 24 & SO 29	Russell Dewey  TP&A
Special Roads (Classes of Traffic) Order 2006	To bring the Highways Act 1980 into line with changes in VED legislation by prohibiting agricultural vehicles from using motorways. Order to be made jointly with DfT.	Autumn/Winter 2006	Accelerated  SO 25 Section 3	Ron Pugh  TPA3

The Highways (Assessment of Environmental Effects) (England and Wales) (Amendment) Regulations 2006	These regulations are needed to address procedural anomalies in the 1999 Regulations; amend Part VA of the Highways Act 1980 and transpose EC Directive 2003/35EC. Order to be made jointly with DfT.	Autumn 2006	Accelerated SO 25 Section 3	Mike Burnell TPA3
<b>Name/Working Title</b>	<b>Summary of proposed Purpose</b>	<b>Projected Month Legislation to be Made</b>	<b>Procedure/ Standing Order</b>	<b>Contact</b>
The Congestion Charge Regulations	To enable local authorities to introduce two forms of charging; congestion charging and working place parking levies.	Spring 2007	Standard	Sian Lewis (TP&A)
The Regional Transport Planning (Wales) Order 2006	To require that Local Transport Plans are prepared on a regional, rather than individual local authority area, basis	October 2006	Standard (SO 24)	Zoe Holland (TP&A)
The Compulsory Purchase (Inquiries Procedure) (Ministers) Rules 2006	To ensure a consistency of procedures leading up to and during public inquiries into ministerial and non ministerial Compulsory Purchase Orders. Order to be made by DCA.	Autumn 2006	To be made by DCA Minister. Neither the Assembly nor DfT have powers to make them.	Helen Burr

Spring Term 2007

<b>Name/Working Title</b>	<b>Summary of proposed Purpose</b>	<b>Projected Month Legislation to be Made</b>	<b>Procedure/ Standing Order</b>	<b>Contact</b>

The Street Works (Fixed Penalty Notice) (Wales) Regulations	To provide for certain offences under Part 3 of the 1991 Act to become fixed penalty offences.	Spring 2007	S.O. 24	Russell Dewey (TP&A)
The Traffic Management (Permit Schemes) (Wales) Regulations	To set out the detail of the operation of permit schemes for the control of works and activities in the street governed by the New Roads and Street Works Act 1991 and the Highways Act 1980.	Spring 2007	S.O. 24	Russell Dewey (TP&A)
The Street Works (Notices, Registers, Directions and Designations) (Wales) Regulations	To revoke and replace the 1992 regulations and introduce changes. Specifically, to set out the rules on street works, particularly arrangements for undertakers notifying authorities of proposed and ongoing works, the process for an authority to designate a specific street as "protected", "traffic sensitive" or of "special engineering difficulty" and the arrangements for keeping a register of works.	Spring 2007	S.O. 24	Russell Dewey (TP&A)
<b>Name/Working Title</b>	<b>Summary of proposed Purpose</b>	<b>Projected Month Legislation to be Made</b>	<b>Procedure/ Standing Order</b>	<b>Contact</b>
The Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (Wales) Regulations	To allow street authorities to levy charges on contractors and utilities for street works which overrun their agreed deadlines.	Spring 2007	S.O. 24	Russell Dewey (TP&A)

The Public Transport Users Committee for Wales (Establishment Order)	To establish a Public Transport Users Committee for Wales	Not before spring 2007	Standard (SO 24)	Zoë Holland (TP&A)
Parking Regulations, commencement order and Guidance in connection with the parking provisions of Part 6 of the Traffic Management Act 2004	To update advice and implement regulations in connection with the enforcement of parking contraventions by LAs who have acquired decriminalised powers under the Road Traffic Act 1991.	Spring 2007	Accelerated/ SO 24	Mike Burnell TPA3

Other Legislation of interest to EIN

<b>Name/Working Title</b>	<b>Summary of proposed Purpose</b>	<b>Projected Month Legislation to be Made</b>	<b>Procedure/ Standing Order</b>	<b>Contact</b>
Regulatory Reform (Local Authorities) (England and Wales) Order 2006	Provides for the removal of a number of requirements for local authorities in England and Wales to seek the consent of the Secretary of State or, in some instances, the National Assembly for Wales c.f. Paragraph 25 of schedule 14 to the Local Government Act 1972 (amalgamation of taxi zones).	Summer 2006 (being discussed with Whitehall)	To be made by OPDM	Mike Spearing

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>	Summer 2006 (being discussed with Whitehall)	The draft order will be subject to two stages of parliamentary scrutiny. It will be debated in plenary between these two stages.	Mike Spearing (TP)
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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 24.1 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.