

Huw Irranca-Davies MS  
Chair  
Legislation, Justice and Constitution Committee

31 March 2022

Dear Huw

### Supplementary Legislative Consent Memoranda on the Building Safety Bill

As you'll be aware, the Supplementary Legislative Consent Memoranda (No.3 and No.4) on the Building Safety Bill were remitted to the Local Government and Housing Committee for scrutiny. You'll be aware that we also considered the LCM and SLCM (No.2) in the autumn term of 2021.

Our report on the LCM and SLCM (No.2) was published on 15 December 2021 and we wrote to you on 17 December 2021 to highlight the concerns raised by some Members during our consideration, and asked that you consider these concerns in relation to your work on LCMs.

We considered the SLCM (No.3) and SLCM (No.4) at our meetings on 9 February and 9 March respectively and published our report on these supplementary legislative consent memoranda on 29 March. At the 9 March meeting, we agreed to write to you to further emphasise our concern about the limited scrutiny available when considering legislative consent memoranda compared with primary legislation. Following this, we learned that a further supplementary legislation consent memorandum, (No. 5), would be laid ahead of the reporting deadline and debate on 29 March. You'll be aware that this was subsequently laid on 25 March. We were therefore not able to consider the SLCM (No. 5) at our meeting on 23 March, but discussed the matter and agreed that it was disappointing that there wouldn't be sufficient time to consider the SLCM.

With the number of legislative consent memoranda that have been laid by the Welsh Government since the first LCM in July 2021, the changes to the legislative framework in Wales are substantial and

as a Committee we agree that this is significant legislation that hasn't been subject to detailed scrutiny. In our report published on 15 December 2021, we said that the Minister for Climate Change had responded to some Members' concerns about using provisions in a UK, rather than Senedd, Bill, by highlighting the "expedient and timely" nature of using legislative consent memoranda rather than primary legislation. However with the number of further supplementary consent memoranda that have been laid since the first LCM, we are unconvinced by this earlier assertion from the Minister.

I would be grateful if your Committee could take these concerns into consideration in any communications with the Llywydd and the Welsh Government in relation to your own work on the use of LCMs and SLCMs.

Yours sincerely

A handwritten signature in black ink that reads "John". The letters are cursive and fluid.

John Griffiths MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.