

Agenda – Economy, Trade, and Rural Affairs Committee

Meeting Venue:	For further information contact:
Hybrid – Committee room 5 Ty Hywel and video Conference via Zoom	Robert Donovan Committee Clerk
Meeting date: 16 November 2022	0300 200 6565
Meeting time: 09.30	SeneddEconomy@senedd.wales

Private pre-meeting (09.15–09.30)

Public Meeting (09.30–11.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Paper(s) to note

(09.30)

2.1 Letter from the Minister for Climate Change to the Chair of the Local Government and Housing Committee

(Pages 1 – 2)

Attached Documents:

Legislative Consent Memorandum (LCM) on the Levelling-up and
Regeneration Bill



2.2 Letter from the Minister for Finance and Local Government to the Chair of the Climate Change, Environment and Infrastructure Committee

(Pages 3 – 4)

Attached Documents:

Legislative Consent Memoranda for the UK Infrastructure Bank Bill

3 Agriculture (Wales) Bill: Evidence session 10

(09.30–11.30)

(Pages 5 – 32)

Lesley Griffiths MS, Minister for Rural Affairs and North Wales, and Trefnydd

James Owen, Deputy Director, Land Management Reform Division

Hannah Fernandez, Lead Policy Official, Land Management Reform Unit

Dorian Brunt, Senior Lawyer, Legal Services Department – Rural Affairs

William (Bill) Cordingley, Government Lawyer, Legal Services Department –

Wildlife

Attached Documents:

Research brief – Agriculture (Wales) Bill – Second Ministerial Session

Research brief – Third-party Agri-environment Schemes in Ireland

4 Motion under Standing Order 17.42(ix) to resolve to exclude the public for the remainder of the meeting

(11.30)

5 Private

(11.30–12.00)

Consideration of evidence following the meeting

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

Llywodraeth Cymru
Welsh Government

John Griffiths MS
Chair, Local Government and Housing Committee
Senedd Cymru
SeneddHousing@senedd.wales

10 November 2022

Dear John

Thank you for your letter of 1 November regarding the Legislative Consent Memorandum (LCM) on the Levelling-up and Regeneration Bill (“the Bill”). I have provided a response to your questions below.

Clause 187 (Vagrancy and begging)

My officials have been proactively and regularly liaising with their counterparts in the UK Government to understand the UK Government’s intentions for this clause of the Bill. Unfortunately, a decision has not yet been made and we are therefore unable to provide you with any clarity on the possible changes the UK Government may make at this stage. We will continue to engage with the UK Government on this element of the Bill and update the Committee once we have clarification.

Financial Implications

Clause 1 - 6 (Levelling up missions)

The effect of the provisions is to place a duty on the UK Government to set, and report annually on progress towards achieving, levelling up missions to reduce geographical disparities across the United Kingdom. The requirement to report on the delivery of levelling up missions, and the parliamentary scrutiny of progress against these missions is a cost to the UK Government and will have no effect on Wales. The effect of the levelling up actions undertaken by the UK Government to deliver these missions is outside of the scope of the Bill.

Placeholder clauses: Clause 96 (Street votes) and Clause 187 (Vagrancy and begging)

Where provisions are placeholder provisions the clause does not contain the necessary detail for me to identify whether there will be any financial implications on Wales.

Part 3 (Planning)

The changes to the planning system under part 3 will all have familiarisation costs associated with the change. This one-off cost will be experienced by local authorities, businesses (including small and medium sized enterprises), and third sector where they engage in the system.

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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.

Clause 75,76,77,79,80,81 (Planning data)

The changes to the provision, processing and requirements of planning data will have financial costs for local authorities and those engaged in specific parts of the planning system in Wales. The provision as currently drafted only has effect in Wales on two limited areas. Firstly, in relation to the Secretary of State acting in non-devolved areas, for example for Nationally Significant Infrastructure Projects (NSIP). Secondly, the provisions currently apply in respect of the Secretary of State's functions under Part 5 of the Bill (Environmental Outcome Reports).

