

## **REGULATORY APPRAISAL**

### **TRANSPORT, WALES**

#### **THE REGIONAL TRANSPORT PLANNING (WALES) ORDER 2006**

##### **Purpose and intended effect of the measure**

1. The intended effect of this Order is to ensure that transport infrastructure and services are planned and implemented on a regional basis to more effectively meet the travel needs of both individuals and businesses. In order to improve accessibility to work, leisure and welfare facilities, as well as the efficient distribution of goods, the development of an efficient and effective transport network in Wales is necessary.
2. Welsh local authorities generally cover smaller geographical areas than their English equivalents. The effective exercise of some local authority transport functions often requires a wider perspective than the individual authority area. Therefore, since the mid-1990s, local authorities have organised themselves into voluntary regional consortia to collaborate on some transport projects. There are currently four transport consortia in Wales, covering South East Wales (the South East Wales Transport Alliance - SEWTA); South West Wales (the South West Wales Integrated Transport Consortium - SWWITCH); Mid Wales (Trafnidiaeth Canolbarth Cymru - TraCC); and North Wales (the North Wales transport consortium - TAITH).
3. Section 108 of the Transport Act 2000 places a duty on each local authority to produce a Local Transport Plan for their area. The initial round of Local Transport Plans, produced in 2000, were prepared on an individual local authority basis. The Plans need to be updated from time-to-time to reflect changing circumstances. For the second round of Plans, it is proposed to use the power in section 113A of the 2000 Act to modify the section 108 duty, to enable local authorities to work together to produce joint plans. These Regional Transport Plans will be prepared for regions consistent with the areas covered by the voluntary transport consortia.
4. These new Regional Transport Plans will be the vehicle for the delivery of the new statutory Wales Transport Strategy.
5. The Wales Transport Strategy will facilitate the development of an effective integrated transport system for Wales, which is crucial to the delivery of a strong, knowledge-based economy, a cleaner environment and equality of opportunity for all. The Regional Transport Plans will implement this Strategy at the regional level. Consistency between the Strategy and the Regional Transport Plans will be maintained, as the Regional Transport Plans will need to be submitted to the Welsh Assembly Government for approval.

6. Section 109C, as inserted by the Transport (Wales) Act 2006, requires all Local Transport Plans produced prior to 1 August 2001 to be replaced by no later than 30 June 2008.

### **Risk Assessment**

7. The risk of not legislating is that there will be no mechanism for local authorities to plan and deliver transport effectively on a regional basis, which is consistent with the forthcoming Wales Transport Strategy. The current local transport planning system will fail to meet the challenges of today, as patterns of travel are on a more regional basis and planning needs to more closely reflect this. If this Order was not made the new regional arrangements for transport planning and implementation would be impossible to implement in a coherent way.
8. This would make it impossible to realize the economic, social and environmental benefits which will accrue from the development of an integrated transport network. For example, lack of transport is now widely recognised as a significant barrier to social inclusion. This is because lack of access to transport provision prevents people accessing key services or activities such as jobs and healthcare. It has also been found that the effects of road traffic have a disproportionate impact on socially excluded communities and individuals.
9. Improving accessibility for these members of society, therefore, depends upon the delivery of an integrated transport network covering all transport modes that will provide access to jobs and services, and providing this on a regional basis will be more effective in meeting the future demands.
10. This increase in joint working is essential to make real improvements in key transport corridors. Transport issues often cross local authority boundaries and need to be addressed on a regional basis.

### **Options**

#### Option 1 – Do Nothing

11. Section 108 of the Transport Act 2000 requires each of the 22 Welsh local authorities to produce a Local Transport Plan. Local authorities in Wales produced their first round of Local Transport Plans in 2000. The Welsh Assembly Government has the power to specify through an Order when it will require local authorities to replace their Local Transport Plans. If the proposed Regional Transport Plan Order is not made, including a date for the replacement of the initial Plans, updated Plans will not be produced on either a local or a regional basis.
12. The weakness of this option is that, without up-to-date Regional Transport Plans, there will not be a coherent framework for transport planning and implementation in Wales. There is a need to update Transport Plans on a regular basis to reflect changing circumstances, for example, changing priorities and policies. An example is the much greater emphasis, which is now placed on the need to minimise the environmental impacts of

transport. There is also a need to tackle transport issues on a regional rather than a local basis.

