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WELSH STATUTORY INSTRUMENTS

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**2006 No. 2993 (W.280)**

**TRANSPORT, WALES**

**The Regional Transport Planning (Wales) Order 2006**

*Made* - - - - - *15 November 2006*

*Coming into force* - - - - - *23 November 2006*

The National Assembly for Wales, in exercise of the powers conferred by sections 108, 109C and 113A of the Transport Act 2000<sup>(1)</sup> and after consulting local transport authorities and others in accordance with section 113A(3), hereby makes the following Order:

**Title, commencement and application**

- 1.—(1) The title of this Order is the Regional Transport Planning (Wales) Order 2006.
- (2) It comes into force on 23 November 2006 and applies in relation to Wales.

**Interpretation**

2. In this Order—

“the 2000 Act” (“*y Ddeddf 2000*”) means the Transport Act 2000;

“collective area” (“*cydardal*”) means, in respect of a local transport authority group, the collective geographical area of the local transport authorities within that group as modified by article 4 and described in the Schedule being either South East Wales, South West Wales, Mid Wales or North Wales as the case may be;

“local transport authority” (“*awdurdod trafnidiaeth lleol*”) means a county council or a county borough council in Wales;

“local transport authority group” (“*grŵp awdurdod trafnidiaeth lleol*”) means any one of the four groups of local transport authorities described in the Schedule;

“qualifying local transport plan” (“*cynllun trafnidiaeth lleol cymwys*”) means a local transport plan within the meaning given to that term by section 109C(1) of the Transport Act 2000.

**Obligation to produce local transport plans under section 108 of the 2000 Act**

- 3.—(1) The application of section 108 of the 2000 Act in respect of the preparation of local transport plans by local transport authorities is, subject to article 4, modified in accordance with paragraph (2).

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(1) 2000 c. 38, (as amended by the Transport (Wales) Act 2006).

(2) The constituent local transport authorities of a local transport authority group may jointly prepare a local transport plan in respect of their collective area.

**Plans for areas of Gwynedd**

4.—(1) In accordance with section 113A(1)(a) and (b) of the 2000 Act, the local transport authority of Gwynedd, acting jointly with those local transport authorities in Group 3 in the Schedule to this Order, may prepare a local transport plan for their collective area but to exclude all areas of the County of Gwynedd with the exception of the district of Meirionnydd.

(2) In accordance with section 113A(1)(a) and (b) of the 2000 Act, the local transport authority of Gwynedd, acting jointly with those local transport authorities in Group 4 in the Schedule to this Order, may prepare a local transport plan for their collective area to include all areas of the County of Gwynedd with the exception of the district of Meirionnydd.

**Date by which qualifying local transport plans must be replaced**

5. In accordance with section 109C(2) of the 2000 Act, the National Assembly for Wales requires all qualifying local transport plans to be replaced no later than 30 June 2008.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2)

15 November 2006

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

SCHEDULE

Article 2 and 3

COMPOSITION OF LOCAL TRANSPORT AUTHORITY GROUPS

<b>Group Number and Collective Area</b>	<b>Constituent Local Authority</b>
Group 1	Blaenau Gwent
South East Wales	Bridgend
	Caerphilly
	Cardiff
	Merthyr Tydfil
	Monmouthshire
	Newport
	Rhondda Cynon Taf
	Torfaen
	Vale of Glamorgan
Group 2	Swansea
South West Wales	Neath Port Talbot
	Carmarthenshire
	Pembrokeshire
Group 3	Ceredigion
Mid Wales (including District of Meirionnydd)	Gwynedd
	Powys
Group 4	Isle of Anglesey
North Wales (excluding District of Meirionnydd)	Gwynedd
	Conwy
	Denbighshire
	Flintshire
	Wrexham

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Sections 108 to 111 of the Transport Act 2000 require local transport authorities to develop policies for the promotion of safe, integrated, efficient and economic transport facilities and services within their area. These policies are known collectively as a local transport plan. Local transport authorities are required to publish their local transport plan, make a copy available for public inspection and keep the plan under regular review, replacing it with a new plan no later than five years after the date on which the original was made. Where however such a plan was published prior to 1 August 2001, the National Assembly is required to specify, by Order, the date by which the plan must be replaced.

Section 3 of, and the Schedule to, the Transport (Wales) Act 2006 modifies sections 108 to 111 of the Transport Act 2000, introducing new sections that apply only to Wales.

Section 108 is amended to require local transport authorities to develop local transport plans which implement the Wales Transport Strategy (“the Strategy”). The National Assembly for Wales is required to prepare and publish the Strategy by section 2 of the Transport (Wales) Act 2006. The Strategy must set out the policies developed by the National Assembly for Wales to promote safe, integrated, sustainable, efficient and economic transport facilities and services. It must also set out how the National Assembly for Wales proposes to carry out those policies.

New sections 109A, 109B and 109C have been incorporated, replacing section 109 in relation to Wales. The new sections require local transport authorities to submit their local transport plans to the National Assembly for Wales for approval and to review their plans as soon as practicable after the publication of the Wales Transport Strategy.

Section 109C makes transitional provisions in respect of local transport plans produced prior to 1 August 2001. Where such a plan contains policies for the promotion and encouragement of safe, integrated, efficient and economic transport facilities and services and was produced in accordance with National Assembly for Wales guidance, the National Assembly for Wales must specify by Order the date by which such plans must be replaced.

The Transport (Wales) Act 2006 also incorporates new sections 113A and 113B into the Transport Act 2000. Section 113A enables the National Assembly for Wales to make an Order permitting local transport authorities to produce a local transport plan in respect of part only of their area. It also permits a local transport plan to be prepared by two or more authorities jointly in respect of an area comprising of all or any part of their collective area. Section 113B enables the National Assembly for Wales to issue written directions to local transport authorities in relation to the manner in which they carry out their functions under sections 108 to 111 of the Transport Act 2000.

The effect of this Order is to exercise the power of the National Assembly for Wales under section 113A of the Transport Act 2000 to modify sections 108 to 111 of that Act. Specifically, it allows the National Assembly for Wales to permit local transport plans to be made on a regional rather than individual authority basis and specifies the date by which local transport plans which fulfil the requisite criteria must be replaced.

The Order does not make provision for the way in which the local transport authorities will work together. This is a matter for the relevant authorities. Neither does the Order make provision for the preparation and implementation of the new regional transport plans as this is dealt with separately in guidance published by the National Assembly for Wales in accordance with section 112 of the Transport Act 2000.

Article 3 of this Order makes provision for the 22 Welsh local authorities to be assembled into four groups for the purpose of preparing a single transport plan for each group. The groups are based upon four regional areas: South East Wales, South West Wales, Mid Wales and North Wales.

Article 4 exercises the power of the National Assembly for Wales under section 113A(1)(a) of the Transport Act 2000 to permit a local transport plan to be prepared in respect of part only of a local transport authority's area. In this article, the local transport authority of Gwynedd is to contribute to two separate local transport plans covering or including the district of Meirionnydd and the remainder of the county of Gwynedd respectively.

Article 5 requires the replacement of local transport plans, which fulfil the requisite criteria, by no later than 30 June 2008.

The Schedule to the Order lists the four groups and their constituent local authorities.