

Agenda – Economy, Infrastructure and Skills Committee

Meeting Venue:	For further information contact:
Video Conference via Zoom	Robert Donovan
Meeting date: 4 November 2020	Committee Clerk
Meeting time: 09.15	0300 200 6565
	SeneddEIS@senedd.wales

Private pre-meeting (09.15–09.45)

In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.senedd.tv

1 Introductions, apologies, substitutions and declarations of interest

(09.45)

2 Paper(s) to note

(09.45)

2.1 Letter from James Price, Chief Executive Transport for Wales re: Future of Rail update

(Pages 1 – 3)

Attached Documents:

EIS(5)–21–20– Paper to note 1



**2.2 Letter to Llywydd from Chair of Legislation, Justice and Constitution
Committee re: Scrutiny of Covid-19 regulations**

(Pages 4 – 6)

Attached Documents:

EIS(5)-21-20- Paper to note 2

3 Covid-19: Recovery for all 2

(09.45-10.45)

(Pages 7 – 19)

Ali Abdi, Citizens Wales and Race Council Cymru

Shavanah Taj, Vice-Chair, Socio-economic subgroup of the First Minister's
Black, Asian and Minority Ethnic Covid-19 Advisory Group

Ginger Wiegand, Policy and Research Lead, Ethnic Minorities and Youth
Support Team Wales

Attached Documents:

EIS(5)-21-20- Paper 3: Research Brief

Break (10.45-10.55)

4 Covid-19: Green Recovery

(10.55-11.55)

Sophie Howe, Future Generations Commissioner

Haf Elgar, Director, Friends of the Earth Cymru

Tabea Wilkes, Nature Project Officer, RSPB Cymru

**5 Motion under Standing Order 17.42(ix) to resolve to exclude the
public for the remainder of the meeting**

(11.55)

6 Private

(11.55-12.20)

(Pages 20 – 70)

Consideration of evidence following the meeting

Draft Report: Degree Apprenticeships

Attached Documents:

EIS(5)-21-20- Paper 4: Draft Report

EIS(5)-21-20- Paper 5: Engagement summary



**TRAFNIDIAETH
CYMRU
TRANSPORT
FOR WALES**

Llawr 5, Tŷ South Gate,
Stryd Wood,
Caerdydd CF10 1EW
029 2167 3434
james.price@trc.cymru
trc.llyw.cymru

Agenda Item 2.1

5th Floor, South Gate House
Wood Street
Cardiff CF10 1EW
029 2167 3434
james.price@tfw.wales
tfw.gov.wales

Russell George MS
Chair
Economy, Infrastructure and Skills Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN
SeneddEIS@senedd.wales

22 October 2020

Dear Russell

Future of Rail update

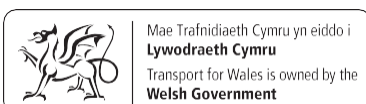
We are writing to update you on significant progress regarding the future of the Wales and Borders rail service, and specifically, its future delivery model, which Transport for Wales and KeolisAmey will be implementing that will allow us to adapt our plans for a post-Covid era.

Firstly, despite the enormous challenges presented by Covid-19, and the particular challenges presented to the public transport sector, the partnership remains absolutely committed to delivering the Welsh Government's ambitious vision for public transport in Wales. Throughout the coronavirus pandemic, we have continued to deliver critical passenger services. Whilst rail passenger numbers dropped to as low as 5% of pre-Covid numbers at the peak of the pandemic, our delivery has meant that those dependent on public transport have been able to continue to use these services.

As restrictions were eased, we have seen a gradual increase in passenger numbers, but clearly this will now be impacted by the resurgence of the virus and we are responding accordingly. However, it remains important that we plan for the post pandemic demands on rail services.

The reality is that for the foreseeable future there remains some stark economic challenges for the rail sector across the UK, and it is incumbent on us that we work together as a partnership to ensure we can provide the most stable platform possible from which to build back from this crisis. We all remain committed to the Welsh Government's ambitious vision for the future of rail services in Wales and the borders and so we need to make some key decisions on the way forward now rather than later.

