

Agenda – Climate Change, Environment, and Infrastructure Committee

Meeting Venue:

Hybrid – Committee room 4 Ty Hywel
and Video Conference via Zoom

Meeting date: 15 June 2022

Meeting time: 09.30

For further information contact:

Marc Wyn Jones

Committee Clerk

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Private pre-meeting (09.15–09.30)

Public meeting

1 Introductions, apologies, substitutions, and declarations of interest

(09.30)

2 Scrutiny of the Minister and Deputy Minister for Climate Change – session 1

(09.30–10.30)

(Pages 1 – 18)

Julie James MS, Minister for Climate Change

Lee Waters MS, Deputy Minister for Climate Change

Attached Documents:

Research brief

Break (10.30–10.45)



3 Scrutiny of the Minister and Deputy Minister for Climate Change – session 2

(10.45–11.45)

Julie James MS, Minister for Climate Change

Lee Waters MS, Deputy Minister for Climate Change

4 Papers to note

(11.45)

4.1 COP15, biodiversity, environmental principles and governance, and Natural Resources policy

(Pages 19 – 24)

Attached Documents:

Response from the Minister for Climate Change to the Chair's letter of 21 April in relation to the Welsh Government's work on COP15, biodiversity, environmental principles and governance, and the Natural Resources Policy

4.2 Energy price crisis

(Pages 25 – 26)

Attached Documents:

Response from the Minister for Climate Change to the Chair's letter of 10 May in relation to the energy price crisis

4.3 Single use plastic

(Pages 27 – 31)

Attached Documents:

Response from the Minister for Climate Change to the Chair's letter of 10 May in relation to single use plastic

4.4 Decarbonisation of housing – additional written evidence following the Committee's meeting on 28 April

(Pages 32 – 37)

Attached Documents:

Additional information from the National Residential Landlords Association in relation to decarbonisation of housing

4.5 Renewable energy in Wales

(Pages 38 – 39)

Attached Documents:

Letter from the Chair to the Chair of the Welsh Affairs Committee, House of Commons in relation to renewable energy in Wales

4.6 Water quality and sewage discharges: Report on storm overflows in Wales

(Pages 40 – 44)

Attached Documents:

Response from Hafren Dyfrdwy in relation to the Committee's recommendations in its report on storm overflows in Wales

Response from Welsh Water in relation to the Committee's recommendations in its report on storm overflows in Wales

4.7 Inter-Ministerial Group for Environment, Food and Rural Affairs

(Pages 45 – 47)

Attached Documents:

Letter from the Minister for Rural Affairs and North Wales, and Trefnydd to the Chair of the Legislation, Justice and Constitution Committee in relation to the 16 May meeting of the Inter-Ministerial Group for Environment, Food and Rural Affairs

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

(11.45)

Private meeting (11.45–12.00)

6 Scrutiny of the Minister and Deputy Minister for Climate Change – consideration of evidence heard under items 2 and 3

7 Consideration of the Committee's forward work programme in relation to its inquiry into decarbonisation of housing

(Pages 48 – 55)

Attached Documents:

Paper – Forward work programme: decarbonisation of housing inquiry

Document is Restricted

Agenda Item 4.1



Llywodraeth Cymru
Welsh Government

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change

Ein cyf/Our ref JJ/00987/22

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

25 May 2022

Dear Llyr,

Thank you for your letter, of 21 April, concerning our work on biodiversity, environmental governance, and the Natural Resources Policy.

I am very happy to assist the work of the Committee and please find my responses to your questions below:

1. Can you clarify whether and how the Welsh Government will be represented at COP15?

We await confirmation of the details of the second part of COP15 later this year. As such, plans for the Welsh Government's representation at the conference are still under development. The way in which Welsh Government is represented will be dependent on the Covid-19 situation in Kunming, China at the time. I hope to update the Committee once plans have been finalised.

2. Can you outline the Welsh Government's ambitions for the post-2020 global biodiversity framework and how it is seeking to influence the outcome of COP15?

Welsh Government supports the framework aims to galvanise urgent and transformative action by Governments and all of society - including indigenous peoples and local communities, civil society, and businesses - to achieve the outcomes it sets out in its vision, mission, goals and targets. We will actively contribute to the objectives of the Convention on Biological Diversity (CBD), its protocols, and other biodiversity related multilateral agreements, processes and instruments.

We have put forward Wales' position strongly to Defra in relation to the latest draft of the 2020 global biodiversity framework (GBF) to inform the development of a UK position. This will inform discussions at the fourth meeting of the Working Group, being held in Nairobi on 21 - 26 June, where the aim is to agree a more finalised text ahead of adoption at part 2 of the COP 15 conference later this year.

Halting and reversing the decline of biodiversity by 2030 will require cooperation at all levels. Biodiversity loss is driven by local, subnational, national, and global factors, so

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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.

responses are also needed at all scales and across all sectors. We are committed to restoring biodiversity for species and habitats in both terrestrial and marine environments.

That is why the focus of the Deep Dive on biodiversity is to guide the programme of work which ensures we meet Target 3 (the '30 by 30' target), as well as other targets outlined in the Global Biodiversity Framework. We want to actively demonstrate that Wales is a globally responsible nation which is prepared to rise to the challenge of the joint nature and climate crises.

3. Can you provide us with an update on progress towards the Deep Dive, including membership of the group who will be taking this work forward?

The first meeting of the Deep Dive was held on 12 May and I am enclosing the Terms of Reference and the Membership of the Core Group as part of this response. We plan to conclude the Deep Dive towards the end of June.

