

Enterprise Innovation and Networks Committee

EIN(2) 06-06(p.4)

Date: Wednesday 20 September 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

Enterprise Innovation and Networks Portfolio

Subordinate Legislation Programme 2006/07

Autumn Term 2006

Title	Intention of Legislation	Policy Type T = Technical P = Policy	Framework Powers (if yes, specify the Act and the relevant clause)	Key Dates & Procedure BC = Business Committee LC = Legislative Committee P = Plenary CiF = Coming into Force	Procedure/ Standing order	Contact

	Purpose (What the Regulations are seeking to do)	Scope (UK; England & Wales or Wales only)					
Traffic Management Act 2004 Commencement Order 1	To commence Part 1 Sections 5(4)&(5), Part 2, Part 6 and Part 7 Section 94.				BC - 3 October LC - 17 October P - 25 October CiF - 25 October	Standard	Gill Barker (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.	Wales only			Made 13 Jun 2006. CiF 2 Oct 2006	Accelerated SO 24	Steve Chandler (RNM) & Russell Dewey 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.				CiF 1 Sep 2006	SO 24	Helen Burr (TP&A)
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	Wales Only			BC 3 Oct 2006 LC 10 Oct 2006 P 24 Oct 2006 CiF 24 Nov 2006	Accelerated SO 24 & SO 29	Steve Chandler (RNM) & Russell Dewey TP&A

	in reinstating streets by reference to a Code of Practice.						
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.				Winter 2006	Accelerated SO 25 Section 3	Ron PughTPA3
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	Wales Only			BC 17 Oct 2006 LC 7 Nov 2006 P 14 Nov 2006 CiF 23 Nov 2006	Standard (SO 24)	Cath Mullin & Russell Dewy (TP&A)
The Traffic Management (Guidance on Intervention Criteria) (Wales) Order	To set out guidance about the criteria which the Welsh Assembly Government will apply for the purpose of deciding whether to give an intervention notice or make an intervention order	Wales Only			BC 17 Oct 2006 LC 7 Nov 2006 P 14 Nov 2006 CiF 23 Nov 2006	Standard (SO 24)	Cath Mullin & Russell Dewy (TP&A)

The Railways (Closure Guidance) (England and Wales) Order	To enable the Secretary of State for Transport in consultation with the National Assembly for Wales to issue revised guidance to the Office of Rail Regulation in fulfilling its duties under the Railway Act 2005.	England and Wales			BC - 3/10/06 P - 10/10/06	SO 26	Aerona Hawkins (RNR5) & Russell Dewey (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 2006

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	Purpose (What the Regulations are seeking to do)	Scope (UK; England & Wales or Wales only)						
The Road User Charging Regulations	These regulations will set out the framework enabling local authorities to introduce local road user charging schemes, if they wish to do so. Any local road user-charging scheme will need to be approved by the NAW.					Spring 2007	Standard	Gill Barker (TP&A)
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.					SC 14 Feb 2007 BC 13 Mar 2007 P 27 Mar 2007	Accelerated SO 25 Section 3	Russell Dewey TP&A and Harriet Cozens RNR
Network Management Duty Guidance	To provide guidance on implementing the road network management duty established under the Traffic Management Act 2004 which emphasised the importance of	Wales only				Spring 2007	SO 29	Steve Chandler (RNM) & Russell Dewey (TP&A)

	active and co-ordinated management of the road network. The Guidance includes techniques of network management that provide a practicable and good practice approach to performing the duty.						
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.	Wales only			Spring 2007	SO. 24	Steve Chandler (RNM) & 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.	Wales only			Spring 2007	SO. 24	Steve Chandler (RNM) & Russell Dewey (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/ SO 25.3/SO 29	Owen Jones-Williams & Russell Dewey TP&A
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Summer Term 2007

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	Purpose (What the Regulations are seeking to do)	Scope (UK; England & Wales or Wales only)					
The Public Transport Users Committee for Wales (Establishment Order)	To establish a Public Transport Users Committee for Wales	Wales Only			Summer 2007	Standard (SO 24)	Andrew Hemmings & 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.	Wales only			Summer 2007	SO. 24	Steve Chandler (RNM) & Russell Dewey (TP&A)
The Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (Wales) Regulations Together with the associated statutory guidance	To allow street authorities to levy charges on contractors and utilities for street works which overrun their agreed deadlines.	Wales only			Summer 2007	SO. 24	Steve Chandler (RNM) & Russell Dewey (TP&A)
Code of Practice for Co-ordination of Street Works and Works for Road Purposes	To implement the New Roads and Street Works Act 1991 and consequent Regulations with respect to co-ordination, notices and registration and related matters and provide guidance as to the manner and circumstances in which these various provisions should be operated.	Wales only			Spring/ Summer 2007	SO 29	Steve Chandler (RNM) & Russell Dewey (TP&A)

Other Legislation of Interest to EIN

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	Purpose (What the Regulations are seeking to do)	Scope (UK; England & Wales or Wales only)				
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).			Being discussed with Whitehall.	To be made by OPDM	Mike Spearing (TP&A)
Proposed Regulatory Reform Order - buses	To increase the maximum permitted lengths of bus subsidy contracts. To remove the restrictions placed by the Transport Act 1985 on Councillor Directors of Public Transport Companies			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&A)