

PBMB15 Climate Change, Environment, and Infrastructure Committee

Senedd Cymru | Welsh Parliament

Y Pwyllgor Busnes | Business Committee

Adolygiad o'r broses ar gyfer Biliau Cyhoeddus a Biliau Aelod | Review of the Public Bill and Member Bill processes

Ymateb gan: Pwyllgor Newid Hinsawdd, yr Amgylchedd, a Seilwaith | Evidence from: Climate Change, Environment, and Infrastructure Committee

The Rt Hon Elin Jones MS,
Chair, Business Committee

30 April 2025

Dear Elin,

Business Committee review of the Public Bill and Member Bill processes

Thank you for your letter, dated 21 January 2025.

As a Committee, we consider the Public Bill process overall is working well, and our experience of Bill scrutiny has, in the main, been positive. However, we believe there is room for improvement in several areas.

By way of background, the Committee has completed scrutiny of three Bills so far this Senedd term:

- The Environmental protection (Single-use Plastic Products) (Wales) Bill,
- The Environment (Air Quality and Soundscapes) (Wales) Bill, and
- The Infrastructure (Wales) Bill.

We have recently completed Stage 1 scrutiny of the Disused Mine and Quarry Tips (Wales) Bill, with Stage 2 proceedings due to take place in June. We are also in the process of Stage 1 scrutiny of the Bus Services (Wales) Bill. Further, we understand the Welsh Government is aiming to introduce the Environmental Principles, Governance and Biodiversity Targets (Wales) Bill in June, which we anticipate will be referred to us for scrutiny given its subject matter.

Uncertainty around timing of Bills

As a Committee, we are keen to ensure that, as far as possible, we can plan our work programme in advance to make best use of our time. The uncertainty around the timing of Welsh Government Bills has created challenges in this regard.

While the First Minister's annual Legislative Statement provides information on Bills that the Welsh Government intends to introduce in a given year, it does not provide more indicative timings of introduction. This creates uncertainty, making forward work planning very difficult. More often than not, we are only made aware of the imminent introduction of a Bill when consulted by Business Committee on the proposed timetable for scrutiny.

We acknowledge that the above matter may not fall directly within the remit of Business Committee's review. However, we would be keen for Business Committee to explore what more can be done to ensure that committees are notified further in advance of the timing of introduction of Bills which they will be responsible for scrutinising.

Timetabling of committee scrutiny of Bills

The current approach to timetabling of committee scrutiny of Bills provides for Business Committee to consult the responsible committees on the proposed timetable before it is agreed. While we welcome this approach, we believe improvements can be made. When providing views on the proposed timetable, committees have limited information on the content or complexity of the Bill. We consider it would be beneficial for a copy of the draft Bill and associated materials, such as the Explanatory Memorandum, to be made available to committees in-confidence to ensure they can reach an informed view on the adequacy of the proposed timetable.

As highlighted earlier, during summer term 2025, the Committee is likely to be scrutinising three Bills concurrently. We recognise the need to ensure that the Welsh Government can deliver its legislative programme before the end of its term in office. However, the position the Committee finds itself in is far from satisfactory. As a general principle, and looking ahead to the next Senedd, we believe scrutiny of Bills concurrently by a committee should be avoided.

Public and stakeholder engagement

As a Committee, we are keen to provide the public and stakeholders with sufficient opportunity to engage in Stage 1 scrutiny. As standard practice, we undertake public consultation at the start of Stage 1. The written evidence we receive is invaluable in understanding the impact of Bills and any potential unintended consequences, among other things. The scrutiny timetable (usually between 10 and 12 weeks to complete Stage 1) means consultation periods are necessarily short (no more than six weeks) to ensure we are able to test the evidence received during oral evidence sessions. Short consultation periods can present significant challenges for stakeholders and other interested parties, particularly for lengthy and complex Bills. The Committee has recently received correspondence from the Older People's Commissioner for Wales expressing concerns about the six week consultation period for the Bus Services (Wales) Bill, which illustrates this point. A copy of the correspondence is attached for information. Ideally, the time provided for Stage 1 scrutiny would be longer to enable us to build in more time to consult, particularly for lengthy and complex Bills.

