

Agenda – Culture, Communications, Welsh Language, Sport, and International Relations Committee

Meeting Venue:	For further information contact:
Video Conference via Zoom	Lleu Williams
Meeting date: 13 October 2021	Committee Clerk
Meeting time: 09.30	0300 200 6565
	SeneddCulture@senedd.wales

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

Registration and pre-meeting

(09.00–09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Future of public service media: Ofcom

(09.30–10.10)

(Pages 1 – 22)

Elinor Williams, Head of Regulatory Affairs in Wales

Research brief

Break

(10.10–10.20)

3 Future of public service media: Public service broadcasters

(10.20–11.20)

Rhuanedd Richards, Director of Programmes and Services, BBC Cymru Wales

Phil Henfrey, Head of News and Programmes, ITV Cymru Wales



Owen Evans, Chief Executive, S4C

Break

(11.20–11.30)

4 Future of public service media: Academics

(11.30–12.20)

Caitriona Noonan, Cardiff University

Hywel Wiliam, Chair, Ofcom Advisory Committee for Wales

Ruth McElroy, Ofcom Advisory Committee for Wales

Gareth Williams, TAC

5 Papers to note

(12.20)

5.1 Letter from the Chair of the Culture, Communications, Welsh Language, Sport and International Relations Committee to the Llywydd regarding a request for additional meetings

(Pages 23 – 24)

5.2 Letter from the Minister for Economy to the Chair of the Culture, Communications, Welsh Language, Sport and International Relations Committee regarding Border Control Posts

(Pages 25 – 39)

5.3 Letter from the Deputy Minister for Arts and Sport, and Chief Whip to the Chair of the Culture, Communications, Welsh Language, Sport and International Relations Committee regarding the impact of the sale of Bad Wolf

(Pages 40 – 42)

5.4 Letter from the Chair of the Culture, Communications, Welsh Language, Sport and International Relations Committee to the First Minister regarding Ministerial scrutiny of international relations

(Pages 43 – 45)

5.5 Letter from the Chair of the Culture, Communications, Welsh Language, Sport and International Relations Committee to the Minister for Education and

Welsh Language regarding an update on the progress of support for the Welsh language

(Pages 46 – 48)

5.6 Letter from the Chair of the Culture, Communications, Welsh Language, Sport and International Relations Committee to the Welsh Language Commissioner regarding support for the Welsh language and annual scrutiny

(Pages 49 – 51)

6 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of this meeting

(12.20)

7 Private debrief

(12.20–12.30)

Document is Restricted

Elin Jones MS

Llywydd

Chair of Business Committee

1 October 2021

Request for additional meetings

Dear Elin,

I am writing to you on behalf of the Committee to ask that Business Committee considers a request for additional meeting time this term.

Business Committee will be aware of the previous concerns raised by the Committee - that a single morning slot every fortnight will not allow it to cover the breadth and depth of the issues facing the organisations and individuals within its portfolio. Along with Draft Budget and pre-appointment scrutiny commitments and, given the size of the Committee's remit, the Committee would not be able to complete its planned work with each sector within its remit before March 2022. It is concerning to the Committee that it requires this amount of time to complete work that would normally have been completed within a half term period.

The Committee's initial meetings with representatives from each sector are necessary to investigate the impact of the COVID-19 pandemic and Brexit on their work. The Committee are also inquiring about stakeholders' priorities for the Welsh Government's Draft Budget to be published in December. As these matters are time sensitive, the Committee needs to complete these sessions sooner rather than later. On that basis, the Committee wishes to request the following additional meeting slots during the mornings of the following dates:

- Wednesday 20 October 2021 (during protected week)
- Thursday 18 November 2021
- Wednesday 15 December 2021 (during protected week)

It should be noted that no Committee Members have other committee meetings on the Thursday of its quiet week. The majority of Members do not have clashes with the dates requested by other committees in protected weeks.

The Committee would be grateful for Business Committee's consideration of this matter at its earliest convenience.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Delyth Jewell'.

Delyth Jewell MS

Chair

Culture, Communications, Welsh Language, Sport and International Relations Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Ein cyf/Our ref VG/0596/21

Paul Davies MS
Chair, Economy, Trade, & Rural Affairs Committee

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

Delyth Jewell MS
Chair, Culture, Communications, Welsh Language, Sport, and International Relations

4 October 2021

Dear Chair,

As a direct result of leaving the EU, the UK Government's Border Operating Model requires all Sanitary and Phytosanitary goods entering the UK to be subject to checks at designated Border Control Posts (BCPs). Without these checks, food, plants, products of animal origin and live animals will not be able to enter from the Republic of Ireland to the UK via Welsh ports.

The UK Government introduced the policy for government to provide BCPs where ports do not have the capacity to accommodate the new infrastructure within their curtilage. This applies to a number of ports throughout the UK, including Dover and the Channel Tunnel in England; Holyhead, Pembroke Dock and Fishguard in Wales; and Cairnryan in Scotland. Welsh Government inherited the delivery in Wales late in 2020.

Delivering BCPs for Welsh ports is one of the largest and most complex infrastructure delivery programmes Welsh Government is engaged in. It forms a significant financial and delivery commitment which is over and above the existing settlement from UK Government. It therefore features in the Welsh Government's Spending Review bid to HM Treasury for the necessary funding to deliver this vital infrastructure for the long term prosperity and connectivity of the Welsh and wider UK economy.