4. You told us officials “have been working with other UK counterparts through the Four Countries Biodiversity Group and JNCC to develop a common set of principles”. Can you provide further details of this work, including the purpose of the common set of principles, and whether and how they will be used to inform statutory biodiversity targets and shape future policy?

Officials work with other UK counterparts through the Four Countries Biodiversity Group and JNCC on areas of shared ambition or common purpose for biodiversity at a UK level; to meet a new transformative agenda; to bend the curve of biodiversity loss; and enable joint working on areas benefiting from cross UK action. These principles are intended to support intergovernmental cooperation and are consistent with, but cannot be a replacement for, the responsibilities and commitments of Welsh Government in devolved policy areas. Work is still underway on the principles and I will share these with the Committee as soon as is practicably possible.

5. We note you have produced guidance on the environmental principles to ensure they are incorporated into policy and decision making across Welsh Government. Can you clarify whether the guidance is publicly available?

The guidance is not currently in the public domain. It is intended for use by internal policy-makers and operational roll-out & training on the guidance is still in progress.

6. Can you provide an indicative timeline for the consultation on proposals for permanent environmental governance arrangements?

Welsh Government remains committed to the establishment of permanent environmental governance measures. A permanent environmental governance body will require primary legislation. An announcement on future years of the legislative programme will be made by the First Minister in due course.

7. Can you provide an update on progress towards reviewing the NRP, including an indicative timeline you are working towards for the publication of a revised NRP?

Our Natural Resources Policy (NRP) sets the priorities for nature-based solutions, renewable energy & resource efficiency and taking a place-based approach. These priorities are still relevant in addressing the biodiversity and climate emergencies. I will however be using the biodiversity deep dive and the recommendations resulting from this to inform the timescale for reviewing the policy.

Yours sincerely



Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change

Biodiversity Deep Dive – Terms of Reference

Purpose

To develop a set of collective actions we can take immediately to support meaningful delivery of the CBD ‘30 by 30’ goal, recognising the capabilities we have in Wales and reflecting our duties under the Wellbeing of Future Generations and Environment Acts.

The ‘30 by 30’ target:

Ensure that at least 30 per cent globally of land areas and of sea areas, especially areas of particular importance for biodiversity and its contributions to people, are conserved through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes.’

The deep dive will consider:

- How can the existing protected site network- land, sea and freshwater (SSSI, NNRs, SACs, SPAs and Ramsar sites including National Parks and AONBs) better deliver 30 by 30?
- How can ‘Other Effective Area-based Conservation Measures’ – ‘Exemplar Nature Recovery Areas be established and contribute to 30 by 30?
- How do we ensure that our protected sites are well connected and integrated into the wider land and seascapes?
- How do we address and reverse the key pressures and drivers of biodiversity loss?
- How do we deliver a programme of action over the next decade? What enablers are needed including resources, and how do we ensure progress is being made through effective monitoring and evaluation?
- Who are the key actors (public, private, voluntary and wider society) and how they all support and engage with delivery of the target?

Membership of the group

The deep dive will involve a small core group of critical thinkers led by the Minister for Climate Change with secretariat provided by Welsh Government. Members have been chosen based on their individual expertise and experience and as such, attendance is not to be delegated without agreement of Welsh Government officials.

Name	Organisation
Ceri Davies	Natural Resources Wales
Sharon Thompson	RSPB Cymru
Richard Unsworth	Project Seagrass and Swansea University
Paul Sinnadurai	Brecon Beacons National Park Authority
Tim Pagella	Bangor University
Philippa Pearson	Dŵr Cymru Welsh Water

Steve Ormerod	Cardiff University – Ecology
Richard Cowell	Cardiff University – Geography and Planning
Katie Medcalf	Environment Systems
Hilary Kehoe	Nature Friendly Farming Network
Mike Elliott	University of Hull - Estuarine and Coastal Science

Additionally, there will be separate focussed meetings covering topics where specific expertise is needed, for example on the marine environment. The outputs from these meetings will feed into the deep dive group, to support them with a broader range of opinions.

Ways of Working

These will be aligned to the Five Ways of Working outlined within the Wellbeing of Future Generations Act.

- Work collaboratively across organisations, and with other stakeholders and roundtable sub-groups;
- In proposing future actions and solutions, take account of relevant evidence and/or identify any key evidence gaps in respect of uncertainties;
- Seek to achieve integrated long-term solutions and take account of the short, medium and long-term consequences of actions; and
- Work with integrity and respectfully challenge each other to consider how we can do things differently/better.
- All outputs and recommendations from this group should be justified by reference to a sound evidence base or draw attention to the limitations of the evidence where this not available.

Timing

The exercise will begin on **12 May 2022**, with meetings taking place at regular intervals until the end of June 2022. The outcomes of the review will be announced in a Ministerial Statement ahead of summer recess.

The group may meet occasionally following this statement if actions are identified which require longer-term work.

Communications

Discussions in the group will take place on a confidential basis and there will be no communications about the outcome of discussions unless first agreed with Welsh Government. Meeting papers are to be treated as Official Sensitive unless stated otherwise and will be normally issued one week in advance of each meeting.

Welsh Government may publish these Terms of Reference at any point. A Written Statement will be published at the conclusion of the deep dive. Notes of each meeting will be circulated to the group but not formally published. Transcripts of each

of the deep dive meetings will be taken for the purposes of compiling meeting notes but will be destroyed shortly afterwards.

Agenda Item 4.2

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA/JH/00831/22

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

24 May 2022

Dear Llyr

Thank you for your letter of 10 May, regarding the inquiry into fuel poverty and the Warm Homes Programme undertaken by the Equality and Social Justice Committee.

I share the concerns expressed by the committee about the impact the energy and cost of living crisis is having on households in Wales. Latest forecasts published in April suggest 45% of all households in Wales could be spending more than 10% of their household income on their domestic energy needs.

The current offer by the UK Government to provide a £200 repayable rebate on energy bills in October will do little to lessen the impact on household budgets. Jane Hutt MS, Minister for Social Justice and I have lobbied for action by the UK Government to support hard pressed families. We have called for:

- Paying the £200 electricity bill rebate as a non-repayable grant to all bill payers;
- Introducing a lower energy price cap for lower income households so they are better able to meet the costs of their energy;
- Increasing the rebate paid through the Warm Home Discount and winter fuel schemes;
- Removing all the social and environmental policy costs from household energy bills and instead meeting them from general taxation, at least part-funded by a windfall tax on the excess profits being made by gas and oil producers;
- Reinstating the £20-a-week uplift to Universal Credit.

I can assure you and the committee we will continue to add our voice to the calls for the UK Government to step up to the mark and fulfil its morale obligations to do more to support households through this crisis.

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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.

Since October, we have committed £380m to a package of measures to support households most in need. More than 200,000 households benefitted from the £200 non repayable winter fuel support scheme this winter and a further scheme will be made available to eligible households this autumn. We are looking at how the scheme can reach more households. More than 330,000 households will also benefit from the £150 council tax rebate currently being processed by Local Authorities in Wales. Additional support is being made available to food banks and payments made to the most vulnerable households through our Discretionary Assistance Fund.

These are measures putting money into the pockets of people who are now struggling to pay for essential day to day living costs. We are working with stakeholders to explore what more can be done to lessen the burden for the winter to come. I recognise, however, these temporary measures do not address the underlying weaknesses in the UK energy sector, which remains reliant on the burning of fossil fuels to meet our energy needs.

Recent events underline how important it is to shift to a more sustainable and resilient energy supply, to ensure continuity and stable prices for consumers and deliver our shared net zero and social justice ambitions. For the last decade the UK Government has failed to put in place sufficient incentives to move to the net zero energy system we need. The UK Energy Security Strategy was published last month, during a cost of living crisis. Despite repeated calls for the UK Government to take action to support those most at risk from high energy prices, the strategy does nothing to support citizens. Instead, it sets out an approach to energy supply which risks locking the UK into continued reliance on fossil fuels and places significant financial burdens on future generations when there are cheaper alternative options for deploying large scale renewable generation. We will continue to scale up investment in renewable energy in Wales and as we do, we will be seeking to maximise the economic and social benefits. This will include how we can directly reduce consumer bills for households in Wales.

Improving domestic energy efficiency remains one of the most effective measures under our control to relieve householders of the cost to maintain a satisfactory heating regime. Since 2010, our Warm Homes Programme has benefitted more than 67,100 lower income households, saving an estimated annual average of more than £300 on their energy bills, based on 2021 values. This year, we have increased the budget to the Warm Homes Programme by £3m to support more households to reduce their energy bills. I opened the public consultation on the next iteration of the Warm Homes Programme on 22 December, which ended on 1 April. I expect our proposals for the next iteration of the programme to be with me in July. I shall of course update the committee with the results on the consultation and our proposed approach when the Senedd returns from the summer recess.

Kind regards



Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change

Ein cyf/Our ref MA/JJ/1805/22

Llywodraeth Cymru
Welsh Government

Climate Change, Environment, and Infrastructure Committee
Legislation, Justice and Constitution Committee
Economy, Trade, and Rural Affairs Committee
Equality and Social Justice Committee

31 May 2022

Dear Llyr,

I am writing in response to a letter of 10 May from the Chair of Climate Change Committee, Environment, and Infrastructure Committee with regards the single use plastic bans and the potential exclusion under the draft Waste and Resources Framework. (**Please see annex A** below).

During 2020, the Welsh Government consulted on plans to introduce regulations to ban or restrict the sale to end users of these commonly littered single use plastic items:

- cutlery (including forks, knives, spoons, chopsticks and sporks)
- plates (including bowls, platters and trays)
- stirrers
- drinking straws
- expanded polystyrene food and drinks containers
- cotton buds
- balloon sticks, and
- items made of oxo-degradable plastics.

Our Programme for Government reiterated our commitment to legislate to abolish the use of more commonly littered, single use plastics. I remain committed to bringing forward such legislation early in this Senedd term.

Regarding the Scottish Government's request for an exclusion under the Common Frameworks Process, under the UK Internal Market Act 2020 (UKIMA), an exclusion requires a Statutory Instrument, which must be laid by the Secretary of State for Environment in the UK Parliament. I have now received a letter from Minister Prentice of the UK Government seeking the formal consent from Welsh Ministers (as required by UKIMA) which I intend to give.

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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.

Any consent would be without prejudice to the ongoing UKIMA litigation. Our position remains that we do not consider UKIMA has the impact on the Senedd's competence that it purports to have. By agreeing to the UK Government exclusions SI, we are not changing this position. I consider that while the litigation is ongoing, there is a need to co-operate and engage on the exclusions process.

Following feedback to our consultation, I also propose to include a ban on the sale of wet wipes which contain plastic and single use plastic carrier bags in the planned legislation. My officials are currently undertaking a rapid evidence review and they are engaging with stakeholders on the inclusion of these additional measures.

I have copied this letter to the Legislation, Justice and Constitution Committee.

Yours sincerely,



Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change

ANNEX A

1. Can you provide an indication of when the provisional Framework for Resources and Waste will be made available for scrutiny and explain the reason for the ongoing delay in its publication?

Answer: It is expected that the Resources and Waste Frameworks will be agreed at official level during the Summer. It is, however, important to note that in order to publish the Framework for scrutiny, portfolio Ministerial clearance will be required from all four Governments.