Therefore, where a NSIP, or Environmental Outcome Report is triggered they will be subject to the requirements. In other areas the standards do not apply. This will create a potential dual system of planning data in Wales that will create inconsistency, increasing costs for users of the planning system. It would therefore not fully realise the benefits identified in the Bill through a transition to digital planning system as it will not apply to the whole system in Wales.

Clause 112 (Regulations and Orders under the Planning Acts)

This clause concerns technical legal amendments to the general powers to make statutory instruments contained in The Town and Country Planning Act 1990, The Planning (Listed Buildings and Conservation Areas) Act 1990 and The Planning (Hazardous Substances) Act 1990. The amendment is a minor technical legal amendment aimed at making the legal position clear. There are no financial consequences as a result of the change.

Clause 116-130 (Environment outcomes report)

The provisions in the Bill currently provide for one overarching power to make provisions in respect of environmental outcome reports to accompany both strategic plans, and relevant project consents. The new system of environmental outcomes reporting has potential for efficiency savings through the simplification of consenting.

Clause 186 (Review of governance etc of Royal Institution of Chartered Surveyors (RICS))

This clause will enable the Secretary of State to commission periodic reviews of RICS that will give government information about the governance and performance of RICS, in order to satisfy itself that RICS performs in the public interest. There are no costs to Wales.

I intend to lay a revised LCM which includes this additional information about the financial impact, as well as addressing points raised by the Legislation, Justice and Constitution Committee, as soon as possible.

I am copying this letter to the Chair of the Climate Change, Environment and Infrastructure Committee, Llyr Gruffydd MS, the Chair of the Economy, Trade and Rural Affairs Committee, Paul Davies MS, and the Chair of the Legislation, Justice and Constitution Committee, Huw Irranca-Davis MS.

Yours sincerely



Julie James AS/MS

Y Gweinidog Newid Hinsawdd
Minister for Climate Change

Our re: MA/RE/3374/22

Llywodraeth Cymru
Welsh Government

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

SeneddClimate@senedd.wales

10 November 2022

Dear Llyr,

Thank you for your report on behalf of the Climate Change, Environment and Infrastructure Committee on the Legislative Consent Memoranda for the UK Infrastructure Bank Bill.

I appreciate the work the Committee has undertaken in scrutinising the LCMs on this Bill, and I note we share a number of the same concerns.

I agree with the Committee that the Bank could potentially play an important role in scaling up and accelerating investment to support Wales' transition to net zero.

We therefore have been actively engaging with the UK Government to bring forward sensible amendments to the Bill to ensure that devolution is respected.

The Committee highlights the importance of clauses 2 (Objectives and activities) and 3 (Strategic priorities and plans) to the Bill, and it notes that currently there is no role for the Welsh Government or the Senedd. We share this concern and are in discussions with UK Government on amendments to address this.

More generally, we also share your concern about there being no role for the Welsh Government in the governance of the Bank, and we are seeking to address this with UK Government through specific amendments to the Bill.

Like the Committee, we were pleased to see that there was an amendment in the House of Lords to broaden the definition of infrastructure to include "nature-based solutions" to avoid any ambiguity in the acceptability of such propositions to the Bank. We support this amendment being retained through the House of Commons.

During the past few months there has been significant instability at Westminster which has resulted in a considerable number of changes in HM Treasury Ministers which has hampered the progress of our discussions towards any prospective agreement. There have also been

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delays to the Bill's passage through the Commons due to the changes in UK ministerial responsibilities, and other announcements such as the Growth Plan 2022. I understand that the Bill will now progress to Committee Stage on 22 November. The Welsh Government will continue to engage with UK Government and seek appropriate amendments that respect devolution.

As negotiations are ongoing, unfortunately I cannot be more specific on the exact nature of the amendments until further progress is made. However, any agreement will result in a further SLCM and an opportunity for the Committee to report further on the matter.

Yours sincerely,

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

Rebecca Evans AS/MS

Y Gweinidog Cyllid a Llywodraeth Leol

Minister for Finance and Local Government

Agenda Item 3

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