Accompanying this letter are three documents with the aim of providing you with an overview of BCP requirements and delivery progress in North and South West Wales. The briefing pack includes:

- A background briefing note setting out why BCPs are required and their function.
- A technical briefing on progress and high level cost estimates.
- A copy of the recent written statement from Lord Frost on unilateral changes to border control dates relating to Sanitary and Phytosanitary goods.

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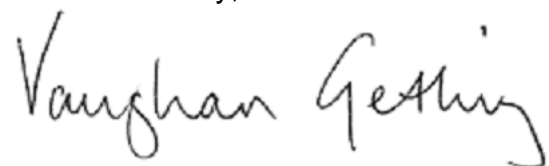
Gohebiaeth.Vaughan.Gething@llyw.cymru
Correspondence.Vaughan.Gething@gov.wales

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.

I hope this is helpful and I would be pleased to discuss it with you.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

Vaughan Gething AS/MS

Gweinidog yr Economi

Minister for Economy

Border Control Posts in Wales

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Welsh Government

United Kingdom's Border Operating Model:

The Border Operating Model (BOM), published in June 2020 and revised in July 2021, outlines the UK Government's border arrangements for imports and exports following the UK's exit from the European Union and the end of the transition period.

Part of the BOM consists of 'additional requirements' for certain goods. These relate to a number of devolved responsibilities, such as Sanitary and Phytosanitary (SPS) controls. In this case, various checks are being introduced to protect bio-security: to protect animal and public health, and animal welfare and to control disease, such as animal diseases and invasive plants.

The additional requirements for imports are to be implemented according to a phased approach, to allow time to establish necessary infrastructure at points of entry (POEs) to Great Britain (GB). The measures will be introduced for a variety of goods in three distinct stages separated by about 3 months each.

The border is a confluence of devolved and reserved functions, multiple agencies, new infrastructure and systems, and new capabilities. The Border Operating Model does not apply to Northern Ireland where separate arrangements are in place.

Key Stages for the Introduction of Border Checks:

- The requirement for pre-notification of agri-food imports will be introduced on 1 January 2022 as opposed to 1 October 2021.
- The new requirements for Export Health Certificates, which were due to be introduced on 1 October 2021, will now be introduced on 1 July 2022.
- Phytosanitary Certificates and physical checks on SPS goods at Border Control Posts, due to be introduced on 1 January 2022, will now be introduced on 1 July 2022.

What is a Border Control Post?

A Border Control Post (BCP) is an inspection post designated and approved in line with retained EU legislation for carrying out checks on animals, animal products, plants and plant products arriving from third countries at the GB border. These checks are carried out to protect animal and public health, and animal welfare and control disease.

Live animals, animal products, plants, plant products and wood from the EU will need to enter Great Britain (England, Wales and Scotland) via a border control post (BCP) from March 2022.

This rule already applies to those animals and goods coming from a country outside the EU, sometimes referred to as Rest of World (ROO) trade.

To be designated by the competent authority, BCPs must comply with specific requirements on facilities, equipment and staff. For example, a BCP must have:

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- sufficient number of suitably qualified staff
- premises and facilities appropriate to the nature of volume of consignments,
- equipment to enable the performance of checks, including IT equipment
- access to the service of official laboratories
- arrangements in place to prevent risk of cross contamination and comply with biosecurity standards

These requirements are set out in [Article 64\(3\) of Regulation \(EU\) 2017/625 on official controls \(OCR\)](#).

To comply with biosecurity standards, a BCP must also meet specific requirements for:

- unloading areas
- inspection rooms/areas
- storage facilities
- changing rooms

These requirements are set out in [Commission Regulation 2019/1014](#).

Why is Welsh Government Developing Border Control Posts?

Without appropriate BCP facilities, the relevant type of goods cannot be imported at that port. Not all ports import the full range of SPS goods (for example few ports enable the import of live animals other than pets).

The investment in BCP facilities would normally be a commercial investment decision for ports with the Government's responsibility (UK Government in England and Welsh Ministers in Wales) limited to designating the facilities (ensuring their compliance with the OCR).

The Border Operating Model (BOM) sets out the UK Government's approach to introducing a checking regime for EU SPS goods, including the commitment that, where facilities could not be accommodated within the boundary of the port, inland facilities would be provided by the Government.

This commitment applied to Eurotunnel, the port of Dover, Holyhead, Pembroke Dock, Fishguard and the Scottish port of Cairnryan.

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Where are the EU Facing Ports in Wales?

The ports of Holyhead, Fishguard and Pembroke Dock all accept a range of SPS goods. To be able to facilitate the import of such goods into the United Kingdom from the Republic of Ireland or indirectly from the rest of the EU, BCPs will be required.

As well as the import of SPS goods into Wales, Welsh ports act as gateways connecting the Republic of Ireland to the rest of GB and Europe.

