

The Rt Hon Elin Jones MS
Llywydd
Chair, Business Committee

17 February 2025

Dear Llywydd,

Legislative Consent Memorandum No. 6 on the Water (Special Measures) Bill

In our committee meeting this afternoon, we discussed a Supplementary Legislative Consent Memorandum ([Memorandum No. 6](#)) on The Water (Special Measures) Bill.

You will be aware that the Senedd agreed a legislative consent motion for the Bill on [21 January 2025](#).

Memorandum No. 6 was laid before the Senedd on 31 January 2025 by Huw Irranca-Davies MS, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs (the Cabinet Secretary). At paragraph 13 the Cabinet Secretary states:

"The UK's Government's view is that amendments to Clauses 10 and 15 require legislative consent from the Senedd. I agree with this assessment."

Paragraph 18 closes by saying:

"Therefore, I recommend that the Senedd supports the proposals and gives its consent."

However, in his [letter](#) to us of 11 February 2025, responding to our report on the previous five memoranda, the Cabinet Secretary said:

"Regrettably, given the scheduling of the Bill we do not expect there to have time to hold a further Senedd debate ahead of the anticipated Royal Assent date."

We note that Standing Order 29.2 states:

29.2 A member of the government must lay a memorandum ("a legislative consent memorandum") in relation to:

(...)

(iii) any Bill introduced into the UK Parliament that, by virtue of amendments:

(a) agreed to; or

(b) tabled by a Minister of the Crown or published with the name of a Minister of the Crown in support,

in either House, makes (or would make) relevant provision for the first time or beyond the limits of any consent previously given by the Senedd, normally no later than two weeks after the amendments are tabled or agreed to.

We believe that, having laid Memorandum No. 6, the Welsh Government should be tabling a motion to enable a debate on that Memorandum.

In our view, there are important matters of public policy that require clarification from the Welsh Government and a debate on the floor of the Senedd is the appropriate place for that clarification to be provided.

Moreover, there are matters of principle and constitutional propriety relating to the legislative consent process that are relevant, including matters of concern that we have following the Cabinet Secretary's letter of 11 February 2025.

Given the urgency in drawing this issue to the attention of the Business Committee, we apologise that our letter is being sent in English only.

I am copying this letter to the Cabinet Secretary.

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 stroke.

Mike Hedges

Chair