13. Transport is a cross-cutting theme and the absence of any planning would have adverse economic, social and environmental impacts. Under this option, there would be no coherent basis for transport planning and no framework for taking forward the Wales Transport Strategy to improve the transport system in Wales.

#### Option 2 – Make the Legislation

14. This Order proposes to reduce bureaucracy on local authorities through reducing the number of plans they have to produce. The proposals will facilitate a reduction in the number of Local Transport Plans from the 22 currently required to four joint plans. It will remove the need to produce individual separate Regional Public Transport Strategies, Bus Strategies, Walking and Cycling Strategies and Road Safety strategies.

15. The Welsh Assembly Government is working with local authorities to simplify the various transport funding streams. Rather than funding specific schemes or projects, the intention is to move, as far as possible, to a position where the Welsh Assembly Government will fund an agreed Regional Transport Plan. The transport consortia will then have more discretion about how to allocate the available resources to meet their objectives and the Assembly Government will monitor progress against the agreed outcomes specified in the Plan. This approach will mean a new, more strategic relationship between the Assembly and local authorities.

16. The intention is that there will be a Regional Transport Plan for each of the four existing voluntary transport consortia areas covering South East, South West, Mid and North Wales respectively. This will facilitate the development of a transport network which will more effectively meet the needs of both the individuals and businesses across Wales.

#### **Benefits**

17. The main benefit, which will arise from the Order, is that there will be a mechanism for local authorities to plan and deliver transport effectively, taking account of regional priorities. In addition, the Regional Transport Plans will be prepared on a basis, which is consistent with the new Wales Transport Strategy, so that the Order helps to put in place a legislative framework for transport planning and implementation throughout Wales.

18. This Order will reduce the number of transport plans from the 22 currently required to four joint plans, so that there would be benefit to Welsh local authorities as they would no longer each have to produce a Local Transport Plan. This will reduce bureaucracy and also ensure that existing resources are used more effectively, for example, by enabling authorities to pool scarce staff resources and make better use of the available expertise.

19. It is also important to recognise the wider economic, social and environmental benefits which will accrue from facilitating the development of an integrated transport network. A more efficient public transport system will help to attract people away from the car, thereby relieving congestion, improving journey times and reducing air pollution. There will also be considerable benefits in improving accessibility for socially isolated people and communities, such as those in the South Wales Valleys and remote rural Wales, by opening up access to vital services and employment opportunities.

### **Costs**

20. It is envisaged that the new transport planning arrangements should be broadly cost-neutral. Some costs will be incurred by the regional transport consortia in preparing the Regional Transport Plans. These costs have been estimated by the consortia at approximately £5,000 for each consortium. They will be met by the Assembly Government, which already provides funding direct to the transport consortia to support their development and ensure that they have adequate administrative capacity for work such as the development of the Plans. There will also be modest implications for the Assembly's running costs, again of the order of £5,000, as a result of appraising the Plans and offering advice to the consortia.

21. Conversely there will be offsetting savings in local authorities as a result of no longer having to prepare Local Transport Plans. These savings are more difficult to estimate, but given the reduction from 22 Local Transport Plans to four Regional Transport Plans, they should at least offset the costs incurred by the consortia. Similarly, there will also be offsetting resource savings for the Assembly as a result of not having to deal with 22 Local Transport Plans, so that the overall implications for running costs are expected to be neutral.

### **Consultation**

#### With Stakeholders

22. A public consultation on the provisions of this Order was carried out between 5 June 2006 and 28 July 2006. Local transport authorities, as key stakeholders, were consulted, as were the voluntary transport consortia, National Parks, the Environment Agency and Countryside Council for Wales, transport professional bodies and members of the Wales Transport Forum. A list of the consultees is attached at Annex A.

23. Responses were received from 21 of those consulted and a list of these respondents is attached at Annex B.

24. All respondents were in favour of the Order and the proposal to have four Regional Transport Plans based on the existing consortia areas. A summary of the responses is attached at Annex C, with the main points set out below:

- The South West Wales Integrated Transport Consortium did not think that the making of the Order would be cost neutral, pointing to the increased funding being made available by the Assembly to support the development of the transport consortia. Three local authorities and the South East Wales Transport Alliance made similar comments. As noted above, the costs incurred by the consortia in preparing Regional Transport Plans will be offset by savings in local authorities as a result of not having to prepare Local Transport Plans. The Assembly will be providing funding direct to the consortia to support the development of the Plans.
- Network Rail, Pembrokeshire Coast National Park Authority, Plaid Cymru and the Railway Development Society Ltd noted the absence in the Order of specific aspects of Regional Transport Plans, which will be covered in the Regional Transport Planning Guidance. The Guidance is currently being developed by the Assembly Government; it is due to issue for consultation shortly.
- The Railway Development Society Ltd suggests that 'local' and 'Group' be replaced with 'regional' and 'Region' in the Order but legal advisers have rejected this change, due to the need to maintain consistency with the terminology used in the Transport Act 2000 and the Transport (Wales) Act 2006.
- The Welsh Local Government Association does not support the inclusion of a date by which Regional Transport Plans have to be produced. However, legal advice is that section 109C, as inserted by the Transport (Wales) Act 2006, requires all Local Transport Plans produced prior to 1 August 2001 to be replaced by no later than 30 June 2008.

25. No changes were made to the draft Order as a result of the consultation.

#### With Subject Committees

26. This Order was notified to the then Economic Development and Transport Committee, via the list of forthcoming legislation, on 26 January 2006 (EDT(2)2-06(p.4)). However, the temporary title was "the Orders arising from the Transport (Wales) Act".
27. The Order was scrutinised by the Committee on 20 September 2006. Further information on the reasons for including a date for the replacement of Local Transport Plans was sought, and it was noted that this was a statutory requirement. There were no other comments or queries from Members. The Committee supported the inclusion of a date in the Order. An extract from the transcript of the proceedings is attached at Annex D.
28. The Order was also notified to the Local Government and Public Services Committee, via the list of forthcoming legislation, on 30 March 2006 (LGPS(2)06-06(p.3) item: TWA1). The Order was scrutinised by the Committee on 21 September 2006.

29. One Member referred to the consultation responses and queried why a number of the points made were to be covered in the forthcoming Regional Transport Planning Guidance rather than in the Order. There followed a short discussion on statutory and non-statutory guidance and it was concluded that it was more appropriate for the valid consultation responses made to be covered in the Guidance.
30. Another Member was concerned that the importance of local transport planning might be lost with the move to Regional Transport Plans and wondered why Local Transport Plans would not also be required. It was explained that it would be important for local authorities to continue to assess local needs and to ensure that these were reflected in the Regional Transport Plans. Local authorities would be free to continue to produce Local Transport Plans on a voluntary basis but the statutory requirement would be removed in order to relieve the burden on local authorities. The Chair accepted that it was important not to lose sight of local needs and considered that that might be taken up in the Assembly guidance on the preparation of Community Strategies.
31. There followed general discussion on the need for an integrated approach with Regional Transport Plans whereby they not only covered regional needs but also took account of local and supra regional requirements and this should be reflected in the Regional Transport Planning Guidance. The Chair said that this point would be made in the Committee's report to Business Committee. An extract from the transcript of the proceedings is at Annex E.
32. No changes were made to the draft Order as a result of the consultation with Subject Committees. However, a number have been made subsequently. In particular, there have been a number of stylistic changes, which remove some ambiguities in the drafting but do not alter the effect of the legislation. There has also been a substantive change in that what was previously expressed as a mandatory duty on the local transport authority to act jointly is now expressed as being permissive. In other words the Order will have the effect of enabling local transport authorities to work together but will not impose a statutory requirement on them to do so. The Minister for Enterprise, Innovation and Networks wrote to the Chair of both Committees on 12 October 2006, advising them of these changes to the Order.

### **Review**

33. The Welsh Assembly Government will continue to work in partnership with local authorities to develop and implement regional transport planning, to ensure that the transport network effectively meets the travel needs both of individuals and businesses across Wales. The new framework for transport planning and implementation will be kept under regular review. It is envisaged that in the future the Wales Transport Strategy and the Regional Transport Plans will be updated on a regular five-yearly cycle. The Order will be kept under review to ensure that the next round of

Regional Transport Plans are prepared for the most appropriate geographic areas, for example, if there were any changes in the composition of the transport consortia.

**Summary**

34. This Order will put in place a mechanism for local authorities to plan and deliver transport effectively on a regional basis. It will facilitate the development of an integrated transport network, with economic, social and environmental benefits. At the same time, the Order will reduce the number of transport plans from the 22 currently required to four joint plans, with a benefit for Welsh local authorities as they will no longer each have to produce a Local Transport Plan. This will reduce bureaucracy and ensure that existing resources will be used more effectively, for example, by enabling authorities to pool scarce staff resources and make better use of the available expertise.

## **Draft Regional Transport Planning Order: Consultation List**

### **All Assembly Members**

#### **Local Authorities**

Welsh Local Government Association  
All Welsh Local Authorities  
Cheshire County Council  
Shropshire County Council  
Herefordshire Council  
Gloucestershire County Council  
Worcestershire County Council  
Bristol City Council  
South Gloucestershire Council  
Merseytravel Passenger Transport Authority  
West Midlands Local Government Association  
National Association of Local Councils

#### **Regional Transport Consortia**

SEWTA  
SWWITCH  
TAITH  
TraCC

#### **Environmental bodies**

Environment Agency  
Countryside Council for Wales

#### **Other Professional and Voluntary Groups**

Institute of Civil Engineers  
Royal Town Planning Institute  
Institute of Highways and Transportation  
Planning Officers Society Wales  
SOLACE Wales  
ATCO  
County Surveyors Society Wales

#### **National Park Authorities**

Brecon Beacons  
Pembrokeshire Coast  
Snowdonia  
Association of National Parks Authorities

#### **Members of the Welsh Transport Forum**

RoSPA Wales  
Campaign for the Protection of Rural Wales



Wales Council for Voluntary Action  
Wales Transport Research Centre  
Friends of the Earth Cymru  
National Union of Rail, Maritime and Transport Workers  
The Pedestrians Association  
The Environment Agency for Wales  
CTC Cycling Touring Club  
Arriva Trains Wales  
Association of Chief Police Officers, North Wales Police  
Transport 2000  
Community Transport Association  
National Federation of Bus Users  
Network Rail  
Welsh Local Government Association  
The Welsh Consumer Council  
Confederation of Passenger Transport (Wales)  
Sustrans  
Interim Head Integrated Delivery, DEIN  
Disabled Persons Transport Advisory Committee  
Motorcycle Action Group  
Welsh Transport Strategy Group  
CBI Wales  
Rail Passengers Council (Passenger Focus)  
Welsh Local Government Association  
Freight Transport Association  
Cardiff International Airport  
Freight Group  
Transport and General Workers Union  
Association British Ports  
Naleo

**Other**

Local Transport Planning and Funding, Regional and Local Transport  
Policy Directorate, Department for Transport  
Rail Future  
Transport Directive, Scottish Executive

**RESPONSES TO THE CONSULTATION WERE RECEIVED FROM THE FOLLOWING**

Carmarthenshire County Council  
Environment Agency Wales  
Gloucestershire County Council  
Guide Dogs for the Blind Association and RNIB Cymru  
Isle of Anglesey County Council  
Merseyside Passenger Transport Authority and Executive  
National Association of Licensing and Enforcement Officers  
Neath Port Talbot County Borough Council  
Network Rail  
Pembrokeshire Coast National Park Authority  
Pembrokeshire County Council  
Plaid Cymru  
Railway Development Society Ltd  
South East Wales Transport Consortium (SEWTA)  
South West Wales Integrated Transport Consortium (SWWITCH)  
The Road Haulage Association Ltd  
Torfaen County Borough Council  
Vale of Glamorgan Council  
Wales Council for Voluntary Action  
Welsh Consumer Council  
Welsh Local Government Association

## ANNEX C

### THE REGIONAL TRANSPORT PLANNING (WALES) ORDER 2006 Summary of consultation responses

COMMENT FROM:	COMMENT	CONCLUSION
Carmarthenshire County Council	Same as for SWWITCH below	See below
Environment Agency Wales	Content	Noted
Gloucestershire County Council	No comment	Noted
Guide Dogs for the Blind Association and RNIB Cymru	Fully support	Noted
Isle of Anglesey County Council	A positive step but may not be a significant staffing resource saving.	Agreed
Merseyside Passenger Transport Authority and Executive	The principle of joint Local Transport Plans is sensible and fully supported.	Noted
National Association of Licensing and Enforcement Officers	More efficient and, to increase joint working between LAs, can only benefit transport providers and users. Should also reduce the burden on each LA to submit and review plans.	Noted
Neath Port Talbot County Borough Council	Fully endorse the response from the SWWITCH Consortium.	Noted
Network Rail	Can see potential benefit and under Sec 4 of the Order we support the sub-division of Gwynedd responsibilities. However, we note that the Order does not make provision for the way in which local transport authorities will work together to produce cohesive regional plans.	To be covered by the Regional Transport Plan (RTP) Guidance
Pembrokeshire Coast National Park Authority	It would appear reasonable to base RTPs on the existing transport consortia. But it is concerning to note that whilst the Regulatory Appraisal identifies public transport as being important for those without access to cars, there is no mention of needing to reduce travel by car and encourage use of public transport.	To be covered by the RTP Guidance
Pembrokeshire County Council	Same as for SWWITCH below	See below
Plaid Cymru	It is better to plan regionally than locally but it would make more sense for authorities to liaise along major routes	Route Development Strategies will be incorporated into RTPs

Railway Development Society Ltd	Concerned about the use of 'local' and 'regional' in the Order and suggest that 'local' and 'Group' be replaced with 'regional' and 'Region'. We are concerned that the Order does not cover working between the 4 consortia for cross border services	Legal advice is no change.  To be covered by the RTP Guidance
South East Wales Transport Consortium (SEWTA)	Support the Order but do not agree that it is cost neutral.	A minimal increase of £5,000 in costs has been estimated.
South West Wales Integrated Transport Consortium (SWWITCH)	Generally support the move to RTPs but do not believe the making of the Order will be cost neutral.	A minimal increase of £5,000 in costs has been estimated.
The Road Haulage Association Ltd	Support fully the proposal.	Noted
Torfaen County Borough Council	Agree to basing the RTPs on the 4 areas covered by the voluntary Transport Consortia	Noted
Vale of Glamorgan Council	Agree to basing the RTPs on the 4 areas covered by the voluntary Transport Consortia	Noted
Wales Council for Voluntary Action	It is sensible to recognise the regional structures and move to the production of RTPs.	Noted
Welsh Consumer Council	Transport planning areas should generally conform to people's travel needs and patterns. In so far as the existing 4 consortia are seen to do that, it is appropriate to base RTPs on the 4 areas covered by the existing voluntary Transport Consortia.	Noted
Welsh Local Government Association	We appreciate that this Order is necessary, however, we do not support including a date by which RTPs have to be produced.	Legal advice is that a date needs to be included hence 30 June 2008

**Extract from transcript of EIN Committee Proceedings  
on 20 September 2006**

**Gorchymyn Cynllunio Trafnidiaeth Rhanbarthol (Cymru) 2006  
Regional Transport Planning (Wales) Order 2006**

[268] **Christine Gwyther:** Minister, do you want to introduce this item?

