

## **SUPPLEMENTARY LEGISLATIVE CONSENT MEMORANDUM (MEMORANDUM NO 3)**

### **Railways 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 that has regard to devolved matters.
2. The Railways Bill (“the Bill”) was introduced in the House of Commons on 05 November 2025. The Bill can be found at: [Railways Bill](#).
3. I laid an LCM on 21 January 2026 and a Supplementary LCM on 02 February 2026.
4. The UK Government tabled further amendments on 27 and 30 January for consideration at House of Commons Committee Stage.

### **Policy Objectives**

5. The policy objectives of the Bill, which were provided in the first LCM laid in the Senedd on 21 January 2026, remain accurate.

### **Summary of the Bill**

6. A summary of the Bill was provided in the first LCM laid in the Senedd on 21 January 2026 and remains accurate.

### **Update on position since the publication of the first Legislative Consent Memorandum**

7. This supplementary LCM relates to Government amendments tabled at House of Commons Committee Stage on 27 and 30 January 2026. It also relates to clause 73 of the Bill as introduced (Interpretation of Chapter 1 of Part 3). The provisions listed in this LCM should be read alongside the supplementary LCMs laid on 21 January and 2 February 2026.
8. An updated version of the Bill was published on 10 February, as amended in Committee. This SLCM should be read alongside that latest version, including updated clause numbers. For ease of reference, Annex A shows the references used when amendments for new clauses have been tabled, and the new clause numbers once incorporated into the updated Bill on 10 February.
9. Dialogue continues between Welsh Government and UK Government officials during the development of this Bill to understand its provisions, their application to Wales and their potential impact on delivering rail services in Wales.

## **Provisions to the Bill for consideration at introduction for which consent is required**

10. In my view, a supplementary LCM is required in relation to the following amendments which introduce new clauses and a new schedule to the Bill.

- **New Clause (Transfer schemes made by Secretary of State (“SoS”)).** Amendment Gov NC61 (Clause 86) allows the SoS to make schemes transferring property, rights and liabilities in connection with the designation of a body corporate as GBR. In particular, it includes the possibility of transfers to a company jointly owned by the Welsh Ministers and the SoS, GBR or a proposed GBR, and also from such a company. The Welsh Ministers’ consent is required before making a scheme that contains such particular provision.
- **New Clause (Transfer schemes made by Welsh Ministers).** Amendment Gov NC63 (Clause 88) allows the Welsh Ministers to make schemes transferring property, rights and liabilities for any purpose connected with railways or the provision of railway services. In particular, it includes the possibility of transfers from the Welsh Ministers or a company wholly owned by the Welsh Ministers, to GBR, a company owned by GBR, a proposed GBR, a company wholly owned by it or a company jointly owned by the Welsh Ministers and the SoS, GBR or a proposed GBR.

It also includes provision for transfer from:

- GBR, a company wholly owned by it or a company jointly owned by the Welsh Ministers and GBR to the Welsh Ministers, a company wholly owned by it, a proposed GBR, a company wholly owned by a proposed GBR or a company jointly owned by the Welsh Ministers and a proposed GBR,
- a former GBR, or a company wholly owned by a former GBR to the Welsh Ministers, a company wholly owned by the Welsh Ministers, GBR, a company wholly owned by GBR or a company jointly owned by the Welsh Ministers and GBR,
- a company wholly owned by the Welsh Ministers to another company wholly owned by them,
- Welsh Ministers to a company wholly owned by Welsh Ministers or vice versa.

The SoS’ consent is required before making a scheme that contains such provision, other than whether the transfer is from a company wholly owned by the Welsh Ministers to another company wholly owned by them or from the Welsh Ministers to a company wholly owned by Welsh Ministers or vice versa.

- **New Clause (Further provision about transfer schemes).** Amendment Gov NC64 (Clause 89) introduces a schedule which makes further provision about the transfer schemes including those in Clauses 86 and 88 and contains definitions relevant to those clauses.

- **New Schedule (Transfer schemes).** Amendment Gov NS1 (Schedule 3) is a schedule which makes further provision about the transfer schemes including those in Clauses 86 and 88. In particular it confers a liability in paragraph 10(3) to pay compensation on the Welsh Ministers as the “appropriate Minister” in relation to a scheme made by the Welsh Ministers under Clause 88 (transfer schemes made by Welsh Ministers). Under paragraph 11 the appropriate Minister may also direct a body corporate to provide certain bodies to provide information necessary for making a scheme. Those bodies include a company jointly owned by the Welsh Ministers.

11. In my view, a supplementary LCM is also required in relation to clause 73 (Interpretation of Chapter 1 of Part 3) of the Bill as introduced, to the extent that it contains definitions relevant to clauses in Chapter 1 of Part 3 which were the subject of the LCM laid on 21 January, the omission of which from that LCM was an oversight.

### **Financial implications**

12. There are no financial implications for Wales in relation to the UK Government’s Railways Bill.

### **Conclusion**

13. I am content with the amendments listed above proposed by the UK Government with respect to new clauses and schedule.

14. Whilst I continue to broadly support this Bill and welcome the ongoing engagement of the UK Government, I am seeking further engagement with the UK Government on the role of the Welsh Ministers and the Senedd within the Bill. I will continue to monitor the Bill’s developments and update the Senedd as appropriate. Given the anticipated UK parliamentary timetable of the Bill it is likely that a legislative consent debate on this Bill would – based on our established approach on seeking to schedule such debates after the Committee Stage in the Second House – take place in the next Senedd Term.



**Ken Skates, MS,  
Cabinet Secretary for Transport and North Wales**

**16 March 2026**

## Annex A

<b>Reference when tabled as amendment</b>	<b>New Clause Number when incorporated into updated Bill (10 February)</b>	<b>Title</b>
NC23	85	Charging for removal etc of Road Vehicles
NC61	86	Transfer Schemes Made by Secretary of State
NC62	87	Transfer Schemes Made by Scottish Ministers
NC63	88	Transfer Schemes Made by Welsh Ministers
NC64	89	Further Provision About Transfer Schemes
NS1	Schedule 3	Transfer Schemes