

# Agenda – Climate Change, Environment, and Infrastructure Committee

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Meeting Venue:

Committee room 3 Senedd and video

Conference via Zoom

Meeting date: 22 May 2025

Meeting time: 09.30

For further information contact:

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Committee Clerk

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## Hybrid

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**Private pre-meeting (09.15–09.30)**

**Public meeting (09.30–12.40)**

### 1 Introductions, apologies, substitutions, and declarations of interest

(09.30)

### 2 Stage 1 scrutiny of the Bus Services (Wales) Bill – Evidence session with transport authorities

(09.30–10.30)

(Pages 1 – 50)

Jason Prince, Director – Urban Transport Group

Matt Goggins, Director of Bus Reform – South Yorkshire Mayoral Combined Authority Executive

Attached Documents:

Research brief – Bus Services (Wales) Bill

Paper – Urban Transport Group

**Break (10.30–10.35)**



### **3 Stage 1 scrutiny of the Bus Services (Wales) Bill – Evidence session with passenger interests organisations**

(10.35–11.35)

(Pages 51 – 67)

David Beer, Senior engagement manager – Transport Focus

Barclay Davies OBE, Director for Wales – Bus Users Cymru

Attached Documents:

Paper – Transport Focus

Paper – Bus Users Cymru

### **Break (11.35–11.40)**

### **4 Stage 1 scrutiny of the Bus Services (Wales) Bill – Evidence session with civil society organisations**

(11.40–12.40)

(Pages 68 – 109)

Rhian Bowen–Davies – Older People’s Commissioner for Wales

Rocio Cifuentes – Children's Commissioner for Wales

Llŷr ap Gareth, Head of Policy – Federation of Small Businesses Wales

Nathan Owen, External Affairs Manager – Royal National Institute of Blind People Cymru

Attached Documents:

Paper – Older People’s Commissioner for Wales

Paper – Children's Commissioner for Wales

Paper – Federation of Small Businesses Wales

Paper – Royal National Institute of Blind People Cymru

### **5 Papers to note (12.40)**

#### **5.1 Annual scrutiny of the National Infrastructure Commission for Wales (NICW)**

(Pages 110 – 111)

Attached Documents:

Response from the National Infrastructure Commission for Wales to the Committee's report: Annual scrutiny: National Infrastructure Commission for Wales 2024

## **5.2 Inter-Ministerial Group for Environment, Food and Rural Affairs**

(Page 112)

Attached Documents:

Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs to the Chair in relation to the Inter-Ministerial Group for Environment, Food and Rural Affairs

## **5.3 Halting and reversing the loss of nature by 2030**

(Pages 113 – 115)

Attached Documents:

Response from the Permanent Secretary of the Welsh Government to the Chair in relation to the Committee's inquiry on Halting and reversing the loss of nature by 2030

## **5.4 Inter-Institutional Relations Agreement**

(Pages 116 – 117)

Attached Documents:

Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs to the Chair in relation to the Phytosanitary Conditions (Amendment) Regulations 2025

## **5.5 The Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill**

(Page 118)

Attached Documents:

Letter from y Llywydd and Chair of the Business Committee to the Chair in

relation to the Environment (Principles, Governance and Biodiversity Targets)  
(Wales) Bill

## **5.6 The Waste Electrical and Electronic Equipment (Amendment) Regulations 2025**

(Pages 119 – 120)

Attached Documents:

Letter from the Deputy First Minister and Cabinet Secretary for Climate  
Change and Rural Affairs to the Chair in relation to the Waste Electrical and  
Electronic Equipment (Amendment) Regulations 2025

## **6 Motion under Standing Order 17.42 (vi) and (ix) to resolve to exclude the public from the remainder of this meeting (12.40)**

**Private meeting (12.40–12.50)**

## **7 Consideration of draft letter to the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs in relation to Welsh Government policies on Climate Change**

(Pages 121 – 125)

Attached Documents:

Draft letter to the Deputy First Minister and Cabinet Secretary for Climate  
Change and Rural Affairs in relation to Welsh Government policies on Climate  
Change

## **8 The Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill**

(Pages 126 – 458)

Attached Documents:

Draft Environment ( Principles, Governance and Biodiversity Targets) (Wales) Bill

Explanatory Memorandum to the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill

Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill timetable

Document is Restricted



# URBAN TRANSPORT GROUP

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Written submission

## Bus Services (Wales) Bill

Climate Change, Environment and Infrastructure  
Committee

Senedd Cymru

May 2025

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## 1 About the Urban Transport Group

- 1.1 The Urban Transport Group (UTG) is the UK's network of transport authorities. UTG represents the largest transport bodies in England, which, between them, serve over twenty million people in Greater Manchester (Transport for Greater Manchester), London (Transport for London), the Liverpool City Region (Merseytravel), Tyne and Wear (Nexus), the Sheffield City Region (South Yorkshire Mayoral Combined Authority), the West Midlands (Transport for West Midlands), West Yorkshire (West Yorkshire Combined Authority), East Midlands (East Midlands Combined County Authority) and West of England (West of England Combined Authority).
- 1.2 Our wider associate membership includes Cambridgeshire and Peterborough Combined Authority, Strathclyde Partnership for Transport, Tees Valley Combined Authority, Translink (Northern Ireland) and Transport for Wales.
- 1.3 We are a thought leader in urban and local transport policy, bringing together stakeholders across the transport sector to advocate for policies that deliver affordable, trusted, green transport networks that enrich and connect people and places.

## 2 Introduction

- 2.1 Buses account for three-quarters of all public transport journeys in Wales, with around 90 million journeys made by bus every year, three times more than on rail services in the country<sup>1</sup>. For the 19.4% of households in Wales without a car, particularly, buses are a lifeline.
- 2.2 Despite their popularity and utility, bus use in Wales has been generally falling since the 1980s, with further impacts through the Covid-19 pandemic. Although patronage in Wales did see a 16% rise over 2023/24, networks are still yet to recover to pre-Covid levels. There has also been a long-term reduction in the distance travelled by local buses in Wales over the last twenty years, indicating a reduction in bus services<sup>2</sup>.
- 2.3 This challenging background in a deregulated market is the context for Welsh Government's bus reform and wider public transport ambitions under 'one network, one timetable and one ticket' plans set out in the Government's bus reform white paper<sup>3</sup>.
- 2.4 Our English members have significant experience in undertaking bus reform within a deregulated market, with Greater Manchester completing its franchising tranches earlier

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<sup>1</sup> [One network, one timetable, one ticket: planning buses as a public service for Wales \[HTML\] GOV.WALES](#)

<sup>2</sup> [Bus services on life support: how did we get here?](#)

<sup>3</sup> [One network, one timetable, one ticket: planning buses as a public service for Wales \[HTML\] GOV.WALES](#)



this year, and Liverpool, West Yorkshire and South Yorkshire currently going through the franchising process.

- 2.5 Whilst both the existing and newly proposed English bus legislation<sup>4</sup> and approach are different to that envisioned in Wales, the challenges set to face Transport for Wales (TfW), local authorities and the government are similar. Therefore, in this submission we aim to provide comments on the Bus Services (Wales) Bill based on our experience in supporting the development of the English Bus Services (No. 2) Bill and the wider experience of our members.

### 3 The Welsh Government's approach

- 3.1 Beyond the governance and legislative differences between England and Wales, it is also important to note at the outset the difference in the wider Welsh transport policy context. The Welsh government published its transport strategy, Llwybr Newydd, in March 2021, outlining its target of 45% of journeys across Wales to be by sustainable means by 2040. The strategy is supported by the 2022–27 National Transport Delivery plan, outlining the programmes, projects, and policies to deliver the strategy in the coming years. To account for the new strategy, the Welsh government also updated its transport appraisal guidance (WeITAG). **This approach gives the reform a clear and stable footing across policy and strategy.**
- 3.2 In order to bring to life the ambitions set out in the Welsh Government's bus reform White Paper, the new bill places a duty on the Welsh Ministers to determine and secure local bus services and develop the Welsh Bus Network Plan that will underpin the delivery of the nation's bus network. The Bill aims to make Transport for Wales the franchising authority. Whilst the bill places explicit duties and accountability on the government, it also recognises the collaboration that will be needed across the country between TfW (acting effectively on behalf of the Welsh Ministers), the local authorities and the Corporate Joint Committees (CJCs). **Placing explicit responsibility and accountability on the Welsh Government, underpinned by clear strategic and policy direction, should result in a more determined and strategic approach to bus services in the country.**
- 3.3 The delivery of the network is envisaged through three key approaches - local bus service contracts, local bus service permits and direct provision. **We acknowledge the bill in presenting the varied options available, recognising the limitations that a blanket 'franchising only' option could present for a varied and complex bus network. However, as we set out further in our submission, there could be practical challenges of the delivery of these options that may warrant further consideration.**
- 3.4 The Welsh Government hopes to move at pace with this significant reform. It is proposed that bus reform will be rolled out across Wales on a phased basis over approximately four years. The roll out is intended to begin in South West Wales in 2027, followed by

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<sup>4</sup> [Bus Services \(No. 2\) Bill \[HL\] - Parliamentary Bills - UK Parliament](#)



North Wales in 2028, South East Wales in 2029 and Mid Wales in 2030. **Whilst we understand that significant progress has been made in testing and preparing transition arrangements, the experience in England suggests that the proposed timelines could present some challenges.**

- 3.5 In the case of Greater Manchester, the total time taken between announcing its intention to prepare an assessment, to the first franchised buses commencing operation was over six years<sup>5</sup>, with the first franchised services entering the network in September 2023. There were a number of factors behind this, not least being the ‘first mover’, having to prepare extensive assessment as set out in the English legislation, and delays caused by COVID. Even without COVID, we estimate that the process could not have finished before May 2021 (cutting the process to four years). The process itself was also complex, something that the forthcoming English legislation seeks to address. It should be, however, noted that these timelines should not be directly compared, given the extra requirements in the English legislation and the judicial review claim mounted during the process.
- 3.6 The Welsh bill’s reforms aim to deliver long term certainty, simplicity and a stable network of bus services consistent routes, numbering and branding. Whilst we recognise both the rationale as well as envisioned benefits of the bus reform set out in the bill and accompanying policy and strategy documents, the English experience points to the potential extent and complexity of the reform proposed.
- 3.7 Changes will also take time to bear fruit. Early results from Greater Manchester’s franchising tranches have seen patronage increase, and enabled work on cross-modal integrated ticketing. However, further optimisation of the network will take place through ongoing network reviews and varying the initial franchise scheme. It is promising to see early yet significant and promising patronage growth on the TrawsCymru routes, as part of TfW’s ‘bridge to franchising’ initiative that is aiding in the testing of the nation-wide plans.
- 3.8 It is also important to note the expected transitional and ongoing costs of bus reform. The transitional costs for Welsh Bus Reform are estimated at £316.5m, with further significant costs on acquiring depots (at an estimated cost of £275.2m to £302.7m)<sup>6</sup>. No further funding allowances have been listed. **Consideration should be given to what ongoing financial support will be required to support a franchised network and the wider infrastructure and bus policy.**
- 3.9 The Welsh Government has set out a pathway for a zero-emission bus fleet operating in Wales by 2035<sup>7</sup>. However, the Welsh Bill, in contrast to the English Bus Services (No 2) bill, does not enable Ministers to mandate an end sale/use date for new non-zero emission buses. Furthermore, the Bill’s explanatory memorandum notes that Wales has an older and more polluting bus fleet than the other UK nations<sup>8</sup> and therefore faces a

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<sup>5</sup> [UTG Report - A Smoother Ride FINAL 2.pdf](#)

<sup>6</sup> Bus Services (Wales) Bill Explanatory Memorandum

<sup>7</sup> <https://www.gov.wales/sites/default/files/publications/2022-12/welsh-government-net-zero-strategic-plan.pdf>

<sup>8</sup> [WCPP-Decarbonising-Wales-transport-system-while-connecting-people-and-places-Background-paper.pdf](#)



significant, and costly, challenge in decarbonising its fleet, along with necessary upgrades to depots, fuelling and maintenance equipment. Unlike in England and Scotland, there are currently no grant schemes for zero or low emission buses in Wales.

- 3.10 The Bill's Regulatory Impact Assessment concludes that franchising could have an economy of scale cost-reduction benefit if buses are purchased by the franchising authority – and could also support the identification of long term funding plan. **Consideration could be given to the potential, therefore, to develop a Wales-wide programme for transitioning to zero emission buses<sup>9</sup>.**

## 4 Bus Services (Wales) Bill

- 4.1 The intention of the Bill is to create a legislative footing for a dynamic and flexible network, setting out a framework for the coordination, principles and objectives of the network. The Bill does not set out how the franchising, permitting process or direct provision will work in practice.
- 4.2 Having an overly prescriptive legislative framework could constrain rather than aid this work, something which was identified during the implementation of the 2017 Bus Services Act in England. **Whilst we recognise that secondary legislation is set to provide much of the details not currently set out in the legislation, further clarity over the function of various new powers earlier may be of benefit.**

### Welsh Bus Network Plan (Sections 6-8)

- 4.3 **We welcome the Bill providing a clear footing for the reform, in the shape of the Bus Network Plan.** We understand that the Plan will offer a high-level overview of the standard network and stopping places, as well as the flexible routes. It is positive to see that the Plan will be required to have regard to Wales' transport strategy and the wider objectives and principles of bus reform. Transparency is improved by requiring an updated plan to be presented to the Senedd in case of any substantial changes or revisions in 13 months after the previous/initial plan was laid. Also helpful is the regular reporting requirements set in section 20, in which see Ministers required to report on the progress of achieving the key reform objectives set out in the Bill.
- 4.4 This is in effect similar to franchise schemes in England, which currently require burdensome and long process to vary them as the network develops (set to be addressed in the new English legislation). **Flexibility to vary the network based on need or circumstance as it develops and matures is part of the proposed approach for Wales and it could offer greater flexibility, allowing the network to be more dynamic and responsive to passenger needs and market changes. Effective stakeholder engagement and management will be crucial for this approach to work effectively in practice.**

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<sup>9</sup> Regulatory Impact Assessment



### Local bus service contracts (Sections 9-10)

- 4.5 The Bill's Explanatory Memorandum states that '*Though the Bill does not specify a hierarchy, the intention is a presumption that franchising will be the principal mechanism for delivering services*'. It is, therefore, crucial that the local bus service contracts are both robust enough to deliver the expected benefits, as well as be flexible enough to meet future requirements as the network develops and matures and recognise any major current limitations of possible bidders (i.e. SMEs, existing fleet, etc).
- 4.6 Given the intention of these sections are to enable Ministers to work with stakeholders to make provisions as to what must be included in the contracts, note must be taken from the experience of English authorities that have or are in the process of franchising their networks. **It is helpful that work is ongoing, led by TfW, to test draft contracts with appropriate stakeholders.**
- 4.7 Beyond the content of the contract, the systems and procurement processes will also be important to ensure a smooth and fair transition from a deregulated to a franchised network. Of particular concern in Wales is the future of small and medium enterprise (SME) operators.
- 4.8 The government and TfW have recognised the concerns of SMEs, seeking to ensure that the procurement process will allow operators to compete for contracts (service packages) most suited to their size and nature of business, as well as including social value in the procurement process. **These measures are welcome means to support small businesses and recognise the value they bring to communities.**
- 4.9 English Transport Authorities currently in the process of franchising their networks are implementing various strategies and tools with the aim of assisting SMEs, including early engagement, depot access requirements, tendering packages, and other support tools. **There is benefit to TfW in continuing to engage with English Authorities on their approach to supporting SME's.**

### Local Bus Service Permits (Sections 11-16)

- 4.10 Amongst the ways to secure bus services is the option for granting local bus service permits. The permitting regime is to be used for cross-boundary services and services '*that have not been determined as required by the Welsh Ministers to operate in Wales where it is in the public interest for them to do so*'. Permits are to be granted if operators satisfy Ministers that the service will not have material adverse impact and is consistent with the policies and proposals in the Wales Transport Strategy. The Bill includes powers to make regulations to attach conditions to any Local Bus Service Permit and set out the grounds for the revocation or suspension of a permit. The possible (but not final) permit conditions set out in the bill are similar to those in English legislation, however, we would



suggest further clarity is provided in particular on the definition of 'safety', training requirements and the envisaged enforcement regime.