2. While we acknowledge the request for the exclusion originated from the Scottish Government, it appears the Welsh Government will be relying on the exclusion to progress its proposals to ban SUPs. Can you confirm that this is the case?

Answer: As I outline in my letter above, our position remains that we do not consider UKIMA has the impact on the Senedd's competence that it purports to have, and by agreeing to the UKG exclusions SI, we are not changing this position.

However, I consider that while the litigation is ongoing, there is a continued need to co-operate and engage on the exclusions process.

3. In the absence of the Resources and Waste Common Framework, can you outline the processes for considering and agreeing the exclusion?

Answer: The process followed was as laid out in the UKIMA Exclusions Process previously shared with Committees.

In her letter, the Minister for Rural Affairs, and North Wales, and Trefnydd refers to the Welsh Government's disappointment at the "narrow nature of the exclusion".

4. Can you provide details of the exclusion and explain in what way it is narrower than you and your counterpart in the Scottish Government had hoped for?

Answer: Under the terms of UKIMA, the UK Government has decided to grant a narrow exclusion limited to the items in the Scottish Governments regulations.

The disappointment, which I share with Minister for Rural Affairs, and North Wales, and Trefnydd, is because under the Common Frameworks and UKIMA, any further policy deviation in this policy area will mean a return to the beginning of the exclusion negotiation process, taking time away from the development of the policies themselves.

As I have outlined above, our position is we do not consider UKIMA has the impact on the Senedd's competence that it purports to have. Nevertheless, while the litigation is ongoing, we recognise a need to co-operate and engage on the exclusions process.

The Process for considering UK Internal Market exclusions in Common Framework areas sets out that the four governments are able to engage the dispute resolution mechanism within the relevant Framework if desired.

5. Can you clarify whether the dispute resolution mechanism was utilised with a view to securing a wider exclusion? If not, why was this?

Answer: I can confirm it was used.

6. Can you explain whether and how the “narrow nature of the exclusion” will impact on the scope of the proposed ban on SUPs in Wales?

Answer: As stated above, our position remains that we do not consider UKIMA has the impact on the Senedd’s competence that it purports to have. Therefore, the narrow nature of the exclusion will not impact on any proposed ban of SUPs in Wales.

Under the Act, amendments to the schedules containing exclusions require the approval of both Houses of the UK Parliament. The Secretary of State is responsible for ensuring that draft regulations are put before the UK Parliament. Before making regulations, the Secretary of State must seek the consent of the devolved administrations.

7. What discussions have you had with the UK Government about the timing of draft regulations that will give effect to the exclusion?

Answer: The Scottish Government have already laid regulations banning a list of single use plastic items which come into effect on 2 June 2022. I understand the UK Government intends to lay the SI as close as possible to that date.

8. Can you confirm that you will notify the Senedd when the draft regulations are laid before the UK Parliament?

Answer: Yes, I will prepare a Written Statement.

9. Can you confirm that you will seek the views of the Senedd before deciding on whether to give consent to the Secretary of State making the regulations? If so, can you provide an indication of when this is likely to be and what process you intend to follow?

Answer: Regarding the Scottish Government’s request for an exclusion under the Common Frameworks Process, under UK Internal Market Act 2020 (UKIMA), an exclusion requires a Statutory Instrument, which must be laid by the Secretary of State for environment in the UK Parliament. I have now received a letter from Minister Prentice of the UK Government seeking the formal consent from Welsh Ministers which I intend to give.

I have included other Senedd Committees with a likely interest to this consent in this response.

In September 2021, you told us the Welsh Government's response to the consultation on the proposed ban on SUPs, including next steps, would be published in October 2021. Again, in December 2021, you said the response would be published in January 2022. The response is still to be published.

10. Can you confirm the timing of the publication of the response and explain the reason for the ongoing delay?

Answer: I wish to be able to share detailed plans and an indicative timetable for how I intend to take forward this policy in light of the consultation responses. You will see in my answers above why I have not been able to do that so far.

I anticipate publishing the responses over the summer period.

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith /
Climate Change, Environment and Infrastructure Committee
Datgarboneiddio tai / Decarbonisation of housing
DH04_A

Ymateb ychwanegol gan Cymdeithas Genedlaethol Landlordiaid Preswyl (NRLA)
Additional evidence from National Residential Landlords Association (NRLA)

Inquiry on decarbonisation of housing in Wales – follow up questions

20th May 2022

About the NRLA

1. The National Residential Landlord Association (NRLA) thanks the committee for the opportunity to comment on the delivery of decarbonisation of housing in Wales.
2. The National Residential Landlords Association is the UK's largest membership organisation for private residential landlords, supporting and representing over 95,000 members. The association was created from the merger of the RLA and NLA in April 2020. NRLA members range from full-time landlords running property portfolios to those letting single bedroom flats.
3. We help our members navigate these challenges and proudly offer some of the most comprehensive learning resources and market-leading intelligence available in the sector. We seek a fair legal and regulatory environment for both landlord and tenant and actively lobby the Government on behalf of our members.
4. We thank the committee for the opportunity to answer the following questions.
 1. How suitable are Energy Performance Certificates (EPC) as the metric to chart progress? What alternatives could and should be considered?
 - This depends on what you want to chart progress against. An Energy Performance Certificate (EPC) is designed to measure the potential energy consumption of a property.
 - The EPC is a visual guide that measures the Energy Efficiency Rating (EER) for a property against a set criterion (revised regularly) for example the time it takes to heat a room, based on mains gas as the fuel. The cheapest energy is rewarded: mains gas.
 - The EER looks at a property from a perspective of how little energy is used to heat the property, from insulation to draughts, electricity used to light a room (LED lighting favoured). It can be used to chart progress on the fabric of housing in Wales. It does not

measure actual energy usage. It also does not show how the user of the property conserves energy.