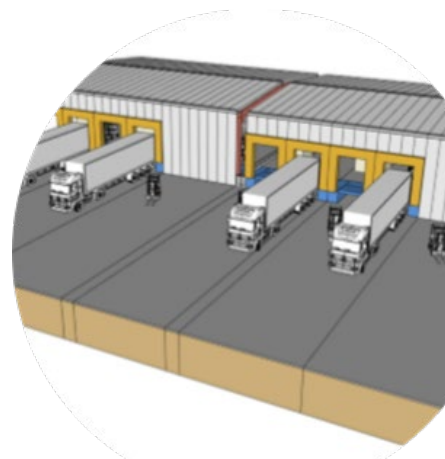
For accompanied Ro-Ro (roll on, roll off) freight Holyhead is second only to Dover, and the 5th busiest in the UK handling 6% of the total UK Ro-Ro freight each year. Holyhead is ranked 1st for accompanied and 4th for unaccompanied Ro-Ro freight traffic when considering just the Irish Sea ports. Pembroke Dock and Fishguard are far smaller, with two ferries each every 24 hours each.



What Does a Border Control Posts Look Like?

A typical BCP will be formed from large modular steel sheds with hydraulic dock levelers for unloading vehicles. It will incorporate internal inspection spaces with temperature-controlled storage and product separation. In addition, it will provide office accommodation and welfare areas for staff.

The Holyhead BCP is expected to handle no more than 25 checks per day, whilst 10 checks per day are expected to be completed for the South West Wales ports. In comparison, the BCP serving Kent ports might check in the region of 400 consignments per day.



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What is Checked at a BCP?

Checks will be conducted on a proportion of the SPS goods entering Great Britain (England, Wales and Scotland) from the EU. SPS goods include live animals, animal products, plants, plant products and wood.

Products of Animal Origin is either:

- **For human consumption:** such as meat, dairy, eggs, fish, honey, composite products such as pizzas, pies etc. Packaged / tinned food. Ambient, fresh (chilled) or frozen food.
- **Animal by-products:** such as feathers, hides, bone, hatching eggs, hay, straw, fertiliser, blood products.

Documentary Checks: these will be a combination of physical and remote checks including elements such as importers details, consignment information, purpose of movement, port information, supporting information (e.g. Export Health Certification), whether or not import is permitted, and any known markers to suggest ID / physical inspection is necessary.

Identity Checks: these include verifying the contents of vehicle match paperwork, customs seal check or more in depth check requirements, and checking the stamps, official marks, official labelling, and / or health / ID marks on the product or its packaging.

Physical Checks: these include checking whether the cold chain has been maintained during transport, wrapping / packing is intact, transport conditions suitable, and, labelling is correct. Organoleptic inspection (smell, colour). Simple physical or chemical tests (e.g) cutting, thawing, cooking). Laboratory tests – microbiology etc. Offsite.

Although documentary checks can generally be carried out remotely, some physical checks will be required, and these will take place at a BCP. These physical checks are expected to cover only a small sample of SPS goods (and vehicles carrying other types of goods will not be subject to checks at a BCP).

The percentages of checks required are derived from the following sources: POAO checks from the OCR; Physical checks and live animals are based on DEFRA's analysis of various commodity types; and, Plants and Plant Products and High Risk Foods are based on Welsh Governments analysis of the commodity types. Checks will be completed largely on commercial traffic, either as single or mixed consignments; however, checks will also take place for pets, breeding stock, showing & event stock.

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Standards are agreed and set at a UK level in collaboration with the various Government administrations and agencies, such as the 4 Chief Veterinary Officers.

Inspection Staff Include:

- Animal and Plant Health Agency (a UK body) check live animals and plants and enforcement within the BCP.
- Local Authority check fish, Products of Animal Origin and High Risk Food and Feed Not of Animal Origin
- Local Authority also undertake ancillary work outside of the BCP (e.g. taking enforcement action)
- Forestry Commission check wood and forestry products
- Centre for Environment, Fisheries and Aquaculture Science (CEFAS) checks ornamental fish.

HM Revenue & Customs – Inland Border Facilities:

HM Revenue & Customs (HMRC) is a UK Government agency with responsibility for customs checks. HMRC already have a presence at the South West Wales ports and is in the process of developing a dedicated Inland Border Facility (IBF) for Holyhead port. The IBF will also accommodate UK Border Force (UKBF) checks.

The IBF is a separate facility to the Holyhead BCP; however, there will be some joint working where multiple checks are required and consignments need resealing by customs officials.

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Context for Welsh Ports:

The Ports in Wales are strategically important both internationally and regionally for commercial and passenger movements. They play a vital role in the movement of communications, people and goods between Republic of Ireland and Wales, England and mainland Europe.

The Ports act as a gateway to the UK National Rail Network and the main highway network, connecting the Republic of Ireland to the rest of the UK and Europe. This is a strategically important means of access between the Republic of Ireland and European Union in high value or time sensitive goods utilising short sea crossings between Dublin – Holyhead and Rosslare – south Wales.

In 2019, there were some 600,000 inbound freight movements from Ireland passing through Welsh ports. Of these, a sixth, some 92,000 movements would be of BCP interest, and thus potentially subject to the new SPS checking regime.

For accompanied Roll on – Roll off freight, Holyhead is second only to Dover, and the 5th busiest in the UK handling 6% of the total UK Roll on – Roll off freight each year. Holyhead is ranked 1st for accompanied and 4th for unaccompanied Roll on – Roll off freight traffic when considering just the Irish Sea ports.