- 4.11 A permitting system also exists in England's franchised networks and is currently exclusively used for cross-boundary services. However, it could more widely be used to allow bus operators that do not have a franchised contract to operate local bus services into, or within, the franchised area on a commercial basis. In England, it is for individual franchising authorities to decide how applications for permits should be made, and the information to be supplied.
- 4.12 The test for granting a service permit in England through the Bus Services (No 2) Bill is currently moving towards a similar model as set out in the Welsh Bill, including broader grounds for granting a permit based on benefits for passengers and the local economy. The new English legislation seeks to allow transport authorities to exempt heavy and light rail replacement services from the requirement to hold a service permit (in cases where these operate as substitute services). This is something we would suggest the Welsh bill also addresses.
- 4.13 **There would be benefit in a more explicit statement as to how permitting could be used in the Welsh network, beyond cross boundary services.** Explanatory notes include references to permits providing operators '*with an opportunity to consider new, innovative, experimental or temporary services which may offer the possibility of a viable bus route, but which are not provided as part of the franchised network*'. We acknowledge the need for permitting as a 'catch-all' tool to be included in the legislation to enable the network to be dynamic and flexible, as well as give flexibility in cases where other services, e.g. coaches, could be classified in part as local bus services by way of using stopping places in the Welsh network. We would, however, support more clarity in regard to the use of permitting for new, innovative or experimental services.
- 4.14 **We acknowledge the intent of the Welsh Government to work with key stakeholders in the development of the regulations to ensure the application process is simple and streamlined, to limit, as far as possible, unnecessary burden on applicants.**

#### **Provision of local bus services by the Welsh Ministers (Section 17)**

- 4.15 The section setting out the powers to secure bus services through direct provision suggests it is a mechanism for a public service operator of last resort (OLR), similar to what currently exists in rail franchising. This is intended to be either a locally owned municipal operator or Transport for Wales at a national level, in cases where provisions have not been successfully secured through a franchising contract, or the service contract has failed.
- 4.16 TfW's envisaged ownership of strategically located depots and fleet ownership could address some of the practical challenges of this approach. **However, based on the complexity of Wales' networks and existing diverse operator landscape, we would**



**suggest there may be benefit in providing further clarity as to what extent this option is expected to be used by the government and practicalities of developing an OLR should such a need arise of it to be used.**

- 4.17 In England's franchised networks there are no provisions for an OLR. In practice, if franchise contracts were to fail, the authority would go back out to the market to secure service provision. A municipal bus company could be established (once the new English legislation is passed to allow this) to compete for contracts or act as an OLR. In practice, the setting up of a new municipal operator of that scale is likely to be a costly and complex undertaking.
- 4.18 In non-franchised areas, in case of a private operator deciding to withdraw a service, it is left to the local transport authority to secure the service (if deemed necessary and affordable) through going out to the market to tender a service from a private operator, often at a higher price. There are existing municipal operators, as well as Council subsidised and tendered services. In areas with limited commercial and subsidised provision councils also work in partnership with communities to establish community-operated services.

#### **Cross border services (Section 19)**

- 4.19 Section 19 sets out Welsh Ministers duty in regard to cross border services. Whilst the Bill enables the franchising, permitting and direct provision of entire cross-border services, Ministers are not required to secure the English part of a cross-border service, as long as they consider that, even if they do not provide the service, Welsh needs for it will be met. Where Ministers are required to secure the English part of a cross-border service, that cross-border service (whether in England or Wales) can be secured through a local bus service contract, or a permit, or direct provision, or any combination of these methods.
- 4.20 The Bill's explanatory notes suggest that only the Welsh part of the service would be subject to a local bus contract or service permit. Limitations and practicalities of franchising services that also operate across the border (in a currently deregulated market) should be thoroughly explored. In either case (but particularly if a franchising contract was to be in place) the whole service in practice would need to meet the standard set out by Welsh Ministers in order for it to cross into Wales. We understand that work is ongoing with the Department for Transport to discuss this and ensure any unintended consequences are addressed. In practice, the approach is likely to develop and mature as bus reform is rolled out and will also include ongoing engagement with operators and authorities in bordering English authorities.
- 4.21 **There may be a benefit to clarifying that relevant stakeholders in bordering English transport authorities will be consulted in developing the approach or issuing permits.**



### Information and data (Sections 25 - 31)

- 4.22 **We welcome part four of the bill that sets out how data will be used to inform the development, maintenance and review of the network, also boosting public transparency.**
- 4.23 These sections aim to address an issue that has been evident in the fragmented English bus data system. A lack of access to accurate and up-to-date data constrains ability to efficiently plan and review the existing deregulated network. Access to the data set out in these sections will be crucial in aiding the development and revision of the Welsh Bus Network Plan.
- 4.24 It will be important to set clear regulations on the exact information, timeframes and approach that operators will be required to provide to ensure a clear and efficient process is put in place, also appreciating operators concerns for the commercial sensitivity of such data. The requirements placed on local authorities under section 26 must also set out a clear approach to requesting information in order to not create unnecessary burdens.
- 4.25 Similarly to the intention in the English legislation, the Welsh Bill looks to make arrangements for making consistent and reliable information available to the public. The Bill's sections do not yet specify how this will be provided, making note that further regulations will specify this. **We would encourage the government to work closely with appropriate stakeholder groups to ensure this is designed in an accessible and user-friendly way, in line with the purpose of such provision.**

### Local authority powers and duties (Sections 32-34)

- 4.26 The final part of the Bill amends existing statutory provisions relating to certain duties and powers of local authorities. The Bill will see responsibility for planning most public bus services pass from local authorities to TfW. Councils currently play a key role in supporting commercially unviable but socially necessary services and managing public transport infrastructure. They will continue to play a major role, particularly in ensuring local highway policies and public transport infrastructure (including stopping places) can support the wider Network Bus Plan. Their influence in making decisions about the network at a local and regional level will also be crucial.
- 4.27 We are aware that Local Authorities play an integral part in TfW's bus reform engagement framework. **There may, however, be benefit in the Welsh government setting out an agreement over ways of working between the Local Authorities, CJsCs and TfW, that defines responsibilities and engagement in the context of bus**



**reform. The framework ought to recognise the need for a level of flexibility but also offer clarity for all stakeholders, including, the public.**

- 4.28 In terms of new powers for local authorities in this Bill, Section 32 would enable local authorities to create new municipal bus companies and enable existing local authority owned bus companies to continue their operation.
- 4.29 Clarity over the intended and expected use of this option and how fairness will be maintained will be important when it comes to competition for franchise contracts. This has also been pointed out by the Competition and Markets Authority (CMA) in their comments on the Welsh Government's Bus Services White Paper, urging for steps to be taken *'to ensure the principle of competitive neutrality is adhered to and that public sector trading operations do not enjoy a commercial advantage solely because of their ownership by or association with a public body or government'*<sup>10</sup>.
- 4.30 Similar action is being taken in the English Bus Services (No 2) bill, enabling the setting up of new locally owned bus operators. We have previously advocated for this change<sup>11</sup>, and support it as it will provide LTAs with the right set of practical options and tools to reinvigorate local bus markets. We are urging for the new power in English legislation to be accompanied by timely and clear guidance as the section comes into effect to ensure authorities have access to most accurate information as to how and in what circumstances this power can be used.
- 4.31 **In our experience, in the context of the English Bill, clarity over the complex adjacent legislation and regulations as early as possible is crucial as is clarity on its intended use, limitations, and safeguards.**
- 4.32 Section 34 enables local authorities to provide financial assistance to support service provision. We understand the need for the inclusion of this provision, as it could provide flexibility and incentive for local authorities to fund any particular additions to existing contracts based on their local need. In practice, this section could also enable a discussion over developing a more equitable and transparent approach to funding concessionary fares and even, potentially, using farebox profit.

### **Transfer of Undertakings (Section 35)**

- 4.33 We welcome the intention behind this section to ensure that at the baseline minimum TUPE rules are adhered to for all relevant transfers to offer assurance in advance of an extensive change of the current system. The Bill enables the exact circumstances under which TUPE may apply when there is a transfer of services between operators to be specified in forthcoming regulations.
- 4.34 Our member's experience points to the benefit of early and ongoing engagement with unions and staff. Furthermore, English LTA experience suggests the need for more employment data from the operators in advance of franchise procurement, as well as

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<sup>10</sup> [CMA response to Welsh Government's Bus Services White Paper - GOV.UK](#)

<sup>11</sup> [UTG Report - A Smoother Ride FINAL\\_2.pdf](#)



consideration regarding flexibility over pension schemes. **We would suggest these issues to be taken into consideration when developing regulations on this section.**

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**BSWB 07 - Evidence from: Transport Focus**

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Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Bil Gwasanaethau Bysiau (Cymru) | Bus Services (Wales) Bill

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**1. What are your views on the general principles of the Bill, and is there a need for legislation to deliver the stated policy intention?**

Transport Focus is the independent consumer watchdog promoting the interests of transport users. This submission is written to provide respond to Welsh Parliament's plans to franchise buses across Wales. This response should not be used to infer views of franchising plans or proposals in other areas.

This response will take particular focus on the following key themes;

1. Engagement with passengers to understand users' needs
2. Importance of qualitative monitoring on current and future services
3. Accountability of service delivery

Each of these themes will be referred to in more detail throughout the rest of this response.

From Transport Focus' perspective the key challenge is whether the proposals set out in the bill reflect the needs and priorities of both existing and potential passengers. The closer that the specifications and targets reflect people's needs, the better the chance that they will deliver the type of services that people want and value and will draw in new users to grow the market. How TfW and Welsh Government engages with users to understand their needs is key in this process.

## **2. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

### **▪ Part 1 - Key concepts and general objectives (sections 1 to 4)**

Transport Focus' research has shown that the key priorities for bus passengers are an affordable, frequent, and reliable bus service. The information provided within the bill does appear to target these priorities by allowing greater flexibility to TfW when specifying routes and times. This helps address 'gaps' in the network that impact on existing users and act as a barrier to new users. It would also seem to provide flexibility when it comes to providing a simplified and integrated fares and ticketing structure – another key passenger aspiration. Franchising the bus network in Wales could offer a more stable operating environment for operations whilst giving TfW control over network design and enabling more effective cross-subsidy of routes. The chief benefit of franchising in this regard would be the opportunity of setting a consistent set of standards across all routes and services. Franchising could also facilitate a more unified real-time passenger information service. Transport Focus would be interested to understand more about who and how these standards would be set and communicated to bus users across Wales (see below).

Franchising the bus network across Wales would in turn increase the risk on the Welsh Government as it would make the state responsible for fluctuations in user demand and cost inflation. We agree that franchising will give TfW more control over the design and implementation of the bus network, ensuring that the wider benefits from investment and enhancement target those who are likely to gain most.

Finally, Transport Focus welcomes the objective stated within the bill “to improve and grow the Bus Network across Wales.” A more frequent bus service is something Transport Focus strongly supports. Within the bill there is insufficient clarity on the quality of the service provided and how satisfaction of passengers will be measured and improved. Passengers who receive a service they are satisfied with will likely use the bus service more frequently, in turn increasing passenger numbers and revenue. Our national passenger satisfaction survey, Your Bus Journey, provides independent qualitative data representing the independent passenger voice of bus users and their journey experience. Transport Focus would be happy to discuss how this could be used in future years to drive improvement across Welsh buses.

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### **3. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 2 - Functions of the Welsh Ministers relating to local bus services (sections 5 to 20)**

The Welsh Bus Network Plan will be an important document. The contraction of the network in recent years will have contributed to the reduction in bus patronage in Wales. The Transport Focus Your Bus Journey survey 2024 results from Wales show passenger satisfaction with the frequency of bus services across Wales as a whole is low, at 58 per cent and as low as 53 per cent in South West Wales. The Plan provides an opportunity to start to address this issue. However, the survey also shows overall satisfaction with the bus journey across Wales is 84 per cent and is 88 per cent in Mid Wales, showing that when people have a bus service, it is a good service and is being valued. The Bill places a significant responsibility on Ministers, so we are pleased to see the duty to consult local authorities, corporate joint committees and, in particular organisations representing bus passengers on the Plan and any revisions to it (sections 6 and 8). We would be happy to advise TfW on how best to obtain input from users. The key to service improvement will be the contents of the local bus service contracts let by Ministers (section 9). We note that much of this content will be informed by Regulations (section 10) and that these Regulations may set out standards which will be required, including punctuality, reliability and safety; frequency and timing; routes and areas of operation; information to be displayed on vehicles; fares & ticketing; complaints handling and incentives. Passengers have a real interest in all these matters - we would like to see a commitment to consult users and their representatives when drawing up these Regulations, which would help to demonstrate the improved accountability to users from franchising. The Bill requires Ministers to publish a report on progress towards achieving the objectives set out in section 4 of the Bill (section 20). While we welcome this provision, we would like to see the Bill go further and require consultation with users. The legislation in England (Part 2 of the Transport Act 2000) requires franchising authorities to publish a plan explaining how they will consult users on how well their franchising scheme is working. We recommend that something similar is introduced in Wales. Our annual bus passenger satisfaction survey, Your Bus Journey, could provide important evidence for Ministers when preparing this report. Transport Focus would like to seek clarification on which body will be responsible for passenger relations within the new proposed system and for ongoing and

independent representation of the passenger voice. Engagement with passengers and passenger groups from an early stage to consult on passenger priorities and to understand their experience of using the service is very important. In addition, how will complaints handling be developed? For example: if a passenger has a complaint, who will this be sent to? Will complaints be dealt with in-house, if this is the case will there be an alternative dispute resolution body (e.g. an ombudsman)?

\*RESPONSE TO PART 2 WILL CONTINUE IN PART 3.

#### **4. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 3 - Restriction on providing local bus services (sections 21 to 24)**

\*THE BELOW IS A CONTINUATION OF OUR RESPONSE TO PART 2. (Transport Focus has no comment on part 3).

Transport Focus would like to understand more on how Welsh Government will permit private operators the right to run in a franchised area. What criteria will be used to accept or reject applications presented to them?

Additionally, the Bill does not refer to the production of a passenger charter outlining what passengers should expect from their bus service and what to do if their expectations are not met. A charter provides accountability to passengers and can be a great marketing tool if properly publicised. Transport Focus would welcome the production of a passenger charter alongside the implementation of bus franchising. We have produced guidance on writing and promoting passenger charters and would be happy to advise TfW.

Finally, in recent years the role of the driver has become even more prominent. The challenge to retain and recruit drivers in some areas has been a significant challenge for the industry. In turn, shortages of drivers have been a significant challenge for the industry and impacted on the reliability of services for passengers. Our most recent research (Making great bus journeys – 2024) showed that the bus driver is the second most important ingredient in terms of delivering a great journey (after timeliness/ punctuality). In the Your Bus Journey survey 2024 results, passenger satisfaction with bus drivers was very good, scoring 88 per cent across Wales and 91 per cent in Mid Wales. Transport Focus would be interested to

understand what efforts will be made to ensure a high level of driver training and standards within the new plans.

Will this be left to operators running the franchise services or would TfW be involved in things like training specifications? Effective recruitment and retention of drivers will be essential to support effective service delivery. The bus driver must also consider the comfort and safety of diverse groups of passengers, who may have a variety of needs. While many passengers may have limited interaction with drivers, they do observe how drivers handle requests for such help from fellow passengers. The role of the driver is often under the microscope and noted by passengers. Our research shows differences in satisfaction levels for disabled passengers that for some is markedly lower. To improve this, there must be a focus on support and training for drivers, particularly for passengers with a seen or unseen disability.

## **5. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

### **▪ Part 4 - Information and data (sections 25 to 31)**

Transport Focus does welcome the wide-ranging data requirement that will be reported on and made available to the public (sections 27 and 28)) although we note that the requirement relates to the information which passengers need to use local bus services, but not performance information.

Transparency with performance data allows bus users to gain a fuller understanding of the services that are being delivered to them. We would welcome a commitment in the Bill and in Regulations to publish information about performance. In particular, we would like to see the publication of patronage, punctuality, journey time and passenger satisfaction data, which would demonstrate improvements in accountability under franchising. Your Bus Journey (YBJ) provides ongoing measurement of passengers' interests, satisfaction and a journey experience snapshot across Wales. It may be a useful way to keep track on the trend of passengers' views and journey experiences.

On the subject of data transparency, will complaints processes and service quality be made public? This would likely increase levels of trust between bus providers and users. Additionally, would vehicle tracking also be available to users? Vehicle tracking on public apps has been a big technology step forwards to allow users with accurate information to provide consumers with confidence when their bus will arrive at their stop.

## **6. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 5 - Local authority powers and duties (sections 32 to 34)**

Transport Focus is encouraged to see that Local Authorities across Wales are included within the production of this bill and further plans to franchise buses across the Nation. Consultation should happen as close as possible to the area affected by the consultation. With this noted, Transport Focus would encourage future consultations to include engagement with users of Welsh buses, whether this is through user groups or direct consultation with passengers. This could be done through the use of an engagement strategy - TfW and Welsh Government setting out how they will engage with passengers and how they will use the information gathered going forwards.

This engagement could include:

- Engagement and consultation with passengers and non-users – especially on significant changes to routes and frequencies, or fares, ticketing and information. We were pleased to see the commitment to involving people in the design and delivery of bus services in the Wales Transport Strategy, as one of the five ways of working, but further clarity is needed on how this would be implemented under these proposals.
- Measuring passenger satisfaction and making corresponding improvements to services. The best judge of how well services are being provided is the people using those services. Implementing standards and targets for passenger satisfaction will help create an environment of continuous improvement.
- Setting out passengers' rights to standards of service, with effective mechanisms for redress.
- Making performance information available to passengers. Publishing this information is regarded as right in principle and is good for trust because 'it helps keeps the industry honest.' This is the case even if individuals have little personal appetite in seeking it out – the fact that others are looking at it can often be enough.

- A good complaint handling system.

Building in such engagement from the beginning would help to improve the relationship between passengers and operators. Trust has both a rational and an emotional element. At the rational level it means running the buses on time, being dependable, coping with disruption, resolving problems and offering value for money. Service delivery (in other words delivering the essentials) is at the heart of this rational element. The better the operator runs the service, the higher the levels of trust generated. Being unreliable or inconsistent has a large detrimental impact on levels of trust.

However, it is the more emotionally engaging factors that build real affinity. This includes things like staff going the extra mile, and feeling like the service provider really does care what happens to you – as evidenced by interacting with passengers and involving them in the decision-making process. Passengers feel that more should be done to consult them and their representatives. It also means operators communicating well, especially during disruption. The ‘radio silence’ approach leaves passengers unable to assess the alternatives, update work/family on amended arrival times and not feeling in control of the situation.

## **7. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 6 – Miscellaneous and general (sections 35 to 44)**

Transport Focus has no comment on this question.

## **8. What are the potential barriers to the implementation of the Bill’s provisions and how does the Bill take account of them?**

One aspect of the bill that Transport Focus would seek clarification on is how cost will be factored into the planning and production of the franchising scheme. The success of franchising will likely depend on a continuing commitment to a high level of public funding, particularly given the long-term trend of patronage reduction. Will bus services be planned on the basis of how much money is available to spend? Or, will a first principles lens be used, with calculations on what an ideal service delivery would look like, planning service delivery from this perspective? What will be the roles of flexible services and community transport in connecting services and journey opportunities across the network?

Another potential barrier for implementation could be how network infrastructure (buses, depots etc) will be packaged up to deliver services across Wales. If some of the existing operators across Wales are not transferred into the franchising scheme, then what will become of their infrastructure and local expertise of service delivery?

**9. How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)**

Transport Focus has no comment on this question.

**10. Are any unintended consequences likely to arise from the Bill?**

One potential concern of the proposals is the uncertainty of negotiating the transfer of depots and vehicles from bus companies. What measures are in place to ensure that services continue during the transition to franchising? We are concerned about the risk of network disruption during transition to franchised operations and the impact this may have on passengers. Careful consideration should be given to this when planning the next stages and potential implementation of the bill. Also, to ensuring the bar is not set too high in future to deter the many small and medium-sized operations that currently provide services to passengers across Wales.

Additionally, will there be reassurances to bus passengers that the transition to bus franchising will not lead to a reduction of service or penalise passengers, especially those passengers currently receiving discounted or free bus services?

**11. What are your views on the Welsh Government's assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?**

Transport Focus has no comment on this question.

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**12. Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?**

Finally, who would be responsible for producing Equality Impact Assessments, for ensuring compliance with disability regulations on such things as vehicle and passenger information designs, and on general efforts to make travel more accessible? We would also emphasise the importance (and the value) of engaging directly with people with a lived experience of disability. Where changes are being considered then it will be essential that disabled people have the opportunity to influence those decisions through public consultations, focus groups or other means.

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## BSWB 12 - Evidence from: Bus Users UK

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Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Bil Gwasanaethau Bysiau (Cymru) | Bus Services (Wales) Bill

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### **1. What are your views on the general principles of the Bill, and is there a need for legislation to deliver the stated policy intention?**

Bus Users UK is cautiously optimistic about the future of bus services in Wales. The general principles of this Bill are potentially good news for bus passengers and we welcome the desire to improve services and put the interests of passengers at the heart of the political debate. We also welcome the commitment to secure bus services that will be accessible, available and affordable to more members of society, and we recognise the description of the Bill by Cabinet Secretary Ken Skates MS as “one of the most important pieces of legislation that we have taken through - to give better options for the whole of our country”.

While there is much talk in the Bill about designing services to benefit the passenger, there is unfortunately little mention of consultation with passengers to provide services that meet their needs.

Statutory partnerships could deliver most of the aims of the Bill and would give operators a stake in improving services over and above any contractual obligations that would follow under a franchising arrangement.

### **2. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 1 - Key concepts and general objectives (sections 1 to 4)**

Section 4 sets out the objectives and while we welcome these, there is nothing specific around consulting with passengers to determine what they want and need from a bus network in order to travel sustainably. We also note the objective to improve the reliability of bus services. Numerous studies and reports have

recognised that congestion is a major challenge to reliability. The Senedd Economy Infrastructure and Skills Committee report published in 2017 - Taming the Traffic: The Impact of Congestion on Bus Services - made one single recommendation that “As a matter of urgency, Welsh Government should develop and publish an action plan to set out how it will tackle the impacts of congestion on the bus industry in Wales”. However, there are no plans within this Bill to tackle congestion nor to introduce bus priority measures to improve service reliability. We would call for an additional objective to tackle the impacts of congestion on bus services in order to provide reliable, predictable journeys for passengers.

To reduce greenhouse gas emissions caused by public transport, there will need to be significant investment in upgrading bus fleets to more sustainable forms of energy along with the infrastructure needed to achieve this.

Our main concern is the availability of funding to achieve these objectives.

### **3. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 2 - Functions of the Welsh Ministers relating to local bus services (sections 5 to 20)**

We welcome the requirement of a ‘Welsh Bus Network Plan’ setting out the local bus services that are required for the purpose of securing a safe, integrated, sustainable, efficient and economic bus network in Wales (Section 5). We also welcome the duties to consult with a wide range of stakeholders (Section 6) as well as all those representing the interests of bus users. This is crucial in order to avoid any unintended consequences of changes to services, for example timetable changes that leave hospital staff unable to get to work in time for the start of their shift. Welsh ministers will be reliant on support to develop the bus network plan from TfW and local authorities. Meaningful engagement with communities to shape the development of the Bus Network Plan is essential to avoid this becoming a tick box exercise.

Sections 7 & 8 refer to review and revision of the Welsh Bus Network Plan and section 20 refers to reporting periods. While we welcome consultation on any changes, the timescales quoted for review (2 years for the first report and 4 years for any subsequent reports) are too long. Initially, reviews should take place

annually and then bi-annually to ensure networks are fit for purpose and meeting the needs of passengers.

Sections 9-10 cover Local Bus Service Contracts but there is no mention of the requirement for an operator to have a complaints policy. We would recommend the inclusion of this together with a requirement for operators to nominate an appropriate Alternative Dispute Resolution (ADR) body to which passengers can escalate a complaint in the event of a deadlock with the operator. If it is intended that complaints are to be handled by TfW, then the appointment of an ADR body will be vital to ensure appeal complaints are dealt with independently.

Sections 11-16 refer to local bus service permits and while no timeframe is quoted, section 12 indicates that the permits have to have a valid from date and an expiry period shown on the permit. The remaining sections cover the processes for application, revocation and grounds for appeal.

Section 17 suggests Welsh Ministers could provide a local bus service if they are satisfied it would be a more effective way of fulfilling that duty than entering into a local bus service contract. It is unclear under what circumstances such an award would be made.

#### **4. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 3 - Restriction on providing local bus services (sections 21 to 24)**

We welcome the fact that the Bill recognises the important role played by community transport services. The exemption for these services will enable demand responsive transport to continue alongside, but not as part of, a franchised network in a zone. This is crucial to ensure that passengers who are unable to access the main bus service corridors, are not excluded from using public transport.

We are funded by Welsh Government to provide one full-time and two part-time Bus Compliance Officers across Wales. While their primary role is to monitor the punctuality of bus services, they are well-placed to identify any local bus service in contravention of section 21 and report it to the Traffic Commissioner for Wales to consider whether regulatory action is appropriate.

**5. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

▪ **Part 4 - Information and data (sections 25 to 31)**

Section 27 refers to a duty to secure information that is available to the public.

Accessibility of information is vitally important. Not everyone has access to technology, or lives or travels in an area with strong WiFi coverage. Some passengers will find it difficult to access up-to-date information on timetables, services, disruptions and alternative services. It is essential that information is available through multiple channels including by phone and in print, to ensure no one is excluded.

Bus Users UK in Wales employs one full-time Bus Compliance Officer (BCO) covering South East Wales and two part-time BCO's covering West Wales and North Wales who conduct on board and roadside punctuality monitoring. They provide reports for the Traffic Commissioner to consider whether further action is necessary, and to various TrawsCymu delivery group meetings. The document does not mention bus punctuality compliance monitoring which is an important function in helping to improve punctuality across Wales.

**6. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

▪ **Part 5 - Local authority powers and duties (sections 32 to 34)**

This section covers local authority powers and duties and refers to technical amendments to the 1985 Act. We welcome the fact that local authorities can continue to provide funding for community transport. These services perform a vital role by ensuring that anyone unable to use mainstream services can still access public transport.

## **7. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 6 – Miscellaneous and general (sections 35 to 44)**

These sections cover TUPE arrangements for staff and other miscellaneous matters. We welcome the legal protection of workers’ rights and have no other comment on these sections.

## **8. What are the potential barriers to the implementation of the Bill’s provisions and how does the Bill take account of them?**

One of the barriers to accessing public transport is the streetscape, examples of which are highlighted in the Coventry University for National Centre for Accessible Transport report. This has particular relevance when considering changes to bus networks as the distance to stops and the availability of crossings for example, can make it difficult, if not impossible for some people to access services.

<https://www.ncat.uk/wp-content/uploads/2024/12/ncat-The-barriers-to-streetscape-access-Highlights-Report-Accessible-PDF.pdf>

SMEs and community transport operators deliver many excellent services for passengers across Wales but may not have the central office functions necessary to bid for contracts. Initial support through the bidding process may be needed until they develop the expertise required.

## **9. How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)**

The powers in the Bill for Welsh Ministers to make subordinate legislation appear to be appropriate.

## **10. Are any unintended consequences likely to arise from the Bill?**

We know through the experience of rail franchising that passengers often expect to see immediate change when, in reality, it can take several years to deliver noticeable improvements. A fully franchised network in Wales is not expected until 2030 and there is no indication of what funding will be available to provide

services during this time. It will be vital, therefore, to manage passenger expectations and communicate clearly throughout the process in order to retain the trust and support of the public.

There is no mention in the Bill of The Rights of Passengers in Bus and Coach Transport (Amendment etc.) (EU Exit) Regulations 2019 (formerly the European Bus and Coach Passenger Rights Regulations). These provide additional rights to passengers in certain circumstances

<https://www.legislation.gov.uk/ukxi/2019/141/made>

Franchising can provide great services for bus passengers but it comes at a significant cost. TfL's accounts for 2023/24 show the total cost for buses, streets and other operations was £3.643m while income from fares etc was £2.705m. The difference was made up from grant revenue

<https://tfl.gov.uk/corporate/publications-and-reports/annual-report>

According to Scottish bus operator McGills, the cost of providing bus services in Greater Manchester would be £226m per year with the costs for Strathclyde

£400m per year <https://cbwmagazine.com/manchester-experience-should-be-a-warning-says-mcgills/>

The funding model for bus services in Wales requires an overhaul. The costs of operating services increase year on year due to wages, fuel, vehicle upgrades etc. There is no evidence to suggest that franchising will reduce these costs, If passenger numbers are to increase by any significant margin, bus services must be quicker, more reliable and more accessible and this can only happen by introducing bus priority measures and reducing congestion.

