

Rt Hon Michael Gove MP
Cabinet Secretary for Environment, Food and Rural Affairs

28 June 2018

Dear Michael,

Report on environmental governance arrangements and environmental principles post-Brexit

The Climate Change, Environment and Rural Affairs Committee recently carried out work on the environmental governance arrangements which will be needed once we leave the European Union. A report of our conclusions is attached.

I would be grateful if you could consider this report of our work as part of your consultation on 'Environmental Principles and Governance after EU Exit'¹.

The Committee noted the statement issued by Lesley Griffiths AM, the Cabinet Secretary for Energy, Planning and Rural Affairs when your consultation was published². She said she was 'disappointed' the Welsh Government 'had not been fully engaged' in the work which led up to the publication of your consultation. She went on to say that 'Wales stands ready to work in collaboration' with the UK Government.

Our stakeholders were clear that a new body needs to be established to carry out the regulation and enforcement which is currently the responsibility of European

¹ <https://consult.defra.gov.uk/eu/environmental-principles-and-governance/>

² https://twitter.com/wgcs_rural/status/994602351838289925



institutions. They highlighted the urgent need to avoid a ‘governance gap’ once we exit the European Union (EU). The Committee has recommended that if such a body is established at a UK level, it should meet the following criteria:

- it must be co-designed by all of the different countries of the UK;
- it must be accountable to legislatures, rather than governments;
- it must be resourced appropriately; and
- there must be appropriate mechanisms to resolve disputes.

We have also recommended that, if established, such a governance body should be responsible for the following functions:

- promoting environmental protection among government actors and the wider community;
- monitoring and reporting on progress in the implementation of environmental laws and providing essential scientific data;
- taking action where targets/objectives are not met, for example through the imposition of economic sanctions;
- providing citizens and civil society organisations with access to the complaints and enforcement systems; and
- adopting a long-term policy strategy which transcends political cycles.

In the report the Committee acknowledged that it is unlikely that a successor body will be in place by the day the UK leaves the EU. We believe the Welsh and UK Governments should explore the potential for a transitional arrangement to ensure that regulatory and enforcement functions in relation to environmental law



can be exercised. These temporary arrangements should be in place until a suitable successor body can be established, either at the Welsh or UK level.

Please can you let us know if any work is being done by your department to set up these necessary transitional arrangements?

We look forward to seeing the results of the consultation and hope that our contribution will help to form the best mechanisms for ensuring the environmental protections we have now are maintained.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive, slightly slanted style.

Mike Hedges AM

Chair of Climate Change, Rural Affairs and Environment Committee