The port of Milford Haven in SWW is the UK's fifth biggest port and the largest port in Wales, accounting for two-thirds of Welsh port traffic. The EU and US are the Port's largest trading partners, with additional imports coming from Qatar and Algeria. Pembrokeshire is a critical link in the UK's energy supply chain, with a cluster of key energy companies including one of the UK's largest refineries. The key businesses in the region include Valero, Shell, Petronas, Puma Energy, Qatar Petroleum, and RWE.

The BCPs will provide capacity for live animals and will be the only capacity for live animals on direct Ireland-UK routes. Welsh, Irish and UK businesses will be reliant on commodities flowing through the ports with wider supply chain impacts if the routes were to be affected.

Without intervention, the ports would not be able to handle SPS goods leading to a shortfall of SPS capacity across the Irish Sea routes, re-routing of volumes on to other routes and a significant reduction or cessation of certain SPS trade between Ireland and GB.

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Llywodraeth Cymru
Welsh Government

Introduction

This document supplements the background briefing note on Border Control Posts (BCP). It provides the current position on BCP design, delivery and funding in Wales as at 10 September 2021.

Holyhead Port

Site:

The Holyhead BCP will be located on Welsh Government owned land at Parc Cybi, Holyhead, some 1.7 miles from the port. The site has already been partially developed as a HGV stacking area as part of the contingency planning for the end of the EU transition period. At 15 acres it provides space for swim lanes, fencing, inspection buildings, offices, parking, sustainable drainage, screening and other environmental mitigations.

Planning:

Planning permission is being sought via Special Development Order (SDO) under section 59 of the Town and Country Planning Act 1990. Planning permission and any conditions are made through a Statutory Instrument (SI). The planning application was submitted to Welsh Ministers on 06 August 2021. A decision is expected later in the year.

Consent is being sought for a Consenting Envelope. The Consenting Envelope sets out the maximum assessed parameters of the development, within which all development will be limited to. The SDO limitations will be designed to mitigate the potential impacts of the development. The Consenting Envelope will ensure that the final design of the BCP does not trigger significant environmental effects, whilst also allowing an appropriate degree of flexibility to accommodate design developments.

The community consultation ran for a period of 21 days from 24 March 2021 until 13 April 2021, whereas technical stakeholders received an extended period. The consultation departed from the Welsh Government policy of allowing a 12-week period. This departure allowed for early engagement with stakeholders and take account of the requirements for checks as set out under the UK Border Operating Model. There is no statutory requirement to consult before making a Special Development Order (SDO).

Welsh Government is currently in the process of developing its response to the community consultation before writing to respondents.

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Designs:

The BCP is a bespoke facility designed to accommodate checks on the full range of SPS on live animals, animal products, plants, plant products and wood from the EU and the possible acceptance of rest of world (ROW) SPS trade.

At 15 acres the site will provide space for swim lanes, fencing, inspection buildings, temperature controlled storage, offices, parking, sustainable drainage, screening and other environmental mitigations.

Concept designs are near complete and Welsh Government is undertaking a BREEAM assessment of the development's environmental, social and economic sustainability performance with a target rate of BREEAM Excellent.

Detailed designs will be developed in conjunctions with the appointed construction Contractor.

Construction:

Welsh Government issued the construction invitation to tender (ITT) on 09 August and it will close on 17 September. The ITT was issued via the North Wales Construction Partnership framework, administered by Denbighshire County Council.

A 2 stage design and build procurement strategy has been selected. The 2 stage approach is structured as follow:

Stage 1 – Contractors design team works alongside Client design team to improve deliverability, programme works, establish supply chain and refine project cost.

Stage 2 – On agreement of project cost established at end of Stage 1, the contract for the construction works will be confirmed and the Contractor will commence site works.

Construction completion is expected in early 2023 with an operational date of approximately mid-2023.

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Fishguard & Pembroke Dock – South West Wales Ports

Site:

Due to the range of facilities required, but relatively low volumes, Welsh Government is exploring the provision of a single facility for South West Wales that would serve both (rival) ferry ports, located some 26 miles apart. Welsh Government do not own suitable sites in South west Wales to accommodate a BCP facility. This means Welsh Government have negotiate the acquisition of land.

A site search process has appraised over 60 sites to date. Both local port and ferry operators, along with the Council and technical stakeholders, have been involved in the site search. A site south of Johnston is currently undergoing more detailed site investigations and we are negotiating the potential purchase with the landowner. The location is equally accessible for both ports and the site has ranked highly in terms of deliverability. However, the final decision on whether to proceed with this site will be subject to continued and rigorous assessment with technical stakeholders and the local community.

Planning:

Planning consent will be secured via a Statutory Development Order (SDO) following the same process as North Wales.

Design:

Based on this throughput, the BCP would consist of approximately 5,500sqm of specialist modern, bespoke buildings and supporting facilities to manage the required checks. This building size would support the continued flexibility of the ports to bring through the different goods, as inspection areas must be segregated – for example, refrigerated space, animal inspection facilities etc. The hard elements of the BCP i.e. the building, parking and access, would approximately equate to 20,000 sqm, or 6 acres in total. It will include managed drainage, parking for staff and inspectors.

