

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

9 November 2018

Dear Lesley,

Issues arising from 8 November meeting

Thank you for attending yesterday's Committee meeting to give evidence on the Welsh Government's draft budget report 2019–20. Following the evidence session, the Committee agreed that I should write to you on a number of matters.

Consideration of the Climate Change (Carbon Budget) (Wales) Regulations 2018

During the meeting, the Committee agreed to consider the five regulations relating to carbon budgets, which were laid before the Assembly on 6 November 2018.

We are therefore providing formal notification to you of our intention to report on the regulations, in accordance with Standing Order 27.8.

We will write to you shortly with a series of questions on the regulations.

Low Carbon Delivery Plan

During yesterday's evidence session, you gave a commitment to provide the Committee with early sight of the Low Carbon Delivery Plan. It would be helpful if you could provide an indication of when we can expect a copy of the Delivery Plan to assist us in our forward planning.



UK Agriculture Bill

The Committee considered your letter dated 30 October, in which you respond to a series of detailed questions on the UK Agriculture Bill. We will be pursuing some of these issues with you when you appear before the Committee on 6 December. In the meantime, we would like you to provide a more detailed response to the following:

- Can you expand on the assertion in the LCM that including the Welsh provisions in the UK Agriculture Bill, will not constrain the design and implementation of new schemes in Wales.
- Can you clarify whether the Welsh Government will be able to rely on retained EU law to continue to make payments to farmers under the current CAP schemes if the Welsh provisions are not included in the UK Agriculture Bill.
- If it will not be possible to rely on retained EU law in this way, which provisions within Schedule 3 will be necessary to continue to make payments to farmers under the current CAP schemes?

In giving evidence to the Constitutional and Legislative Affairs Committee at its meeting on 5 November, you asserted that you will not be seeking the Assembly's consent for the LCM if your concerns about provisions on the WTO Agreement on Agriculture (clause 26) are not addressed.

- If you do not seek the Assembly's consent for the LCM what are the implications of this for the Welsh provisions within the Bill, given that you requested them to be included?

UK Fisheries Bill

During yesterday's evidence session, the Committee asked for clarification on when any Legislative Consent Memorandum ('LCM') for the UK Fisheries Bill will be laid. It was not clear from your response when the LCM will be laid before the Assembly. As you know, the UK Fisheries Bill received its first reading in the



House of Commons on 25 October. Standing Order 29.1 provides that a member of the government must lay an LCM normally no later than two weeks after a UK Government Bill has been introduced. As such, we had expected the LCM to be laid today.

The Committee has agreed to adopt the same approach to its consideration of the LCM as for the LCM for the UK Agriculture Bill. It would be helpful if you could provide an indication of when the LCM for the UK Fisheries Bill will be laid in order to assist us in our forward planning.

It would be helpful if you could provide a response to the above by **Thursday 15 November**.

I am copying this letter to Mick Antoniw AM, Chair of the Constitutional and Legislative Affairs Committee.

Yours sincerely,



Mike Hedges AM

Chair of Climate Change, Environment and Rural Affairs Committee

cc Mick Antoniw AM, Chair of the Constitutional and Legislative Affairs Committee

