

Nick Bennett
Public Services Ombudsman for Wales

8 May 2019

Dear Nick

You may be aware that the Welsh Government recently published a consultation which seeks views on ways to fill the post-Brexit environmental governance gap and considers environmental principles needed to ensure high environmental standards in Wales.

To coincide with the consultation, the Climate Change Environment and Rural Affairs Committee ('the Committee') is carrying out an inquiry into environmental governance and principles. The terms of reference for the inquiry is attached at **Annexe A**. This work builds on the Committee's report published last year in which it made recommendations to both the UK and Welsh Government on environmental governance and principles post-Brexit.

The consultation refers to the well established structures in Wales for holding public bodies to account, including the Auditor General for Wales, the Public Services Ombudsman for Wales and the Future Generations Commissioner. It acknowledges that, while these will continue to operate post-Brexit, there is "an opportunity to enhance our national governance arrangements by introducing new mechanisms which address the [environmental governance] gap, arising as a result of the loss of oversight of EU law provided by the EU Commission". It states that any new oversight body should not conflict with, but complement and enhance existing structures.

Part 3 of the consultation seeks views on the gaps in environmental governance and includes proposals for the role, objectives, constitution and functions of a new body to oversee the implementation of environmental laws in Wales. Several questions are of significance to your role for example Question 6 asks "what role should existing accountability bodies provide in a new environmental governance structure for Wales".



The Committee would be interested in:

- your views on the outlined proposals, in particular the implications of the proposals for your role and the delivery of your functions, and
- the level of engagement between the Welsh Government and your office to date to determine how your role might fit within the new environmental governance arrangements.

Should you wish to provide views on any other aspects of the Welsh Government's consultation, or on any other matters referred to in the Committee's terms of reference, please feel free to do so.

I should be grateful if you would respond no later than 5 June.

If you have any queries regarding the above, please contact the Clerking team at SeneddCCERA@assembly.wales.

Yours sincerely,



Mike Hedges AM

Chair of Climate Change, Environment and Rural Affairs Committee



Terms of reference

The Committee is seeking views on:

- Gaps in environmental governance structures and principles post-Brexit in Wales and whether the Welsh Government's analysis (within the consultation) correctly and comprehensively identifies the deficiencies;
- The Welsh Government's consultation proposals and questions regarding the environmental principles, and the function/constitution/scope of the proposed governance body; and
- The value and practicality of a UK joined approach given the UK Government's Department of Environment Food and Rural Affairs's (DEFRA) proposal that new governance structures in England could exercise functions more widely across the UK.