The site subject to negotiation for purchase is much larger than what is required to accommodate the proposal providing flexibility to introduce suitable environmental mitigations and landscape buffers between the development and the local community. Concept designs will only start once a site is identified and secured.

Construction:

The procurement strategy for South West Wales has yet to be determined. It is anticipated that a one stage approach could be adopted for South-West Wales predicated on lesson learned from the two stage approach in North Wales, which will accelerate delivery. Construction is expected to complete in Spring 2023 with an operational date of approximately Autumn 2023.

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Funding

Currently:

The Chief Secretary to the Treasury (CST) has agreed in principle the UK Government will fund additional costs associated with the inland sites in 2021-22 via a formal reserve claim. This commitment is for incurred costs that are considered absolutely necessary to the build and includes such as costs which may fall into 2022/23 financial year. Welsh Government will be proceeding with costs at risk within its existing budgets until the settlement is reached with HM Treasury.

The request to UK Government for the BCP construction and operational costs is being made in the 2021 Spending Review. The delivery of BCPs at Welsh ports will be at risk without a commitment from UK Government to fund the full capital and operational cost of developing BCPs. The Spending Review outcome is expected later this year.

The original estimate provided by UK Government in 2020 was £10m to construct a single BCP with operational costs of £3-5m per annum.

Longer Term:

Many ports in England have constructed their own BCP facilities at the port, part funded through Government grants (the Port Infrastructure Fund, PIF). UK Government has constructed some BCPs, including at Sevington in Kent. Longer term, UK Government is examining the appropriate operational and funding model for these facilities, which may have implications for Welsh BCPs. However, nothing has been decided yet and Welsh Government is seeking to influence the outcomes to ensure they are appropriate for the circumstances of our ports.

Summary:

A summary of the latest Infrastructure and Operational cost estimates for North & SW Wales BCP facilities as at 01 September 2021.

	North Wales	South West Wales
Capital	£75m	£63m
Revenue	£16m p.a.	£12m p.a.

*Note figures include contingency for potential interim arrangements.

Context:

Designs for Holyhead remain in the concept phase and South West Wales concept designs are yet to be produced. This mean costs will evolve as detailed designs mature, construction bids are received, and the operational requirements develop.

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Interim Measures

Since Welsh BCPs will not be able to accommodate the UK Government's timetable, a number of contingency options have been considered (there are also a number of English and Scottish BCPs which will not be completed by the original due date). The UK Government's legal assessment has emphasised the need for a coherent GB-wide regime.

UKG is considering the approach and timing. Further announcements will be made in due course by UKG but Welsh Ministers are determined to ensure these are suitable for the needs of our Welsh ports.



Rt Hon Lord Frost CMG
Minister of State
Cabinet Office 70 Whitehall London
SW1A 2AS

Mr Vaughan Gething MS
Minister for the Economy
Welsh Government

14 September 2021

Dear colleague,

BORDER CONTROLS

1. I write to let you know that I am announcing today by Written Ministerial Statement a delay to the introduction of customs and SPS controls on the importation of goods from the EU.
2. Now that we are an independent trading country outside the Single Market and Customs Union, our intention remains to introduce the same controls on incoming goods from the EU as on goods from the rest of the world. The Government announced a timetable for the introduction of the final stages of those controls on 11 March. The Government's own preparations, in terms of systems, infrastructure and resourcing, remain on track to meet that timetable.
3. However, the pandemic has had longer lasting impacts on businesses, both in the UK and in the European Union, than many observers expected in March. There are also pressures on global supply chains, caused by a wide range of factors including the pandemic and the increased costs of global freight transport. These pressures are being especially felt in the agri-food sector.
4. In these circumstances, the Government has decided to delay further some elements of the new controls, especially those relating to Sanitary and Phytosanitary goods. Accordingly:
 - The requirement for pre-notification of agri-food imports will be introduced on 1 January 2022 as opposed to 1 October 2021.
 - The new requirements for Export Health Certificates, which were due to be introduced on 1 October 2021, will now be introduced on 1 July 2022.
 - Phytosanitary Certificates and physical checks on SPS goods at Border Control Posts, due to be introduced on 1 January 2022, will now be introduced on 1 July 2022.
 - The requirement for Safety and Security declarations on imports will be introduced as of 1 July 2022 as opposed to 1 January 2022.
5. The timetable for the removal of the current easements in relation to full customs controls and the

introduction of customs checks remains unchanged from the planned 1 January 2022.

6. The Government will work closely with the Devolved Administrations on the implementation of this new timetable, given their devolved responsibilities for agri-food controls.
7. We will, of course, keep your Committees updated on our progress and preparations throughout the year.

With best wishes,

A handwritten signature in black ink, appearing to read 'J Frost', written in a cursive style.

Rt Hon Lord Frost CMG



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref DB/0598/21

Delyth Jewell MS
Chair
Culture, Communication, Welsh Language, Sport and International Relations Committee
Welsh Parliament
Cardiff Bay
CF99 1SN

5 October 2021

Dear Delyth,

IMPACT OF THE SALE OF BAD WOLF

Thank you for your letter of 23 September 2021 to the Minister for Economy, Vaughan Gething MS regarding the impact of the sale of Bad Wolf. I have responded to your questions below.

