

Ken Skates MS

Cabinet Secretary for Transport and North Wales

23 May 2025

Dear Ken,

### Follow-up to Stage 1 scrutiny of the Bus Services (Wales) Bill

Thank you for giving evidence to the Committee on 7 May 2025 as part of our Stage 1 scrutiny of the Bus Services (Wales) Bill. Members welcomed the opportunity to explore the policy intent and practical implications of the proposed legislation with you and your officials.

To support our ongoing scrutiny, we would be grateful for further information and clarification on a number of issues arising from the session and from further consideration of the Bill.

### Key Concepts and General Objectives

1. How did the Welsh Government consider the distance criteria in section 1(3) might impact rural services where settlements may be more than 15 miles apart?
2. How does section 1(3) apply to flexible bus services?
3. How can "hail and ride" services – which have a fixed route but limited if any fixed stops, be accommodated?

### Reporting and Evaluation

4. What monitoring framework or metrics will the Welsh Government use to assess progress towards the objectives set out in the Bill?
5. In relation to section 20, why are broader reporting matters such as franchising steps and future policy aims not explicitly included in the Bill?

## Learner travel

6. Learner travel is not provided for in the Bill. What assessment have you made of the potential impact of this Bill on learner travel provision, and what discussions have you had with local authority representatives on these matters?

## Delivery capacity and expertise

7. TfW is not referenced in the Bill, although it is expected to undertake operational delivery of many of the provisions. Could you outline which powers, duties, and functions conferred on Welsh Ministers will be exercised by TfW, and which will remain with Ministers and civil servants?
8. Can you provide more detail on how TfW is developing the necessary contractual and franchising expertise to deliver the reforms set out in the Bill?
9. You highlighted the important role of local authorities. To what extent have local authorities been involved in the development of the proposals? What specific measures are being taken to retain and enhance their operational capacity?

## Public and stakeholder engagement

10. How will local authorities, the public and stakeholders be consulted on operational details such as timetables, fares, and vehicle quality?

## Permits and contracting

11. How, in practice, would Part 3 of Schedule 1 services be included in the Welsh Ministers' plans under section 18?
12. Can you provide examples of circumstances where Welsh Ministers would rely on the provisions of section 18?
13. Can you provide examples of the further services which might be added using the regulation-making power in section 21(3), and the circumstances where this might be used?
14. You referred to developing incentives to increase patronage. Can you provide more details on these mechanisms and how they will be embedded in contracts?

## Welsh Bus Network Plan

15. You explained the Bus Network Plan will be reviewed regularly. Could you clarify how revisions will be consulted on and communicated, including how public views will be taken into account?
16. Why does section 7(3) set 14 days as the threshold for what constitutes a short-term revision?
17. In relation to section 8(1), when would a revision be considered to have "no more than minor effect," or when would it be "not reasonably practicable" to consult?

## Cross-Border Services

18. How have you engaged with English authorities and stakeholders in the development of section 19?
19. Can you provide further written explanation of the rationale for section 19(5) and particularly how it avoids a risk of circularity?
20. On 7 May your legal advisor outlined how the risk of duplication is avoided as a result of section 19(5) in relation to **an English section 63 service which is cross-border**. How will the risk of duplicating an English section 63 service **which is not cross border and is wholly in England** be avoided in the English part of a Welsh cross-border service if the Welsh Ministers are unable to take account of it?

## Information and Data Sharing

21. Why is the retrospective data access period under section 25(2)(b) limited to five years, given the relevance of longer historical trends in service cancellations?

## Local Authority powers

22. What are the practical implications of the new subsidy rules under section 34? How will this change the current subsidy regime in practice?
23. Stakeholders have raised the issue of the Teckal provision in procurement law in relation to this Bill. Can you clarify whether this is a matter the Welsh Government has considered and what conclusions you have reached?

## Employment protections

24. On section 35 and its relation to TUPE and the Pensions Act, how significant do you expect staff transfers to be, and how does section 35 ensure adequate protection for staff?

## Clarity of legislation

25. You noted that amendments to the Transport Act 2000 will be brought forward at Stage 2. What will these amendments seek to achieve, and will you ensure there is no duplication or conflict with existing local authority powers?

The Committee would appreciate responses to these questions by **13 June 2025**, to support our ongoing scrutiny of the Bill.

Yours sincerely,



Llyr Gruffydd MS,

Chair, Climate Change, Environment and Infrastructure Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.