

SUPPLEMENTARY LEGISLATIVE CONSENT MEMORANDUM (MEMORANDUM NO 4)

Bus Services (No. 2) Bill

1. This legislative consent memorandum is laid under Standing Order (“SO”) 29.2. SO29 prescribes that a legislative consent memorandum must be laid, and a legislative consent motion may be tabled, before Senedd Cymru if a UK Parliamentary Bill makes provision in relation to Wales which has regard to devolved matters.
2. The Bus Services (No. 2) Bill (“the Bill”) was introduced in the UK Parliament, the House of Lords, on 17 December 2024. I laid an LCM on 11 March 2025 and supplementary LCMs on 23 May and 15 July.
3. Report Stage in the House of Commons was held on 10 September 2025. All references in this supplementary LCM to provisions in the Bill are to those provisions in the version of it as amended at Report Stage on 3rd September, a copy of which can be found at: [Bus Services \(No. 2\) Bill \[HL\]](#).

Amendments

4. The UK Government tabled 28 amendments on 2 September ([busservices_rm_rep_0902.pdf](#)) for consideration at House of Commons Report Stage.
5. Some of the amendments which have been made make provision which do not have regard to devolved matters. However, UK Government amendment 57, which amends paragraph 13 to the Schedule, has regard to devolved matters, as detailed below. I also make reference to amendments 43-45 (relating to clauses 34 and 36) below.

Policy Objectives

6. The UK Government’s stated policy objective is to deliver better bus provision by empowering local leaders in England to choose the bus operating model that works for their local area and provide powers to effectively underpin those models. The aim is to help improve bus services and grow usage, as passengers benefit from a more reliable network that provides the connections people need across the country.
7. The intention is to provide local leaders in England with more control and flexibility over bus funding and give them the freedom to take decisions to deliver their local transport priorities through:
 - a. Empowering local transport authorities (LTAs) and reforming funding.
 - b. Allowing every community to take back control of their buses.

- c. Accelerating the bus franchising process.
- d. Ensuring that the provision of socially necessary local services is considered appropriately.
- e. Supporting public ownership.

Summary of the Bill

8. The UK Bill is sponsored by the Department for Transport (DfT).

9. The UK Bill makes provision for:

- Franchising – the UK Bill enables all LTAs to franchise their bus services without requiring the consent of the Secretary of State.
- Socially necessary local service – this measure aims to promote the wider thinking around local network management, including how bus services are maintained.
- Enhanced Partnerships – the UK Bill will strengthen the partnership approach between LTAs and bus operators.
- Local authority owned bus companies – the UK Bill will repeal the ban on establishing new local authority bus companies.
- Grants – the UK Bill will provide LTAs with a power to make grants to operators of bus services in their areas.
- Information about local services (bus registration) - provisions on bus registration will place a statutory requirement on LTAs in Enhanced Partnership areas with a delegated registration function, and franchising authorities, to provide information about bus services to a common location and to a data standard defined in secondary legislation.
- Enforcement – the UK Bill includes measures to improve safety on buses by giving greater powers for LTAs to bring forward byelaws to tackle anti-social behaviour and help to improve safety on buses. The Bill also amends section 24 of the Public Passenger Vehicles Act 1981 to give LTAs additional powers to enforce fare requirements.
- Safety and accessibility of stopping places – the UK Bill includes the measure to develop statutory guidance on the inclusivity of bus stops and stations and facilities.
- Safeguarding for school services - the UK Bill includes a measure to require operators of public service vehicles to check an enhanced criminal record certificate, including information as to whether the driver is on the children's barred list, for drivers who carry out "closed" school transport services frequently or more than 3 times in any 30-day period.

- Training of staff – the UK Bill includes powers to mandate training of bus drivers and others on tackling crime (which the UK Government intends will include offences against women and girls) and anti-social behaviour, and in relation to disability awareness and disability assistance.
 - Zero-emission Buses (ZEBs) – this measure will accelerate the rollout of ZEBs by introducing a restriction on the use of new non-zero-emission buses on registered local bus services. The restriction will not be able to take effect before 1 January 2030.
10. I am of the view that the provisions in the UK Bill and our own Bus Services (Wales) Bill (as drafted) will work for the delivery of better public transport across Wales and England. The amendments noted in this SLCM will ensure more cohesive delivery of cross-border services.

Update on position since the publication of the last Legislative Consent Memorandum

11. This supplementary LCM relates to provisions in the Bill as amended. The provisions listed in this LCM should be read alongside the previous LCMs laid on 11 March, 23 May and 15 July 2025.
12. We have worked with DfT to ensure the effective delivery of bus reform across Wales and England. The changes brought about by the amendments will ensure compatibility in the delivery of cross-border bus services.
13. My officials continue to have discussions with DfT colleagues on the potential impact of the provisions that still apply to Wales on the future delivery of the Bus Services (Wales) Bill, which is currently being considered by the Senedd.
14. Amendments 43-45 remove provisions in clauses 34 (Training about crime and anti-social behaviour) and 36 (Training about disability) of the Bill, which are no longer needed as a result of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025.
15. I laid an SLCM in respect of clauses 34, (previously clause 24) and clause 36, (previously clause 26) because they had regard to devolved matters. Whilst amendments 43-45 do not meet the test in SO29, I am highlighting these changes to clarify what the Senedd is being asked to provide its consent for.

Provisions in the Bill for which consent is required

16. In my view, a supplementary LCM is required in relation to amendment 57 as set out below.

- **The Schedule** - Procedures for varying franchising scheme – the Schedule inserts a new Schedule 9A into the Transport Act 2000 in relation to varying franchising schemes in England. UK Government amendment 57 creates an additional duty on franchising authorities to consult with Welsh Ministers where there is a variation of plans for consultation in franchising schemes and any part of Wales would be affected by the variation by inserting a reference to new paragraph 12(b)(zii) into Paragraph 13 of the Schedule. I consider that the Schedule as amended triggers the legislative consent process set out in Standing Order 29 on the basis that it contains provision in relation to Wales that has regard to devolved matters, namely, the delivery of local bus services.

UK Government view on the need for consent

17. The UK Government is of the view that a SLCM is not required on the following grounds:
 - Amendment 57 is a small technical change to the consultation requirements for franchising authorities when varying a franchising scheme. It will require franchising authorities to consult the people/entities already listed in a franchising scheme. This includes Welsh Ministers if, in the opinion of a franchising authority, the variation affects any part of Wales.

Welsh Government position on the amendments to the Bill

18. The amendments made to the Schedule by amendment 57 will, alongside our Bill, support the effective delivery of cross-border services and have regard to devolved matters.

Financial implications

19. It is not expected that there will be any additional financial implications to Welsh Government.

Conclusion

20. I am of the view that amendment 57 to the Schedule noted above will lead to improvements to the delivery of cross-border services and to the Welsh Government's ability to work effectively with counterparts in the UK Government on public transport.
21. I will continue to monitor the UK Bill's developments and update the Senedd as appropriate.

Ken Skates MS
Cabinet Secretary for Transport and North Wales
15 September 2025