During the Committee meeting you noted that over £8.5 million has been paid out against the original £9 million award to the company. Could you confirm how this funding was split between grants or loans?

The £9m agreement with Bad Wolf consisted of a £4.5m repayable advance which could be commuted into grant on achievement of key outputs (initial £54m Welsh spend) and a £4.5m grant, payable on achievement of key outputs (a further £54m of Welsh spend taking the total to £108m). An additional £25m Welsh spend requirement was agreed following the purchase of the studio, taking the total Welsh spend to be achieved in order to satisfy project terms, to £133m. To date, £8.5m has been paid out against the original £9m award, and the company has evidenced a Welsh spend of £127.9m. Under the terms of the agreement, the original £4.5m repayable advance has been commuted to a grant. The remaining Welsh spend claims are currently being verified by officials, with a view to paying the remaining grant balance. It is therefore anticipated that the project will have met all spend targets and conditions of grant by the end of the 2021/2022 financial year.

Does the Welsh Government expect to recoup any outstanding funds, be it in the form of loans or grants, when the sale of Bad Wolf is completed?

The £4.5m repayable advance was subject to interest, which accrued until such time as Bad Wolf achieved the initial £54m in Welsh spend. Bad Wolf reached this £54m target last year, at which point the interest accrued had reached £1.06m. A repayment plan has been agreed, and Bad Wolf are up to date in terms of making regular repayments towards closing

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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.

the balance. Total repayment received to date is £257k. The final instalment is due in August 2025.

Can you provide details of any other current contractual agreements between the Welsh Government and Bad Wolf, and the extent to which these commitments have been fulfilled?

In April 2021, Creative Wales entered a separate agreement outside of the original agreement, to secure the production of the third series of 'His Dark Materials' to Wales. Under the terms of this agreement, Bad Wolf is required to evidence a Welsh spend of £21m to achieve a grant award of £2m. Filming is currently underway, no payments have been made under this agreement as yet.

Can you confirm what arrangements exist, if any, between the Welsh Government and Bad Wolf with regards to the ownership of Wolf Studios Wales? If any arrangements exist, what income has this generated for the Welsh Government in the past five years?

To further support the original Bad Wolf investment and the long term future of Bad Wolf in Wales, the Welsh Government purchased Buildings 1 and 2 Trident Park, Cardiff at a market value of £6.1m (ex VAT), and undertook associated fit out works in order to let the facility on commercial terms to Bad Wolf Studios Wales Ltd (BWSW) for use as a television and film studio. Bad Wolf's lease commenced on 31 March 2017. The terms of the lease are on market terms.

During the Committee meeting, you noted the positive supply chain impact that Bad Wolf has had on the Welsh economy. Could you provide an estimate of the number of direct and indirect jobs created as result of Bad Wolf's operations? Could you also provide an estimate of the total economic impact of Bad Wolf on the Welsh economy?

Bad Wolf has commissioned an economic report, which is expected to demonstrate the impact and growth it has had on the sector. This report is expected to be published in October and will be shared with the Culture, Communication, Welsh Language, Sport and International Relations Committee. As a result of Welsh Government financial support over £133m of production expenditure is projected to have been achieved to the benefit of the Welsh economy.

Can you confirm the amount (both in pounds and as percentage) of Bad Wolf's "below the line" production budget spent in Wales over the last five years?

As of 29 September 2021, £127.9m Welsh spend has been verified to date against grant that has been paid out. Of this total, circa £103.6m (81%) has been determined as 'below the line' spend.

What commitments will you be seeking with any potential owner of Bad Wolf that it will maintain its Welsh operation, including maintaining its operations at Cardiff Bay?

When an announcement is made regarding the new owners of Bad Wolf, Creative Wales officials will seek an early meeting to discuss the new owners' intentions for Wales and plans for the studio. We do not currently have any reason to believe that the sale will mean Bad Wolf exiting Wales.

Do you have any concerns arising from the sale that the potential new owner may choose to move production to other low cost locations or those areas which may provide better funding incentives?

All production is inherently mobile, hence whilst many regions of the UK and across the world offer incentives. However, Bad Wolf has built an industry around itself in Wales, with key suppliers and crew that are trusted to work on its high-end productions and a world class studio facility. The recent announcement that Bad Wolf will be collaborating with Russel T Davies on the next season of 'Doctor Who', also provides some assurances that it will maintain a large proportion of its operations in Wales. Creative Wales already has an attractive incentive through its production funding offer and combined with the UK Tax Credit is competitive, and has been successful in attracting other major studios and productions to Wales, such as Netflix and Disney.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dawn Bowden', written in a cursive style.

Dawn Bowden AS/MS

Dirprwy Weinidog y Celfyddydau a Chwaraeon, a'r Prif Chwip
Deputy Minister for Arts and Sport, and Chief Whip

Mark Drakeford MS
First Minister
Welsh Government

8 October 2021

Ministerial scrutiny of international relations

Dear Mark,

The Committee extends its thanks to the Welsh Government officials who attended its meeting on Wednesday 15 September 2021 to provide Members with a technical briefing. As outlined to officials in the meeting, the Committee would be grateful for further information on a number of matters arising following the session. These are outlined under the relevant subheadings below.