- This metric for the private rented sector is the Minimum Energy Efficiency Standards (MEES) which a landlord must ensure the property reaches a rating of E (EER) or above, or be on the exemption register. It is this that is used when advertising of a property.
- The EER rating is predisposed towards mains gas, as this is the cheapest way to heat a home. It does not support the installation of a heat pump or even off-grid gas which do not. Therefore, a person is penalised against this approach to decarbonise their property. It does not measure usage and does not take into account consumption.
- The Environmental Impact Rating (EIR) is also on the EPC, which measures the potential carbon used to heat or light a room. This again is based on a carbon metric of the grid, rather than actual usage, and makes certain assumptions on grid carbon content. This metric would see a move towards grid electric heating, which has a lower carbon output but is more expensive than gas. This metric would be more useful in measuring carbon consumption in a property than an EER, if focus is on the net zero carbon emissions target.
- The EIR is not currently the legally required metric under MEES, and so is not commonly used to advertise properties.
- EPCs do not take into account other policies such as air quality and mechanical ventilation, which are recognised as increasingly important for occupier health and wellbeing.
- In relation to alternatives, a move to measuring energy consumption in real terms would allow an understanding of what carbon/energy use is in the property. This can be assessed against averages and projections for property types and the number of people living in the property, and a programme can be built on reduction of carbon.
- This would need to be supported by a document e.g. a property passport based on the archetype on what changes can be made to the property and a log of works that have already been completed. This should include the trajectory that the property has to go on to reach net zero.
- A survey of every property in Wales would be required as well as a mechanism to update the information on a regular basis.
- In addition any such approaches would need to consider cost and how it will be paid for by landlords and property owners.

2. What are the potential advantages and disadvantages to continuing an area-based approach to retrofit measures, as with the previous Arbed scheme?

An area-based approach to decarbonisation or energy efficiency retrofit measures would be welcome. However, it must be across tenure with specific measurable outcomes, or it will not support the delivery of the governments aims of net zero.

- A cross tenure approach would also need to address the issue of affordability or lead to delays in achieving net zero. Who funds those that cannot afford works and what is the formula to decide who can afford to undertake the work? Costs would also need to be transparent and competitive, to encourage take up.
- Individual property assessments would need to be undertaken. Currently there is no empirical data on housing but rather best guess or theorisation. It is only from this that a

plan can be derived otherwise it is guess work which could bring additional cost and delay to projects.

- A basic model would have to be built which is transparent and explains all the relevant costs and benefits, of the proposed retrofit. This would be required to gain confidence and buy in from the public. Especially given there is no current need to retrofit owner occupier housing and private rented works within Minimum Energy Efficiency Standards (MEES).
- Any area-based scheme should be focused on measures that could not be done otherwise or would be best delivered at scale in an area.
-
- To not involve all households in a street creates a problem as costs would increase for those having the works. An understanding of all household's willingness to do the works needs to be understood and the works that are required.
- The scheme would also need to be competitively priced if it is to appeal to the private sector, (85% of the housing stock). If it is too complicated or more expensive than privately sourced, then it will not be taken up and alternative methods to hit the target will be required.

3. To what extent is the Welsh Government sharing learning from the Optimised Retrofit Programme more widely with the housing sector, and how this could be improved?

- It is not sharing learning to the private rented sector. The NRLA proposed that part of ORP2 should be used to establish the energy footprint of properties (of all tenures) and behaviours in properties which could then be used for further works based on archetypes and common energy consumption patterns. This could be shared and models developed for how people can make savings. This was not taken forward.
- Optimised retrofit undertakes an assessment of a property and then applying the most appropriate/optimised way to reduce the carbon footprint of the property. It is based on a whole house approach. Outcomes are property specific but can illustrate the challenges or best practice approach for similar properties and approaches.
- As a result, the sharing of information based on archetypes would be useful and this should be in an open-sourced document. This would allow people to know what has worked and what has not worked and would give indicative costings.
- However, consideration must be given to the way that the private rented and owner occupier sectors do not generally work on a whole house approach. Work to improve or maintain the property tends to be incremental as wear and tear or damage demands.
- We would suggest that a mapping exercise of all properties in Wales should be done to understand of the scale of challenges that are being faced and the ability to develop the skills and supply chains to deliver.

4. What are the potential risks of imposing higher energy efficiency standards on private landlords, particularly in light of the current cost of living crisis, and how these can be mitigated?

This is not a devolved power to the Welsh Parliament. The Westminster Government consulted on a change to MEES in 2021 and we await the Government response to the consultation. Attached is the consultation response from the NRLA.

- The proposal to move to an Energy Performance Certificate (EPC) C on Energy Efficiency Rating (EER) or Environmental Impact Rating (EIR) could see many properties leave the sector, especially under the EIR. The costs to do so would make many of the properties uneconomically viable to be rented out. This is based on cost of works against the debt on property and rental yield.
- These proposed changes could potentially see many properties leave the private rented sector as it would not be financially viable to rent out. This would be compounded by the proposed rent cap being introduced. This is specifically around an EIR and the costs associated with bringing the property up to the requirements of the EIR rating against the value of the property. NRLA survey data of landlords in Wales shows that only 39% of landlords expect their properties will meet the new proposed standard. While 62% of landlords will consider selling their properties before 2028.

5. What should local authorities' role be in supporting property owners to improve the energy efficiency of their properties?

