

Agenda – External Affairs and Additional Legislation Committee

Meeting Venue:

Committee Room 2 – Senedd

Meeting date: 4 November 2019

Meeting time: 13.30

For further information contact:

Rhys Morgan

Committee Clerk

0300 200 6565

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Private pre-meeting

(13.15–13.30)

1 Introductions, apologies, substitutions and declarations of interest

(13.30)

2 Scrutiny session with the Counsel General and Brexit Minister

(13.30–14.30)

(Pages 1 – 41)

Jeremy Miles, Counsel General and Brexit Minister

Break

(14.30–14.35)

3 Follow-up work on Brexit preparedness – evidence session with ports and transport sectors

(14.35–15.35)

(Pages 42 – 58)

Richard Ballantyne, Welsh Ports Group

Sally Gilson, Freight Transport Association

Break

(15.35–15.40)



4 Follow-up work on Brexit preparedness – evidence session with food and farming sectors

(15.40–16.40)

(Pages 59 – 71)

Dr. Nick Fenwick, Farmers' Union of Wales

Gwyn Howells, Hybu Cig Cymru

Dylan Morgan, NFU Cymru

5 Papers to note

(16.40–16.45)

5.1 Paper to note 1: Correspondence from the Counsel General and Brexit Minister to the Chair regarding Assembly scrutiny of UK-wide common policy frameworks – 23 October 2019

(Pages 72 – 73)

5.2 Paper to note 2: Correspondence from the Paymaster General and Minister for the Cabinet Office to the Chair regarding intergovernmental relations – 29 October 2019

(Page 74)

6 Motion under Standing Order 17.42(vi) to resolve to exclude the public from the remainder of the meeting

(16.45)

7 Scrutiny session with the Counsel General and Brexit Minister – consideration of evidence

(16.45–17.00)

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Agenda Item 3

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

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Agenda Item 5.1

Y Cwnsler Cyffredinol a Gweinidog Brexit
Counsel General and Brexit Minister



Llywodraeth Cymru
Welsh Government

David Rees AM
Chair, External Affairs and Additional Legislation Committee
National Assembly for Wales,
Cardiff
CF99 1NA

23 October 2019

David,

Assembly scrutiny of UK-wide common policy frameworks

Thank you for sending me the External Affairs & Additional Legislation Committee discussion paper, UK-wide common policy frameworks: scrutiny of non-legislative framework agreements.

As mentioned in my letter of 1 March the Welsh Government recognises the crucial role parliamentary scrutiny will play in the development, implementation and oversight of future Frameworks. The process for the agreement of Common Frameworks must be inclusive and transparent. The UK Government has similarly stated that it remains fully committed to openness and scrutiny in relation to the formation of frameworks.

As you are aware, a five phase approach has been taken to the development of individual frameworks:

- Phase 1 - Principles and proof of concept established for programme of joint work
- Phase 2 - Detailed policy development
- Phase 3 - Review, stakeholder engagement and further policy development
- Phase 4 - Preparation and implementation
- Phase 5 - Post-implementation monitoring and review

The Framework areas have been broken down into four groupings (“cohorts”) based on likely completion timings. The first cohort is scheduled for delivery of the outline agreements at the end of this year with the majority of outline agreements due for delivery by the end of 2020.

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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 inter-administration Frameworks Project Board is currently developing an approach to scrutiny and external engagement which is consistent in timing and information across the legislatures in the UK. This has yet to be finalised but we hope to be in a position to share the approach during December. Our current expectation is that at the end of Phase 2 summary outline agreements will be sent to committees for information. This will help committees assess each framework for the degree of scrutiny that each might receive, and we would wish to make an offer of technical briefing at the same time. I anticipate the formal scrutiny of the Frameworks will take place in Phase 3, when provisional outline framework agreements, together with any related implementation products such as concordats, should be passed to relevant parliamentary committees.

I am grateful to you for sharing your proposed scrutiny process for draft Frameworks, and am keen to enable constructive and considered reflection and scrutiny. As you note, the approach needs to be proportionate and appropriate, particularly in relation to the role of the Assembly in relation to areas of executive decision-making. I would welcome the opportunity to consider this with you in more detail as the draft Frameworks emerge. As part of this, I would be interested in the work that you have done around inter-parliamentary cooperation.

I look forward to discussing your proposals when I meet the Committee again on Monday 4 November.



Jeremy Miles AM

Y Cwnsler Cyffredinol a Gweinidog Brexit
Counsel General and Brexit Minister

Agenda Item 5.2



Rt Hon Oliver Dowden CBE MP
Paymaster General and Minister for the Cabinet Office
Cabinet Office 70 Whitehall London SW1A 2AS

David Rees AM
National Assembly for Wales
Cardiff Bay
Cardiff, CF99 1NA

Our reference: MCO/00392

29th October 2019

Dear David,

My colleague, the Chancellor of the Duchy of Lancaster, has informed me of your recent discussion on the review of intergovernmental relations (IGR) at the External Affairs Additional Legislation Committee on 24 October. I am pleased to share the following timelines with you.

As you are aware, officials from all administrations had been instructed to work towards a set of interim milestones by the end of September, which included:

- developing a joint delivery plan setting out the timelines for the review;
- outlining the areas of disagreement between the administrations on options for reform of the existing dispute avoidance and resolution mechanisms, and to explore an independent element,
- clarifying the role of devolved administrations in future negotiations, and
- establishing a clear view of existing inter-governmental machinery and proposals for reform.

Substantive progress has since been made at official level on all workstreams and towards these milestones. We will therefore continue to work towards our shared ambition to present a package of potential reforms in the near future.

The review of intergovernmental relations remains a joint endeavour and all recommendations pursued are agreed by consensus between all administrations. I would therefore encourage you to ask my counterpart in the Welsh Government, Jeremy Miles AM, for additional details on progress and timelines.

I welcome your continued interest in intergovernmental relations.

Yours sincerely,

Rt Hon Oliver Dowden CBE MP
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