International strategy

The Committee notes that the Welsh Government launched its international strategy in January 2020, at a time when there was a dedicated minister for the subject. The Committee also note that a number of areas previously within the remit of a dedicated international relations minister now sit within your portfolio. Given the length of time that has passed since the strategy was launched and the absence of a dedicated minister for international relations, please could you indicate how international relations and engagement is being coordinated across government?

The Committee also requests the following information in relation to the strategy:

- an outline of the progress made against each action plan as well as how progress will be measured over the course of their lifespan;
- an outline of the budget and resource allocations for the previous and current financial year for the strategy and each of the action plans. Where possible, this information should outline how funding and resources is shared between each of the action plans. If there are also other budgets allocated towards other international activity within Welsh Government, the Committee would be grateful for this information also; and
- an outline of how money spent by the Welsh Government on its international relations work has changed year on year since June 2016.

Overseas offices

You will be aware that in the Fifth Senedd, the Welsh Government provided the External Affairs and Additional Legislation Committee with quarterly performance reports on the activity of its overseas offices. This Committee requests that this arrangement continue during the Sixth Senedd through the publication of an annual report instead of quarterly. To assist the Committee in its scrutiny of the work of the overseas offices, it would be grateful if the report could outline the progress made by each office against the objectives they have been set, as well as the number of staff and budget allocated for each overseas office.

Wales in Europe and priority regional and country relationships

The Committee notes how responsibility for 'Wales in Europe' is a dedicated part of your portfolio and the Programme for Government states that the Government will retain an office in Brussels.

Please could you provide information on:

- if the Welsh Government intends to publish a Wales in Europe strategy reflecting the new UK-EU arrangements; and
- the Welsh Government's current and future engagement with EU institutions.

Covid-19 pandemic

With regards to the Covid-19 pandemic, could you describe:

- how, the pandemic has impacted on the Welsh Government's delivery of the international strategy and its wider international engagement activities; and
- the long term impact of the use of digital engagement on the Welsh Government's communication and engagement with international partners? Related to this, the Committee would also welcome your assessment of the impact of the pandemic on maintaining existing relationships as well as the Welsh Government's ability to forge new relationships.

Other areas

As you will be aware, the Committee has an expansive remit which also includes culture, communication, the Welsh language and sport. As a result, the Committee is eager to explore the role of international relations through the prism of the other portfolios within its remit. The Committee would be grateful if you could:

- outline the short and medium term priorities for international relations within these portfolio areas; and
- provide an update on any assessments of soft power carried out by the Welsh Government, including its participation in any recent or upcoming studies and/or surveys.

Attendance at meetings

The Committee requests an opportunity to discuss the matters outlined above with you. The Committee is scheduled to meet on the following dates:

- 10 November 2021
- 24 November 2021
- 8 December 2021

- 15 December 2021
- 19 January 2022
- 2 February 2022
- 2 March 2022
- 16 March 2022

If none of the scheduled dates are suitable, the Committee can request an additional meeting slot in order to accommodate your availability.

I would be grateful if you could respond to this letter by no later than 5 November 2021.

Yours sincerely,



Delyth Jewell MS

Chair

Culture, Communication, Welsh Language, Sport and International Relations Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Jeremy Miles MS

Minister for Education and Welsh Language

Dyddiad | Date: 8 October 2021

Pwnc | Subject: **Update on the progress of support for the Welsh language**

Dear Jeremy,

Thank you for attending the Culture, Communications, Welsh Language, Sport and International Relations Committee on 29 September to discuss your portfolio. During the meeting you agreed to provide further detail on a number of issues which arose.

Vaccine passports

Please can you update the Committee on the progress in ensuring the COVID Pass is available in Welsh and the electronic process of applying for one is also available bilingually?

Online learning

Please can you provide the figures for the number of people learning Welsh online with the National Centre for Learning Welsh? If available, can you also provide the figures for those using the 'Say Something in Welsh' and 'Duolingo' apps?

Members are concerned about the provision for Welsh learners and speakers where digital access is an issue. In the Welsh Government's **response to the report** on the effects of COVID-19 on Welsh language community groups, you set out a number of actions the Government will take to tackle barriers to accessing digital networks and raising digital skills, in response to the second recommendation on 'Digital Inclusion'. Please can you set out the timetable for delivering these actions?

Community use of Welsh

In the '[Cymraeg 2050 – our plan for 2021 – 2026](#)' action plan published in July, the Welsh Government has committed to:

'Establish and support a commission to strengthen the position of Welsh as a community language.'

Please can you set out:

- The timetable for establishing this group;
- The terms of reference for the group, in particular, its responsibilities towards language planning and promotion;
- The process for appointing membership of this group and what types of background, expertise and experience you will seek from the appointed members;
- How the group will be expected to work with and/or advise the Welsh Government; and
- The criteria for judging the success of the group.

Proposed Welsh Language Education Bill

During the meeting you mentioned the Welsh Government will be bringing forward a Welsh Language Education Bill to 'strengthen statutory frameworks'. Please can you provide the Committee with greater detail on the timing and content of the Bill?

In particular, Members felt that the right to Welsh-medium education can be hard for families to take up without additional support. Can you set out your plans for funding and any additional support for implementing this legislation so that it enables all those who wish to access Welsh-medium education to do so?

