
WELSH STATUTORY INSTRUMENTS

2014 No. 3111 (W. 311)

LOCAL GOVERNMENT, WALES

**The Local Government Byelaws (Wales)
Act 2012 (Amendment) Order 2014**

Made - - - - 18 November 2014

Coming into force - - 19 November 2014

The Welsh Ministers make the following Order in exercise of the powers conferred on them by sections 9 and 16 of the Local Government Byelaws (Wales) Act 2012⁽¹⁾.

A draft of this Order was laid before, and approved by a resolution of, the National Assembly for Wales in accordance with section 21(4) of that Act.

Title, commencement and interpretation

1. (1) The title of this Order is the Local Government Byelaws (Wales) Act 2012 (Amendment) Order 2014.

(2) This Order comes into force on the day after the day on which it is made.

(3) In this Order “the Act” (“*y Ddeddf*”) means the Local Government Byelaws (Wales) Act 2012.

Amendment of Part 1 of Schedule 1 to the Act

2. (1) Table 1 in Part 1 of Schedule 1 to the Act (byelaws not requiring confirmation) is amended as follows.

(2) After the row relating to byelaws made under section 19 of the Public Libraries and Museums Act 1964 insert—

“Section 41 of the Glamorgan County Council Act 1973	Heating undertakings	County council and county borough council”
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(3) After the row relating to byelaws made under section 57(7) of the Road Traffic Regulation Act 1984 insert—

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“Section 41 of the Clwyd County Council Act 1985	Leisure centres	County council and county borough council
Section 42 of the Clwyd County Council Act 1985	Temporary structures	County council and county borough council”

(4) After the row relating to byelaws made under section 23 of the Housing Act 1985 insert—

“Section 53 of the Swansea City Council (Tawe Barrage) Act 1986	Upstream river	County council (Swansea)
Section 31 of the Mid Glamorgan County Council Act 1987	Porthcawl Harbour	County borough council (Bridgend)
Section 14 of the West Glamorgan Act 1987	Leisure centres	County council and county borough council
Section 36 of the West Glamorgan Act 1987	Policing and control of pedestrian ways	County council and county borough council
Section 41 of the West Glamorgan Act 1987	Temporary structures	County council and county borough council
Section 63 of the West Glamorgan Act 1987	Swansea Market	County council (Swansea)
Section 45 of the Dyfed Act 1987	Temporary structures	County council and county borough council”

(5) In the row beginning “Section 2 of this Act”, after “Good rule and government” insert “and the prevention and suppression of nuisances”.

Amendment of Part 2 of Schedule 1 to the Act

3. (1) Table 2 in Part 2 of Schedule 1 to the Act (byelaws in relation to which fixed penalties may be issued) is amended as follows.

(2) After the row relating to byelaws made under section 57(7) of the Road Traffic Regulation Act 1984 insert—

“Section 41 of the Clwyd County Council Act 1985	Leisure centres	County council and county borough council
Section 42 of the Clwyd County Council Act 1985	Temporary structures	County council and county borough council”

(3) After the row relating to byelaws made under section 23 of the Housing Act 1985 insert—

“Section 53 of the Swansea City Council (Tawe Barrage) Act 1986	Upstream river	County council (Swansea)
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Section 31 of the Mid Glamorgan County Council Act 1987	Porthcawl Harbour	County borough council (Bridgend)
Section 14 of the West Glamorgan Act 1987	Leisure centres	County council and county borough council
Section 36 of the West Glamorgan Act 1987	Policing and control of pedestrian ways	County council and county borough council
Section 41 of the West Glamorgan Act 1987	Temporary structures	County council and county borough council
Section 63 of the West Glamorgan Act 1987	Swansea Market	County council (Swansea)
Section 45 of the Dyfed Act 1987	Temporary structures	County council and county borough council”

(4) In the row beginning “Section 2 of this Act”, after “Good rule and government” insert “and the prevention and suppression of nuisances”.

Leighton Andrews
Minister for Public Services, one of the Welsh
Ministers

18 November 2014

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Parts 1 and 2 of Schedule 1 to the Local Government Byelaws (Wales) Act 2012 (“the Act”) and is made under sections 9 and 16 of the Act.

Section 9 of the Act provides that the Welsh Ministers may, by order, amend Part 1 of Schedule 1 to the Act (byelaws not requiring confirmation) by adding to or subtracting from the list of enactments, or by amending the type of authority that may make byelaws without confirmation.

This Order adds to the list of byelaws that the relevant types of authorities may make without confirmation. Article 2 amends Table 1 in Part 1 of Schedule 1 to the Act.

Section 16 of the Act provides that the Welsh Ministers may, by order, amend Part 2 of Schedule 1 to the Act (byelaws in relation to which fixed penalties may be issued) by adding to or subtracting from the list of enactments, or by amending the type of authority that may offer fixed penalty notices.

This Order adds to the list of enactments byelaws under which may provide for fixed penalty notices to be offered. Article 3 amends Table 2 in Part 2 of Schedule 1 to the Act.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Democracy, Ethics and Partnership Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.