

Lesley Griffiths AM
Cabinet Secretary for Energy, Planning and Rural Affairs
Welsh Government

9 August 2018

Dear Lesley,

Achieving our low-carbon pathway to 2030

As you know, the Climate Change, Environment and Rural Affairs Committee has taken a keen interest in the implementation and delivery of the Environment (Wales) Act 2016 ('the Act') which requires the Welsh Government to set carbon budgets every five years.

I am pleased to see the publication of the Welsh Government's consultation on reducing emissions – 'Achieving our low-carbon pathway to 2030'¹.

The Act requires the Welsh Government to produce a report detailing the policies and proposals that will deliver the reductions demanded by the carbon budgets in relation to each portfolio area. I note that the results of the consultation will be used to help develop the first Low Carbon Delivery Plan, due to be published in March 2019, which will inform the first carbon budget.

We welcome the commitment made by the Government that the carbon budgets will be subject to scrutiny by the Assembly. In order to carry out our scrutiny role properly, the Committee expects the report setting out the proposals and policies for meeting the carbon budgets to be available alongside the draft regulations in the following way:

¹ <https://beta.gov.wales/low-carbon-pathway-wales>



- it should be available at the same time as the draft regulations on the carbon budgets;
- it should provide an analysis by sector, in addition to a breakdown according to each Ministerial portfolio; and
- it should include an assessment and estimate of the impact of each proposal or policy on the carbon budget.

I am writing at an early stage to ensure you have time to consider these requests.

Once this information is published, we will be consulting our stakeholders. It is important to ensure the Committee has sufficient time to carry out our scrutiny, therefore I would be grateful if you could provide an outline timetable of when the regulations and supporting information will be published.

Yours sincerely,



Mike Hedges AM

Chair of Climate Change, Rural Affairs and Environment Committee



Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA/P/LG/3010/18

Mike Hedges AM
Chair of the Climate Change, Environment and Rural Affairs Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

7 September 2018

Dear Mike,

Thank you for your letter of 09 August 2018 on behalf of the Climate Change, Environment and Rural Affairs Committee regarding Assembly scrutiny of the Carbon Budgeting Regulations.

Over the development of the supporting regulations, I have kept the Committee involved by providing regular updates throughout the Programme. Prior to the launch of the public consultation in July, I issued a Written Statement which set out the Welsh Government's decisions with regards to setting interim emission reduction targets for 2020, 2030 and 2040, and the level of the first two carbon budgets. These Regulations and Explanatory Memorandum are now being drafted for debate in the National Assembly in December. Our focus is now on setting out what actions we will take through our Delivery Plan.

The Welsh Government has already been subject to a review process around the scrutiny procedure for setting our carbon budgets and Delivery Plan through the development of the Environment (Wales) Act 2016. As a result of the Assembly process, the Act has put in place the requirement for Welsh Ministers to set our carbon budgets in regulation by the end of December 2018 and then once we have an agreed budget, we will then publish a Delivery plan covering the first budget period. It is not practical to publish a Delivery plan until the carbon budget limit has been set and subject to the Assembly's affirmative procedure.

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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.

Specifically section 39 of the Act provides time following the setting of our carbon budgets to develop, and publish, policies and proposals to deliver the interventions. The Act provides up to 12 months for future carbon budgets consistent with approaches adopted in Scotland and the UK Government. However, recognising we are already in the first budgetary period, a clause was introduced, which requires the first report to be published as soon as reasonably practicable following the setting of the first carbon budget. I have already bought forward the publication date recognising the urgency and have already publically committed to publishing it before the end of March 2019.

The primary legislation itself was scrutinised through the Plenary process and within Committee in its draft Bill form, where the above process was agreed and we have subsequently developed our whole framework on this basis.

Publishing the Low Carbon Delivery Plan before the first carbon budget regulation has been agreed, and three months ahead of schedule, is not practical or in the spirit of the Act. Therefore, I will not be publishing the Plan alongside the Regulations in December.

However, there are a number of ways for the Committee to be involved, such as through our recently published Consultation, which sets out a great deal of context and rationale for our proposed strategic approach. Two stakeholder events are being held in support of the consultation. The public consultation forms one strand of evidence, which will inform our analysis. This is running in parallel with a comprehensive programme of work operating across the Welsh Government looking at low carbon policy interventions.

I will also be making a statement in Plenary in September following Scrutiny Committee earlier this year.

Developing a policy framework to meet our decarbonisation, and wider Welsh Government objectives, is an exciting challenge and one which I am committed to. However, it is also complex. There are some specific challenges in Wales with regards delivering our low-carbon ambitions, not least the dominance of our industrial sector. However, the challenges could also present significant opportunities for Wales with the correct policy response.

It is my duty to ensure the policy framework is fit-for-purpose and derives maximum value for the citizens of Wales in the context of the Well-being of Future Generations Act.

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive, flowing style.

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs