

REPORT BY THE ECONOMIC DEVELOPMENT AND TRANSPORT COMMITTEE

Railways Bill

The Committee considered the Railways Bill at its meeting on 13 January 2005. The Bill had been referred to the Committee following discussion in plenary on 1 December 2004 on the Queen's speech.

The Committee was disappointed that the timing of this legislation's passage through Westminster allowed so little time for scrutiny of the Bill in much detail. The timing did not allow the Committee to take evidence from anyone other than Welsh Assembly Officials.

The Committee's overall view was that the Bill marked a major stage in the development of the Railways in Britain and provided an opportunity for a comprehensive transfer of powers over Welsh railways to the National Assembly. Members noted the substantial range of powers that it conferred on the Scottish Executive and were disappointed that the Secretary of State for Transport was retaining many of these powers in relation to Wales. A particular concern was the failure of the Bill to transfer to the National Assembly control over the infrastructure in Wales.

While it was clearly too late to make fundamental changes to the Bill, there were two specific points which the Committee felt could be changed:

- Members were concerned about the lack of control Wales would have over closures where the Assembly was not funding the rail service. Clauses 22 to 31 refer to national authorities being notified of any closure proposal and then carrying out a consultation on this. However, while the Scottish Executive is the National Authority in Scotland, the Secretary of State for Transport would undertake this function in Wales. Members could not see



any reason why the National Assembly should not have this responsibility in Wales and they considered the Bill should be amended accordingly.

- Members were also concerned about the confirming of bye-laws. The National Assembly already has extensive powers in this regard and the Committee could not see why it should not have the same powers as Scottish Ministers in relation to schedule 9. This could be achieved by amending Paragraph 1 of that schedule to include the National Assembly for Wales as the appropriate national authority for bye-laws relating to Welsh assets with similar provisions to those relating to Scotland in relation to cross-border bye-laws.

The Chair wrote to the Chair and members of the House of Commons Bill Committee on 14 January outlining the issues raised in Committee and expressing the wish that they recommended the changes to the Bill. Given that the Bill was near the end of its passage through Parliament, the Chair also sent copies of the letter to the Secretary of State and all Welsh MPs.

Christine Gwyther AM
Chair, Economic Development and Transport Committee