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Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: JJ/PO/357/2023

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

20 October 2023

Dear Huw,

Thank you for your letter following the debate on the Welsh Government's Legislative Consent Memorandum on the UK Energy Bill.

As I have set out in recent correspondence to you and as I stated in the Senedd during the debate on the Legislative consent Memorandum, I fully appreciate the challenges this Bill has created for effective scrutiny from the Senedd. The Welsh Government is fully committed to doing all that we can to ensure that our legislature gets the opportunity to properly scrutinise UK legislation which engages the Sewel convention and requires Senedd consent.

It is useful to reflect again on the early progress of the UK Energy Bill. Although the Bill was introduced in June 2022, work within the UK Government on the Bill was quickly suspended while the then department for Business, Energy and Industrial Strategy responded to the UK energy prices crisis. The UK Government Bill team was effectively disbanded to bring forward the UK Energy Prices Bill. Our arrangements in the Welsh Government mirrored those in the UK Government with resources dedicated to that new Bill. This was essential to support the financial packages for households and businesses during the winter of 2022/23.

As I stated in the Senedd we always endeavour to bring forward an LCM at the earliest opportunity in line with Standing Orders. Whilst some form of LCM could have been laid in the autumn, it was clear that key aspects of the Bill remained uncertain, and by extension any LCM itself would not have been able to clearly articulate our position, nor the requirements of Standing Orders. As I have stated on a number of occasions, we did not see the Bill until the evening before it was published and there was very limited joint work on the policy details of the Bill, and no collective policy consideration of the Bill in its entirety until after it was published. This meant that the months of joint policy work that we would

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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.

expect to see on such a Bill did not happen prior to publication. This joint work was only possible after the Bill was published. It was only following the intergovernmental discussions and seeing the further amendments laid by the UK Government were we able to understand the implications of the Energy Bill as introduced, and to bring forward a coherent LCM to meet the requirements of Standing Orders.

Laying the first LCM so late in the process was not a position I was happy with. However, from a settled position on the Bill as introduced we were able to lay three supplementary LCMs to cover all of the agreed amendments including over 150 pages of amendments at report stage that took place just one week prior to our debate in the Senedd. I regret the lack of scrutiny possible on these LCMs, however that is yet another symptom of UK Government's wholly unacceptable approach to this Bill.

We will continue to call upon UK Government to change its approach to legislation and engagement, and I will ensure that any future situations such as experienced with the Energy Bill are communicated to the Senedd at an early opportunity.

Yours sincerely,



Julie James AS/MS
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