There is nothing in the Bill specifically about asking communities what services they need which will be critical to ensure services will be used and to mitigate against unintended consequences from planned changes.

Passenger involvement in the design and testing of services, particularly by those most vulnerable to social isolation, is a necessity to ensure the network is fit-for-purpose and that journeys will entail minimal changes/connections.

The available budget is not clear. There is no mention of measures and targets for services required in order to determine required budget, nor any value-for-money indicators.

There is no mention of how the proposals are intended to tackle congestion or air quality issues.

There is no information regarding a passenger charter or any terms of conditions of travel. This needs to be published before the start of operation of services.

There is no mention of the potential of a franchising scheme to fail and what the process would be in that eventuality. This could lead to passenger fears that any franchised scheme that is poorly run would result in diminishing standards, frequency levels and services.

There is no information about how the new provision would be intended to appeal to occasional travellers or part-time workers.

## **11. What are your views on the Welsh Government’s assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?**

Table 8.8 on page 92 outlines that transition costs for years 1-5 total £217m. Of this £178.3m relates to depot acquisition, £13.8m in staffing costs and £25m in IT systems and other costs. However, there is no mention of where this funding is coming from, nor any value-for-money criteria applied to these purchases.

It is not clear what would happen, for example, to an operator running services across the border in England, or one with a large private hire/Coach contract to provide long distance coach services, or in the event of an alternative purchase proposal from a retailer who might require the sites for a new store.

We are concerned that the risk factors identified on pages 94 to 98 are quite alarming in particular the financial risks around revenue volatility and operating costs being higher than anticipated due to higher inflation in key cost categories such as energy, fuel and staffing.

This could lead to difficult decisions having to be taken around reducing or even cancelling services to balance the books. It would be a disaster if the result of franchising was a contraction rather than an expansion in services

## **12. Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?**

Complaint handling and ADR: A clear, detailed complaint handling procedure is required. This will enable passengers to understand who they can address their

concerns to, the timescales involved and, in the event of deadlock, details of an independent panel which can adjudicate on the matter as an alternative to legal action.

Role of BCOs: Bus Compliance Officers conduct roadside and on-bus monitoring of the punctuality of bus services across Wales. More clarity is required around this function and how it fits into the proposed franchised scheme.

Passenger Standards Agency: At present in Wales, complaints about bus services are dealt with initially by the bus operator. In the event that a complaint reaches deadlock, it is referred to Bus Users UK which is the only ADR body certified by the Trading Standards Institute for complaints about bus and coach. Where it is not possible to resolve a complaint, the matter is heard by the appeal panel which issues a decision based on the available information. The Bill provides an opportunity to establish a 'Multi Modal Passenger Standards Agency' for Wales - a one-stop shop for passengers across transport modes.

England Bus Bill: One of the features of the England Bus Bill is the mandatory training of bus drivers around disability awareness and assistance. We know through our research and work with disabled people that awareness and assistance when travelling is nowhere near what is needed or expected. A similar clause to that of the England Bus Bill would improve transport accessibility and services across Wales.

# Agenda Item 4

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## **BSWB 15 - Evidence from: Older People's Commissioner for Wales**

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Senedd Cymru | Welsh Parliament

[Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee](#)

[Bil Gwasanaethau Bysiau \(Cymru\) | Bus Services \(Wales\) Bill](#)

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### **1. What are your views on the general principles of the Bill, and is there a need for legislation to deliver the stated policy intention?**

The Older People's Commissioner for Wales broadly welcomes the vision for change contained in the Bill for a bus system that provides the best possible service to the public, delivering a comprehensive network of bus routes with coordinated timetables and connections, and easy to find information.

Good quality public transport is a key part of enabling everyone to live and age well in Wales. The general principles of the Bill are positive and there is a need for legislation to deliver the stated policy intention. However, legislation is only part of the picture and legislation alone will not be sufficient to ensure that Wales has a bus service which meets the needs and expectations of citizens, including older citizens.

Research on transport from the National Survey for Wales (see: [Transport \(National Survey for Wales\): April 2022 to March 2023 \[HTML\] | GOV.WALES](#) ) shows that 14% of people aged 65+ used the bus at least once a week. This was the highest of all age groups and it is therefore essential that there is sufficient emphasis on older people's needs and requirements in the Bill and its subsequent implementation.

The Commissioner has recently consulted with older people on priorities for her term. Problems with public transport, including buses, were raised frequently. The current model of bus operation does not meet the needs of older people for a variety of reasons. These included limited services (or in some cases, especially in rural areas, no services), especially at evenings and weekends, inability to access health or other appointments due to routes and /or scheduling, a lack of reliability, and inaccessible vehicles. Transport problems are also regularly reported to the Commissioner during engagement events and in enquiries received by her Advice and Assistance Service.

Much of the operational detail of the Bill will be via regulations and guidance and it will be important that sufficient time is allowed for these to be consulted upon and given adequate scrutiny. The Bill also allows for regular scrutiny from the Senedd which is to be welcomed.

Key to delivering the stated policy intent is meaningful consultation and understanding the wider community's vision for bus services. This vision needs to include those who do not currently use bus services and greater consideration of the latter is needed.

The UK Government's Bus Services (No. 2) Bill, introduced in December 2024, includes important provisions on safety and driver training, including training on areas such as antisocial behaviour and disability equality (see: [Bus Services \(No. 2\) Bill \[HL\]](#)). Older people have raised the issue of antisocial behaviour on public transport (including buses) with the Commissioner, as well as accessibility. The issue of bus driver knowledge and awareness of equality and accessibility has also been raised with the Commissioner. The relevant sections of the UK Government Bill should be examined and addressed as part of the Welsh Government Bill.

## **2. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

### **▪ Part 1 - Key concepts and general objectives (sections 1 to 4)**

The key concepts and general objectives are reasonable.

The objective to promote the use of local bus services is welcome but in order to be workable, greater consideration and understanding of the barriers to using local bus services is needed. In order to overcome barriers, they must first be properly understood. Older people throughout Wales, particularly in rural and isolated communities often face transport challenges and bus services have been radically cut in certain areas. This led one older person to comment in response to the Commissioner's recent consultation on her priorities that "I have a bus pass but no bus".

Increasing the availability of local bus services is essential so it is helpful to see this reflected as an objective in the Bill. The wording of 'working towards' this suggests an understanding of the scale of the challenges involved. Sufficient funding to support improvements to bus services is essential to deliver on the

objectives of the Bill. Without sufficient funding, it will not be possible to make or sustain improvements to local bus services.

The objective which focuses on continuous improvement of the reliability, safety, affordability and accessibility of local bus services has the potential to go some way to addressing many issues raised by older people. However, unlike the current draft legislation for England in the Bus Services (No. 2) Bill, there is little detail specifically on safety. The relevant sections of the legislation for England should be considered and added to the Wales Bill in order to address this, along with any further measures to address safety. This could include consideration of the points raised in last year's debate on a Member's legislative proposal for a Bill for increased safety on public transport. (See [Plenary 12/03/2024 - Welsh Parliament](#).)

None of the Bill's six objectives mention quality, quality improvement, or focus on the quality of bus services and passenger experiences. This should be added or incorporated as an objective. Quality could include references to training and set expectations of the minimum training needed to support bus drivers. Issues around driver behaviour can affect older people's likelihood of using buses, while antisocial behaviour by other passengers is another factor highlighted by older people in creating a climate where people feel unsafe. The Bill offers an important opportunity to address these issues and this is notably included in the draft UK legislation - Bus Services (No. 2) Bill. Again, the Welsh Government should consider the references to training in the UK Bill and adopt a comparable approach.

The objective of working towards achieving an integrated transport system is sensible. However, care should be given that integrated routes, particularly to link bus and rail, do not have the unintended consequence of causing inconvenience for passengers: for example, by adding unnecessary length to journeys because a bus route has to include a railway station.

The objective to reduce greenhouse gas emissions and waste from road transport is to be welcomed. Older people continue to be worried about climate change. Research undertaken on behalf of the Commissioner in February and March 2025 found that 81% of older people were concerned about climate change.

### **3. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 2 - Functions of the Welsh Ministers relating to local bus services (sections 5 to 20)**

It is welcome that Welsh Ministers will be required to seek the views of local authorities and other stakeholders when preparing and revising the Welsh Bus Network Plan (WBNP), and that they will be required to keep the Plan under review.

However, the list of consultees does not take account of stakeholders who do not currently use buses and have no plans to do so at present. This cohort of potential users are key to increasing the number of passengers using the bus network but will not necessarily be captured by s.6 (4) (f) of those who “represent the interests of persons using *or likely to use* local bus services” [emphasis added]. Ways to include the interests of those who could be encouraged or persuaded to use local bus services should also be built into the development of, and consultation on, the WBNP. This could be part of broader community engagement on what communities want to see from bus services and what would make them more attractive to a wider range of citizens or encourage existing users to make more journeys by bus.

While it is sensible to have regard to regional transport plans when Welsh Ministers prepare the WBNP, Welsh Ministers should seek their own assurance that regional transport plans have in turn have been subject to meaningful and wide-ranging consultation, including with older people, otherwise the WBNP risks compounding any problems with existing regional transport plans. Consultation via predominantly online means or with heavy emphasis on online forms and surveys is likely to exclude a significant amount of older people, many of whom are existing bus users, or who would like to rely on bus services.

It is essential that sufficient consideration is given to the successful operation of cross border services, both in the development of the Bill and its implementation. Too often, older people who live on the border with England and who use cross-border services, experience additional problems and complications. One older person informed the Commissioner that “Living in a border village neither Wales or England want to accept responsibility for us”. It is vital that citizens, including older citizens, who live near the Wales-England border do not experience poorer quality bus services and planning as a result of where they live.

It would be helpful for the Bill itself to specify that cash payments will be retained across all bus services. This would provide reassurance to groups who predominantly rely on cash and acknowledge the growth in the use of cash since 2022, which is at least partly a response to the ongoing cost of living crisis.

Reporting on progress at regular intervals as set out in the Bill will be helpful in terms of scrutinising developments. Such reports should be user friendly and accessible, allowing interested parties to understand progress.

While this section of the Bill focuses on Welsh Ministers, the Bill also needs to set out further clarification on the specific role of local authorities.

#### **4. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 3 - Restriction on providing local bus services (sections 21 to 24)**

No comments.

#### **5. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 4 - Information and data (sections 25 to 31)**

Coordination of relevant information and data could have a positive effect on bus travel if it makes it easier to find details relating to journeys.

However, it is essential that the Bill specifies that the provision of information and data to the public cannot be online only and is explicit about this. Offline channels for providing information must be maintained and operate to the same standard as online ones. Offline and online channels for information must be developed simultaneously so that offline access does not become a 'bolt on' or a problem to be solved at a later date.

While good quality apps will be welcomed by many older people, access to information about local bus services that relies exclusively or heavily on smart phones or QR codes will not be acceptable. Older people who do not make use of the internet should not be disadvantaged and should be able to access

information and plan journeys by other non-digital channels: for example, printed timetables and over the phone, to ensure accessibility for all.

The current drafting of the Bill is insufficient in terms of clarity on what ‘available to the public’ means in practice. In order to provide certainty, an additional sentence should be included in 27 (1) or 27 (5) noting that for the purposes of the legislation, ‘available to the public’ means the information cannot be provided solely via digital or online means.

The ability for Welsh Ministers to request information from local authorities or community councils on areas such as bus routes, bus stops and infrastructure under Section 26 is helpful. However, the Bill should also incorporate ways to improve bus stops and infrastructure, taking account of concerns around safety (as highlighted earlier). Requiring a regular audit of bus stops would help identify where there are problems. Concerns like bus stop safety, lighting in poorly lit areas, or the physical challenges of boarding and alighting buses, particularly in adverse weather conditions or at night need to be addressed. This would go some way towards the Bill’s objectives of promoting the use of local bus services and continuously improving the reliability, safety, affordability and accessibility of local bus services.

**6. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 5 – Local authority powers and duties (sections 32 to 34)**

No comments.

**7. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 6 – Miscellaneous and general (sections 35 to 44)**

No comments.

## **8. What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?**

One of the biggest barriers to the implementation of the Bill's provisions is funding. Bus services have been altered, reduced and withdrawn, particularly since the pandemic, in an attempt to manage costs. Franchising and improved planning alone will not enable the Welsh Government to meet the objectives set out in the Bill. For example, franchising may not improve punctuality and reliability.

Future funding for buses should take account of the fact noted in the Bill's Explanatory Memorandum (page 7, para 3.1) that buses remain the most practical and popular choice for public transport, and account for about 90 million passenger journeys each year. This compares with approximately 30 million annual rail journeys.

There is lack of clarity regarding transitional arrangements as franchising is introduced on a staged basis throughout Wales. It is important that the impact of transition is understood and managed so that there is no adverse effect on passengers.

There may be barriers for smaller bus companies who could find it difficult to compete with larger companies. This risks leaving the provision of bus services to be managed by a relatively small number of large companies, some of whom are based outside of Wales.

Local knowledge is another important factor that must not be overlooked: when entering into local bus service contracts, it is essential that any tendering exercise takes into account experience or understanding of delivering bus services in the specific geographical areas covered by the tender. This is especially the case in rural locations where knowledge of local geography is crucial to planning suitable vehicles and routes. Older people have highlighted circumstances where smaller buses would be better than larger vehicles, given the types of roads that routes are likely to encompass. If local knowledge is not valued sufficiently during tendering and planning, there is a risk of unsuitable vehicles and routes that do not work for passenger.

Developing the WBNP will require meaningful engagement and this needs to extend beyond the groups currently listed in the Bill. Those who are currently unlikely to use buses must be consulted if the Bill is to be able to have a positive impact on increasing passenger numbers.

Welsh Ministers must also be assured that regional transport plans are themselves accurate and reliable sources of information, based on strong community engagement before relying on them too heavily to inform the WBNP.

The Bill needs to be explicit that provision of information to the public cannot be solely online or rely on being able to use the internet. Restricting information to online sources only would make it harder for some older people to be able to use bus services due to a lack of knowledge of timetables, how to use demand responsive services etc.

### **9. How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)**

The powers are broad but there is understandably a balance between the amount of detail it is reasonable to include in the Bill and that which needs to be contained within subordinate legislation. It is vital that sufficient time is allowed and meaningful consultation takes place on any ensuing regulations and guidance.

### **10. Are any unintended consequences likely to arise from the Bill?**

The success of the Bill depends to a great extent on how effectively it is implemented. Delays in rolling out new systems or services, could undermine benefits. There is potential for the timetable for the implementation of the Bill to slip which may cause further challenges.

Changes to routes etc. might make the bus service harder for some older people to access and navigate if sufficient effort is not made with regards to communicating developments. Unless the Bill is explicit about the need for information to the public to be provided via non-digital methods, there is a risk that older people and other groups with a higher risk of digital exclusion, may struggle to find the information they need. This is especially the case as the Explanatory Memorandum notes the skewing of bus passengers towards lower income quintiles (page 178), who will be more at risk of digital exclusion.

