

# Agenda – Climate Change, Environment and Rural Affairs Committee

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Meeting Venue:

Committee Room 3 – Senedd

Meeting date: 10 January 2019

Meeting time: 09.30

For further information contact:

Marc Wyn Jones

Committee Clerk

0300 200 6363

[SeneddCCERA@assembly.wales](mailto:SeneddCCERA@assembly.wales)

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## 1 Introductions, apologies, substitutions and declarations of interest

(09.30)

## 2 General scrutiny session with the Future Generations Commissioner for Wales

(09.30 – 10.30)

(Pages 1 – 12)

Sophie Howe, Future Generations Commissioner for Wales

Marie Brousseau-Navarro, Director of Policy, Legislation and Innovation,  
Office of the Future Generations Commissioner for Wales

Attached Documents:

Research brief

## 3 Paper(s) to note

(10.30)

### 3.1 Correspondence from Llywydd to the First Minister regarding legislating for Brexit

(Pages 13 – 14)

Attached Documents:

Correspondence from Llywydd – 4 December 2018



**3.2 Correspondence to the Chair from the Chair of the External Affairs and Additional Legislation Committee regarding the publication of its report: Preparing for Brexit – Report on the preparedness of the food and drinks sector in Wales**

(Page 15)

Attached Documents:

Correspondence to the Chair – 17 December 2018

**3.3 Correspondence to the Chair from the Minister for Environment, Energy and Rural Affairs regarding the Marine Protected Area Network Management Framework for Wales 2018–2023 and Action Plan 2018–2019**

(Pages 16 – 17)

Attached Documents:

Correspondence to the Chair – 19 December 2018

**4 Motion under Standing Order 17.42 (vi) to resolve to exclude the public from items 5, 6 and 7 of today's meeting**

(10.30)

**5 General scrutiny session with the Future Generations Commissioner: consideration of evidence**

(10.30–10.45)

**6 Forward work programme**

(10.45–11.00)

(Pages 18 – 22)

Attached Documents:

Forward work programme

**7 Decarbonisation Pathway: consideration of draft letter**

(11.00–11.15)

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Rt Hon Carwyn Jones AM  
First Minister of Wales  
Welsh Government  
Cardiff Bay  
CF99 1NA

Your ref:  
Our ref: EJ/CE

4 December 2018

Dear Carwyn

At the Chairs' Forum meeting, on 28 November 2018, we discussed the role of the Assembly and its committees in scrutinising Brexit-related legislation. Chairs raised an emerging concern about the role of the Assembly in the process of legislating for Brexit.

Chairs reported that the Welsh Government has sought delegated powers for Welsh Ministers in a number of Brexit-related UK Bills, rather than bringing forward its own Bills for scrutiny by the Assembly. In terms of the subordinate legislation needed to correct the statute book ahead of leaving the European Union, I understand that you have agreed to a significant proportion of this legislation being made by UK Ministers, using concurrent powers on behalf of Welsh Ministers.

Whilst I, and the Chairs' Forum, understand that you have made these decisions on the grounds of efficiency for the governments involved in the process, the concern expressed by Chairs is that this comes at a cost of the Assembly's role and therefore Members' ability to effectively represent the interests of the people of Wales in the process of legislating for Brexit.

In representing the views expressed to me by Chairs, and acting in the interests of the Assembly's position in the Brexit process, I have concerns that the cumulative effect of these Welsh Government decisions is an inadvertent bypassing of the Assembly's role.

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English



**Elin Jones AC, Llywydd**

Cynulliad Cenedlaethol Cymru

**Elin Jones AM, Presiding Officer**

National Assembly for Wales

I am sure that you would agree that the scrutiny of legislation that falls within the competence of the Assembly or Welsh Ministers, particularly relating to important areas of policy affecting citizens, benefits from far greater Wales-specific scrutiny when considered by the Assembly.

The limited opportunity for scrutiny offered by legislative consent conventions and associated procedures is incomparable with the Assembly's full legislative scrutiny processes.

Further, legislative scrutiny by the Assembly offers a more accessible and transparent process for Welsh stakeholders and the public, and also ensures the law is made in both of our official languages.

Just as you have striven to ensure a role for the Welsh Government in the Brexit process, I must ensure that the Assembly, and its Members, are enabled to play the full role they were elected to perform.

I understand that Assembly committees are planning to undertake further work in this area and I am sure that they will continue to raise issues with you and the Welsh Ministers.

In the meantime, I ask that you consider the concerns that have been raised and I would be grateful for your thoughts on how you might ensure that the Welsh Government does all it can to enable the Assembly to play its full part in legislating for Brexit.

I have copied this letter to Chairs of the Assembly's committees, the Leader of the House, and the Cabinet Secretary for Finance (in light of his role in the Brexit process).

Yours sincerely

Elin Jones AM  
Llywydd

Mike Hedges AM  
Climate Change, Environment and Rural Affairs  
Committee

17 December 2018

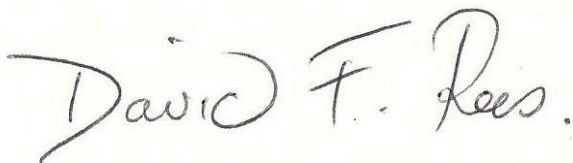
Dear Mike,

**Preparing for Brexit – Report on the preparedness of the food and drinks sector in  
Wales**

Over the last term the External Affairs and Additional Legislation Committee has been considering issues relating to how various sectors have been preparing for Brexit.

In particular I would like to draw your attention to our report on the preparedness of the food and drinks sector in Wales, published on 10 December 2018.

Yours sincerely,



David Rees AM

Chair of the External Affairs and Additional Legislation Committee

*Croesewir gohebiaeth yn Gymraeg neu Saesneg.*

*We welcome correspondence in Welsh or English.*





Our ref: MA/P/LG/3880/18

Mike Hedges AM  
Chair  
Climate Change, Environment & Rural Affairs Committee

19 December 2018

Dear Mike

## **Marine Protected Area Network Management Framework for Wales 2018-2023 and Action Plan 2018-2019**

Further to my letter of 6 September, 2018 enclosing a copy of the MPA Network Management Framework for Wales 2018-2023 and Action Plan 2018-2019, I have been advised of some minor corrections to both documents.

The Framework has been amended to reflect that there are 139 MPAs in Welsh waters rather than 140 as originally stated. The Framework listed Cors Fochno and Dyfi as a Ramsar site. Previous advice suggested this qualified as a marine site due to the presence of greenshank, which is considered a marine bird. However, NRW has since clarified the only legal features at the site are terrestrial:

- Active raised bogs;
- Degraded raised bogs still capable of natural regeneration;
- Depressions on peat substrates of the Rhynchosporion.

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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.

I have also been advised by NRW their anticipated timeframe for developing Area Statements is by March 2020, and not April 2019 as previously stated. This will allow sufficient time for Area Statements to reflect and address the priorities and challenges set out in the Natural Resources Policy, and apply the Sustainable Management of Natural Resources principles in their development.

I enclose revised versions of the Framework and Action Plan for circulation to Committee members.

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 of the name.

**Lesley Griffiths AC/AM**

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig  
Minister for Environment, Energy and Rural Affairs



# Agenda Item 6

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

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