

Julie James MS
Minister for Climate Change

14 July 2021

Dear Julie

Legislative Consent Memorandum on the UK Government's Environment Bill – follow-up to 12 July 2021 committee meeting

Thank you for attending our [Committee meeting](#) on Monday morning to discuss the Welsh Government's Legislative Consent Memorandum on the UK Environment Bill.

There are a number of matters that we would like to pursue with you in further detail, which I have set out below.

1. For every regulation-making power identified in Annex A to the Memorandum, you agreed to write and indicate when you intend to use each such power.
2. In responding to questioning related to the widely drawn regulation-making powers in the Bill, you said:

*"If the UK Government used the powers with the consent of Welsh Ministers, **the guidance on Welsh Ministers' consent to the UK exercising powers in relation to Wales provides specifically that the Senedd is given an opportunity to provide a view before Ministers provide consent** (emphasis added). So, a written statement would be laid before the Senedd in that regard, and then a debate could be scheduled and Members' views can be sought. Also, before consenting to anything that the UK Government are using on behalf of the Welsh Government, we would have been fully involved in policy development and implementation through our inter-governmental governance arrangements, and so it will be perfectly possible*



for us to keep the committee informed as to where we were with that, and I'm happy to do that"

Please will you (a) provide the Committee with a copy of the guidance that you referred to in the committee meeting, and (b) confirm whether you will be formally seeking the Senedd's views before giving Ministerial consent to any relevant regulations to be made under the Bill (once enacted).

3. You confirmed that an amendment had been tabled to the Bill on 9 June that consequently amend the Government of Wales Act 2006, which would then allow the Senedd to remove concurrent plus functions given to the Secretary of State under the Bill. Please can you provide an update on the status of this amendment, and whether it was agreed to.
4. You said that you were working with all the other Governments in the UK to determine the requirements that arise from the UK-EU Trade and Co-operation Agreement (TCA). Please can you provide a more detailed update regarding these UK-wide discussions on the implications of the TCA and on the Welsh Government's plan to ensure it remains in compliance when exercising powers provided by the Bill.

Furthermore, and while not strictly linked to our consideration of the Memorandum, when responding to questioning regarding bilingual Welsh law you indicated that there was an ongoing conversation about UK Government Bills being made available in Welsh. Please could you provide us with more information on this interesting development.

We would be grateful to receive your response by 30 July, so that we may have opportunity to consider this additional information in sufficient time for it to be incorporated into the drafting of our report on the Memorandum.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies
Chair, Legislation, Justice and Constitution Committee