

Huw Irranca-Davies MS  
Deputy First Minister and Cabinet Secretary for Climate Change  
and Rural Affairs

14 January 2025

Dear Huw,

### Legislative Consent Memoranda on the Water (Special Measures) Bill

Yesterday we considered Memorandum No 4 and Memorandum No 5 on the Water (Special Measures) Bill, as well as our draft report.

We understand from today's Business Committee that the debate on the legislative consent motion is now being brought forward to 21 January, from 28 January.

Ahead of the debate, we would like to give you advance notice of two recommendations, which both involve the Welsh Government laying a further supplementary legislative consent memorandum.

First, in paragraph 47 of Memorandum No 3, which covers amendments to extend clause 2 to Wales, you state that:

*"The amendments proposed by the UK Government do not change my view of the requirement for consent for those clauses they amend. This is due to those clauses relating to a devolved matter, namely the water industry."*

However, in paragraph 12 of the first Memorandum, you note that clause 2 does not apply to Wales and agree with the UK Government that consent is not required. We are therefore intending to recommend that you consider laying a supplementary legislative consent memorandum to make it clear that the Senedd's consent is being sought for clause 2 of the Bill.

Secondly, we are also intending to recommend that you should lay a supplementary legislative consent memorandum in which you withdraw the statement that “Water is an inherently cross-border issue” (paragraph 14 of the Memorandum) and instead provide a more accurate narrative of the Welsh Government’s position as regards its 2015 water strategy.

We are finalising our report and will aim to lay it as soon possible before the debate takes place and in line with the revised deadline of 20 January set by the Business Committee this morning.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges  
Chair