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## **11. What are your views on the Welsh Government's assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?**

As with any large project of this nature, there are concerns regarding affordability, deliverability and overall cost. The Explanatory Memorandum tries to address this via some of the references to contingency in its risk assessment. However, in practice, there is a risk that any additional costs to implement the Bill or manage transition etc., could be high.

Reassurance that estimations of the number of staff needed for Communications / messaging and social media / stakeholder engagement and Public Relations and Marketing fully take into account the need to engage via non-digital routes would be helpful. There will need to be sufficient capacity to deal with queries, contact etc. via telephone and in some cases, hard copy post.

The assessment of financial implications could have included a value for money assessment.

## **12. Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?**

The Bill offers potential advantages for older people if implemented effectively, such as improved accessibility and enhancements to bus services. However, older people have concerns about the reliability of services, the risk of cuts or route changes, and their ability to access timely information.

The infrastructure around passenger voice and engaging with communities in the Bill as it stands is not strong enough. This also relates to the lack of voice for people who do not currently travel by bus. It is important to understand the motivations of those who do not currently use bus services in order to develop effective interventions to grow the passenger network. Without hearing and incorporating these stakeholders, it is not possible to map out and understand unmet need.

It is essential that improvements to bus services are also made in the more immediate term, rather than simply waiting for the Bill to pass and franchising etc. to be implemented across all parts of Wales. Opportunities to identify and address the concerns of older passengers should be taken now. Mechanisms for ensuring that the voices of older people are heard in relation to planning bus

services, for example, via local authority work on Age-Friendly Communities, should be well-established in advance of the Bill's passing.

The corresponding draft UK Government Bus Bill should be examined and its focus on safety and driver training should be incorporated into the draft Wales legislation.

It is vital that Transport for Wales ensure that they have sufficient expertise specifically on buses to ensure the successful implementation of the Bill.

Keeping stakeholders, including older people, well-informed during a period of change is important. Providing clear and consistent messaging will be key in providing assurance and preventing any further erosion of confidence in bus services.



**Comisiynydd Plant Cymru**  
Children's Commissioner for **Wales**

## **Ymateb i Ymgynghoriad / Consultation Response**

Date / Dyddiad: 30<sup>th</sup> April 2025

Subject / Pwnc: Bus Services (Wales) Bill: Stage 1 inquiry by the Climate Change, Environment, and Infrastructure Committee

Background information about the Children's Commissioner for Wales

The Children's Commissioner for Wales' principal aim is to safeguard and promote the rights and welfare of children. In exercising their functions, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (UNCRC). The Commissioner's remit covers all areas of the devolved powers of the Senedd that affect children's rights and welfare.

The UNCRC is an international human rights treaty that applies to all children and young people up to the age of 18. The Welsh Government has adopted the UNCRC as the basis of all policy making for children and young people and the Rights of Children and Young Persons (Wales) Measure 2011 places a duty on Welsh Ministers, in exercising their functions, to have 'due regard' to the UNCRC.

This response is not confidential.

### **Introduction**

Thank you for the invitation to give written and oral evidence to the Committee in relation to this Bill. Access to transport is a very important area of interest for children and young people

across Wales; it is a topic raised with me on the majority of my weekly visits across Wales regardless of the location or circumstances of the young people I'm meeting.

My comments relating to the Bill do not relate to the specifics of the franchising and contractual arrangements, as these sit outside of my statutory remit and expertise. Instead, I will reflect upon the wider impacts of the Bill's provisions, and areas that I feel may have been underexplored to date in providing a service that meets the needs of children in particular.

### **Learner Travel**

The Explanatory Memorandum for the Bill sets out that *“statutory responsibility for learner travel will not be impacted by the Bill. However, when planning the network, TfW will seek to ensure better integration between the network and learner travel to ensure children and young people have better access to schools and further and higher education.”*

It goes on to set out that *“making provision for better planning and co-ordination of the network will support school age children and young people to get to and from their place of education, including Welsh Medium and faith schools.”*

However, the objectives set in the Bill and against which the Welsh Government and TfW will be required to report do not contain any criteria or aims in relation to school transport. It therefore remains to be seen how these improvements will be prioritised and monitored through the implementation reporting.

Further, the implementation of the Bill (if passed) is projected to take at least five years. Without any direct provisions related to learner transport, it is unclear how the objectives named in the Learner Travel review by Welsh Government will be identified and achieved. Five years is a significant period of a child's education journey, and improvements to learner travel options are inextricably linked to this Bill, so it is necessary to see clearer and swifter action towards addressing the challenges currently facing learners in accessing education.

In 2024, Welsh Government published their final report recommendations in relation to learner travel. <https://www.gov.wales/learner-travel-wales-analysis-and-evaluation-recommendations-report-december-2023-html>

It is my view that the Review was totally inadequate, falling short of signalling any meaningful change to current guidance or legislation, and meaningful changes to children's

experiences. It was deeply disappointing for children, their families, and those of us who have been telling the Welsh Government for years about the wide range of problems children and young people currently face with home to school transport. They include:

- a serious loophole in local authorities' duty to risk assess routes. Risk assessments are a legal requirement for active travel routes children use to walk directly to school, but not for journeys children have to make from their home to a pick-up point to catch a school bus. My Advice team have heard from a family whose child was expected to travel the 1.4 miles from their home to a pick-up point on a route that wasn't risk assessed. That's almost 3 miles a day on a route that the council doesn't know is safe.
- current mileage thresholds for school transport are too high. The national guidance means that a secondary school pupil could walk up to six miles a day to access their right to an education. For some they are expected to do this on top of a bus journey to and from school each day. Estyn's recent report on school attendance in secondary schools highlighted this as potential barrier to attendance, as did the Government's own interim review published in 2021.
- no legal duty to provide transport for young people who aren't of compulsory school age. A young person choosing to study in their school's sixth form could go from having free transport up until their GCSEs to suddenly having to pay for public transport to continue with their education. A third of young people live in poverty in Wales, and it's those young people who will feel the impact of this most.
- no legal duty to provide transport for young people with additional learning needs, despite them often having specific vulnerabilities that might make it difficult or distressing to walk to school or to get a public bus.

The interim review published in 2021 acknowledged some of these issues and pointed to inconsistent provision across Wales and inconsistent experiences for children. The Welsh Government said at that stage that ministers were committed to reviewing learner travel, noting that "the option of 'do nothing' is not considered appropriate" and concluded that the interim work "justifies a comprehensive review of the Measure", to prevent "further inequality, inconsistency in provision and further outdated codes and guidances".

It is my view that the Welsh Government have let children down with the final review that simply failed to deliver on the promising language of the interim review, and failed to address the issues it had already acknowledged within the current guidance.

Whilst I recognise the financial challenges, and the expectations that were already in place for this Bill to be brought forward, the Bill's provisions in themselves do not address any of these issues.

Since the 2021 review, my office has continued to have regular cases brought to us from across Wales in relation to this issue, including cases that have been brought to us by Senedd Members from different political parties. It is clear that children across Wales are facing barriers just to access their education, a fundamental right for all. On top of a cost-of-living crisis and concerns about declining school attendance, it is unacceptable that the Government has not taken the steps promised by the interim review to firmly get to grips with the persistent challenges faced by children in getting to school safely.

The 2024 learner travel recommendations and analysis notes that the implementation of a franchised network provides an *“opportunity to ensure that schools and colleges are taken into consideration when planning regional bus networks. It is therefore recommended that as part of the preparatory work for the implementation of the Bus Bill, Transport for Wales ensure that the network development work that they are undertaking includes our learning establishments, schools and FE colleges as well as universities. This will maximise opportunities of a franchised network to encourage more children and young people to use our public transport networks”*. It is unclear from the published paperwork for the Bill whether or not this has taken place or whether this is now being planned.

Young people my office has spoken to recently have noted ongoing issues with learner travel, with one of them saying *“I feel like as young people we are being let down. We have a right to free education but we're seeing because of this barrier of a bus fare that we're not getting that access.”*

Local authorities have historically been more generous in their offer than the legal minimum set by the Welsh Government, with many lowering local mileage limits to adequately support children and young people.

However, with budgets being stripped ever closer to the bone, more councils are opting for the minimum legal requirement for children and young people. In practice this means some children walking up to six miles a day, setting off for school on foot at 6.30am in all weathers and sometimes on routes that families deem unsafe and unsuitable; we've heard cases of children having to walk alone across a common with wild horses, down side alleys and along canal paths without lighting or visibility.

Even when children and young people are entitled to free school transport, we hear through my office's independent Children's Rights Advice and Assistance service about children having to walk lengthy distances to get to pick up points, including along thin grass verges by the side of busy A-roads.

In a persistently challenging financial context, many parents whose children don't qualify for free transport are left with a choice between paying for a bus fare or breakfast, just to get their child to their education.

Yet, there are no concessions, even when children are eligible for free school meals; we've heard of such children having to pay £3.80 per day to get to school, and coming to a point towards the end of the week where it is no longer affordable to get to school, meaning that child then misses out on their free hot meal on that day too.

Sadly, the Learner Travel reviews have been wholly inadequate from the point of view of children's rights, and have failed to address the known issues with school transport. Without clear action from Welsh Government, more and more young people will be arriving at their school cold, wet and tired, and some simply won't arrive at all.

Cost of living pressures also continue to have a devastating impact on families across Wales.

Despite the publicity and media coverage at the time, the recently announced £1 bus fares for under 21s will not help with all learner travel, as this scheme is only intended to support those aged 16-21.

And school attendance rates in Wales are a significant concern – they remain stubbornly lower than pre-pandemic, with those missing 10% or more of their schooling having doubled since 2019. Evidence tells us that transport remains a key barrier for many attending school. In its thematic review of improving attendance in secondary schools, published in January 2024,

Estyn echoed our calls and recommended to Government: “Consider how pupils living within the three-mile radius who are not eligible for free transport could be better supported to attend school more regularly.”

The Cabinet Secretary is hosting a Learner Travel Summit; here are some issues that need to be taken into consideration in the next steps:

- Consider how mileage thresholds can be reduced; what are the exact costs and benefits of different thresholds?;
- Review responsibilities for local authorities to risk assess walking routes to transport pick up points;
- Examine how certain groups of children are particularly affected by the current arrangements, including but not limited to children with disabilities, those attending Welsh medium education, and those eligible for free school meals.

Without due consideration of and clear action on these issues, the Welsh Government is failing to properly consider and give greater effect to children’s basic needs and human rights in this policy area and the time for wholesale change is long overdue. It is necessary for this Bill to be seen within this context; to ensure that all of the actions by the Welsh Government are upholding and advancing children’s rights.

### **School bus services**

I am unsure from the published proposals how current paid school transport services will be treated in relation to the contracts, but wanted to raise the issue of these services.

I am aware from learners we’ve spoken to of concerns about paid school transport services, including the cost, the level of service and the uncertainty over how the services currently operate.

It is my understanding that the local authorities contract these services from private providers. The fees vary depending on the school, but amount to hundreds of pounds per child. Although annual passes can be purchased for some services, this comes at a significant outlay (for example £550 upfront in Cardiff) and being payable at the beginning of the school year, this

comes at the same time as uniforms and other school supplies need to be purchased. For those missing out on the threshold for free school meals (and therefore also the School Essentials Grant) this is very often a prohibitive cost, resulting in these families having to pay the daily rates instead at a cost of more than £700 a year per child.

Learners I have spoken to having to pay for these services include those living 2.98 miles away from their school, those whose 'nearest suitable school' has been designated as a Welsh medium secondary school for a non-Welsh speaker (including learners with additional learner needs) and learners who are eligible for free school meals. The lack of policy join up or rights-based approach to these children's needs is a concern to me.

I understand that as these are 'school services' the ticket cost is for that service only and therefore a purchased ticket cannot be used to access any other bus services on that date such as an alternative trip in to a local town or leisure facility. This is despite, in some cases, the daily cost of the school service being more than the advertised daily ticket for any other public bus services.

These services are unique operations, as they are classed as public transport and therefore theoretically open to anyone to board. This affects the predictability of routes and can lead to severe overcrowding, and in some cases, learners who have purchased annual passes have not actually been able to board the only service they are entitled to use. We've heard about young people whose bus collects them at around 7.40am, but if they are unable to board they are facing a walk of longer than one hour to get to school, which starts at 8.25am. This then makes these young people late for school and could even put them off from attending on that date, when school attendance rates are already lower than they should be. This should be a significant concern to the Government and local authorities and should be a priority to address through this Bill.

## **Consultation**

The Bill provides that certain groups of people have to be consulted in relation to the Network Plan. These are primarily those involved stakeholders such as operators and employees. Whilst there is a general requirement to consult with "*persons appearing to represent the*

*interests of persons using or likely to use local bus services”, consulting with **representatives*** should not be a proxy for the involvement of actual or potential service users. With clauses worded in this way, it is also very easy for children to be overlooked as a distinct and important user group. Consultation with my office would be welcome in this regard as a general measure of the needs of children, but this cannot possibly replace the local knowledge and experience of young people who either use these services currently or are lacking suitable options for transport to get to school as well as reaching other leisure activities.

My office raised concern in various consultations that preceded this Bill being laid, due to the lack of involvement of children and young people in those consultations. In some cases, responses were only sought from those aged 16+; in others the consultations may have been more open but have not been written or advertised in a way that would encourage children to participate and respond. Officials have responded that the consultation exercises to date have been technical in their nature so not appropriate for children to input, but the overall aim of securing suitable and sufficient transport options across Wales is of vital importance to children and their families and therefore they should be elevated to be considered key stakeholders in every aspect of the Bill.

My recent evidence to the Senedd Public Accounts and Public Administration Committee’s Active Travel consultation noted that the National Travel Survey is an invitation-only survey, which can only be completed by those aged 16+ in the relevant household.

Time and again this office has raised concerns at engagement exercises that exclude children and young people from participating, either indirectly due to inappropriate/inaccessible consultation mechanisms, or as in this case and with the wider National Survey, directly due to children being ineligible to respond.

Further, consultation is just the first step as part of a wider principle of involvement. To date, young people have not been involved in shaping the future of services, and it is unclear from these proposals how young people’s views will be properly and adequately integrated into the Network Planning processes.

Involvement is far deeper and greater than purely consulting, and moving more to a co-production approach would be recommended to achieve the best service that meets people’s

needs – this is what will increase patronage and the ultimate modal shift towards greater use of public transport that integrates into people’s daily lives including children and young people.

I would like to welcome the approach by Transport for Wales in running a high quality engagement exercise with my young people’s advisory panel in February 2025; I would see this as the beginning of a process rather than a complete exercise.

There were some clear takeaways from the consultation work that they undertook. The following barriers were identified across the group:

- Overcrowding of services especially during peak hours
- Frequent delays affecting missed connections and therefore questions over the timeliness and reliability of arrival at school or work
- Lack of service options, particularly in rural areas
- Safety concerns (on services and at travel interchanges), especially for women and girls travelling alone
- Challenges for accessibility; options not always accessible for wheelchairs and prams
- Difficulty navigating different payment systems and apps, including inability to access discounted schemes or tickets
- Cost of tickets, particularly when:
  - o Bought regularly
  - o Paying to attend a part time job where the wage primarily is being used to fund the transport to get there
  - o There is a lack of affordable options for students and learners.

