



**Northern Ireland  
Assembly**

## **Committee on Procedures**

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**From:** Nick Henry, Clerk to the Committee for Agriculture, Environment and Rural Affairs

**To:** Emer Boyle, Clerk to the Committee on Procedures

**Cc:**

**Date:** 11 October 2021

**Subject:** INQUIRY INTO LEGISLATIVE CONSENT MOTIONS

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Dear Emer,

I write further to your correspondence of 01 October 2021 seeking information from statutory Committees relating to challenges and issues in terms of the management of LCMs.

I detail below some points of issue that you may wish to consider, in respect of the Committee for Agriculture, Environment and Rural Affairs' (AERA) experience in recent months:

- The AERA Committee received notice of LCM pertaining to the Environment Bill in February 2020 and subsequently reported its considerations to the Assembly in June 2020 (where consent was granted)
- Following this, there was a protracted progression of the Bill through Westminster due to Covid-19 and other challenges
- In June 2021, approx. one week before summer recess, the Committee was informed of two areas of supplementary consent required following amendments to the Bill proposed via Westminster scrutiny
- It was advised that the Committee should provide its views on these before early September (in advance of anticipated passage of the Bill)

- In reality this provided no viable opportunity for the Committee to undertake any particular scrutiny of these areas requiring additional consent, given the timing of the notification immediately prior to summer recess
- In late August 2021 the Committee was advised of a further proposed amendment put forward by the House of Lords and the Department sought feedback immediately on resumption of the Assembly, again leaving very little time to carry out any effective scrutiny
- The supplementary LCM debate took place on Monday 20 September 2021 and this was supported

Therefore, it is important to acknowledge that the timescales available to statutory Committees to appraise LCMs are fundamentally dependent on (1) the legislative process at Westminster and (2) timely notification from Departments regarding any amendments or measures that require additional consent.

This should be factored in when considering the time afforded to Committees to carry out their scrutiny and any mechanism for providing flexibility in relation to this.

Yours sincerely,

**Nick Henry**

**Clerk, AERA Committee**