

Elin Jones AM
Llywydd

9 November 2018

Dear Llywydd

Legislative Consent Memorandum (LCM) for the UK Government's Agriculture Bill

On 7 October 2018, the Business Committee referred the LCM for the UK Government's Agriculture Bill to the Climate Change, Environment and Rural Affairs Committee (the Committee) for consideration. The Business Committee set a reporting deadline of 14 December 2018.

Given the historic significance of this Bill and the implications for the future of the agricultural sector in Wales, the Committee has been very keen to hear from the Cabinet Secretary about her intentions for the use of the provisions in the Bill, should the Assembly agree to give consent for the UK Parliament to legislate on its behalf.

The Cabinet Secretary is only available on the 6 December and then, only for one hour, to discuss the wide-ranging provisions. In order to meet the Business Committee's reporting deadline, the Committee will need to prepare, consider, and agree its report on the LCM within 6 working days of the Cabinet Secretary's attendance. The Committee has agreed to ask the Business Committee to extend the timetable for reporting on the LCM by 10 working days, to accommodate the Cabinet Secretary's availability and to give the Committee sufficient time to consider and agree its report and for it to be prepared for publication.

In anticipation of other substantial LCMs being laid in the Assembly, it would be timely to draw to the Business Committee's attention two broader matters in relation to the timetables for the consideration of LCMs.



First, Standing Order 29.1 provides that a member of the government must lay an LCM normally no later than two weeks after a UK Government Bill has been introduced.

The LCM relating to the UK Agriculture Bill was laid more than three weeks after the Bill was introduced in Parliament. Similarly, the UK Fisheries Bill was introduced in Parliament on 25 October. By 8 November, no LCM had been laid in the Assembly, despite two weeks having elapsed since the UK Bill's introduction.

A delay in the laying of an LCM will inevitably mean that time available for Assembly scrutiny is reduced, given that the overall timetable is dictated by the UK Bill's passage through Parliament. It would be useful if the Business Committee could bear in mind compliance with Standing Order 29.1 when determining the timetable for Committee consideration of an LCM.

Of course, there may be exceptions when the two week rule cannot be met. In such cases, it would be useful if the Business Committee could ask the Welsh Government to explain the reasons. This information could help inform the Business Committee's decision on the timetable.

Second, if the Business Committee decides to refer an LCM to a Committee for detailed scrutiny, it would be useful if the Business Committee could seek confirmation that the relevant Cabinet Secretary or Minister are able to make themselves available to appear before the Committee during the reporting period. Preferably, this should occur sufficiently early during the reporting period to enable the Cabinet Secretary or Minister's evidence to inform the Committee's report.

I would be grateful if you could consider the Committee's request for an extension to its reporting deadline and the two broader issues highlighted by the Committee.

Yours sincerely,



Mike Hedges AM

Chair of Climate Change, Environment and Rural Affairs Committee