Welsh Language Standards Regulations

Thank you for offering to keep the Committee informed of your timetable for introducing Welsh Language Standards Regulations during the Sixth Senedd. You said that this work will be informed by work to better understand how the standards have increased Welsh language usage and challenges faced by organisations that prevent them from providing Welsh-medium services.

Please can you tell the Committee how this work will be carried out and if your intention is that this work will be used to inform the Draft Regulations relating to Welsh language standards for Transport for Wales?

National Eisteddfod for Wales

In your paper to the Committee, you note that the National Eisteddfod was allocated £200,000 from the COVID-19 Response Reserve to 'ensure they have the necessary resources to plan the

2022 and 2023 National Eisteddfodau' and 'support a community and social inclusion pilot project'.

Please can you inform the Committee how this money has been spent and if the organisation has sufficient funds for it to carry out its objectives?

Has there been any discussion with the National Eisteddfod about longer-term funding support beyond the pandemic?

Late immersion provision

Please can you provide further details on the funding to **support school-level late immersion?**

- Which local authorities are currently providing school-level late immersion provision?
- Which local authorities have applied for this additional funding so far?
- What is the process for local authorities to apply for funding? and
- How is the funding being promoted?

Other matters

Finally, I would be grateful if you could provide the Committee with a copy, when published, of your response to the recommendations on the rapid review of the National Centre for Learning Welsh, and your response to the statement by the National Museum Wales and the Arts Council for Wales on the Widening Access Reports?

In order to inform the work of the committee, I would be grateful for a response by 5 November 2021.

Yours sincerely,



Delyth Jewell MS

Chair

Culture, Communications, Welsh Language, Sport and International Relations Committee

Aled Roberts

Welsh Language Commissioner

Dyddiad | Date: 8 October 2021

Pwnc | Subject: **Support for the Welsh language and annual scrutiny**

Dear Aled,

Thank you for coming to the Culture, Communications, Welsh Language, Sport and International Relations Committee on the 29 September 2021, to discuss, amongst other things, your Annual Report and Assurance Report.

During the meeting you agreed to provide further details on issues which were discussed.

Changes to funding for agriculture

You mentioned that you had written to the Welsh Government about proposals for financial support for the farming sector to replace the funding from the common agricultural policy following the UK's exit from the European Union. You said that there are areas of west and north Wales where over 90 per cent of the agricultural workforce is Welsh speaking. In addition, you mentioned that the proportion of small family farms is higher in Wales than the rest of the UK, meaning changes to funding policies need to be managed carefully to avoid any disproportionate effect on Welsh speaking rural communities.

Please can you set out your concerns with the current funding proposals and any potential impact they may have on the viability of the Welsh language? The Committee understands you have arranged to meet the Welsh Government's Minister for Rural Affairs and North Wales, and Trefnydd. The Committee would be grateful for an update of your discussion, if you are content to share this with Members, in order to inform the work on the support for the Welsh language.

International work

Please can you provide more detail on the work you are doing internationally? The Committee would like to know more about the ways in which your organisation is spreading best practice in the support and promotion of minority languages, and any cross fertilisation of ideas from other countries which Wales can learn from. In particular, the Committee would like to congratulate you on your presentation to the Dail in Ireland on the Iaith Gwaith – Working Welsh scheme and its success in increasing the use of Welsh in public bodies. Please can you provide more detail on your discussions with Members and officials in Ireland?

Widening access reports

The National Museum Wales and the Arts Council for Wales published their '**Widening Engagement Research**' in August. This was based on a series of in-depth conversations with stakeholders led by Re: cognition, Richie Turner Associates and the Welsh Arts Anti-Racist Union (WAARU). Those who took part in the work of WAARU reported feelings of being excluded from the sector which were linked to 'the concept of 'Welshness', which they said:

"often disregards Black and Non-Black People of Colour as the 'other' — there is a notion that if you are not white, you cannot be Welsh".

There was concern that the need for public bodies to adhere to Welsh Language Standards in recruitment exercises may have the unintended consequence of putting off people from applying for jobs in the arts and heritage sectors.

In response to a question in the meeting, you advised that you were in the process of adjudicating this matter and would be able to share your comments with the Committee only once your ruling was decided. The Committee acknowledges that you may not be in a position to comment on this matter at present, but it would greatly appreciate hearing your views once you have made an adjudication on this case.

Stepping Forward: Assurance Report 2020-21

Unfortunately, due to time limitations, Committee Members were unable to discuss the Assurance Report you recently published. Please could you provide the Committee with a brief note informing us of:

- what you consider to be the main impact of the pandemic on the ability of organisations to meet their statutory duties to provide Welsh language services and
- any impact on complaint-handling and statutory investigations as a result?

It would also be of interest to the Committee to hear your views on how organisations have adapted to the need to deliver bilingual services digitally at short notice.

The COVID-19 pandemic has changed significantly how many people work, with many staff working in public bodies now working from home. Could you provide the Committee with a broad narrative on how organisations can increase the use of Welsh in the workplace in this changed working environment, and whether organisations are using the resources available to them to develop the workforce's Welsh language skills?

In order to inform the work of the Committee, I would be grateful for a reply to these questions by 5 November 2021.

Yours sincerely,



Delyth Jewell MS

Chair

Culture, Communications, Welsh Language, Sport and International Relations Committee