- Local authorities have a vital role to play, in supporting the transition to a lower carbon footprint of housing but they need to be adequately funded to undertake the required step change and understand the scale of the challenges.
- Training and understanding the scale of issues in areas is important. A property passport for each property would allow for a baseline to be established about the scale of the challenge and the works that will be required to hit a net zero target. It could also highlight opportunities for future developments such as district heating.
- A survey of all housing in the local area, types, ages, works needed and how funding could be available, will support local businesses to adapt to the changing environment and upskill to meet the potential demand.
- Many landlords and property owners already have their own tradesman and supply chain. Local authorities need to understand how these work and how to support them as they will not look to local government as their first choice for performing works. Particularly if the cost is above typical market rates.
- Support could include identifying and developing trusted traders to deliver works, as well as using trading standards to target those that do not deliver it. The local authorities could also look at measures to improve skills in the local workforce.
- Consideration should also be given to reforming the planning process for some of the works. Using permitted development for pre-approved designs which are open source would allow for more works to be undertaken and cut down delays.
- Local authorities should provide a repository of best practice which property owners can access for retrofit works. This should show the works that are needed and the order to do works based on archetype, age and learning from properties similar to that. This should

come out of the optimised retrofit programme, which is why it should not be limited to social housing. This will involve working with owner occupier, tenants, landlords and social providers in what is possible for areas.

- Finally local authorities have a role to play in supporting behavioural change by supporting owners and tenants on the transition and how to live in properties which have been decarbonised.

6. How can local authorities and housing associations be encouraged to explore alternative methods of financing?

- To hit the target of net zero, local authorities will have to have a paradigm shift in how they approach financing of housing (all tenures). This will include how they approach residents as well as developing and communicating new models to residents to deliver net zero. If the net zero target is to be hit, the current financial approach cannot support the change.
- It will not be one but a blend of all financial products that are available.
- The Development Bank of Wales will need to play a role in the provision of loans and finance to those who cannot afford commercial loans.
- This will include looking at unlocking innovative models such as the regulated asset base, issuing bonds, PACE (property assessed clean energy financing), low cost loans, as well as undertaking securing charges on properties.
- There needs to be an understanding of those that can pay and those that can't pay and what is the mechanism for the person to make changes to the property.
- Financial literacy and understanding of what consumers are buying needs to be clear to prevent mis-selling and poor application of products which will then be negatively perceived in the media, local community and other potential customers.
- A development of oversight of those developing these products to avoid debt mismanagement and mis-selling.
- Where people cannot afford works to be undertaken, what will be the threshold and how will this be calculated. An understanding of costs and risks will be required, especially around repayments and defaults.
- To do this they will have to be guided by government(s) and have a better understanding of risk, and regular reporting by local authorities that is open and transparent.

7. To what extent does the Welsh Government have a clear picture of the skills currently available in Wales, and the skills needed to decarbonise at scale?

- We do not have data on this so cannot specifically comment. Feedback from members does indicate a lack of skilled people to do energy efficiency works however.
- The NRLA has called for property passports/logbooks, to give a clearer understanding of the challenges that the sector is facing. An individual property assessment would allow for a picture to be developed of all housing and works that are required.

8. To what extent do businesses in Wales have the requisite skills to support the challenge of housing decarbonisation. What more should the Welsh Government be doing to encourage the development of green skills?

- The challenge is we do not know what needs to be done. Therefore, the requisite skills will also be an unknown.
- There is an assumption of what the gap is, but there is no hard data. This is why the NRLA has called for property passports/logbooks for every property in Wales, along with a survey of all housing.
- When the regulations are changed/updated the market will adapt and business will upskill and meet the needs of landlords to meet these new standards.

Rt Hon Stephen Crabb MP,
Chair, Welsh Affairs Committee
House of Commons

26 May 2022

Dear Stephen,

Renewable energy in Wales

I understand the Welsh Affairs Committee is currently undertaking an inquiry into grid capacity in Wales. I am therefore writing to share with you Senedd Cymru's Climate Change, Environment and Infrastructure Committee ('the Committee') **Report on renewable energy in Wales**, which was published today.

Our report identifies lack of grid infrastructure as a key barrier to scaling up renewable energy development in Wales. For over a decade, there have been loud and persistent calls for action from both the Welsh and UK Governments to secure improvements to Wales' grid. Despite this, it is still a long way off from being able and ready to support the rapid transition to renewables that the climate emergency demands.

We are aware that the grid is not a devolved matter. Although there are encouraging signs the Welsh Government is taking steps to proactively influence future grid investment, it is only through collaborative working with the UK Government and Ofgem that the improvements so urgently needed will be delivered.

In our report, we call on the Welsh Government to proactively engage UK Government at the highest level to ensure Wales' grid infrastructure requirements are fully understood and met. While we would not wish to pre-empt the findings of your report, we hope you see fit to mirror our calls by encouraging the UK Government to work collaboratively with the Welsh Government on this matter.

We look forward to the publication of your report and would welcome any opportunities for joint-working or cooperation between our two committees, on this and any other matter that falls within our remit. In the meantime, should you wish to discuss the findings of our report, please do not hesitate to contact me.

Yours sincerely,

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.

Agenda Item 4.6

Adroddiad y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith, [Adroddiad ar orlifoedd stormydd yng Nghymru](#) - diweddariad o Hafren Dyfrdwy i argymhellion 3, 4 a 5 – 27 Mai 2022

Climate Change, Environment and Infrastructure [Committee Report on storm overflows in Wales](#) - update from Hafren Dyfrdwy to recommendations 3, 4 and 5 – 27 May 2022

Thank you for the invitation to comment on the committee's report into CSOs, particularly recommendations 3, 4 and 5. We are also grateful for the opportunity to have given evidence to the inquiry itself.

