

Julie James MS

Counsel General and Minister for Delivery

19 February 2025

Dear Julie

### Consolidation of planning law

Thank you for your letter dated 4 February 2025, in which you responded to questions the Committee asked on 23 January 2025. The Committee considered your response at its meeting on 10 February 2025.

First, the Committee is grateful to you for providing details of the expected sizes of both planned consolidation Bills.

The Committee also noted that it is your intention to engage formally with the Business Committee "much nearer to the time of likely introduction" of the Bills. We are aware that the Business Committee considered our exchange of correspondence on 11 February 2025. We recognise that it will be a decision for the Business Committee on how and when it wishes to discuss with you the procedures that will be required to support scrutiny of both consolidation Bills in parallel. For our part, we intend to continue to draw relevant matters to the Business Committee's attention to assist it in this engagement.

In your letter you confirm that your current intention is to introduce both consolidation Bills in September. You also state that it is your "intention to make available to Senedd Members a draft of the main Bill, and hopefully also the consequential provisions Bill, in June". While we welcome the constructive spirit behind this intention, the Committee has some concerns with the Government's proposed timetable for this important work.

You will be aware that the Welsh Government's first Consolidation Bill – the Historic Environment (Wales) Bill – was introduced to the Senedd in July 2022. That Bill, in line with the Committee's recommendation, was the subject of only a single amending stage following the Committee's initial

consideration that took place between July and December 2022. Nonetheless, that Bill did not complete its passage through the Senedd until 28 March 2023. Should the Committee have recommended a second amending stage, the Bill may not have been put to a final stage vote in the Senedd until a month or so later.

We accept that size is not the only determining factor in the question of how much time a Senedd Committee should reasonably be given to undertake its legislative scrutiny. However, we are of the view that the Committee should not be expected to undertake robust and thorough consideration of two consolidation Bills, totalling approximately 500 pages and in accordance with novel parliamentary processes being adopted for the first time, in what would appear to be an unusually short period of time. This view has been informed by our experience with the timescale for the single Historic Environment (Wales) Bill as detailed above. Should the Welsh Government not formally introduce both Bills until September, we are unclear how the Committee could be given sufficient time to undertake its work at the initial consideration and detailed committee consideration stages, while time is also protected in the overall timetable for a second amending stage should the Committee recommend that that is necessary.

Your offer to share with Members of the Senedd a draft version of the main Bill ahead of formal introduction will not, in our view, act as a substitute for the Bills and their accompanying documents being formally laid before the Senedd in sufficient time so as to allow proper scrutiny of this important legislation before the Sixth Senedd comes to an end next Spring.

The Committee would urge you to consider how you may be able to formally lay the Bills and required accompanying documentation before the end of the Senedd's summer term this year. Should you also be in a position to share with Members of the Senedd draft versions of the Bills and explanatory materials, we would not object to this offer.

We would welcome a response by 12 March 2025.

I am copying this letter to the Rt Hon Elin Jones MS, the Llywydd and Chair of the Business Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges  
Chair