To encourage use of public transport, young people identified a number of priorities, the majority of which related to affordability. They suggested discounted schemes should be introduced, especially for young people and those in full-time education and/or working part time (not just age-related discounts), as well as free or reduced fares for single parents/those travelling with young children.

In addition, many suggested that bus travel should be free of charge for young people as eliminating travel costs for young people will encourage usage and contribute towards a modal shift in transport choices.

## **Impact on children's rights**

I am aware from my office's representation on the Welsh Government's Children's Rights Advisory Group (CRAG) that a full draft Children's Rights Impact Assessment (CRIA) exists in relation to this Bill. However, the write up of children's rights impact within the published Explanatory Memorandum is fairly limited at just five short paragraphs, and is limited in terms of assessment of rights engaged by the Bill.

The direct impact of the Bill on Children's Rights is not considered to be 'significant' and is noted to be 'generally positive'. Without the involvement of children in shaping the Network Plans however, it is unlikely that there will be a positive impact on children's rights. To the contrary, there will not be positive advancement of children's rights, to access education and leisure opportunities, to socialise with friends, and attend health appointments without a public transport network that is physically and financially accessible, and adequately supports those activities.

Whilst it is welcome that the importance of access to transport for children is recognised within these proposals, there is more in-depth work required to ensure that the provisions of the Bill translate into positive outcomes for children's rights across Wales.

## **Access to transport – concessionary travel**

I feel passionately that public transport should be free for all young people in Wales, and it's something I've consistently called for since becoming Children's Commissioner. Doing so would lift a financial weight from families' shoulders, would help connect young people to a range of employment, health and leisure opportunities, and would be a positive move towards a greener Wales.

The Petitions Committee considered this issue in their *Freedom to Thrive* report, based on a number of related petitions and the exemplary work of the Welsh Youth Parliament in their *Sustainable Way* report. <https://youthparliament.senedd.wales/committees/the-climate-and-the-environment-wyp2/sustainable-ways-report/>

The Welsh Youth Parliament heard that

- **2/3 of young people are conscious of the environmental impact of their chosen mode of transport** but 72% of young people who answered the survey said they didn't know that there were schemes in Wales to make using public transport more affordable for young people such as the MyTravelPass. (It is noted from the Explanatory Memorandum that this scheme costs around £2m a year to administer and implement; it is necessary to consider whether this is best meeting children's needs if many are unaware that the scheme exists).
- **74% of young people said that they would take more public transport if it was free.**
- **There were safety issues related to young people's choices around transport options, which includes bus travel** although cycling was considered to be the least safe option when it came to active travel.
- **Many groups are marginalised from a positive public transport experience.** Neurodiverse young people and disabled young people face significantly greater challenges on public transport such as a lack of ramps, lack of quiet carriages etc. A quarter of those from ethnic minorities feel unsafe on public transport.

**Affordability of fares was one of the biggest issues stopping young people from using public transport more than they do now.**

The Mytravelpass scheme enables young people aged 16-21 to travel at a discounted rate, and the £1 fares option is going to be introduced in September 2025 but for the same cohort of young people. More support is needed to encourage families to use the bus, so that it becomes a more affordable option for adults to travel with children and young people under the age of 16.

The Youth Parliament members ultimately believe that public transport should be free for young people under the age of 25. This strongly aligns with my own calls for free transport for those aged under 18.

This would encourage more young people to use public transport, and over time help contribute to that modal shift that is needed, for these young people to continue to use public transport when they become adults and for future generations to follow suit.

One member is quoted as saying:

*"I agree the transport should be free and as for the why – I think it's important to set-up healthy habits for the future because if young people get used to using public transport they're more likely to carry on when they're older. And then it almost pays for itself because if you've got more people using the service, so I think it's a no-brainer really."*

The current challenges with public transport are that it needs to reach further than it does at the moment, the frequency of these services need to increase, they need to be reliable and joined up, and journey times need to be shorter. The current arrangements can have a big impact on young people when they need to get to places of learning, to work, or other important commitments. The challenge for those in rural areas is even greater. One school leader recently told my office about them having to change the start times of their public examinations due to the challenges faced by pupils from their wide and varied catchment area in getting to school on time.

I was really pleased that the Petitions Committee recognised the value of this call in their report. I urge the Welsh Government to respond positively, and to progress and prioritise this important proposal.

The workshop TfW ran with my office recently also looked at possible options for concessionary schemes that could be operated in Wales.

The Free Bus Scotland initiative got the most 'likes', not only because it was free, but because;

- it was easy to understand and use
- It also serves as an ID card for individuals
- It promotes independence among young users, allowing them to travel without adult supervision when appropriate.
- It is considered a safer option for school travel than walking or cycling longer distances, especially in Winter.

- The young people also liked that it was a digital pass that lived on your phone, or you can have a physical pass if you don't yet have a device.

I would urge the Committee to continue to scrutinise the Welsh Government on progress on these options along with the passage of this Bill.

Submitted by:

A handwritten signature in black ink that reads "Rocio Cifuentes". The signature is written in a cursive style with a horizontal line underlining the name.

Rocio Cifuentes MBE

Children's Commissioner for Wales

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**BSWB 06 - Evidence from: Dr Llyr ap Gareth, Head of Policy, FSB Wales**

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Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Bil Gwasanaethau Bysiau (Cymru) | Bus Services (Wales) Bill

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**1. What are your views on the general principles of the Bill, and is there a need for legislation to deliver the stated policy intention?**

FSB Wales agree there is a need to legislate on this matter to deliver on the policy intention. The legislation seeks to solve problems identified by our members consistently in our research. Bus travel is often described as being unreliable, prone to inconsistent service and closure of services without warning, often affecting the businesses in those areas whether business hubs, local cultural events, or high streets, and affecting access to work for staff and skills. The economy would benefit from a properly integrated system that takes account of wider economic and business needs.

In FSB reports and research over the last few years from Skills to Manufacturing, from Creative Industries to Tourism, improving public transport has repeatedly been noted as a priority across Wales, but particularly so in more rural areas. It has been noticeable that public transport has been put forward as a priority even when the research did not actively ask questions on public transport.

While agreeing with the need for reform we would like to ensure two things are secured and are an integral part of the bill's aims:

1. Economic impact and local market needs

Business and Economy need to be front and centre of this bill and discussions around public transport in implementing the bill and identifying opportunities.

A good and reliable public transport system is a vital part of any successful economy, bringing value through increased connections increasing opportunities for investment and allowing the mobility of people and skills in the workforce, and for employers.

Legislation is required to address a more fundamental problem in rural areas with transport more difficult and employment hubs and people accessing them more

disparate over wider distances. For any government policies based around equality of provision and for agendas such as a meaningful Young Person's Guarantee, transport for rural areas is a key issue, and one in which employers across the region should be allowed the opportunity to engage with and to shape decisions on priorities.

Our concern is that the Explanatory Memorandum's aims discuss business and the economy in vague terms, which risks missing opportunities in any changes. For example, we would like the following core aim outlined to include economy and business:

*"The Welsh Government's ambition is to reform bus legislation, to provide a joined up public transport network that is safe, integrated, environmentally sustainable, efficient, economic and responds to meet the transport needs of the public. Local bus services need to meet the specific needs of each locality and, by stimulating patronage, connect more people and reduce reliance on private cars."*

The use of the word 'economic' here appears to cover 'affordable' for individuals and for bus companies 'to run' the system, rather than on wider economic impact such as access to skills, nighttime economy and culture, and local hubs. Even when discussing economic impact in this section noting only 'tourism and attractions' seems unduly reductive.

*"They provide vital links between our communities and are an important tool in ensuring a vibrant economy. They support the tourism industry by providing access to many attractions and are often the only means for some urban communities to access our natural landscapes."*

The aims of the bill should serve business needs in the round and economic development as an aim of the reforms should be on the face of the bill to signal the priority to those tasked locally with implementing it. These new powers hold the potential to ensure our public transport system supports business development; therefore, embedding this requirement in the legislation and ensuring impact assessments consider access to local markets and connections to hubs is crucial. As the paper notes, 'Implementing the legislation, and introducing franchise contracts over different areas, will take time and will probably require iterative improvements to reach the ambitious level of service we are aiming to develop' - this needs to include signals on what it is looking to achieve for SMEs from the start, and to develop that engagement and understanding as a starting point.

## 2. Equal opportunities in franchising

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FSB Wales wants to ensure that the bill fulfils its stated ambition to introduce a system where:

“All parts of the bus operating sector delivering according to their particular strengths, including SMEs (Small and Medium-sized Enterprise), municipally owned companies and corporate players, demand-responsive services, taxi providers and community-based operators.”

FSB welcomes the inclusion of a requirement that authorities proceeding with a franchising scheme must consider how they will facilitate the involvement of SMEs. This will in turn ensure that the future development of the market is not dominated by larger providers and is likely to support SMEs within their local authority. FSB would like to ensure that Welsh Government, or TfW, provides guidance on how best to engage with SMEs within this space, using existing networks and trusted sources, to leverage discussions with these providers and ensure that small operators are not crowded out of future bus network expansions.

Beyond this, FSB would like to ensure that SMEs within the market are not excluded from valuable and profitable service routes. To achieve this, FSB calls on TfW to include in guidance a requirement that a percentage of profitable routes be open specifically for SMEs to bid for. Many SMEs are resource-stretched in comparison to larger operators, who will likely have a team that will look at bidding opportunities and already have many procedures in place. Furthermore, guidance should ensure that requirements for bidding are proportionate and realistic for SMEs.

It is also important in this case that contracts are shaped to provide SME opportunities and that any municipally owned companies do not edge small companies out. With franchising providing opportunities to maximise opportunities for SMEs, it is important that these companies are given a fair opportunity to bid, build and grow.

## **2. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

### **▪ Part 1 - Key concepts and general objectives (sections 1 to 4)**

The key concepts and provisions appear rational and workable, and set out the problems with the current system and how the systemic change will look to address them.

In terms of the implementation of the franchising system, we welcome the following statement and will look forward to greater detail on the implementation, and how to ensure a fair playing field for small operators:

*“Local bus services across Wales will be grouped into service packages for the purpose of tendering; ranging from potentially as small as single routes, which may be of more interest to SMEs, to area wide franchises offering economies of scale for larger operators.”*

On consultation, we welcome that there is a commitment to require local engagement via LAs, and note the following paragraph:

*“The Welsh Ministers will be required to seek the views of local authorities when preparing the Plan, including identifying routes and principal stopping points along which standard services will operate and the geographical areas within which flexible local bus services will operate. Local authorities have the best understanding of local bus travel requirements in their area.”*

This is sensible, but we would also expect a duty for an analysis by local authorities of the local business needs in terms of public transport and a requirement to engage with businesses on their needs, with guidance and support to do so. This should include mapping and accessing the business networks in their areas in order to consult. It is noted in the Explanatory Memorandum that this is an ‘iterative process’ of engagement and so subject to continuous improvement, but it is important that such expectations and norms that business and economy are priority areas for engagement are set out at the onset.

FSB supports the Government’s proposals on providing more powers to local authorities in relation to bus franchising. It is worth noting that data suggests that more support is needed for rural LAs. With one in four bus routes being cut in the UK between 2010 – 2022, acutely affecting rural areas, rural SMEs are

compounded by very poor bus services and very limited rail transportation.<sup>1</sup> In Wales, the number of journeys on local buses has dropped to 61 million in 2022-23, compared to 91.7 million in the last full year before the pandemic.<sup>2</sup>

FSB UK data shows that 30 per cent of rural SMEs found that a lack of a public transport network was a barrier to hiring skilled staff as well as a barrier to their business growth, compared to 4 per cent of urban SMEs.<sup>3</sup> As such, FSB in turn calls on Transport for Wales to provide tailored support especially for rural local authorities to support them in taking advantage of new powers granted via the bill. This must include support and guidance on how to engage with local SMEs when designing future bus services to ensure that the future bus network brings customers to businesses and skilled employees to their places of work. The guidance should also set out how local authorities can effectively assess the impact on any proposals for reform on the local economy and businesses. This may draw on wider regional and national expertise (e.g. CJC, RSPs) to support the assessments.

As powers over franchising are used, local authorities should take into consideration the economic need of SMEs; both in relation to driving customers to centres of economic activity such as high streets and to ensure that SMEs and their employees have accessibility to their business premise including SMEs located at business growth hubs.

We would encourage local government looking at implementing the bus bill legislation and developing a transport plan to engage early in the process with businesses and ensure that business engagement is not an add-on to their strategy around the new bus franchising system. Engagement should include:

- SMEs
- Local Business organisations, trade organisations, and forums (e.g. BIDs, any forums or networks in the area, community business hubs).
- Regional Development bodies such as Mida and West Growth deal, CJC, RSPs, on how transport infrastructure supports Growth Deals, attracts investment opportunities and ensure these factors are brought in to assess long term value of transport infrastructure.

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<sup>2</sup> <https://www.gov.wales/public-service-vehicles-buses-and-taxis-april-2022-march-2023.html>

3

In engaging these different actors, ahead of any franchising system and route planning, authorities should use the engagement to map out where there are currently issues on:

- Access to Skills
- Access to employment hubs (e.g. Innovation Hubs, Industrial Parks, FE/HE campuses, Hospitals and health centres)
- Access to customer base
- High Streets access and footfall
- Nighttime economy (including cultural institutions and community hubs in rural towns)
- Impact on congestion and sustainable travel
- Charging infrastructure (including workplace charging)

Local engagement should also ask employers what needs they have that better public transport could support. Alternative models such as Flexi services for the workforce should be explored and considered also, and it should be tested whether pilots for such schemes to (for example) industrial or business hubs would be practicable under the new arrangements if not covered adequately through franchising (e.g. how practical would the permitting scheme be).

### **3. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 2 - Functions of the Welsh Ministers relating to local bus services (sections 5 to 20)**

The provisions are sensible and workable, and FSB Wales supports bus reform (option 3) if it works to improve public transport use, with the proviso noted above about aligning any changes with economic impact, ensuring engagement with business, support for rural areas, and that small providers are given equal opportunities for good quality contracts.

Where current 'pathfinder projects' or statutory partnerships have been successful (such as the Sherpa buses in Eryri) that flexibility should be retained for such projects in future – including work around servicing business and industrial hubs.

We agree that ‘A desired outcome of the planned bus legislation is to address the current fragmentation of responsibilities, and hence to have more emphasis on planning of bus services and monitoring of outcomes, to provide an improved basis for long-term financial planning.’ It is important to ensure that this centralisation to the Ministers (or in practice TfW), should also include strategies that address local needs, including guidance for LAs on engaging with local business networks and identifying needs. We therefore note the following statement and look forward to further information on the support TfW identifies SMEs need:

*‘Looking after our important SME sector is a priority. The Bill doesn’t impact them directly but in developing the contract packages consideration is being given to the existing market. TfW is also looking at what appropriate support might be provided to operators and potential operators in relation to understanding the bidding process.’*

On urban and rural impact, the EM notes:

*“On the basis of improvements to aspects of the bus service noted above, estimated patronage uplifts of 22% in major urban; 12% in town; and 17% in rural networks in 2040 would occur, based on examination of case study networks in Cardiff, Wrexham and Pembrokeshire. The approach to calculating these demand uplifts is set out in Annex B. This estimate is for the benefits arising from the legislation alone and does not account for additional investment.”*

Any such improvement across all areas is welcome of course, but it should be noted the lower baseline (due to further fall in services over the last decade) that buses have in rural areas and towns. As such, investment that recognises rural economic needs will be important.

