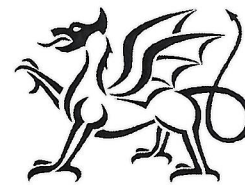


Alun Davies AC / AM  
Y Gweinidog Cyfoeth Naturiol a Bwyd  
Minister for Natural Resources and Food



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref  
Ein cyf/Our ref LF/AD-/0150/14

David Melding AM  
Chair of the Constitutional and  
Legislative Affairs Committee  
Ty Hywel  
Cardiff Bay



March 2014

## Environment Bill Proposals

Thank you for your correspondence dated 3 February 2014 and interest in our White Paper consulting on proposals for an Environment Bill.

In relation to the points you raise we are in the process of analysing the consultation responses and I would highlight that proposals for inclusion in the draft Bill are not finalised - the consultation on the White Paper being a key part of the development of the Bill. The responses will inform further development of our proposals and the drafting of the Bill and I intend to issue a consultation summary report later this Spring.

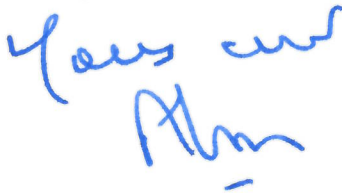
There are two possible powers outlined in the White Paper for Welsh Ministers to amend Acts of Parliament and the Assembly by way of secondary legislation. NRM11 sets out a proposal for a power to effect changes to the primary legislative framework that governs the management of natural resources in certain circumstances. An additional proposal (SM4) would provide Welsh Ministers with the power to amend a Water Act, by Order, in certain circumstances, including if they are satisfied that it will make it easier to consolidate one or more Water Acts.

If taken forward, I would offer reassurance that the intention is for the powers to have limited and very specific scope to effect changes to the primary legislative framework that governs the management of natural resources. This would only apply in very specific circumstances and to specific legislation - that is where it can be demonstrated that the current law is contrary to the definition, purpose and objectives of the framework for integrated natural resource management and where all other means of addressing those issues have been actioned. Any such amendments would also have to ensure continued compliance with EU

obligations. A misconception was raised at the Environment and Sustainability Committee on 12 December that this is a general power that will enable the consolidation of Environmental legislation through secondary legislation – this is not the case and my officials will clarify the intention and limited scope of the power.

In considering the proposals, I am mindful of both the need to have a legal framework that is flexible enough to be more responsive to changing circumstances, but also that there is clarity and clear democratic accountability.

I am copying this response to Lord Elis-Thomas, Chair of the Environment and Sustainability Committee.



**Alun Davies AC / AM**  
Y Gweinidog Cyfoeth Naturiol a Bwyd  
Minister for Natural Resources and Food