

**Ken Skates AS/MS**  
Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru  
Cabinet Secretary for Transport and North Wales



Llywodraeth Cymru  
Welsh Government

Mike Hedges MS  
Chair  
Legislation, Justice and Constitution Committee  
Senedd Cymru

[SeneddLJC@senedd.wales](mailto:SeneddLJC@senedd.wales)

02 July 2025

Dear Mike,

Thank you for the Legislation, Justice and Constitution Committee's report on the Legislative Consent Memorandum for the Bus Services (No. 2) Bill, laid on 9 May. Please find enclosed my response to the issues raised in the report.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ken Skates', with a large, stylized flourish at the end.

**Ken Skates AS/MS**  
Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru  
Cabinet Secretary for Transport and North Wales

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1SN

[Gohebiaeth.Ken.Skates@llyw.cymru](mailto:Gohebiaeth.Ken.Skates@llyw.cymru)  
[Correspondence.Ken.Skates@gov.wales](mailto:Correspondence.Ken.Skates@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

---

## **The Welsh Government's Legislative Consent Memorandum on the Bus Services (No.2) Bill**

### **Welsh Government response to the Legislation, Justice and Constitution Committee's report**

**July 2025**

---

#### **Summary**

The Bus Services (No. 2) Bill ("the Bill") was introduced in the House of Lords on 17 December 2024. Certain elements of the Bill require the legislative consent of the Senedd, and on 11 March 2024, I laid a Legislative Consent Memorandum for the Bill ('the LCM') before the Senedd. On 9 May, the Legislation, Justice and Constitution Committee ('LJCC') published a report ('the Report') on the LCM.

To note, on 23 May, I laid a supplementary LCM ('the SLCM') in respect of further clauses in the Bill that apply to Wales. This is referred to in my response to the Committee below.

This report will respond to the recommendations raised by the committee's report of May 2025.

The response first considers the conclusions and recommendations made by the Committee relating specifically to the UK Government's Bus Services (No. 2) Bill, then considers the conclusion and recommendation relating to the assessment of the impact of that Bill on the Bus Services (Wales) Bill.

---

**LJCC Conclusion 1. We agree with the Welsh Government's assessment, as set out in the Memorandum, of the provision within the Bill which requires the consent of the Senedd in accordance with Standing Order 29; but this is subject to our views set out in conclusion 2.**

Many thanks to the Committee for its consideration of the LCM. I am pleased that the Committee agrees with the Welsh Government's analysis of the provision in the Bill which requires the consent of the Senedd.

**LJCC conclusion 2. We consider that clauses 22, 26, 27, 28, and 29 of the Bill contain provision that has regard to devolved matters and, as such, the Senedd's consent should be sought for these clauses.**

I agree with the Committee's view that the clauses listed contain provision that has regard to devolved matters. On 23 May I laid a supplementary LCM in relation to (as amended in the House of Lords):

Clause 22(6)(b) - Local government bus companies

Clause 33 (previously clause 26) - Safeguarding duty: drivers of school services

Clause 34 (previously clause 27) - Training about crime and anti-social behaviour

Clause 35 (previously clause 28) - Training about disability

Clause 36 (previously clause 29) - Training about disability: further provisions

**LJCC conclusion 3. Standing Order 29 places obligations on the Welsh Government to bring forward legislative consent memoranda when the requirements of that standing order are met. Given that it is the Welsh Government that is accountable to the Senedd, the Welsh Government should not rely on a UK Government assessment of whether the consent of the Senedd should be sought for a Bill (or provisions within a Bill) introduced to the UK Parliament.**

I'd like to assure Committee members that, whilst we considered it, at no point did we rely on the UK Government's competence assessment in relation to any of the provisions in the Bill. Officials had several discussions with policy leads in the Department for Transport and attended two stakeholder engagement workshops during the development of the Bill. However, as I noted in my letter to the Llywydd in March, the Bill was developed at pace, therefore we were not given the opportunity to consider the clauses prior to their inclusion in the Bill.

We conducted a comprehensive competence assessment of the provisions as early as possible in the process.

---

**LJCC recommendation 1. For Bills introduced to the UK Parliament that fall within his remit and responsibilities, the Cabinet Secretary should ensure that Welsh Government officials undertake the assessment of whether a Bill's provisions have regard to devolved matters and therefore engage Standing Order 29, rather than relying on an analysis of legislative competence carried out by the UK Government.**

Welsh Government response: Agreed.

I refer the Committee to my response to conclusion 3 above.

**LJCC recommendation 2. The First Minister should ensure that the Welsh Government undertakes the assessment of whether a Bill introduced to the UK Parliament has regard to devolved matters and therefore whether or not it engages Standing Order 29, rather than relying on an analysis of legislative competence carried out by the UK Government.**

Welsh Government response: Agreed.

I refer the Committee to my response to conclusion 3 above.

### **Assessment of impact on the Bus Services (Wales) Bill**

**LJCC conclusion 4. We agree with the Llywydd that omitting some relevant provisions from the Memorandum may have an impact on the Senedd's ability to effectively scrutinise the Bus Services (Wales) Bill during its early stages.**

I appreciate the Committee's concerns at the time this report was drafted. I hope that in the intervening period the Committee feels the Senedd has been provided with further information and assurance during the constructive discussions at the Stage 1 scrutiny sessions on the Bus Services (Wales) Bill.

**LJCC recommendation 3. The Cabinet Secretary should explain, in the supplementary legislative consent memorandum due to be laid before the Senedd, whether and how the Bill impacts on the Welsh Government's own Bus Services (Wales) Bill.**

Welsh Government response: Agreed

The Supplementary LCM, laid on 23 May, stated that we were in discussion with Department for Transport about whether amendments should be made in relation to these provisions, their application in Wales and their potential impact on the future delivery of the Bus Services (Wales) Bill. We have now completed those substantive discussions. Amendments to the UK Bill have been laid in Parliament. I will lay a supplementary LCM on these shortly.

---