[269] **Andrew Davies:** I believe that this is an uncontroversial piece of legislation. The committee has chosen it for scrutiny. The draft Order takes forward the development of regional transport planning, which we referred to when we looked at the Wales transport strategy, by enabling local authorities to work together to produce joint plans. It also sets a deadline of 30 June 2008 for the replacement of the original local transport plans. You will remember that I said earlier that each of the 22 local authorities have previously been required to develop their own transport plans. I think that it is made clear in the transport strategy that that ignores the wider context; that is why we are now developing four regional transport plans taken forward by the regional transport consortia.

[270] As I said, the strategy will have a regional dimension, which will form the basis of the regional transport plans and there will be a strong link between the national strategy and the four regional transport plans.

[271] The origins of this Order go back at least as far as the work undertaken by the former Environment, Planning and Transport Committee in 2000 with its policy review of public transport, and this recommended the development of regional transport strategies. It also fits clearly with the more recent Beecham review, which emphasises the need for partnership working in the public sector generally and the need to work more effectively across organisational boundaries.

[272] The draft Order has already proved, I believe, uncontroversial, given the universal support for the proposals to have four regional transport plans. From talking to the Welsh Local Government Association and the transport consortia, I know that there is very broad support for this development. So, with encouragement and support from the Assembly Government, the transport consortia have been working together for some time, each covering the regions specified in the Order. This is an opportunity for the committee to scrutinise the draft Order.

[273] **Christine Gwyther:** I will make a start. You mentioned that the WLGA is supportive of the regional emphasis; however, in its contribution, it has said that it appreciates that the Order is necessary but it does not support including a date by which regional transport plans have to be produced. I think that we would support having a debate by which RTPs have to be produced, unless anybody wants to say otherwise. This is not the sort of thing that we want to just drag on.

[274] Can you explain why legal advice says that a date needs to be included? Would the WLGA have been able to share that legal advice?

[275] **Mr Stevenson:** The WLGA's objection was to the principle of having a date specified in the Order. It is a requirement that is specified in the primary legislation that there has to be a date specified for the replacement of the regional transport plans. The reference is section 109(2) and (3) of the Transport Act 2000, which is amended by the Transport (Wales) Act 2006—the annex to the Wales Act modifies the 2000 Act to put in place the new transport planning arrangements. This is part of the transitional provision. So, it is specified in the primary legislation that we need, in this case, to specify the date for the replacement of plans.

[276] **Christine Gwyther:** So apart from its being administratively easier for them not to have a date, what there a concrete reason put forward to oppose the date?

[277] **Mr Stevenson:** I think it was just purely the principle of having a date and the feeling that dates had not been specified in relation to other plans that have been drawn up. It was no more than that. We have obviously drawn the legislation to their attention and they accept that—it is not an issue.

[278] It is worth emphasising that there is no disagreement about the dates and we do have an established timetable, which we are working to, for the production of the regional transport plans. We have been working to it for some time. The intention is that the transport consortia will submit the plans to the Assembly Government by the end of March 2008 and that the plans will cover the five years from 2008-09 onwards. However, the date specified in the Order is 30 June because we have allowed a bit of time. We thought that it would be prudent to allow time to sort out any last minute glitches that might arise with the plans, and time for the Assembly approval process to take place. Another feature of the new transport planning arrangements, introduced by the 2006 Act, is that there is a requirement for the Assembly Government to approve the plans. The three months that we have allowed, as you said, will allow time for that process to go forward.

