

**Rebecca Evans AS/MS**  
Cabinet Secretary for Economy, Energy and Planning  
Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio



Llywodraeth Cymru  
Welsh Government

Mike Hedges MS  
Cadeirydd, Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad  
Chair, Legislation, Justice, and Constitution Committee  
SeneddLJC@senedd.wales

14 March 2025

Dear Mike,

Thank you for the Legislation, Justice, and Constitution Committee report on the Great British Energy Bill Legislative Consent Memorandum (SLCM2). Please find enclosed my response to the issues raised in the report.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans." The signature is written in a cursive style.

**Rebecca Evans AS/MS**  
Cabinet Secretary for Economy, Energy and Planning  
Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio

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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.

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# **The Welsh Government's Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Great British Energy Bill**

## **Welsh Government response to the Legislation, Justice and Constitution Committee's report**

**14 March 2025**

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### Summary

The Great British Energy Bill ("the Bill") was introduced in the House of Commons on 25 July 2024. Certain elements of the Bill require the legislative consent of the Senedd, and on 8 August 2024 the then Cabinet Secretary for Economy, Transport and North Wales laid a Legislative Consent Memorandum for the Great British Energy Bill ('the LCM') before the Senedd.

The Cabinet Secretary for Economy, Energy and Planning provided evidence to the Committee on 4 November, and responded to the previous report in January 2025.<sup>1</sup>

This report will respond to the recommendations raised by the committee's report of February 2025.

The Great British Energy Bill was debated and considered on 4 February. The Senedd consented to the Bill.

The report first considers the conclusions and then considers the 3 recommendations made by the committee.

### **LJCC Conclusion 1. We continue to agree with the Welsh Government that clause 5 of the Bill requires the consent of the Senedd in accordance with Standing Order 29.**

No response required.

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<sup>1</sup> [LJC6-04-25 - Paper 15 - Letter from the Cabinet Secretary for Economy Energy and Planning 23 Jan.pdf](#)

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**LJCC Conclusion 2. While a consenting role for the Welsh Ministers is a marked improvement to the requirements of clause 5 of the Bill, as we highlight in our first report on the Memorandum, a role solely for the Welsh Ministers in the exercise of delegated powers affecting devolved interests would still mean that the Senedd would be bypassed in these matters.**

These issues were raised during the debate on 4 February to which I responded fully.

**LJCC Conclusion 3. Our role is not to focus on the policy merits (or otherwise) of the establishment of Great British Energy. However, legislating where there is known potential for conflict with devolved Welsh interests is a matter which the Senedd must be fully cognisant of before it is asked to vote on whether legislative consent should be given to the UK Parliament.**

As mentioned previously, the aim of the Great British Energy Bill is to set up the company. The Bill is a narrow piece of legislation which makes provision for the designation, status, governance, objects, strategic direction and accountability of Great British Energy (GBE). I do not consider there to be a potential for a conflict. Clause 5 requires the Secretary of State to seek the consent of the Welsh Ministers before making a statement on the strategic priorities of GBE which concerns anything within the legislative competence of the Senedd.

During my latest meeting with the Secretary of State for Energy Security and Net Zero, I raised the importance of joint work with GBE once established, and I highlighted the work in Wales on establishing Trydan Gwyrdd Cymru and Ynni Cymru and the opportunities to work in partnership to maximise benefits in Wales. The SoS agreed on the need to work in partnership and was pleased the chair of GBE had a positive visit to Wales before Christmas. SoS was keen to cement the partnership approach in Wales.

**LJCC Conclusion 4. While we accept that Memorandum No. 2 was laid swiftly by the Cabinet Secretary, that should not disguise the intergovernmental difficulties that appear to have caused a delay in an amendment being tabled to clause 5 of the Bill. It is therefore regrettable that the Welsh Government has not been able to give the Senedd adequate time to consider in sufficient detail the issues raised in Memorandum No. 2.**

These issues were raised during the debate on 4 February to which I responded fully.

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**LJCC Recommendation 1. The Cabinet Secretary should provide an assessment of the Trade and Cooperation Agreement as it relates to the Bill.**

I wrote to the Culture, Communication, Welsh Language, Sport and International Relations Committee on 5 Feb to clarify how I see the commitment made to share TCA assessments with committees on UK government legislation. The TCA is the UK's most important trade deal, and as such, the Welsh Government always considers how draft legislation could impact on our existing international obligations. Many UK Government Bills will have no identifiable impact on the TCA, or on any of our international obligations. In these cases, we would not provide an assessment to the Senedd. Where a Bill has a clear impact on the obligations made in the TCA, an assessment will be provided to the Committee only in relation to the provisions which the Senedd is asked to consent to. This is because including the provisions that do not engage devolved matters within technical assessments of Bills would place an unreasonable burden on Welsh Government teams and duplicate work that the UK Government will have already carried out.

**LJCC Recommendation 2. The Cabinet Secretary should set out the roles and responsibilities of Great British Energy, Trydan Gwyrdd Cymru and Ynni Cymru as they relate to the Trade and Cooperation Agreement, if the Bill is enacted.**

The Welsh Ministers will have a role in consenting to the strategic priorities of Great British Energy where they concern matters within the legislative competence of the Senedd. This, together with the publication of strategic priorities within six months, will reduce uncertainty and will help us to clarify how GBE will function in Wales. We will take further consideration at a time when we have information to allow us to assess and take appropriate action then.

**LJCC Recommendation 3. The Cabinet Secretary should confirm what discussions the Welsh Government has had with the UK Government on UK-EU energy cooperation in the course of this Bill's development. The response should confirm whether the matter has been raised at the Interministerial Group for Net Zero, Energy and Climate Change.**

As the aim of the Great British Energy Bill is to set up the company, I do not consider that a discussion with UK Government on UK-EU energy cooperation during the course of this Bill's development was necessary. Although the UK-EU energy cooperation is not a devolved matter, information is shared, and my officials are able to observe when necessary, on various issues of the UK-EU cooperation.

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