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Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref LF/CS/0413/15

David Melding AM
Chair – Constitutional & Legislative Affairs Committee
Tŷ Hywel
Cardiff Bay
CF99 1NA

23 April 2015

Dear

The Environmental Permitting (England and Wales) (Amendment) Regulations 2015

I am writing in response to your letter of 18 March regarding the above Regulations.

As the Committee observed in its meeting of 9 March, transposition of article 14(5)-(9) of the energy efficiency Directive took place after 5 June 2014 in all parts of the UK. In light of this, I do not anticipate any disproportionate risk to the Welsh Government. However, it is essential that the relevant authorities work together to ensure that a similar situation does not arise in future.

As you note, a common environmental permitting framework currently operates across England and Wales. The Environmental Permitting (England and Wales) Regulations 2010 have been subject to numerous amendments since they were first made, some of them substantial. This has resulted in a patchwork of legislation with no up-to-date, authoritative, consolidated version to which regulators and regulated industry can refer. My department is therefore working with Defra on proposals for the production of a consolidated version of the Regulations as they currently stand. Any separation of the England and Wales regimes whilst this work is ongoing would add complexity and uncertainty for both the regulator and the regulated.

Yours sincerely

Carl Sargeant AC / AM
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