Dear Mary,

Thank you for your letter of 1 February to Hannah Blythyn AM, regarding the UK Government’s draft Environment (Principles and Governance) Bill. As the Minister responsible for the environment in Wales, I am responding to the letter. I am grateful to be given the opportunity to submit evidence to inform your considerations.

As Hannah Blythyn AM outlined in her letter to you in July 2018, the gaps are different in Wales because we have already placed both sustainable development and key environmental principles into primary legislation and we also have a different structure with respect to key public bodies in this area.

Sustainable development, enshrined through the Well-being of Future Generations (Wales) Act, provides our overarching context reflecting the economic, social and cultural aspects as well as the environmental. It puts in place seven well-being goals, which provide a shared vision and direction for public bodies in Wales, and five ways of working to help them take into account the impact of the work we do now on the Wales of the future. The Act also established a Future Generations Commissioner to support public bodies in meeting their obligations to carry out sustainable development and put in place a framework for sustainable development clearly aligned with the UN Global Goals.

The Environment (Wales) Act, which integrates the management of our natural resources into this sustainable development architecture, introduced a further set of principles to guide and support the development and implementation of policies on managing our natural resources. In Wales, we therefore have a two-tier architecture, not unlike the current approach provided in the EU Treaties.
In addition, as part of our wider reforms we have also established Natural Resources Wales (NRW) - a single environmental body with an overarching purpose aligned to the principles within the Environment (Wales) Act.

This Act also introduced an iterative framework of an evidence base (State of Natural Resources Report) published by NRW, which feeds into our statutory Natural Resources Policy, and is implemented via area statements produced by NRW, which apply an area-based approach to the policies provided in the Natural Resources policy.

As the scope of the existing framework in Wales is wider and more integrated, the approach proposed in the UK Bill, it is not an appropriate model to address the gaps in Wales.

Our aim is to address the governance gaps in a way, which is compatible and in alignment with our sustainable development architecture, our approach to maintaining and enhancing ecosystem resilience and compliments our existing accountability mechanisms such as the Future Generations Commissioner.

There are however areas, where a UK-wide response could indeed be beneficial for example, delivery against international commitments require collective UK-wide action. I have always stated my commitment to work collaboratively with the UK Government on seeking options for models to address this importance issue.

However, the timescales under which this Bill is being developed has restricted the opportunities to collaboratively develop a response, which reflects the differences in gaps across the administrations, respects the devolution settlements and delivers an approach for collective UK-wide action.

I remain ready to work collaboratively on potential UK-wide approaches to this important issue and we continue to proactively engage with the UK Government.

I will be publishing a consultation document in March on the environmental governance gap in Wales and working with stakeholders to collaboratively develop proposals to address the post EU exit gaps.

Regards

Lesley Griffiths AC/AM
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs