

Agenda – Climate Change, Environment, and Infrastructure Committee

Meeting Venue:

For further information contact:

Video Conference via Zoom

Marc Wyn Jones

Meeting date: 15 July 2021

Committee Clerk

Meeting time: 10.30

0300 200 6565

SeneddClimate@senedd.wales

Private pre-meeting: Informal (10.00–10.30)

In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.senedd.tv.

Public meeting (10.30–10.35)

1 Introductions, apologies, substitutions and declarations of interest

(10.30)

2 Remit of the Climate Change, Environment and Infrastructure Committee

(Pages 1 – 2)

Attached Documents:

Paper: Remit of the Climate Change, Environment and Infrastructure
Committee



3 Paper(s) to note

3.1 The Welsh Government's priorities for climate change, environment and infrastructure

(Pages 3 – 4)

Attached Documents:

Correspondence in relation to the Welsh Government's priorities for climate change, environment and infrastructure from the Chair to the Minister and Deputy Minister for Climate Change

3.2 Legislative Consent Memorandum for the Environment Bill

(Pages 5 – 7)

Attached Documents:

Correspondence in relation to the Legislative Consent Memorandum for the Environment Bill from the Chair to the Llywydd

Response from the Llywydd to the Chair's letter in relation to the Legislative Consent Memorandum for the Environment Bill

4 Motion under Standing Order 17.42 (ix) to resolve to exclude the public from items 5 and 6 of today's meeting

(10.35)

Private meeting (10.35–11.30)

5 Discussion on early business and future work planning

(Pages 8 – 13)

Attached Documents:

Paper: The Committee's early business and strategic planning

6 Consideration of the Legislative Consent Memorandum for the Environment Bill

(Pages 14 – 78)

Attached Documents:

Research brief

Legal note

Public meeting (11.30–12.30)

7 Legislative Consent Memorandum for the Environment Bill: scrutiny of the Minister for Climate Change

(11.30–12.30)

(Pages 79 – 86)

Julie James MS, Minister for Climate Change

Bernadette Payne, Legal Services

Eifiona Williams, Head of Water

Howard Davies, Circular Economy Manager

Jayne Anstee, Waste Regulation Policy Manager

Olwen Spiller, Head of Environment Quality

Attached Documents:

Briefing paper

8 Motion under Standing Order 17.42 (vi) to resolve to exclude the public from item 9 of today's meeting

(12.30)

Private meeting (12.30–13.00)

9 Consideration of evidence received under item 7 and discussion on next steps in relation to the Legislative Consent Memorandum for the Environment Bill

Committee Remit

July 2021

Purpose

1. The paper sets out the remit and responsibilities of the Climate Change, Environment and Infrastructure Committee.

Recommendation

2. The Committee is invited to note its remit.

Background

3. The rules and procedures of the Senedd are laid out in Standing Orders. Standing Order 16.1 requires the Senedd to establish committees with power within their remit to:

"(i) examine the expenditure, administration and policy of the government and associated public bodies;

(ii) examine legislation;

(iii) undertake other functions specified in Standing Orders; and

(iv) consider any matter affecting Wales."

4. In doing this, the Business Committee has to ensure that every area of responsibility of the Welsh Government and associated public bodies, and all matters relating to the legislative competence of the Senedd and functions of the Welsh Ministers and of the Counsel General, are subject to committee scrutiny.

Committee remit

5. The remit of this Committee, as agreed by the Senedd on 23 June 2021, is:

"to examine legislation and hold the Welsh Government to account by scrutinising its expenditure, administration and policy matters, encompassing (but not restricted to): climate change policy, the environment, energy; planning; transport, and connectivity."



Climate Change, Environment and Infrastructure Committee

Julie James MS,
Minister for Climate Change

Lee Waters MS,
Deputy Minister for Climate Change

2 July 2021

Dear Minister and Deputy Minister

Welsh Government priorities in relation to climate change, environment and infrastructure

I would like to offer my congratulations to you both on your appointments to key Ministerial roles in the Welsh Government. The policy areas within your portfolios present some of the most significant challenges of our time for Wales and the planet.

You will be aware that I was elected as the Chair of the Climate Change, Environment and Infrastructure Committee on 29 July. Although it is yet to be fully established, I expect that the Committee will start its work in the 6th Senedd by determining its initial priorities. This will be informed by consultation and discussion with stakeholders and experts.

I believe it is important that this work is informed by your priorities as Ministers. I would be grateful if you could provide the Committee with information in writing as soon as possible about your priorities for the next 12-18 months across your portfolios. In particular, I would be grateful for an update from you on your ambitions and plans for COP26. Our predecessor Committee recommended that we should prioritise work on the next Low Carbon Delivery Plan. I would be grateful if you would confirm when you expect the plan to be published and give a commitment to share a draft of the plan with the Committee.



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Ideally, this information should be provided in advance of the Committee's meeting in the week commencing 12 July. If this is not achievable, I would be grateful to receive the response as soon as you are able to provide it after that date. I expect that the Committee will wish to invite you to attend a meeting of the Committee early in the autumn term to discuss your priorities in person.

There is an urgent need to take significant action on climate change and biodiversity loss. As Ministers at this time, you shoulder a great responsibility. You will be required to make difficult decisions that might sometimes be unpopular. I hope that, as a Committee, we can work constructively with you to ensure that the Welsh public can have confidence that such decisions have been scrutinised effectively and thoroughly in the Welsh Parliament.

I hope that this exercise will be the start of a productive dialogue between the Committee and you both. I look forward to working with you during this Senedd term.

Regards,



Llyr Gruffydd MS
Chair, Climate Change, Environment and Infrastructure Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Climate Change, Environment and Infrastructure Committee

Elin Jones MS
Y Llywydd and Chair of the Business Committee
Welsh Parliament

2 July 2021

Dear Llywydd

Legislative Consent Memorandum in relation to the Environment Bill

I understand that the Business Committee decided on 29 June to refer the Legislative Consent Memorandum (LCM) in relation to the Environment Bill to the Climate Change, Environment and Infrastructure (CCEI) Committee for scrutiny.

The Business Committee has agreed a reporting deadline of 13 September and the Welsh Government plans to hold a debate seeking the Senedd's consent on the following day. This curtailed timetable of two full sitting weeks would be unreasonable under normal circumstances. It is even more so, given that the Business Committee is yet to agree and bring forward motions for the election of members of the Committee, and is yet to agree a timetable for committee meetings.

The LCM process involves the Senedd being asked to agree that the UK Parliament should legislate on its behalf in devolved areas. The Business Committee should not need to be reminded of the significance of this process and of the need for adequate scrutiny of any such proposals. I understand that the scrutiny timetable needs to take account of the passage of a Bill through the UK Parliament. However, the Business Committee should not start the 6th Senedd term by undermining the scrutiny process it is meant to facilitate and support.

I would be grateful if the Business Committee would reconsider the scrutiny timetable in its next meeting. If the Business Committee is unable to agree an extension to the timetable, it



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should at the very least seek a commitment that the Minister for Climate Change will attend a meeting of the CCEI Committee before the summer recess so that the proposals can be scrutinised. This, of course, is subject to the Business Committee fully establishing the Committee and agreeing a timetable of committee meetings.

Finally, setting a reporting deadline one day before the planned Plenary debate makes it very difficult for the Welsh Government to respond to the Committee's report and any recommendations within it in a meaningful way. I would be grateful if the Business Committee would seek a commitment from the Trefnydd that a response to the Committee's report will be made available to the Senedd in advance of the debate on the LCM.

I look forward to your response.

Regards,

A handwritten signature in black ink, appearing to read 'Llyr', is centered on a light yellow rectangular background.

Llyr Gruffydd MS
Chair, Climate Change, Environment and Infrastructure Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Llyr Gruffydd MS

Chair, Climate Change, Environment and Infrastructure Committee

7 July 2021

Dear Llyr

Legislative Consent Memorandum in relation to the Environment Bill

Thank you for your letter of 2 July 2021 in relation to the timetable for the LCM on the Environment Bill, which Business Committee discussed at its meeting of 6 July. The Trefnydd confirmed that the Minister for Climate Change has received the request to attend the Climate Change, Infrastructure and Environment Committee before summer recess, and will reply in due course.

Business Committee is aware that the timetable for the LCM is shorter than usual but we understand this is a direct result of the UK Parliamentary timetable for the Bill. The Trefnydd informed Business Committee that the government is currently awaiting a response from the Secretary of State for Agriculture, Fisheries and Food on a request to reschedule the Lords Third Reading in order to give more time for scrutiny in the Senedd.

The government has also extended the time for the LCM debate on 14 September to 45 minutes, and the Trefnydd stated that the Minister will respond to the committees' recommendations during the debate.

Yours sincerely



Elin Jones MS

Y Llywydd and Chair of the Business Committee



Agenda Item 5

By virtue of paragraph(s) vi of Standing Order 17.42

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Agenda Item 6

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