We welcome the committee's report and, in principle, support recommendations 3, 4 and 5. Good data and transparency are the foundations for ongoing improvements.

Our one caveat is that any future regulations should include appropriate flexibility. Affordable real-time monitoring systems depend on telephone signals and other supporting infrastructure. A 'comply or explain' provision in any future regulations could provide the appropriate short term flexibility needed.

Our broader point is that the focus on public policy should be on removing harm to rivers, for which Reasons for not achieving Good status (RNAGS) is a proxy. Focussing primarily on inputs could lead to inefficiencies and the undermining of broader environmental goals.

NRW data shows that in the area of Wales HD serves we are responsible for up to seven percent of RNAGS. Agriculture is responsible for 27 percent and mining for 25 percent. With the investments we're already making, we expect our share of the problem to be down to 3.5 percent by 2025. We are developing plans to take this to zero.

With best wishes

James Jesic

Climate Change, Environment and Infrastructure Committee report on storm overflows in Wales - response from Welsh Water to the Committee's recommendations – 30 May 2022



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Llyr Gruffydd MS
Chair, Climate Change, Environment and Infrastructure
Committee Welsh Parliament
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30th May 2022

Dear Chair,

Report on Water Quality and Sewage Discharges – response o recommendations made by the Climate Change, Environment and Rural Affairs Committee.

Further to the committee's evidence sessions and subsequent report on Water Quality and Sewage Charges, we would like to thank the Committee for its work on this important matter which is obviously of great concern to our customers. We were also grateful for the opportunity to provide evidence to the Committee, both in writing and through our virtual attendance at the committee session on 3 February 2022.

In addition to the Committee's report we have also reviewed the Minister for Climate Change's response (9 May) to the recommendations and also noted that the report will be discussed at the Senedd on 15 June. If the committee would like any further discussions with Dŵr Cymru Welsh Water ahead of the plenary session, we are more than happy to meet again or provide further information.

Whilst not all of the recommendations of the committee are targeted at Welsh Water, we have a significant role to play in ensuring improvement to river water quality throughout Wales and our operating area, which includes parts of England, most notably - in the context of the discussion relating to river water quality - in Herefordshire and the catchment of the River Wye which has been the focus of much of the public debate.

As a company that does not have shareholders and where we are not driven to maximise profit for shareholder gain, our purpose as a company (which was written into our company articles of association in 2019) is to "provide high quality and better value drinking water and environmental services, so as to enhance the well-being of our customers and the communities we serve, both now and for generations to come." To ensure that our aims of enhancing the quality of our services and achieving good value, we are committed to an evidence based approach that targets necessary investment where it will provide the greatest improvement. This remains the case with sewage discharges and river water quality.

As the Minister's response states, the most recent data from Natural Resources Wales indicates that combined storm overflows (CSOs) have been identified as a reason for not achieving Good Ecological Status in 3.7% of waterbodies across Wales with the evidence clearly stating that other factors are having a far bigger

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impact (agriculture, abandoned mines, roads etc). Therefore, tackling CSOs alone will not improve river water quality. Similarly, diverting much needed investment in wastewater treatment works that could improve river water quality and help reduce phosphates, could be counterproductive. However, we do recognise that more needs to and can be done to reduce the amount of discharges from CSOs. This will require co-operation with other sectors, especially local government, to reduce the amount of surface water that enters into our sewers following rainfall – a network that was not designed to deal with the challenges of climate change and increased rainfall.

We are working the River Water Quality Task Force on a roadmap that will be published in the summer and we have also increased our investment in maintaining and improving our wastewater network from £783m to £835m for this five year investment period, 2020-2025. We are also reviewing other avenues to increase funding further and are currently in discussion with regulators and government.

We also look forward to participating in the Phosphate Summit to be held at the Royal Welsh Show in July and strongly believe that bringing together all sectors that impact river water quality will be beneficial and that all sectors have an important role to play.

Below is our response to the Committee's specific recommendations for Welsh Water:

Recommendation 3:

NRW and the water companies should publish annual data and/or information on the proportion of sewage spills that are not within permit conditions, which category of pollution incidents these resulted in, and whether enforcement action was taken.

As noted in our evidence submission, the discharges from these CSOs are regulated via permits issued by our environmental regulators and we have invested over £10.5 million in installing Event Duration Monitoring (EDMs) monitors on over 99% of our CSOs. These EDMs tell us when a CSO has discharged and for how long and this is helping improve our understanding of how our assets perform and will inform our work and future investment. We publish all this data on our website <https://www.dwrcymru.com/en/our-services/wastewater/river-water-quality/combined-storm-overflows>. The annual data return that we are obligated to send to NRW and EA is also published on our website in excel format.

Recommendation 4:

NRW, water companies and other relevant stakeholders should develop enhanced monitoring arrangements with a view to better understanding the impact of sewage spills on receiving water. In taking this work forward, consideration should be given to the potential role of citizen science within enhanced arrangements.

In addition to our event and duration monitors (EDM), we are using Source Apportionment Graphical Information System (SAGIS) water quality modelling to understand the impacts of Phosphorus from all polluting sectors on the Welsh freshwater Special Areas of Conservation (SAC). This system, developed and used by regulators and the wider industry, has allowed us to build a virtual representation of the rivers, taking data inputs from different sources and sectors and identifies the proportion of phosphorus from each. The model allows us to test proposed improvements in our sewage treatment works discharges to establish their impact on water quality in the river. We have committed to sharing this work with all interested parties.

