



Elin Jones MS
Llywydd
Senedd Cymru
Bae Caerdydd
Caerdydd
CF99 1SN

27 July 2020

Dear Elin,

The Traffic Orders Procedure (Coronavirus) (Amendment) (Wales) Regulations 2020 (“the Order”)

In accordance with section 11A(4) of the Statutory Instruments Act 1946, as inserted by Sch.10 para 3 of the Government of Wales Act 2006, I am notifying you that this statutory instrument comes into force less than 21 days from the date of laying. The Explanatory Memorandum for these Regulations is attached for your information.

Due to the closure of public buildings and some newspapers moving to online publication only, which has been necessary to slow the spread of COVID-19, it is not currently possible to meet the legislative requirements to bring a road traffic regulation order into force. These Regulations amend the procedure for making traffic orders and giving notices by providing alternative means of publicising orders in circumstances where it is not reasonably practicable to follow the current publicity requirements as a result of COVID-19.

These Regulations amend—

- (i) the Road Traffic (Temporary Restrictions) Procedure Regulations 1992 (“the 1992 Regulations”);
- (ii) the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 (“the 1996 Regulations”); and
- (iii) the Secretary of State’s Traffic Orders (Procedure) (England and Wales) Regulations 1990 (“the 1990 Regulations”).

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The Regulations are required to come into force as soon as possible to mitigate the effects of COVID-19 restrictions.

Not bringing the Regulations into force straight away will cause an increasing backlog of traffic orders waiting to be made, which would have impacts for road safety across the road network in Wales. It would also delay the use of new emergency procedures for temporary traffic orders necessary for purposes connected with coronavirus. Not adhering to the 21-day convention is thought necessary and justifiable in this case.

In accordance with section 134(10) of the Road Traffic Regulation Act 1984 the views of representative organisations were sought between 05 June and 17 June 2020 (12 day period). Only one query was raised in relation to 'café pavement' parking however there is no power for the Welsh Ministers to amend the notice provisions for 'café pavement' licences either under the Highways Act 1980 or the Public Health (Control of Diseases) Act 1984.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. A regulatory impact assessment has not been prepared for this instrument as the Regulations need to be put in place quickly to deal with an emergency associated with the effects of coronavirus however, an Explanatory Memorandum has been prepared and this has been laid, together with the Regulations, in Table Office.

The Department for Transport brought into force similar Regulations for England on 25 May 2020.

A copy of this letter goes to Mick Antoniw MS, Chair of the Legislation, Justice and Constitution Committee Sian Wilkins, Head of Chamber and Committee Services and Julian Luke, Head of Policy and Legislation Committee Service.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive style with a large initial 'R'.

Rebecca Evans MS
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd