

CYPE(6)-16-23 - Papur i'w nodi 4

Y Pwyllgor Llywodraeth Leol a Thai

Local Government and Housing Committee

Elin Jones MS

Y Llywydd

Chair, Business Committee

18 May 2023

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Annwyl Lywydd,

Legislative Consent Memorandum for the Illegal Migration Bill

You will be aware that on 25 April, the Business Committee agreed to invite the Local Government and Housing Committee, the Equality and Social Justice Committee and the Legislation, Justice and Constitution Committee to consider the Legislative Consent Memorandum on the Illegal Migration Bill (the "LCM"), with a reporting deadline of 15 June. The LCM was subsequently also referred to the Children, Young People and Education Committee.

We considered the LCM at our meeting on 11 May. The LCM states that clauses 19 and 20 require consent because they relate to the devolved matter of social care, which is not within the Committee's remit. These clauses could place duties on local authorities in Wales. If passed, the Bill would give the Home Secretary powers to provide or arrange for the provision of accommodation to unaccompanied children who meet certain conditions under the Bill, and to transfer such children from Home Office accommodation into local authority care, and vice versa. Clause 19 enables these provisions to be extended to Wales without the requirement for Senedd consent.

We discussed whether to report on the LCM and decided against doing so, mainly because the provisions of the Bill fall outside of the Committee's remit. Even though the Bill enables provisions to be extended to Wales and by virtue may place duties on local authorities, it would be unreasonable for the Committee to consider every UK or Senedd Bill that places duties on, or transfers powers to, Welsh local authorities.

In addition, during our discussions, the Chair of the Children, Young People and Education Committee, who is also a member of our Committee, confirmed that her committee would most likely be undertaking work on the LCM. We also understand that it will be considered by two other

committees: the Equality and Social Justice Committee and the Legislation, Justice and Constitution Committee. On that basis, and for the other reasons outlined above, we have decided not to report on this LCM.

I am copying this letter to the other committees the LCM has been referred to for information.

Yours sincerely

A handwritten signature in black ink that reads "John". The letter 'J' is stylized with a long horizontal stroke that extends to the left.

John Griffiths MS

Chair, Local Government and Housing Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.