

The Rt Hon Mark Drakeford MS,
First Minister of Wales

1 July 2022

Dear Mark,

First Minister's legislative statement: environmental governance Bill

At its meeting yesterday, the Climate Change, Environment and Infrastructure Committee ('the Committee') took evidence from the Interim Environmental Protection Assessor for Wales ('the Interim Assessor') and stakeholders on the on-going operation of Wales' interim environmental governance measures ('interim measures').

It has been almost four years since the Welsh Government committed to legislate to address any post-Brexit environmental governance gaps in Wales. In March 2021, interim measures were put in place with the appointment of the Interim Assessor. While we recognise the valuable work being undertaken by the Interim Assessor, the interim measures are far from satisfactory. There are significant and unacceptable gaps in Wales' environmental governance arrangements that must be addressed as a matter of priority.

The interim measures were supposed to provide time for the Welsh Government to develop and establish new, permanent governance arrangements, specifically an Environment Commission to oversee the implementation of environmental law. We recognise the challenge of developing robust, effective and enduring governance arrangements that meet Wales' needs. But, 15 months in to the interim measures, we have seen no evidence that any progress has been made. Yesterday's meeting serves only to reinforce this. The Interim Assessor told us she has only had informal discussions with the Welsh Government on the development of proposals for the new governance arrangements that will supersede her role. In addition, stakeholders told us they were not aware of any recent work by the Welsh Government on the matter. In their words, "it feels like work [on permanent arrangements] has been parked".

We are growing increasingly concerned that, with the passing of time and with interim measures in place, any sense of urgency the Welsh Government may have had to legislate to address the post-Brexit governance gaps has been lost.

While we wait for legislation to be brought forward in Wales, all other UK nations now have permanent environmental governance arrangements in place, with dedicated governance bodies up and running. It cannot be right that Welsh citizens have less access to environmental justice than citizens of other parts of the UK. We must not see Wales' reputation downgraded from a nation that puts the environment and sustainable development at its heart to one with the weakest environmental governance structures in Western Europe.

Since the start of the Sixth Senedd, we have been calling for the Welsh Government to bring forward an environmental governance Bill. In giving evidence to this Committee on 15 June 2022, the Minister for Climate Change made clear that the timing of the Bill would be for you, as First Minister, to determine. We are therefore writing, ahead of your planned legislative statement on 5 July 2022, to repeat our calls for the Bill to be brought forward as a matter of priority.

I am copying this letter to Julie James MS, Minister for Climate Change, and Huw Irranca-Davies MS, Chair of the Legislation, Justice and Constitution Committee.

We trust you will reflect on the above before making your statement, and we would welcome a response to this letter in due course.

Yours sincerely,



Llyr Gruffydd MS,

Chair, Climate Change, Environment and Infrastructure Committee

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