As part of our commitment to deliver against the national Storm Overflow Assessment Framework, we are undertaking investigations on circa 700 CSOs to understand any “harm” that may be caused by the operations of these overflows. As part of the CSO Roadmap action plans we are working up our actions for enhanced monitoring in AMP8 which will include undertaking the assessment element of SOAF for all CSOs that discharge over 5 times per year, compared to the 40 which is in the framework at present and river monitoring in the places where it needed most.

We recognise the role that stakeholders and community groups play in understanding the river environment. We are currently involved in the number of citizen science projects on the Wye, Usk and Teifi, as well as the Ofwat funded Catchment Monitoring Co-operative, a multi-partner collaboration to create a monitoring framework. Our experience also tells us that the data they collect can be really valuable, but the testing they undertake needs to part of a robust methodology using verified testing equipment and we are currently working on a project to understand the easiest and most reliable methods for citizen scientists to use. Longer term, an evidence portal must be in place to allow the collation of these results.

Recommendation 5:

Dŵr Cymru and Hafren Dyfrdwy should aim to report on discharges from storm overflows “within an hour of the discharge beginning” which is a requirement placed on water companies in England by the Environment Act 2021. If they cannot match this standard, they should explain why.

As noted above, we currently have EDM monitors on over 99% of our CSOs and openly reported on our website annually (the remaining <1% are currently inaccessible due to accessibility & safety constraints but we are still targeting 100% and are currently working on solutions). Later this summer, we will launch our interactive web-based overflow map covering our operating area and we will be able to report all CSO discharges within an hour of them operating by 2025. We also intend to build on and expand our bathing water CSO alert systems to community and representative groups. We currently provide a real time CSO Alert Service all year round at 30 bathing sites in Wales which provide real-time information to registered users when a CSO starts operating and when it stops. We provide this service voluntarily to beach managers, such as the Local Authority, and to Surfers Against Sewage for their Safer Seas Service website and app. Alerts are also sent to Natural Resources Wales.

In conclusion, removing all CSOs and eliminating spills could require duplication of nearly all our existing sewer network and have an estimated cost of between £9 and £14 billion (for comparison, our total investment for all our services is £1.8 billion between 2020 and 2025) and increase customer bills significantly – adding hundreds of pounds to every customer’s bill and would not significantly improve river water quality. Whilst river water quality in Wales is significantly better than rivers in England with 44% meeting Good Ecological Status compared to 14%, more needs to be done. 44% is still too low.

We are committed to playing a major role in helping more of Wales’ rivers achieve Good Ecological Status and this is a key driver in our current National Environment Programme going into the next investment period for 2025-30. We remain committed to:

- **targeted interventions to reduce phosphate levels**
- **collaborate and share learnings with other key stakeholders**

- **implement innovative plans to low carbon nature-based solutions to improve river water quality and offset the impact of development**
- **use evidence-led investment to reduce the reliance on CSOs**

Should the Committee require any further information or clarification, we are happy to provide it.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S Wilson', with a horizontal line extending to the right.

Steve Wilson,

Managing Director, Wastewater Services, Welsh Water

Agenda Item 4.7

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd



Llywodraeth Cymru
Welsh Government

Huw Irranca-Davies MS

Chair

Legislation, Justice and Constitution Committee

Huw.Irranca-Davies@senedd.wales

7 June 2022

Dear Huw,

In accordance with the inter-institutional relations agreement, I wish to notify you that a further meeting of the Inter-Ministerial Group for Environment, Food and Rural Affairs was held on 16 May.

The meeting was attended by Edwin Poots MLA, Minister of Agriculture, Environment and Rural Affairs, Northern Ireland Executive (Chair), George Eustice MP, Secretary of State for Environment, Food and Rural Affairs, UK Government; Victoria Prentis MP, Minister of State, Defra, UK Government; Mairi McAllan, Minister for Environment and Land Reform, Scottish Government; Lorna Slater MSP, Minister for Green Skills, Circular Economy, and Biodiversity, Scottish Government.

At the meeting we revisited the Ukraine crisis and the impacts for the production costs of fertiliser, feed, and fuel. We also discussed pet quarantine where I pressed the UK Government for assurances quarantine facility spaces would be available to all nations of the UK regardless of policy differences.

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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 UK Government (UKG) provided a paper outlining their latest position regarding preparations for border controls and confirmed no further import controls would be introduced in 2022. I outlined my concerns that once again checks were being delayed without prior consultation with the Devolved Governments, which has become a recurring pattern of behaviour on UKG's part. I also noted the concerns of my Chief Veterinary Officer regarding the biosecurity implications of the delay, as well as the disappointment stakeholders have regarding the lack of a level playing field between importers and exporters, which places domestic producers at a competitive disadvantage.

The UK Government outlined their future legislative programme and proposals emerging from the Queen's speech which included a Genetic Technology (Precision Breeding) Bill; an Animal Welfare (Kept Animals) Bill; a Trade (Australia and New Zealand) Bill and a Procurement Bill.

The Scottish Government concluded by presenting their framework for the future of agriculture policy in Scotland which focuses on land reform, nature restoration and sustainable farming initiatives. Scotland is pursuing a similar path to Wales with a system of base support and additional conditional payments based on the climate and biodiversity outcomes.

We agreed our next meeting would be held in person at the Royal Welsh Show on Wednesday 20 July, when I plan to outline future Welsh agricultural proposals.

A communique regarding this meeting will be published on the UK Government website at <https://www.gov.uk/government/publications/communique-from-the-inter-ministerial-group-for-environment-food-and-rural-affairs>.

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd



Llywodraeth Cymru
Welsh Government

I am copying this letter to the Climate Change, Environment, and Infrastructure Committee and to the Economy, Trade and Rural Affairs Committee.

Regards,

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping flourish at the end.

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd

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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 7

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

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