#### **4. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 3 - Restriction on providing local bus services (sections 21 to 24)**

No further points.

**5. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 4 - Information and data (sections 25 to 31)**

FSB Wales welcome the commitments to review, and evaluation outlined as key to providing scrutiny (see question 10).

**6. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 5 - Local authority powers and duties (sections 32 to 34)**

As noted above we would welcome a duty to engage with businesses and to undertake an economic assessment of the impact of public transport reforms on SMEs (and guidance and support for local authorities in meeting these requirements, including from other regional bodies as appropriate).

**7. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

- **Part 6 - Miscellaneous and general (sections 35 to 44)**

No view.

**8. What are the potential barriers to the implementation of the Bill’s provisions and how does the Bill take account of them?**

The EM notes the revenue risk will sit with Welsh Government/TfW, as they will set the fare structure and retain all revenue. It is important therefore that the system change is successful financially, as there is a risk to the provisions. The bus reserve mitigates this risk but raises others (see question 10).

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## **9. How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)**

These appear appropriate.

## **10. Are any unintended consequences likely to arise from the Bill?**

The Explanatory Memorandum notes the revenue risk will sit with Welsh Government/TfW, as they will set the fare structure and retain all revenue. It is important therefore that the system change is successful financially and operates within its budget successfully, as there is a risk to the public budget. The bus reserve mitigates this risk but raises other wider risks too.

TfW's ongoing reform of rail and expansion into addressing and implementing bus reform and wider multi-modal views provides a welcome response to fragmentation of decision-making within the system and has the potential to provide more stability and clarity in a better integrated system.

The risk lies in ongoing public budgetary costs for TfW – it is important that reforms are commercially viable and pays for itself, or there is a danger that ongoing high levels of investment to TfW become too high relative to other budgetary needs. This needs to be consistently scrutinised, and the role of the Welsh Government and Senedd's scrutiny will be key to ensuring that we understand whether the changes are successful and value for money, that the investment is proportionate relative to the wider Welsh budget, and whether any course corrections or mitigation are needed. With public revenues tight it is important that transport does not become a fiscal black hole. FSB Wales therefore welcomes the commitment to open reporting, data and evaluation set out in the bill.

There is a risk that small operators are crowded out, or that smaller new companies may not be incentivised to start up, which would be a risk to the viability of the system or force greater public liabilities through municipal companies. The EM notes that 'a more stable procurement and operating regime would allow operators to concentrate on a core role of delivering excellent services and high-quality operational practices' and this should be the aspiration and impact. To ensure this, there should be a local SME procurement strategy to ensure that we encourage existing and new smaller companies to start up, build

capacity and capabilities, and grow to ensure long term sustainability to ensure service capacity at the local level.

**11. What are your views on the Welsh Government's assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?**

no further points to add.

**12. Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?**

no view.

# Bus Services (Wales) Bill: Public Consultation

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Bil Gwasanaethau Bysiau (Cymru) | Bus Services (Wales) Bill

You do not need to answer every question, only those on which you wish to share information or have a view.

## Evidence from: RNIB Cymru

### 1. What are your views on the general principles of the Bill, and is there a need for legislation to deliver the stated policy intention?

We welcome the introduction of the Bus Services (Wales) Bill and the intention to create a more integrated, efficient, and sustainable public transport system in Wales. RNIB Cymru wants to see the creation of fully accessible bus network that enables the 112, 000 people living with sight loss in Wales to get around confidently and safely.

Bus travel is a lifeline for blind and partially sighted people. Sight loss affects a person's ability to drive or cycle independently, so they have fewer transport options available to them. For many, buses are their only way of accessing services, getting to work, meeting family and friends and connecting with their communities.

Blind and partially sighted people in Wales are far more likely to use buses than the general population.<sup>[1]</sup> An RNIB Cymru survey found that nearly half of respondents (48 per cent) travel by bus several times a week and a quarter (23 per cent) travel at least three times a month.<sup>1</sup>

However, we know that making a journey by bus poses unique challenges to passengers with sight loss.

In 2024, RNIB Cymru surveyed 146 blind and partially sighted people from across Wales to understand their experiences of travelling by bus. We aimed

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<sup>1</sup> [\[1\]](#) Welsh Government (2024) Transport (National Survey for Wales): April 2022 to March 2023

to identify common trends, pinpoint the specific challenges they face and develop suggestions for how their journeys could be improved.

Our research showed that just one in ten people with sight loss were able to make all of the journeys they wanted to by bus.

Nearly half (43 per cent) find familiar journeys to be “fairly” or “very difficult” and unfamiliar journeys are even more challenging with nine in ten (87 per cent) finding them “fairly” or “very difficult.”

The key barriers our research identified at each stage of the journey are:

### **Journey planning**

- Difficulty finding real-time, accessible information about bus services and timetables to plan journeys.
- Bus operator apps and websites being incompatible with assistive technology, including screen readers.
- A lack of non-digital journey planning tools.

### **Getting to the bus stop and catching the bus**

- Difficulty with walking routes to and from bus stops due to pavement obstructions, lack of safe road crossings and challenges identifying bus stop locations.
- Dangerous bus stop designs which force pedestrians to cross a cycleway to board or alight from a bus.

### **On board accessibility**

- Audio announcements, which are vital to help passengers identify the correct stop, are not reliably available and often of poor quality.
- Inconsistencies in bus designs and layouts, including poor lighting and insufficient priority seating areas with space for guide dogs.

### **Driver and passenger behaviour**

- Blind and partially sighted bus users told us that bus drivers lack suitable training to support them.
- Other bus passengers can be both a help and a hindrance to blind and partially sighted people in bus journeys.

All of this serves to highlight that the act of travelling by bus presents too many unnecessary barriers for blind and partially sighted people.

The Bill has the potential to significantly improve the accessibility of bus services if it incorporates specific measures to address the unique needs of blind and partially sighted people. Including specific provisions relating to accessibility requirements within the primary legislation is crucial. While guidance can offer recommendations and best practices, it often lacks the enforceability and consistency that legislation provides.

Primary legislation is necessary to guarantee that accessibility measures are uniformly adopted and rigorously enforced. By mandating accessible information, driver training, and inclusive infrastructure, the Bill can help create a more equitable and inclusive bus network. However, it is essential that these measures are effectively implemented and enforced to ensure that the intended benefits are realised. Consistency and familiarity are key factors which determine whether blind and partially sighted people are able to make the journeys they want and need to by bus. Without proper enforcement, even the best-intentioned reforms can fall short. Therefore, the Bill should include mechanisms for monitoring compliance and penalising non-compliance, ensuring that accessibility improvements are not just theoretical but are tangibly experienced by blind and partially sighted people.

## **2. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

Part 1 - Key concepts and general objectives (sections 1 to 4)

We appreciate the need to reform local bus services in Wales to ensure they are safe, integrated, sustainable, efficient, and economical. The second objective in the Bill states Welsh Ministers have regard to "continuously [...] improve the reliability, safety, affordability and accessibility of local bus services." This indicates a commitment to enhancing accessibility as part of the overall aim for reforming local bus services in Wales. However, it does not provide specific details on how accessibility will be improved or what achieving the objective could look like. We believe expanding on the objective, through specific improvements and measures would make this more workable and deliver the intended policy changes.

To further strengthen provision for disabled people, including blind and partially sighted people, formal proposals or amendments to the Bill should outline specific accessibility requirements:

- Legislate to ensure all digital information about bus services on the national network adheres to the WCAG 2.2. 'AA' accessibility standard as a minimum.

- Require all bus operators who are awarded contracts to deliver services on the bus network to give passenger information including timetables, route details and changes to services in accessible formats such as large and giant print, braille, audio, and accessible digital files.
- Require all bus operators that are awarded contracts to deliver services on the national network to provide consistent audio announcements on board their buses.

By taking these steps, the Welsh Government can demonstrate its commitment to improving accessibility of local bus services and ensuring that the objectives of the Bus Services (Wales) Bill are met.

**3. What are your views on the Bill’s provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

**Part 2 - Functions of the Welsh Ministers relating to local bus services (sections 5 to 20)**

The Bus Services (Wales) Bill specifies that Welsh Ministers are responsible for preparing and publishing the Welsh Bus Network Plan, which outlines the essential characteristics of services needed. The requirement for a Welsh Bus Network Plan is a positive step, but we urge that this plan explicitly includes provisions for accessibility, ensuring that bus services are designed and operated with the needs of disabled people, including blind and partially sighted people, in mind.

While amending the wording of the Bill to embed accessibility into legislation would be an ideal step, it is equally crucial to ensure that the Welsh Bus Network Plan (the Plan) outlines detailed steps to achieve these improvements. The Plan should specify the actions required to enhance accessibility, such as those mentioned in the previous answer, conducting regular accessibility audits and establishing robust monitoring and reporting mechanisms. This level of detail would aid in transparency and trust-building, ensuring that the commitments made in the Bill translate into tangible improvements.

The emphasis on a coordinated approach and the creation of a Welsh Bus Network Plan are particularly crucial. The Plan offers another opportunity to be more specific about the measures needed to improve accessibility. As well as the recommendations included in the previous questions, we would like the plan to include the following recommendations for Transport for Wales (TfW), Local Authorities and Corporate Joint Committees (CJCs).

## **The Plan should place a duty on Transport for Wales to:**

- Make sure content on journey planning apps and websites is compatible with assistive technology, contains alternative text for images, captions for videos, audio descriptions for multimedia elements and supports offline functionality.
- Design digital ticket purchasing systems to accommodate screen readers and assistive technology, maintaining options to purchase physical tickets in person, on board, and at staffed service points.
- Work with blind and partially sighted people to co-design digital services.
- Offer real-time information on bus arrivals, route changes, and cancellations in a range of accessible formats, not just visual maps.
- Ensure all social media content is inclusive by following [RNIB's Top Tips for Accessible Social Media](#).
- Create accessible feedback channels for blind and partially sighted passengers to report any issues they encounter.
- Work proactively with bus operators and vehicle manufacturers to ensure buses have a consistent design across the network, including key elements such as tactile indicators and evenly distributed lighting, standardising the placement of colour contrasted card readers, and ensuring that accessible priority seating is suitable and comfortable for guide dogs.

## **The Plan should place a duty on CJsCs to:**

- Follow [RNIB Cymru's Key Principles of Inclusive Street Design](#) when developing new street designs, particularly in areas near bus stops.
- Stop building any shared-use bus stops, where passengers must cross or stand in a live cycle lane to get on or off a bus.
- Existing bus stops layouts which intersect with cycle lanes should be retrofitted to allow full accessibility features, such as detectable kerbs, tactile paving, clear signage, high tonal and colour contrast, and any crossing points must be signal-controlled.
- Monitor and maintain pavement quality in the areas surrounding bus stops.
- Minimise street obstacles (such as overhanging greenery, poorly placed street furniture and pavement parking) in the areas surrounding bus stops.
- Improve lighting at bus stops for their detectability, personal safety and to help bus drivers identify waiting passengers who may not be able to flag down the bus they need.

These specific measures would help create a more inclusive and user-friendly bus network for all passengers.

Section 10 of the Bill gives powers to make supplementary provisions about local bus service contracts that may relate to various matters, including reliability, safety, fares, and ticketing. However, there is no specific mention of accessibility in this list. We recommend that the provisions relating to contracts go a step further than merely ensuring compliance with statutory requirements. They should explicitly state specific accessibility criteria, such as providing all travel information in accessible formats, implementing clear audio-visual announcements on all buses, and mandating disability equality training for bus drivers to better understand and communicate with passengers with sight loss. These specific criteria would ensure that accessibility is a core component of all local bus service contracts, leading to a more inclusive and equitable bus network.

By incorporating detailed and specific measures into the Welsh Bus Network Plan and the provisions for local bus service contracts, Welsh Ministers can demonstrate a strong commitment to improving the accessibility of local bus services. A comprehensive and holistic approach can help ensure that bus service reform includes accessibility as a key aspect of design and operation.

**5. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?**

**Part 4 - Information and data (sections 25 to 31)**

The proposed information-sharing requirements in Part 4 of the Bill will help different partners to work towards better planning and management of the bus network. One of the key aspects of Part 4 is the duty of the Welsh Ministers to ensure that information about local bus services is made available to the public. This includes details about the facilities available to passengers on vehicles, which should explicitly include accessibility features. We would strongly call for this information to be made available in accessible formats, such as large print, Braille, audio, and accessible digital files, to ensure equitable access. Additionally, any information shared digitally or online should be compatible with screen readers and other assistive technology. This will ensure that all passengers can access essential information about bus services.

To ensure that the provisions are workable and deliver the stated policy intention, it will be crucial to adhere to guidelines and standards for the accessibility of information. This includes specifying the formats in which

information should be provided and ensuring that all relevant stakeholders, including bus operators and local authorities, are aware of and adhere to these standards. Regular monitoring and evaluation should be conducted to assess effectiveness and identify any areas for improvement.

When information is readily available and easy to understand, it reduces the barriers that passengers face when using public transport. This aligns with the broader policy intention of the Bill to create a more inclusive and equitable public transportation system.

## **8. What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?**

The Bus Services (Wales) Bill has the stated aim and potential to significantly improve the accessibility of the bus network. However, inadequate or poorly enforced policies and legislation can hinder progress in improving accessibility and removing barriers for disabled people, including blind and partially sighted people. It is important to identify and address potential barriers to accessibility so that the Bill's objective of improving the reliability, safety, affordability, and accessibility of local bus services can be met.

Our survey found that:

- Nearly two thirds (64 per cent) of the people we surveyed said that bus timetables are inaccessible and just two per cent said they can read timetables at the bus stop.
- One in three have difficulty in accessing bus apps (38 per cent) and bus company websites (34 per cent)
- Four in five (80 per cent) say that audio announcements are “sometimes, rarely, or never” present
- Three in four (71 per cent) say bus drivers don't have suitable training to support blind and partially sighted people

Understanding these challenges will help identify barriers to implementing legislation and in developing effective targeted solutions.

Insufficient funding and resources pose a challenge to enhancing accessibility. Improving infrastructure and technology to support accessibility requires significant investment, so allocating sufficient ringfenced financial resources to support initiatives, such as installing audio-visual announcement systems on buses and designing bus stops to be more accessible, is essential for the successful implementation of accessibility measures.

Without robust monitoring and enforcement mechanisms, there is a risk that accessibility measures may not be fully realised. Establishing clear guidelines for monitoring progress, reporting on the effectiveness of measures, and penalising non-compliance is necessary. Regular audits and public reporting can help ensure transparency and accountability, making sure that the intended benefits of the legislation are achieved.

