

## Agenda Supplement – Legislation, Justice and Constitution Committee

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Meeting Venue:	For further information contact:
Virtual – Video conference via Zoom	P Gareth Williams
Meeting date: 13 November 2023	Committee Clerk
Meeting time: 13.30	0300 200 6565
	<a href="mailto:SeneddLJC@senedd.wales">SeneddLJC@senedd.wales</a>

### Remote – Supplementary Pack

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Please note the documents below are in addition to those published in the main Agenda and Reports pack for this Meeting

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#### 4 Inter–Institutional Relations Agreement

(13.40 – 13.45)

##### 4.2 Written Statement by the Minister for Economy: Meeting of the Inter– Ministerial Group on UK–EU Relations

(Page 1)

Attached Documents:

LJC(6)–31–23 – Paper 19 – Letter from the Minister for Economy, 10  
November 2023

#### 5 Papers to note

(13.45 – 13.50)

##### 5.2 Correspondence from the Deputy Minister for Climate Change to the Chair of the Climate Change, Environment, and Infrastructure Committee: The Environment (Air Quality and Soundscapes) (Wales) Bill

(Page 2)

Attached Documents:

LJC(6)–31–23 – Paper 20 – Letter from the Deputy Minister for Climate



Change to the Chair of the Climate Change, Environment, and Infrastructure Committee, 9 November 2023

**5.3 Written Statement by the Counsel General and Minister for the Constitution:  
The UK Government's Legislative Programme**

(Pages 3 – 4)

Attached Documents:

LJC(6)-31-23 – Paper 21 – Written Statement by the Counsel General and Minister for the Constitution, 10 November 2023

**9 Infrastructure (Wales) Bill: Draft report**

(14.15 – 15.00)

(Pages 5 – 78)

Attached Documents:

LJC(6)-31-23 – Paper 16 – Draft report



Huw Irranca-Davies MS  
Chair  
Legislation, Justice and Constitution Committee  
Senedd Cymru  
[SeneddLJC@senedd.wales](mailto:SeneddLJC@senedd.wales)

10 November 2023

Dear Huw,

In accordance with the Inter-Institutional Relations Agreement, I wanted to let you know that I attended a meeting of the Inter-Ministerial Group on UK-EU Relations on 11<sup>th</sup> September 2023.

It was held in preparation for the range of UK-EU meetings within the framework of the Trade & Co-operation Agreement scheduled for the remaining months of 2023 and into early 2024.

A further summary of the discussions is outlined in the attached [Written Statement](#), issued to Members.

I am copying this letter to the Chair of the Culture, Communications, Welsh Language, Sport, and International Relations Committee, and to the Counsel General and Minister for the Constitution.

Yours sincerely

**Vaughan Gething AS/MS**  
Gweinidog yr Economi  
Minister for Economy

CC:

Delyth Jewell, MS, Chair of the Culture, Communications, Welsh Language, Sport, and International Relations Committee.  
Mick Antoniw, MS, Counsel General and Minister for the Constitution.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

# Agenda Item 5.2

Lee Waters AS/MS  
Y Dirprwy Weinidog Newid Hinsawdd  
Deputy Minister for Climate Change



Llywodraeth Cymru  
Welsh Government

Our ref - MA/LW/2867/23

Chair  
Climate Change, Environment and Infrastructure Committee  
Welsh Parliament  
Cardiff  
CF99 1SN

9 November 2023

Dear Llyr,

During Stage 2 proceedings, I committed to provide information on support for residents with non-compliant appliances in smoke control areas. This letter provides this information.

In smoke control areas, there is no automatic requirement for households to upgrade their appliance, so people will be able to comply with the smoke control legislation without needing an expensive upgrade. However, there are limitations on what types of solid fuels they can use in these older appliances. There are also options available to local authorities when creating and enforcing a smoke control area. They can choose to make exclusions when creating a smoke control order, such as a type of fireplace or building. I will make clear in guidance that before issuing any fines, I expect local authorities to offer advice and support to help households to comply with smoke control legislation.

There is support available to those who need it the most. The draft [Heat Strategy for Wales](#), which is currently open for consultation, aims to support homeowners with advice and support for the transition to low carbon heat. The new iteration of the Warm Homes Programme will continue to fund measures to support eligible households. Other funding to support the cost of replacing fossil fuel heating systems is available to households in England and Wales via the [Boiler Upgrade Scheme](#).

Please note this letter has been copied to the Chairs of the Finance Committee and the Legislation, Justice and Constitution Committee.

Yours sincerely

**Lee Waters AS/MS**  
Deputy Minister for Climate Change

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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**WRITTEN STATEMENT  
BY  
THE WELSH GOVERNMENT**

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**TITLE**        **The UK Government’s Legislative Programme**

**DATE**        **10 November 2023**

**BY**            **Mick Antoniw MS, Counsel General and Minister for the  
Constitution**

On 7 November 2023, His Majesty the King formally opened the new session of the UK Parliament and outlined the UK Government’s proposed legislation for the new session.

Further information on the content of the King’s Speech was subsequently made available in a [publication](#) from the Prime Minister’s Office. The Secretary of State for Wales issued a [written statement](#) on 8 November setting out the Bills intended to extend and apply to Wales.

Prior to the King’s Speech, the UK Government provided Welsh Government with a list of indicative topics likely be legislated on in the new Parliamentary Session, and varying forms of engagement have taken place at official level on a range of the potential areas of legislation.

The last Parliamentary session resulted in several Acts of Parliament being passed on devolved matters without the consent of the Senedd, showing a lack of respect for the will of the Senedd and the Sewel Convention as reflected in section 107(6) of the Government of Wales Act 2006. I have made clear to UK Government Ministers that that approach must not continue, and I take some encouragement from the improved engagement we have seen on this new legislative programme to date.

Our fundamental position remains that primary legislation in devolved areas should be enacted by the Senedd. However, the Welsh Government also remains of the view that there can be circumstances when it is sensible for provision, which is in the Senedd’s legislative competence, to be included in UK Parliamentary Bills, with the explicit consent of the Senedd. The Minister for Climate Change has recently written to the Legislation, Justice and Constitution Committee and the Local Government and Housing Committee to outline our work with UK Government to outlaw blanket “no DSS” and “no Children” practices in

residential lettings in Wales. The First Minister also confirmed in Plenary our engagement with UK Government on proposals for leasehold reform. We will continue to work with UK Government where doing so is consistent with our principles.

Six of the Bills mentioned in the King's Speech and supporting documentation are carried over from the last session. We have already laid legislative consent memoranda in relation to three of those — the Data Protection and Digital Information (No.2) Bill, the Economic Activity of Public Bodies (Overseas Matters) Bill and the Victims and Prisoners Bill. We will continue to engage with UK Government to ensure the devolved interests and concerns in relation to each of those Bills are addressed.

I look forward to sharing further information about relevant Bills when it is possible to do so, and to working with the Senedd on legislative consent processes throughout this new Parliamentary session.

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