

# **TRANSPORT (WALES) ACT 2006**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 5: Joint transport authorities***

22. **Section 5** gives the Assembly a power to establish, by order, joint transport authorities to discharge all or some of the transport functions of two or more local authorities in Wales. The Assembly would need to take a view at the appropriate time on whether the circumstances would justify the establishment of a joint transport authority. This judgement would take account of whether alternative arrangements, such as those under clause 4 for the joint discharge of functions, would deliver the Wales Transport Strategy in the most effective and efficient manner. A joint transport authority would be able to develop a distinctive regional approach towards transport planning and implementation. For example, it would be able to brand public transport in a uniform way through co-ordinating timetables, adopting a consistent approach towards bus stops and entering into Quality Bus Partnerships or Quality Bus Contracts with local bus operators. It would also be able to adopt a standardised approach towards the creation and enforcement of bus lanes and create lanes that cross local authority boundaries.
23. A joint transport authority must be established as a corporate body with a remit to discharge particular transport functions. These authorities will be able to be funded by levies on constituent authorities as well as by direct financial assistance from the Assembly. An order establishing a joint transport authority will be able to include detailed provisions as to how it is to be constituted. An order may provide for some of the members of a joint transport authority to be appointed by other persons but a majority must always be appointed by the local authorities concerned, thereby ensuring that any joint authority which is established will continue to be accountable to the communities which it serves. An order will be general (as opposed to local) subordinate legislation and this means that it will only be able to be made in accordance with the Assembly's procedures for making such subordinate legislation which are laid down in the Government of Wales Act 1998. Before making an order the Assembly is required to consult the local authorities affected as well as anyone else it thinks appropriate. Any proposal to make an order will, in accordance with Assembly procedures, require a specific regulatory impact assessment.