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Y Gweinidog Newid Hinsawdd
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Llywodraeth Cymru
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John Griffiths MS
Chair, Local Government and Housing Committee
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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

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Minister for Climate Change
Welsh Government

1 November 2022

Dear Julie

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

At our meeting on 27 October we considered the LCM on the Levelling-up and Regeneration Bill. In order to enable us to make an informed decision on whether or not to recommend consent, we would be grateful for more information in two areas in particular.

Firstly, we note that clause 187 (vagrancy and begging) is a placeholder provision therefore it is not yet clear whether or not it is a relevant provision for the purposes of Standing Order 29. The LCM notes that clarity is being sought in relation to clause 187 as the application table in the Annex to the Explanatory Notes states it does not apply to Wales, however, as currently drafted the Secretary of State's powers to make regulations are not limited to England only. As I'm sure you can appreciate, we will not be in a position to make a decision on legislative consent until clause 187 is replaced by a substantive provision and clarity can be given on its application. We would therefore be grateful if you could provide an update as to any discussions that have taken place with the UK Government regarding clause 187.

Secondly, we note that the LCM states:

The UK Government identify the overall Bill will have financial implications for the public sector, including local government, central government and the Planning Inspectorate. The UK Government identifies these costs will all be balanced by efficiency savings.

However the LCM makes no reference to the Welsh Government's views on the financial implications of this Bill. We would therefore be grateful if you could outline your views on the financial implications of the Bill for Wales.

We would be grateful for a response by 10 November so that it can be considered when we next discuss the LCM at our meeting on 16 November.

I am copying this letter to the Chair of the Legislation, Justice and Constitution Committee; the Chair of the Climate Change, Environment and Infrastructure Committee; and the Chair of the Economy, Trade and Rural Affairs Committee.

Yours sincerely



John Griffiths MS

Chair, Local Government and Housing Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.