

Consultation on the **Environment (Wales) Bill**

The Environment and Sustainability Committee is undertaking an inquiry into the general principles of the **Environment (Wales) Bill**.

The terms of reference for the inquiry are:

To consider the general principles of the Environment (Wales) Bill including:

1. The need for legislation in the following areas –
 - Planning and managing Wales’ natural resources at a national and local level;
 - Providing Natural Resources Wales with a general purpose linked to statutory ‘principles of sustainable management of natural resources’ defined within the Bill;
 - Enhancing the powers available to Natural Resources Wales (NRW) to undertake land management agreements and experimental schemes;
 - Providing a requirement for public authorities to maintain and enhance biodiversity;
 - Creating a statutory framework for action on climate change including targets for reducing emissions of greenhouse gasses;
 - Reforming the law on charges for carrier bags;
 - Providing powers to Welsh Ministers in relation to waste recycling (including the separate collection of waste); food waste treatment and energy recovery in business.
 - Making provision about several and regulated orders for fisheries for shellfish;
 - Fees for marine licences;
 - Establishing a Flood and Coastal Erosion Committee; and
 - Changes to the law on land drainage and bylaws made by NRW.
2. Any potential barriers to the implementation of these provisions and whether the Bill takes account of them;
3. Whether there are any unintended consequences arising from the Bill;
4. The financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum (the Regulatory Impact Assessment, which estimates the costs and benefits of implementation of the Bill));

5. The appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum, which contains a table summarising the powers for Welsh Ministers to make subordinate legislation.

Consultation Questions

To expand on the terms of reference, a series of questions are provided below. These have been designed to help those wishing to respond to this consultation and are not intended to be prescriptive.

Part 1: Natural Resources Management

Do you agree with the Welsh Government's proposals on definitions for 'natural resources' and 'sustainable management of natural resource'? Are there things missing that you think should be included?

What are your views on the proposals for a National Natural Resource Policy? Is the Bill clear enough about what this will include?

Do you agree with the proposals for area statements? What should these cover and is the process for their development clear enough in the Bill?

What are your views on the proposal to strengthen the biodiversity duty on public authorities operating in Wales?

Are you content with the proposals for NRW to have wider powers to enter into land management agreements and have broader experimental powers?

Part 2: Climate Change

Do you agree with the proposals for the 2050 target?

For your views as to whether the interim targets should be on the face of the Bill?

Do you believe that the introduction of carbon budgets is a more effective approach than the 3% annual emissions reduction target that is currently in place in Wales?

What are your views on what emissions should be included in targets? All Welsh emissions or those within devolved competence?

Do you agree with the Bill's proposals as to what should happen if the Welsh Ministers fail to meet emissions targets or carbon budgets?

What should the role of an advisory body on climate change be?

Part 3: Carrier Bags

Do you agree with the proposal that Welsh Ministers should have powers to raise a charge on all types of carrier bags not only single use bags?

Do you agree with the proposal that Welsh Ministers should have powers to raise different charges on different types of bags?

Do you agree that the profits from the sale of carrier bags should be directed to all charitable causes rather than just environmental ones?

Part 4: Collection and Disposal of Waste

For your views on whether the Welsh Ministers need further powers to require that certain types of waste are collected, treated and transported separately?

Do you agree that non-domestic premises should be required to put their waste out for collection in line with any separation requirements set out by the Welsh Government?

Whether you agree that the Welsh Government needs wider powers to ban some recyclable waste from incineration?

What will the impacts of these waste proposals be for you or your organisation? Are there other waste proposals that you think should be included in the Bill?

Parts 5 & 6: Marine Licensing and Fisheries for Shellfish

Do you agree with the proposals to introduce charges for further aspects of the marine license process? What will the impacts of these changes be for you?

Do you agree with the proposals to give Welsh Ministers powers to include provisions in Several and Regulating Orders to secure protection of the marine environment?

For your views on the proposals to give Welsh Ministers powers to issue site protection notices where harm may have been caused by the operation of a fisheries Order to a European marine site?

Are there any other marine and fisheries provisions you would like to see included in the Bill?

Part 7: Flood and Coastal Erosion and Land Drainage

Do you agree with the proposals to replace the Flood Risk Management Wales committee with a Flood and Coastal Erosion Committee for Wales?

Whether you agree with the proposal for powers to be given Welsh Government agents to enter land to investigate alleged non-compliance with an Agricultural Land Tribunal order in relation to drainage?

Overarching Question

For your views on the relationship between this Bill and the Well-being of Future Generations Act 2015 and the Planning (Wales) Bill? Are the links and connections between them clear?

Finance Questions

What are your views on the costs and benefits of implementing the Bill? (You may want to consider the overall cost and benefits or just those of individual sections)

You may also want to consider:

How accurate are the costs and benefits identified in the Regulatory Impact Assessment?

Whether there are any costs or benefits you think may have been missed?

What is the cumulative impact of the costs or benefits of the Bill's proposals for you/your organisation?

Do you think 10 years (2016–17 to 2025–26) is an appropriate time period over which to analyse the costs and benefits?

The cumulative cost and/or benefit to organisations who will be affected by the Well-being of Future Generations (Wales) Act 2015, the Planning Bill and the Environment Bill?

Are there any other options that would achieve the intended effect of the Bill in a more cost effective way?

Invitation to contribute to the inquiry

The Committee welcomes evidence from both individuals and organisations. We will be holding oral evidence sessions during the summer term 2015 so it would be helpful if you could indicate in your submission whether you would be prepared to give oral evidence, if invited.

Generally, we ask for submissions to be made in writing because it is normal practice for the National Assembly to publish evidence provided to a Committee on our internet site so that it becomes part of the public record. Please let us know if you have any objections to our publishing your evidence. We are also able to accept evidence in audio or video format.

As a result of the Bill covering a wide range of areas the Committee recognises that not all individuals and/or organisations may wish to comment on every aspect of it. The Committee encourages all responses, including those which are limited to certain parts of the Bill.

The Committee welcomes contributions in English or Welsh, and we ask organisations with Welsh Language policies / schemes to provide bilingual responses, where applicable, in line with their public information policies.

If you wish to submit evidence, please send an electronic copy of your submission to: SeneddEnv@Assembly.Wales

Alternatively, you can write to:

Committee Clerk
Environment and Sustainability Committee
National Assembly for Wales
Cardiff Bay, CF99 1NA.

Submissions should arrive by **12 June 2015** and should preferably be no longer than **six pages of A4 including annexes**, have numbered paragraphs and in a word format. We also recommend that the first page of any response includes a summary of the key points or recommendations being made. It may not be possible to take into account responses received after this date.

Disclosure of Information

You can find details about how we will use your information at <http://www.assemblywales.org/help/privacy/help-inquiry-privacy.htm>. Please ensure that you have considered these details carefully before submitting information to the Committee.