[279] **Christine Gwyther:** Are there any other questions on this? I cannot remember who asked for it to be included as a subject for scrutiny; someone must have had some concerns about it at some stage.

[280] **Leighton Andrews:** Perhaps it was Eleanor

**Extract from transcript of LG&PS Committee Proceedings  
on 21 September 2006**

**Ann Jones:** Okay. Is there anything else? I see that there is not. If we are all happy with that, we will move on to the second part of this item, which is the Regional Transport Planning (Wales) Order 2006. Members have had sight of this. We have not received any points or amendments. Are there any?

[122] **Michael German:** My point emerges from the consultation and it may be that Peter can advise on the answer. There were valid points in the consultation that will be included in the guidance, which was to be provided alongside. Is there a general rule when drafting legislation about what is to be covered and what is to be guidance? Is there a boundary line between the two? What is the rule of thumb on this matter? That would be useful to know, because the points raised by Network Rail, Pembrokeshire Coast National Park Authority and the Railway Development Society Limited and so on have been taken on board, but will be included in guidance. The key issue for me, when you have regional transport, is how they link to the next area. Sometimes, things do not have natural boundaries, in the same way that many other things do not.

[123] **Ann Jones:** Okay, who will answer that one?

[124] **Mr Jones:** You have statutory guidance and non-statutory guidance. When there is statutory guidance, that sets the boundaries. I am not aware that there is statutory guidance here.

[125] **Michael German:** So, it will be non-statutory guidance. Is that the intention?

[126] **Mr Jones:** I think so, unless it is somewhere else in the Act.

[127] **Mr Stevenson:** Unfortunately, I do not have a copy of the Act to hand, but the Transport Act 2000 allows the Assembly and the Secretary of State to issue guidance on local transport plans, in that terminology. So, guidance is issued under the Transport Act 2000.

[128] **Mr Jones:** So, people would have to have regard to it, presumably.

[129] **Mr Stevenson:** Yes.

[130] **Mr Jones:** If they do not have regard to it, then I think that it can be challenged.

[131] **Michael German:** Is that statutory or non-statutory? Is making it statutory your answer to that then, Peter?

[132] **Mr Jones:** If it is in the Act and they have to issue guidance, then it would be statutory.

[133] **Mr Stevenson:** I do not have the Act with me.

[134] **Michael German:** Perhaps Peter can send us a note on this issue.

[135] **Ann Jones:** Okay, thanks for that, Peter.

[136] **David Melding:** I apologise for not giving you notice; that may limit the response that I get. Gwenda Thomas's question on the Minister's report about local transport plans was very apposite. Having regional plans, which is welcome, raises questions when, for example, you suddenly have a bypass—and I know the area that Gwenda is talking about because I am from that area originally—and you suddenly have buses whizzing around on the bypass between the larger villages or towns, missing out stops along the way. Would it have been horrendously bureaucratic to have retained the requirement to produce local plans?

[137] **Mr Stevenson:** Local authorities are still free to produce local transport plans.

[138] **David Melding:** I realise that, but that was not my question, was it?

[139] **Mr Stevenson:** No, but the statutory requirement is for four regional transport plans. I think that the background to this is reducing the burdens and cutting the planning requirements. So, I think that it would have been regarded as a bit heavy-handed to have imposed a requirement for the regional transport plans and retained the requirement for local plans.

[140] **David Melding:** My comment, then, to the Minister is that this does not exactly put the citizen at the centre, does it? In my postbag, there are cases of where bus routes are changed even from one estate to the main road. I have had 90-year-olds writing to me saying, 'I cannot go shopping now'.

[141] **Sue Essex:** Absolutely. I am sure that we all have it; I have had it as well. Martin is right; it was part of trying to rationalise the whole planning system, and the regional emphasis is particularly important, because you have these regional consortia that come together to get into integrated planning. They have been very successful, considering that they have been on a voluntary basis, so it made sense, in all sorts of ways, to go to that regional level. We will have to watch it, and we can do this through community strategy guidance. I am glad that Gwenda, and you now, David, are picking this up, because we need to ensure that the local transport facilities are integrated with settlement proposals and with all the other local planning areas that are under way. It is vital that we do not lose that, because, as you say, people who do not have access to cars can suddenly find their lifeline—particularly now that we have concessionary fares, which they have used very well—just disappearing. That is exactly the situation in the community that I will be visiting tomorrow. I will talk to our transport colleagues, but one of the ways around that might be to ensure that, when we work on the community strategy guidance, we put some views into that.

[142] The other thing that operators used to talk to me about when I was transport Minister was traffic management. That is not such a big issue if you use Ammanford or Ystradgynlais as examples, but it is a big issue in Cardiff, Swansea and Newport, and probably Port Talbot. So, we need to ensure that the issues of what are important local networks, orders and provisions are picked up somewhere and integrated with the total planning system.

[143] **Mr Stevenson:** We would expect the regional transport plans to cover traffic management issues, and it is surprising how many transport issues that you look at that have a regional dimension and are not just entirely local; there are many issues that cross local authority boundaries, and the sort of examples that you just mentioned about traffic management in Cardiff and Swansea are very much issues that need to be considered on a regional basis and cannot just be looked at on an individual local authority basis, whether it is putting in bus corridors, bus priority lanes or whatever.

[144] **Michael German:** This is almost the reverse of the point that I was making, namely that if we have regional consortia, there will be a need to extend beyond the regional and work across regions. You said that that would be covered in guidance. It strikes me that if there is statutory guidance, surely there is a case for the points that the Minister, Gwenda and David are making to be included in the guidance also, in terms of these regulations. Is it possible to link the local and the supra-regional in the guidance?

[145] **Mr Stevenson:** That is what we have been trying to do. We are happy to ensure that we have covered all the points. The guidance is in draft at the moment, and we have not formally consulted on it, but we have shown it to local authorities and the transport consortia on an informal basis. It is up to 200 pages at the moment, and I do not have a copy with me. It is fairly extensive and we have probably covered the bases, but we can certainly double check.



[146] **Michael German:** It would be useful, when that guidance is published, if we could address those two issues of the local and the supra-regional, just to verify that they are in the guidance, somewhere.

[147] **Ann Jones:** We can include it in our report to the Business Committee, because we are just looking at the Order, but that is a point that we can put in.

[148] **Sue Essex:** Trying to think laterally here, Gwenda's point is so important because we are looking for new development on planning to follow accessibility criteria, and that accessibility in some cases will revolve around the availability of local bus services. This is where we must be joined-up. So, knowledge and protection around bus routes—this goes back to the key settlements point—is such an important component. You cannot swap and change at the whim of a provider, to put it in that way. Martin will know my past concerns about the system of overseeing changes in bus routes and so on. There needs to be, at the local level, a real joining up, which will probably be more in guidance than in the legislation, in terms of how planning, transport and, at the local and regional level, the community strategy all come together. So, we can perhaps give it more thought on the back of this. As I said, I think that it will largely—although I am not sure—be outside the legislation, and I think that it will perhaps come more into planning guidance and other guidance on the committee's strategies. I do not know whether that is the case, but I think that this is something that, following this discussion, we can check.

10.40 a.m.

[149] **David Melding:** I am fairly reassured by the way in which the discussion has gone. I suppose the point is that, when we look at guidance, or whatever, on the issue of regional transport plans, the local element is integrated in that. Sometimes, we think that regional means something quite distinct from local, and we are perhaps talking at cross purposes, if that integration is shown to be there and is a requirement in terms of guidance, or whatever. In terms of the citizen, the consumer or the user, it will come down to local questions, usually, about your particular neighbourhood service.

[150] **Ann Jones:** If you are happy, we will make those points about the guidance in the report to the Business Committee. Thanks very much.