
WELSH STATUTORY INSTRUMENTS

2020 No. 802

**The Traffic Orders Procedure (Amendment)
(Wales) (Coronavirus) Regulations 2020**

Amendments to the Road Traffic (Temporary Restrictions) Procedure Regulations 1992

2.—(1) The Road Traffic (Temporary Restrictions) Procedure Regulations 1992⁽¹⁾ are amended as follows.

(2) In regulation 3 (procedure for making a temporary order), in paragraph (1) after “this Part” insert “and Part 7”.

(3) In regulation 4 (footpaths etc.), in paragraph (3) after “shall” insert “, subject to Part 7”.

(4) In regulation 8 (revocation orders), in paragraph (3) after “shall” insert “, subject to Part 7”.

(5) In regulation 9 (continuation of order by direction of the Secretary of State), in paragraph (2) after “shall” insert “, subject to Part 7”.

(6) In regulation 10 (procedure for issue of temporary notice by a traffic authority), in paragraph (4) after “shall” insert “, subject to Part 7”.

(7) In regulation 11 (footpaths etc.), after “shall” insert “, subject to Part 7”.

(8) After Part VI insert—

“PART 7

**TEMPORARY PROVISIONS APPLICABLE DURING
THE CORONAVIRUS PANDEMIC (WALES)**

Interpretation

22. In this Part “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Alternative publication and inspection requirements

23.—(1) Subject to regulation 24, paragraph (2) applies where—

- (a) a traffic authority is required to publish a notice in one or more newspapers in accordance with regulation 3(2) or (5), 8(3) or 9(2); and
- (b) the traffic authority considers that it would not be reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(2) Where this paragraph applies, a notice under those regulations must be published using such alternative arrangements as the traffic authority considers appropriate for the purpose of informing persons likely to be affected by its provisions.

(1) [S.I. 1992/1215](#), amended by [S.I. 2006/1177](#). There are other amendments which are not relevant.

- (3) Paragraph (4) applies where, in relation to a notice—
- (a) a traffic authority is required by regulation 3(7) or 4(3) to comply with the requirements of Part I of the Schedule (display of notice of order); or
 - (b) a traffic authority is required by regulation 10(4), 11 or 13(4) to comply with the requirements of Part II of the Schedule (display of notice issued under section 14(2) of the 1984 Act),

and the traffic authority considers that it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(4) Where this paragraph applies, the traffic authority must use such alternative publicity arrangements as it considers appropriate for the purpose of informing persons likely to be affected by the provisions of the notice.

(5) Without prejudice to the generality of paragraphs (2) and (4), such alternative publicity arrangements may include—

- (a) online publication, including websites, online newspapers, email communication or social media;
- (b) leaflet distribution;
- (c) letter delivery, by post or otherwise.

Procedure for temporary orders made for purposes connected to coronavirus

24.—(1) Paragraph (2) applies where a traffic authority is satisfied in accordance with section 14(1) of the 1984 Act that an order under that section should be made for purposes connected to coronavirus.

(2) Where this paragraph applies, regulation 3 has effect in relation to the order as if it read—

“Procedure for making a temporary order

3.—(1) Subject to the following provisions of this Part, this regulation makes provision for the procedure to be followed in connection with the making of an order under section 14 of the 1984 Act for purposes connected to coronavirus.

(2) Not less than 7 days before making an order, the traffic authority must publish notice of its intention to make the order using such arrangements as the traffic authority considers appropriate for the purpose of informing persons likely to be affected by its provisions.

- (3) The notice mentioned in paragraph (2) must state—
- (a) the reason or purpose mentioned in section 14(1) of the 1984 Act for making the order;
 - (b) the effect of the order and, where applicable, the alternative route or routes available for traffic;
 - (c) the date on which the order would come into force and its maximum duration; and
 - (d) that it is also necessary to make the order for purposes connected to coronavirus and what those additional purposes are.

(4) The traffic authority must, on or before the day on which the order is made, give notice of the order—

- (a) to the chief officer of police of any police area in which any road to which the order relates is situated;
- (b) to the chief officer of the fire authority for the area in which any road to which the order relates is situated; and
- (c) where the order would be likely to have direct effect on traffic, or any class of traffic, on any road for the maintenance of which another traffic authority is responsible, to that other traffic authority.

(5) Subject to paragraph (8), within 14 days after making the order the traffic authority must publish a notice of the making of the order in one or more newspapers, whether in print or online, circulating in the area in which any road to which the order relates is situated.

(6) The notice mentioned in paragraph (5) must state—

- (a) the reason or purpose mentioned in section 14(1) of the 1984 Act for the making of the order;
- (b) the effect of the order and, where applicable the alternative route or routes available for traffic; and
- (c) the date on which the order will come into force and its maximum duration.

(7) If and to the extent that—

- (a) it appears to the traffic authority that it would be desirable in the interests of giving adequate publicity to the order; and
- (b) it is reasonably practicable to do so,

the authority must comply with the requirements of Part I of the Schedule (display of notice of order) in relation to each length of road to which the order relates.

(8) Where the traffic authority considers that it is not reasonably practicable to comply with paragraph (5) for reasons connected to the effects of coronavirus, including restrictions on movement, the traffic authority must publish a notice of the making of the order using such alternative arrangements as the traffic authority considers appropriate for the purpose of informing persons likely to be affected by its provisions.

(9) Without prejudice to the generality of paragraphs (2) and (8), such publishing arrangements may include—

- (a) in the case of paragraph (2), in one or more newspapers circulating in the area in which any road to which the order relates is situated;
- (b) online publication, including websites, online newspapers, email communication or social media;
- (c) leaflet distribution;
- (d) letter delivery, by post or otherwise.

(10) When the order has been made, the traffic authority must comply with the requirements of Part III of the Schedule (traffic signs).”

(3) Where paragraph (2) applies and the order is one to which—

- (a) regulation 4 (footpaths, bridleways, cycle tracks and byways open to all traffic);
- (b) regulation 6 (orders to which no time limit applies); or
- (c) regulation 7 (continuation of restriction or prohibition imposed by notice),

applies, the references in regulation 4, 6 or 7, as applicable, to regulation 3 are to be read as references to regulation 3 as substituted by paragraph (2).

Expiry

25. Regulations 22 to 24 cease to have effect at the end of 31 July 2021.

Transitional provisions

26.—(1) Paragraph (2) applies where a notice is required to be—

- (a) published under regulation 3(2) or (5), 8(3) or 9(2);
- (b) displayed in accordance with the requirements of Part I of the Schedule, under regulation 3(7) or 4(3); or
- (c) displayed in accordance with the requirements of Part II of the Schedule under regulation 10(4), 11 or 13(4),

and the notice has been published or displayed by virtue of regulation 23 on or before 31 July 2021.

(2) Where this paragraph applies, the notice is to be treated after that date as having been published or displayed under those regulations as if they had not been modified by regulation 23.

27.—(1) Paragraph (2) applies where a notice is required to be—

- (a) published under regulation 3(2) or (5), as substituted by regulation 18; or
- (b) displayed in accordance with the requirements of Part I of the Schedule under regulation 3(7), as substituted by regulation 24,

and a notice has been published or displayed by virtue of regulation 24 on or before 31 July 2021.

(2) Where this paragraph applies the notice is to be treated after that date as having been published or displayed under regulation 3 as if it had not been substituted by regulation 24.”