

TRANSPORT (WALES) ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 3 (and Schedule 1): Local transport plans

Approval of local transport plans: Wales

14. The effect of paragraph 4 of Schedule 1 is to insert into the Transport Act a new section (section 109A) which requires local transport authorities in Wales to submit their local transport plans (including any alterations to existing plans) to the Assembly for approval. The introduction of this requirement is intended to provide a mechanism for ensuring that Welsh local transport plans are consistent with the Wales Transport Strategy but it is not otherwise intended to affect the ability of local authorities to decide the content of their plans. The Assembly will be able to provide advice to local authorities on how their emerging plans relate to the Wales Transport Strategy and this should ensure that a refusal by the Assembly to approve a local transport plan would be an exceptional occurrence. If the Assembly refuses to approve a plan (or alteration) it must state its reasons for doing so. As a safeguard against an overly prescriptive approach by Assembly Ministers to local transport plans, any refusal of approval of a plan (and the necessary accompanying statement of reasons for that refusal) will need to be submitted to a vote of Assembly Members in plenary session.
15. In the event that a submitted plan (including any alteration to an existing plan) is not approved the local transport authority is required to submit another plan, which they can modify in the light of the reasons given by the Assembly for the refusal of its predecessor, so as to ensure that a plan is prepared which is mutually acceptable to the authority and to the Assembly.
16. When considering whether to approve a local transport plan (or alteration) the Assembly is required to consider whether it is consistent with the Wales Transport Strategy and contains adequate policies for the implementation of the Strategy in the area to which the plan(or alteration) relates. The Assembly is only permitted to approve a plan (or alteration) if it considers that it satisfies these requirements.