The delivery of key commitments, such as the creation of the Metro, the delivery of brand-new rolling stock for the Wales and Borders rail network and numerous other improvements, remain an absolute focus for Transport for Wales and KeolisAmey. We are continuing to work closely with all partners and our supply chain to ensure we adapt and deliver our plans and services with safety as our top priority.



Cwmni Cyfyngedig drwy Warrant. Cofrestrwyd yng Nghymru. Rhif Cwmni 09476013. Cyfeiriad
Swyddfa Gofrestredig: Llawr 5, Tŷ South Gate, Stryd Wood, Caerdydd, CF10 3EW
A Company Limited by Guarantee. Registered in Wales. Company No. 09476013. Registered Office Address: 5th
Floor, South Gate House Wood St, Cardiff, CF10 3EW

A stable platform for building back better is dependent on the right delivery model, and we are pleased to inform you that Transport for Wales and KeolisAmey have agreed the principles of a new more public sector led model, evolved from the previous grant agreement, which will allow us to continue to put our customers and communities at the heart of everything we do.

We have agreed the principles of a new partnership model between Transport for Wales, Keolis and Amey, which comprises of three key components:

- From February 2021, the delivery of day to day rail services will be the responsibility of a new publicly-owned subsidiary of Transport for Wales, allowing government to have an even greater role in the delivery of rail services in Wales and the borders, reflective of the new commercial realities of the post Covid-19 environment. With huge uncertainty over passenger revenue, this provides us with the most stable financial base to manage rail services as we emerge from the pandemic.
- Infrastructure management and transformation of the Welsh Government-owned Core Valley Lines will continue to be delivered under the current contract. This will provide stability for the programme to ensure effective delivery of the South Wales Metro transformation work which is already underway.
- A new innovative partnership with Keolis and Amey, led by Transport for Wales, will be developed, which will allow the people of Wales to continue to draw significantly on the international experience and expertise of these partners to help TfW to deliver important commitments such as integrated ticketing, on demand transport systems, cross modal design and delivery, in addition to the ongoing integration of light and heavy rail.

This model will help us to continue driving forward the Welsh Government's vision for a transformed rail service through ensuring effective vertical integration of track and train, building on the work already achieved through the transfer of the Core Valleys Lines earlier this year.


We will now start the detailed discussions and implementation based on the principles outlined in our agreement. We will, of course, provide regular updates to you as the transition to the new delivery model gets underway.

There are some difficult decisions to come due to the economic realities of coronavirus. Whilst the cost of operating public services such as bus and rail have become more expensive as a result of the sudden reduction in patronage, at the same time climate change and our equality priorities mean that these services are now more important than ever.

We are confident that this evolution in the collaboration of Transport for Wales and KeolisAmey will continue to deliver on our ambitious plans for the future, and we hope that you will welcome this significant milestone, which will create a stable platform for the future success of rail services for Wales and the Borders.

If you have any further questions or require more information please visit <https://news.tfwrail.wales/news/transformation-of-the-welsh-transport-network-continues-despite-covid-19-challenges>

Yours sincerely,



James Price
Prif Weithredwr / Chief Executive
Transport for Wales



Kevin Thomas
Prif Swyddog Gweithredol / Chief Executive Officer
KeolisAmey Wales Cymru
(Operator of Transport for Wales Rail Services)

Elin Jones MS

Y Llywydd and Chair of the Business Committee

22 October 2020

Dear Elin

Scrutiny of Covid-19 regulations

Thank you for your letter of 8 October 2020, which we considered at our meetings on 12 and 19 October 2020.

Your letter sought to ascertain whether it would be appropriate for “the Welsh Government to flag new Regulations where the underlying principle had already been scrutinised, to enable a decision to be taken by the Business Committee about the level of further scrutiny which might be required before the debate.” As a consequence, you asked for our views on whether there was a possibility of enabling certain Covid-related Regulations to be prioritised for debate in such circumstances.

