

Constitutional and Legislative Affairs Committee
Statutory Instruments with Clear Reports
10 November 2014

CLA456 – The Local Government Byelaws (Fixed Penalties) (Wales) Regulations 2014

Procedure: Negative

These Regulations relate to fixed penalties and are made under section 13(3) and (4) of the Local Government Byelaws (Wales) Act 2012 (“the Act”). Regulation 2 prescribes the range within which the amount of a fixed penalty payable in pursuance of a notice under section 12 of the Act must fall. The range is between £50 and £150 inclusive.

The sections of the Act which contain the substantive fixed penalty provisions are not currently in force. The Committee understands that it is intended that they come into force early in 2015, so as to permit local authorities to prepare for the operation of those sections knowing the range of fixed penalties that may be applied.

CLA458 – The Civil Enforcement of Bus Lane and Moving Traffic Contraventions (City and County of Cardiff) Designation Order 2014

Procedure: Negative

This Order designates the area described in the Schedule as a civil enforcement area for bus lane and moving traffic offences for the purposes of Part 6 of the Traffic Management Act 2004.

The practical effect of the Order is to enable the Council of the City and County of Cardiff to enforce bus lane and moving traffic contraventions within the area described in the Schedule to the Order through a civil law regime.

CLA459 – The Civil Enforcement of Parking Contraventions (City and County of Cardiff) Designation (Amendment) Order 2014

Procedure: Negative

This Order amends the Civil Enforcement of Parking Contraventions (City and County of Cardiff) Designation Order 2010 (S.I. 2010/1461 (W.133)) so as to include within the civil enforcement area and special enforcement area, certain roads that were previously excluded.

CLA460 – The Planning (Hazardous Substances) (Determination of Procedure) (Prescribed Period) (Wales) Regulations 2014

Procedure: Negative

These Regulations are made by the Welsh Ministers in exercise of the powers conferred by sections 21B and 40 of the Planning (Hazardous Substances) Act 1990 (“the 1990 Act”). These Regulations are preceded by the Town and Country Planning (Determination of Procedure) (Wales) Order 2014, which inserted section 21B into the 1990 Act.

Section 21B of the 1990 Act gives the Welsh Ministers the power to determine the procedure for certain proceedings in Wales, namely proceedings for applications referred to the Welsh Ministers under section 20 and appeals under section 21 of the 1990 Act. Determinations of procedure for such proceedings must be made by the Welsh Ministers before the end of the prescribed period. These Regulations prescribe that period as seven working days from the relevant date, which is defined for these purposes.

CLA461 – The Town and Country Planning (Determination of Procedure) (Prescribed Period) (Wales) Regulations 2014

Procedure: Negative

These Regulations are made by the Welsh Ministers in exercise of the powers conferred on them by sections 319B and 333 of the Town and Country Planning Act 1990 (“the 1990 Act”). These Regulations are preceded by the Town and Country Planning (Determination of Procedure) (Wales) Order 2014, which inserted section 319B into the 1990 Act.

Section 319B of the 1990 Act gives the Welsh Ministers the power to determine the procedure for certain proceedings in Wales, namely proceedings for applications referred to the Welsh Ministers under section 77 and appeals under sections 78, 174, 195 and 208 of the 1990 Act. Determinations of procedure for such proceedings must be made by the Welsh Ministers before the end of the prescribed period. These Regulations prescribe that period as seven working days from the relevant date, which is defined for these purposes.

CLA462 – The Planning (Listed Buildings and Conservation Areas) (Determination of Procedure) (Prescribed Period) (Wales) Regulations 2014

Procedure: Negative

These Regulations are made by the Welsh Ministers in exercise of the powers conferred on them by sections 88E and 93 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”). These Regulations are preceded by the Town and Country Planning (Determination of Procedure) (Wales) Order 2014, which inserted section 88E into the 1990 Act.

Section 88E of the 1990 Act gives the Welsh Ministers the power to determine the procedure for certain proceedings in Wales, namely proceedings for applications referred to the Welsh Ministers under section 12 and appeals under sections 20 and 39 of the 1990 Act. Determinations of procedure for such proceedings must be made by the Welsh Ministers before the end of the prescribed period. These Regulations prescribe that

period as seven working days from the relevant date, which is defined for these purposes..