The explanatory materials and information provided during Stage 1 scrutiny

Overall, we have been content with the explanatory material provided by the Welsh Government to support the Bill scrutiny process. However, there have been several occasions when key information has been shared with the Committee too late in the process, which has inhibited scrutiny. In the case of the Environment (Air Quality and Soundscapes) (Wales) Bill, this information related to the development of draft regulations on air quality targets, and for the Disused Mine and Quarry Tips (Wales) Bill, this was outline draft statutory guidance, which contained important policy detail.

While we acknowledge that requests to the Welsh Government for information beyond that contained in Explanatory Memoranda is part and parcel of the scrutiny process, it is incumbent on the government to ensure that key information is available at the outset to facilitate full and proper scrutiny.

We hope the above will help inform your review, and we look forward to your findings.

Yours sincerely,



Llyr Gruffydd MS,
Chair, Climate Change, Environment and Infrastructure Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg./ We welcome correspondence in Welsh or English.



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23 April 2025

Dear Llyr,

Scrutiny of Bus Services (Wales) Bill: concerns regarding consultation period

I am writing to express concerns about the short consultation period for the long-awaited Bus Services (Wales) Bill.

The closing date of 13 May 2025 for submissions of written evidence is only six weeks in total and includes three bank holidays. This is an extremely narrow timetable for an important piece of legislation. It does not allow enough time for groups, including older people's groups, who may wish to respond to meet and compile responses, especially when the Explanatory Memorandum runs to over 200 pages.

The current consultation deadline of 13 May 2025 provides little time for stakeholders to give the Bill the attention it requires. Issues relating to transport, particularly buses, are often raised with me by older people and I am very keen to ensure that there is sufficient time for meaningful consultation on the Bill and that older people's voice are heard.

I have accepted an invitation from the Committee to provide oral evidence on 22 May but was initially asked to provide written evidence by Wednesday 30 April. This would have been an even shorter deadline, which includes the Easter bank holidays, especially as my office would need to factor in translation time in order to be able to provide evidence in both Welsh and English. Translation services may be impacted by bank holidays and staff annual leave which also applies to my own team. It is not unreasonable for staff in many sectors to have planned annual leave during this time of year.

I am pleased that my office has now agreed an extension with the Committee, and that we will provide evidence by the consultation's overall closing date of 13 May 2025.

I appreciate that the timescale was not determined by the Climate Change, Environment and Infrastructure (CCEI) Committee and that the Senedd's Business Committee gave the Committee 11 weeks to consider and report on the Bus Services (Wales) Bill, which is in line with their standard practice. I understand that such a compressed timetable has led to a short consultation period in order for the views of respondents to be reflected during oral evidence sessions with stakeholders and the Cabinet Secretary for Transport and North Wales.

It is my view, however, that 11 weeks is insufficient to undertake the scrutiny process, especially on such a significant piece of draft legislation as the Bus Services (Wales) Bill. The timetable does not allow for meaningful consultation with stakeholders, including members of the public and particularly older people, and for responses to be submitted for the CCEI Committee to consider.

I am aware of the Business Committee's current review of the Bill scrutiny process. This review should reflect on the time needed to support and enable genuine and meaningful consultation, as well as engagement with groups who have an interest in legislative proposals. Future timetables should also take into account bank holidays and other factors that may impact on people's ability to respond. Changes to allow more time for consultation should be made to the timetable for scrutinising legislation as a result.

Older people often tell me that they want a voice in decision-making, but that digital exclusion often acts as a barrier to this, and it is important to recognise that over 100,000 people aged 75+ in Wales do not use the internet.

I was therefore pleased that the CCEI Committee is making changes to the consultation webpage to more clearly promote the other ways that people can have their say on the Bus Services (Wales) Bill than completing the online form.

The Business Committee's review of the scrutiny process should also result in action to ensure that all future scrutiny arrangements are improved to ensure that digital exclusion is not inadvertently built in. It is essential that citizens who do not use the internet, or who are not confident users of the internet, can take part in consultations and non-digital options should be of equal quality.

I would be very grateful if the CCEI Committee would take my comments into account as it prepares to respond to the Business Committee's review.

I look forward to meeting the Committee next month and ensuring that the views and experiences of older people on the Bus Services (Wales) Bill are heard and reflected in this important piece of legislation.

Yours sincerely,



Rhian Bowen-Davies
Older People's Commissioner for Wales