We do not believe the option suggested by the Business Committee to be appropriate for several reasons. In our view, approval for any form of legislation should not be on an ‘in principle’ basis. We do not therefore see ourselves having a role in endorsing (or rejecting) any assessment by the Welsh Government that a particular set of regulations were in principle the same as a previous set. Moreover, the value of such an assessment would in our view be questionable, given that while a new set of regulations may follow a similar policy objective, they could still be subject to reporting points under Standing Orders 21.2 or 21.3.

We believe our scrutiny of all Covid-19 regulations has been efficient and timely. We have reported on most regulations subject to the made affirmative procedure within 14 days of the instrument having been laid. In the majority of cases, this has enabled the Senedd to vote on whether the regulations should remain in force well before the 28 days permitted by the *Public Health (Control of Disease) Act 1984* and the 40 days permitted by the *Coronavirus Act 2020* (which the Senedd consented to in March this year). We



Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN

✉ SeneddDCC@senedd.cymru

☎ 0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN

✉ SeneddLJC@senedd.wales

☎ 0300 200 6565

would also wish to highlight that the majority of made affirmative regulations have been laid on a Friday; this coupled with our Monday morning meeting slot means that there has inevitably been a week's gap between laying and committee scrutiny, irrespective of the work needed to prepare reports for committee consideration. We also draw attention to the comments of the Minister for Health and Social Services, Vaughan Gething MS, in Plenary on [6 October 2020](#), which we welcome:

“I also welcome the fact that the committee has, from time to time, helped us with consistency in legislative provisions. That's part of the point of the scrutiny. We're making these regulations in a rapid manner because of the fast-changing picture with coronavirus, and I think there's value in having the committee undertaking its scrutiny function before the legislature is then able to exercise its function in determining whether these regulations can continue or not.”

Nevertheless, we have considered a range of options to facilitate an even quicker scrutiny process. We discussed whether meeting more than once a week would facilitate the scrutiny of regulations laid by the Welsh Government at different points during the previous working week. Given the Welsh Government's practice of laying the majority of made affirmative regulations on a Friday, we also considered whether it would be feasible to move our Committee's regular meeting slot to a Wednesday morning, in order to consider regulations made on the previous Friday and to lay a report in time for a debate that afternoon. We also discussed whether we could give a formal commitment to report on made affirmative regulations within a 14-day deadline.

However, we concluded that such approaches are very likely to give rise to significant timetabling issues for the Welsh Government and Senedd Members. Furthermore, given the complexity of this legislation, any formalisation of our existing arrangements for the scrutiny of Covid-related legislation needs to be considered alongside the backdrop of an increasing volume of legislation to deal with the UK's exit from the EU, not least because such formalisation could potentially require additional resource or different working patterns. This latter point is particularly relevant given that our remit means that our work programme is currently heavily constrained by the necessary and important scrutiny of subordinate legislation related to EU exit and legislative consent memoranda for UK EU exit related Bills, including the constitutionally significant UK Internal Market Bill.

We recognise that matters related to the pandemic have been prioritised in government time during plenary sessions. We also considered whether the Welsh Government could consider using the draft affirmative procedure if at all possible when making Covid-related legislation under section 45C of the 1984 Act. Although we appreciate that this may not be feasible, we would encourage the Welsh Government to consider whether opportunities do exist for its use.



We will continue to do whatever we can to ensure the scrutiny of Covid-related regulations is conducted in a timely manner. However, we do not believe that our scrutiny function should be compromised in any circumstances.

I am copying this letter to the Chairs of all committees.

Yours sincerely

A handwritten signature in black ink that reads "Mick Antoniw". The signature is written in a cursive style with a horizontal line underneath the name.

Mick Antoniw AM

Chair

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



Agenda Item 3

Document is Restricted

Agenda Item 6

Document is Restricted

Document is Restricted