

**Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol
Constitutional and Legislative Affairs Committee**

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Alun Davies AM
Minister for Natural Resources and Food
Welsh Government
5th Floor
Tŷ Hywel
Cardiff Bay

2 July 2013

Dear Minister

Legislative Consent Memorandum - Anti-Social Behaviour, Crime and Policing Bill: provisions relating to dogs

1. The Constitutional and Legislative Affairs Committee considered the above legislative consent memorandum in private at its meetings on 10 and 24 June 2013.
2. In our discussions we noted that on 23 November 2012 you consulted on a draft Control of Dogs (Wales) Bill and then on 2 May 2013 issued a statement in which you stated:

“It has become clear to me as I have reviewed this work and have listened to the consultation responses that there may be benefits to working with the UK Government to take forward our proposals on a Wales and England basis. I have reviewed the provisions of the draft Anti-Social Behaviour Bill published by the Home Office and, whilst I accept many of the criticisms made of this draft bill, I nevertheless believe that it may provide a useful vehicle to fulfil our ambitions. To this end I will seek agreement with the Home Office that, if this bill is taken forward, then I will seek regulation-making powers for Wales which will allow us to shape the proposed legislation in such a way as to meet both our objectives and also the wider aims of the Home Office. Therefore I have, for the moment, suspended further work on the Control of Dogs (Wales) Bill.”

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3. In light of your statement and the LCM we would be grateful if you could respond to the following questions:

- (i) Whilst some of the policy objectives that the Welsh Government was seeking to achieve through its Bill could be achieved by the UK Bill, because both Bills have different focuses, it potentially may be difficult for local authorities to take early intervention action under the UK Bill to prevent a dog from becoming dangerous, which is a matter that the Welsh Bill had hoped to address.

Please could you clarify why you believe the approach in the UK Bill to be more appropriate.

- (ii) Please can you explain why the Welsh Bill could not fully achieve your policy objectives and what particular powers are not available to the National Assembly to enable this legislation to be made in Wales?
- (iii) You refer specifically to acquiring regulation-making powers in your statement of 2 May. What is the current position regarding the acquisition of these powers or are they no longer considered necessary?
- (iv) Do you envisage bringing forward any specific Welsh legislation in relation to the control of dogs in the near future?

4. I look forward to hearing from you soon,

Yours sincerely

A handwritten signature in black ink that reads "David Melding". The signature is written in a cursive style with a long, sweeping tail on the final letter.

David Melding AM
Chair