## **10. Are any unintended consequences likely to arise from the Bill?**

There is a risk that accessibility measures may be implemented inconsistently across different regions or bus operators if duties are not embedded into legislation. This could lead to a fragmented experience for blind and partially sighted passengers, where some areas have fully accessible services while others do not. Familiarity and consistency are key factors which enable blind and partially sighted people to use buses independently, so ensuring uniform standards and enforcement across all regions is essential to avoid this issue.

While technology can greatly enhance accessibility, an over-reliance on digital solutions may exclude those who have limited access to technology. Blind and partially sighted people are less likely to be daily internet users than non-disabled people. In fact, 28 per cent say they either have never used the internet or do not have access to it.<sup>2</sup> Consideration must be given to this significant minority who rely on non-digital means to plan their bus journeys.

Implementing accessibility measures requires significant investment in infrastructure and technology. If resources are not allocated adequately, there may be delays or incomplete implementation of these measures. This could result in blind and partially sighted people continuing to face barriers in using bus services.

Without robust monitoring and accessible feedback mechanisms, it may be difficult to identify and address issues that arise during the implementation of the Bill's provisions. Blind and partially sighted passengers may encounter problems that go unreported or unresolved, undermining the effectiveness of the accessibility measures. Establishing clear and accessible channels for feedback and regular monitoring is essential to ensure continuous improvement.

Welsh Government, Transport for Wales, Corporate Joint Committees, and local authorities will need to work together in good faith and ensure that a

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<sup>2</sup> RNIB (2024), [Sight Loss and Technology](#)

whole life-course approach (the integrated analysis of individuals' mobility decisions in the context of individuals' lives) is taken when designing transport services.

Ultimately, not taking the opportunity to embed specific accessibility requirements in bus reform legislation will likely mean that Wales will miss a critical opportunity to become an inclusive and equitable society.

**12. Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?**

When looking to incorporate accessibility requirements and specific measures, we urge you to consider the actionable recommendations in our bus report, 'All Aboard? The challenges blind and partially sighted bus users face in Wales.' Key insights should be used to inform the development and implementation of the Bus Services (Wales) Bill to ensure that it effectively addresses the needs of blind and partially sighted people.

We are launching our report on 21st May 2025, and will be pleased to share a copy with Committee Members. We are also available and willing to give oral evidence to the Committee.

Many thanks for reading,

Rachel Jones,  
Policy and Public Affairs Officer,  
[Rachel.jones@rnib.org.uk](mailto:Rachel.jones@rnib.org.uk)  
RNIB Cymru

Ein cyf/Our ref: NICW/25/CCEIRreport

Llyr Gruffydd MS  
Chair, Climate Change, Environment, and Infrastructure Committee  
[SeneddClimate@senedd.wales](mailto:SeneddClimate@senedd.wales)

8 May 2025

Dear Llyr,

We write in response to the Climate Change, Environment, and Infrastructure Committee Report, *Annual scrutiny: National Infrastructure Commission for Wales 2024*, published on 24 April 2025.

Two of the report's recommendations are addressed to NICW, and we would respond as follows.

**Recommendation 6.**

**The Commission should provide an update to the Committee on the implementation of the audit recommendations in August 2025 and March 2026.**

The Commission has implemented the following recommendations/observations of the NICW Review report that it has responsibility for:

- On Risk Management, NICW have revised the Risk Register are now discussing risks every month as part of the agenda.
- A terms of reference for NICW meetings has been agreed and published on the [NICW website](#).
- A new monthly report has been devised, giving more detail for NICW Commissioners ahead of the monthly meetings.

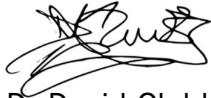
The remaining recommendations/observations will be addressed by the Commission and the Committee will be updated accordingly.

**Recommendation 10.**

**The Commission should continue to monitor and follow up with the Welsh Government the implementation of its recommendations from its renewable energy report.**

The need for the Commission to monitor its recommendations is within NICWs remit and terms of reference. We are [continuing to advocate](#) for our recommendations with Welsh Government and other interested parties wherever possible.

Yours sincerely,



Dr David Clubb  
Cadeirydd/Chair



Dr Jenifer Baxter  
Dirprwy Gadeirydd/Deputy Chair

cc. Cabinet Secretary for Economy, Energy and Planning

# Agenda Item 5.2

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros  
Newid Hinsawdd a Materion Gwledig  
Deputy First Minister and Cabinet Secretary for Climate  
Change and Rural Affairs



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: PO/HIDCC/0222/25

Mike Hedges MS  
Chair  
Legislation, Justice and Constitution Committee  
Welsh Parliament  
Cardiff Bay  
Cardiff  
CF99 1SN

9 May 2025

Dear Mike,

I am writing in accordance with the Inter-Institutional Relations Agreement to let you know that the Inter-Ministerial Group for Environment, Food and Rural Affairs meeting scheduled for 12 May has been cancelled. Officials are working to identify a new date. I will update the Committee when a new date is identified.

I have also copied this letter to the Climate Change, Environment and Infrastructure Committee and the Economy, Trade and Rural Affairs committee.

Yours sincerely,

**Huw Irranca-Davies AS/MS**

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd  
a Materion Gwledig  
Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

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Dr Andrew Goodall  
Ysgrifennydd Parhaol  
Permanent Secretary

Llywodraeth Cymru  
Welsh Government

Llŷr Gruffydd MS  
Chair  
Climate Change, Environment and Infrastructure Committee  
Welsh Parliament  
Cardiff Bay  
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9<sup>th</sup> May 2025

Dear Llŷr,

Thank you for your letter of 25 March in relation to staffing and resources in Welsh Government for biodiversity and nature recovery. I have addressed the Committee's questions below.

*1. What discussions have you had with Cabinet members about the allocation of staffing resources in this policy area?*

In response to the scale of the climate and nature emergency, the Programme for Government set out ambitious plans for delivery across environment and climate policy. This has required work and resources to be prioritised and shifted over the five-year duration of the Programme for Government to respond to the priorities of Cabinet and the First Minister's enhanced priority areas. This is to enable progress and meet the substantial business as usual activity, which is not optional and must be resourced, in this highly regulatory policy area. Resources focus on the priorities outlined by Cabinet and the First Minister

*2. Can you provide details of the staffing levels assigned to support the development of biodiversity targets since the start of this Senedd term? How has this changed over time?*

A business case for investment in specialist roles to advise on biodiversity targets was agreed by the then Minister for Finance in 2023. The focus of the specialist staff recruited to these roles has initially been on biodiversity targets policy to inform the Bill and has now shifted to the development of the targets themselves.

*3. What specific resource constraints have impacted the progress of the development of biodiversity targets, and what steps have been taken to mitigate these constraints?*

The size of the policy team has been a resource constraint. Additional resource has been allocated, including the recruitment to specialist posts as noted above, but it still



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requires the work to be phased to be manageable as it has not been possible to undertake detailed development of targets while designing the policy and legislation.

The initial focus has been on the policy input into the development of the Environmental Governance and Biodiversity Targets Bill. Both policy staff, and specialist staff with expertise in ecology and related fields focused on the development of the policy and the White Paper, engagement with stakeholders and refinement of the policy in light of the consultation feedback. The focus then shifted to the development of the Bill and associated documentation with continued active stakeholder engagement. This phase has included specific consideration of how targets should be provided for in the Bill and developing detailed proposals for what should be on the face of the Bill and what should be provided for in Regulations.

*4. Given that a dedicated team has now been established, what additional capacity has been allocated to ensure timely development of the targets?*

Recognising the resourcing pressures, we have established a Biodiversity Targets Advisory Panel to support the timely development of biodiversity targets.

Membership of the Panel consists of experts from different disciplines in fields related to biodiversity. This includes advisors with expertise in water, economy, education, and social research, as well as in terrestrial, freshwater, and marine biodiversity. Membership is made up of 17 academics, the Joint Nature Conservation Committee (JNCC) who is the public body that provides advice on UK-wide and international nature conservation, and Natural Resources Wales. Panel members have expertise in topics such as monitoring, modelling, practical management, and policy. We will be able to draw on this expertise as we develop targets.

The Panel will ensure a balance of independent relevant expertise and will provide expert evidence-based advice, recommendations, and peer review throughout the target creation process, both on the method of target creation and the content of the statutory biodiversity targets in Wales, as well as the development of indicators.

*5. What processes are in place to assess whether staffing allocations within relevant departments are sufficient to meet the Welsh Government's biodiversity commitments?*

Resourcing considerations are a regular management practice across the Welsh Government. In this area, resourcing discussions take place at a Group level and Directorate level to assess prioritisation at any given time. Discussions are also held with Cabinet Ministers about how finite resources should be balanced in terms of the Government's priorities.

Biodiversity commitments are cross-cutting. To enable mainstreaming across Welsh Government, we have developed and funded the delivery of the Naturewise course. This helps different policy areas to understand the importance of biodiversity and the



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action they can take within their own areas to support the delivery of biodiversity commitments.

Resources have also been made available for specific priorities. For example, additional resource within the planning department to lead on the development of the Gwent Levels masterplan.

*6. What mechanisms exist to ensure that workforce planning within your department aligns with Government priorities and prevents resource shortages from hindering key policy developments in the future?*

There has been significant investment of time and effort to improve workforce data and planning both corporately and in individual departments to ensure our resources are aligned to deliver the Welsh Government's responsibilities. It is important to acknowledge though that there is finite capacity available and significant competing pressures across Welsh Government and within individual portfolios. Prioritisation and sequencing of work will continue to be necessary and takes place regularly at all levels.

I trust that the response provided sufficiently address the Committee's questions and underscores our commitment to biodiversity and nature recovery. Should you require any additional information or further clarification, please do not hesitate to contact me. I thank you and the Committee for your continued engagement on this important matter.

Yours,  
Andrew Goodall

**Dr Andrew Goodall**

Ysgrifennydd Parhaol/ Permanent Secretary  
Llywodraeth Cymru/ Welsh Government



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Welsh Government

Ein cyf/Our ref: MA/HIDCC/0455/25

Llŷr Gruffydd MS  
Chair  
Climate Change, Environment, and Infrastructure Committee  
Welsh Parliament  
Cardiff Bay  
Cardiff  
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12 May 2025

Dear Llŷr,

I refer to my letter to you of 6 May 2025. I wish to inform the Committee I have given my consent to the Secretary of State to make the Phytosanitary Conditions (Amendment) Regulations 2025 ('the Regulations'). I have laid a Written Statement which can be found [here](#).

The Regulations apply to Wales, England and Scotland. The Regulations are subject to the negative procedure and were laid before Parliament on 8 May 2025 with a commencement date of 30 May 2025.

Although the Welsh Government's general principle is the law relating to devolved matters should be made by the Welsh Ministers, on this occasion it was considered appropriate for the Regulations to be made by the Secretary of State. The Regulations relate to a devolved area, however, they impact on the biosecurity of Great Britain which has traditionally been approached as a joint concern. Great Britain is an island and plant pests and diseases have no respect for the borders between countries. Much of the Regulations relate to the importation of plants and plant products. Most of these goods which enter Wales come through English ports. Introducing separate regulations in Wales, England and Scotland would risk divergence on matters of biosecurity on which policy is aligned, may hamper enforcement by cross border bodies and place an additional burden on the Animal and Plant Health Agency (which enforces plant health across Wales and England) and businesses. Where policy is aligned, legislating on a Great Britain basis assists those stakeholders who must comply with the requirements within the legislation to maintain our biosecurity.

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There is no policy divergence between the Welsh and UK Government in this matter and the Regulations amend legislation that was not made bilingually.

I have written similarly the Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name 'Huw Irranca Davies'.

**Huw Irranca Davies AS/MS**

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

# Y Dwyllgor Busnes Agenda Item 5.5

## Business Committee

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Llyr Gruffydd MS

Chair, Climate Change, Environment, and Infrastructure  
Committee

13 May 2025

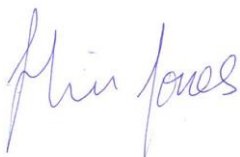
### Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill

Dear Llyr,

At its meeting this week, the Business Committee considered a paper from the Government on the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill. The Business Committee agreed in principle to refer the Bill to the Climate Change, Environment, and Infrastructure Committee for Stage 1 scrutiny.

I enclose the Minister's paper for your consideration. Following your letter on 17 April, I would be grateful if you could respond to us outlining any further views on the timetable by noon on Friday 23 May. Please be aware that it is a private paper and not for publication or circulation other than to committee members.

Kind regards,



**The Rt Hon. Elin Jones MS**

Y Llywydd and Chair of the Business Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Huw Irranca-Davies AS/MS  
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros  
Newid Hinsawdd a Materion Gwledig  
Deputy First Minister and Cabinet Secretary for Climate  
Change and Rural Affairs

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Llŷr Gruffydd MS  
Chair  
Climate Change, Environment, and Infrastructure Committee  
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13 May 2025

Dear Llŷr,

I am writing to inform the Committee of my intention to consent to the UK Government making and laying the Waste Electrical and Electronic Equipment (Amendment etc.) Regulations 2025 (“the 2025 Regulations”).

The 2025 Regulations intersect with devolved policy and will apply to Wales. They will be made by the Secretary of State for Environment, Food and Rural Affairs in exercise of powers conferred by section 50(1)(a) of, and Schedules 4 and 5 to the Environment Act 2021.

The 2025 Regulations apply in relation to England, Scotland, Northern Ireland and Wales and are subject to the affirmative procedure. They are due to be laid before Parliament on 2 June 2025.

### The 2025 Regulations

In 2024, Ministers across the UK collectively agreed to work on proposals to amend the current Waste Electrical and Electronic Equipment Regulations 2013 (S.I. 2013/3113) (“the 2013 Regulations”) which apply to the UK, Wales, Scotland and Northern Ireland. The 2013 Regulations require the producers of electrical and electronic equipment who place electronic equipment on the market to meet recovery and recycling targets. Producers of electronic equipment must help finance the collection, treatment, recovery, reuse, recycling, and environmentally sound disposal of waste electronic equipment. The amending regulations are designed to fix two widely recognised deficiencies of the current regime by:

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- Placing new obligations on online marketplaces so that they contribute to the cost of collection, treatment, re-use, and recycling of waste electronic equipment in line with those obligations that currently apply to companies defined as producers within the existing regulations. The new requirements will apply to online marketplaces only in respect of equipment placed on the UK market by their overseas based sellers.
- Creating a new category of equipment for vapes to ensure that the costs of collecting and treating these items are borne solely on those who place them on the market.

### Welsh Government Position

The Welsh Government's general principle is that law relating to devolved matters should be made and amended in Wales. The 2025 Regulations are being made by the UK Government on behalf of Welsh Government, Scottish Government and the Northern Ireland Executive, as continuing a unified UK-wide regime is advantageous for enforcement, compliance and will reduce the risk of potential confusion in the sector.

I consider legislating separately for Wales would be neither the most appropriate way to give effect to the necessary changes, nor a prudent use of Welsh Government resources given other important priorities.

It is anticipated that the 2025 Regulations will be laid before the UK Parliament pursuant to the affirmative procedure on 2 June 2025. It is expected that the 2025 Regulations will come into force on 11 August.

Yours sincerely,



**Huw Irranca-Davies AS/MS**

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd  
a Materion Gwledig

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

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# Agenda Item 8

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