

Rebecca Evans MS
Minister for Finance and Local Government

8 July 2022

Dear Rebecca,

Legislative Consent Memorandum: UK Infrastructure Bank Bill

At our meeting on Monday 4 July 2022 we considered the Welsh Government's Legislative Consent Memorandum for the UK Infrastructure Bank Bill (the Bill).

To assist us in our scrutiny and to inform our report on the memorandum, there are a number of matters which we would like to raise with you. I would be grateful if you would respond to our questions by 5 August.

1. In the Counsel General's written statement on 13 May 2022 on the UK Government's Legislative Programme he said "Following discussions at the first Inter-Ministerial Standing Committee meeting on 23 March, I am encouraged that there has been some positive engagement between UK Government and Welsh Government officials on a number of Bills in the UK Government's legislative programme". A UK Infrastructure Bank Bill is one of the 12 Bills noted in this statement. Can you confirm that the Bill was the subject of intergovernmental discussion before its introduction to the UK Parliament?
2. Did the UK Government share with the Welsh Government the Bill in draft form? If so, when?
3. If the UK Government did not share a draft Bill with you, given a UK Infrastructure Bank has been operating on a non-statutory footing since June 2021 and given the information the Welsh Government had received from the UK Government as regards its legislative programme, did the Welsh Government proactively seek to directly influence the drafting of the Bill?

4. In the memorandum you state that you have written to the Economic Secretary to the Treasury “to urge him to amend the Bill to enable the Senedd and the Welsh Ministers to take their appropriate role within Governance structures to ensure proper democratic accountability”. What specific amendments have you sought to the Bill?
5. The scope of the Bank’s activities, including the definition of “infrastructure”, may be changed via delegated powers that will be subject to the affirmative scrutiny procedure in the UK Parliament. At paragraph 49 of the memorandum you state that you have written to the Economic Secretary to the Treasury to advocate that “the Senedd, the Welsh Ministers and Welsh Government officials all exercise equivalent powers to those of our UK counterparts”.
 - i. Have you sought amendments to the Bill which would provide the Welsh Minister’s with directly equivalent delegated legislative powers, meaning the Senedd would be responsible for scrutinising the exercise of those powers?
 - ii. Have you sought amendments to the Bill which would provide the Welsh Ministers with a consultative role before UK Minister’s exercise their delegated powers, meaning there would be no role for the Senedd in scrutinising the exercise of those powers?

I am copying this letter to the Climate Change, Environment and Infrastructure Committee.

Yours sincerely,

Huw Irranca-Davies

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Chair