

Agenda Supplement – Legislation, Justice and Constitution Committee

Meeting Venue:	For further information contact:
Hybrid – Committee Room 4, Tŷ Hywel and videoconference via Zoom	P Gareth Williams Committee Clerk
Meeting date: 17 November 2025	0300 200 6565
Meeting time: 11.30	SeneddLJC@senedd.wales

Hybrid – Supplementary Pack (No.2)

Please note the documents below are in addition to those published in the main Agenda and Reports pack for this Meeting

2 **Senedd Cymru (Member Accountability and Elections) Bill: Evidence session with the Counsel General and Minister for Delivery**

(11.30 – 12.30)

(Pages 1 – 17)

[Senedd Cymru \(Member Accountability and Elections\) Bill](#), as introduced
[Explanatory Memorandum](#)
[Statement of policy intent](#)

Julie James MS, Counsel General and Minister for Delivery

Ryan Price, Head of Senedd Policy, Welsh Government

Will Whiteley, Deputy Director, Senedd Reform, Welsh Government

Anna Hind, Senior Lawyer, Welsh Government

Attached Documents:

LJC(6)-32-25 – Paper 1 – Briefing Paper

8 **Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3 – previously considered**

(13.45 – 13.50)



**8.2 SL(6)663 – The Land Transaction Tax (Modification of Special Tax Sites Relief)
(No. 2) (Wales) Regulations 2025**

(Pages 18 – 21)

Attached Documents:

LJC(6)–32–25 – Paper 29 – Report

LJC(6)–32–25 – Paper 30 – Welsh Government response

**8.3 SL(6)664 – The Land Transaction Tax (Modification of Special Tax Sites Relief)
(No. 3) (Wales) Regulations 2025**

(Pages 22 – 24)

Attached Documents:

LJC(6)–32–25 – Paper 31 – Report

LJC(6)–32–25 – Paper 32 – Welsh Government response

9 Inter–Institutional Relations Agreement

(13.50 – 13.55)

**9.1 Correspondence from the Welsh Government: Meetings of inter–ministerial
groups**

(Page 25)

Attached Documents:

LJC(6)–32–25 – Paper 33 – Letter from the Counsel General and Minister for
Delivery: Inter–Ministerial Group on Justice, 13 November 2025

10 Papers to note

(13.55 – 14.00)

**10.1 Correspondence from the Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs: Environment (Principles, Governance and
Biodiversity Targets) (Wales) Bill**

(Pages 26 – 33)

Attached Documents:

LJC(6)-32-25 – Paper 34 – Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 14 November 2025

LJC(6)-32-25 – Paper 35 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 14 November 2025

11 Planning (Wales) Bill and Planning (Consequential Provisions)

(Wales) Bill: Draft report

(14.00 – 14.30)

(Pages 34 – 135)

Attached Documents:

LJC(6)-32-25 – Paper 22 – Draft report

12 Prohibition of Greyhound Racing (Wales) Bill: Draft report

(14.30 – 14.45)

(Pages 136 – 161)

Attached Documents:

LJC(6)-32-25 – Paper 25 – Draft report

Document is Restricted

Agenda Item 8.2

SL(6)663 – The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 2) (Wales) Regulations 2025

Background and Purpose

These Regulations amend Schedule 21A to the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017.

Schedule 21A provides for a relief from land transaction tax (“LTT”) for qualifying transactions of land within a special tax site. Under paragraph 2 of that Schedule, the relief currently applies to designated areas comprising the Celtic Freeport¹ and the Ynys Môn Freeport².

These Regulations extend the relief to further sites in Ynys Môn³, with effect from 21 November 2025.

Procedure

Draft Affirmative.

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation.

Regulation 1(2) provides that these Regulations come into force at “midnight on 21 November 2025”.

The Welsh Government is asked to explain:

- (1) the purpose (and meaning) of “midnight” in this provision, given that section 29 of the Legislation (Wales) Act 2019 provides for a Welsh subordinate instrument to come into force at the beginning of a day specified in the instrument; and

¹ The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Celtic Freeport) Regulations 2024/1035 made on 16 October 2024.

² The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Anglesey Freeport) Regulations 2024/1286 made on 4 December 2024.

³ The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Anglesey Freeport) Regulations 2025/1079 made on 14 October 2025.



- (2) the reason for the italic coming into force date below the SI title confirming only that the Regulations come into force on 21 November 2025, instead of specifying the corresponding point in time mentioned in regulation 1(2).

Merits Scrutiny

The following 2 points are identified for reporting under Standing Order 21.3 in respect of this instrument.

- 2. Standing Order 21.3(i) – that it imposes a charge on the Welsh Consolidated Fund or contains provisions requiring payments to be made to that Fund or any part of the government or to any local or public authority in consideration of any licence or consent or of any services to be rendered, or prescribes the amount of any such charge or payment.**

Section 25 of the Tax Collection and Management (Wales) Act 2016 provides that the Welsh Revenue Authority must pay amounts collected in the exercise of its functions, which includes the collection of LTT, into the Welsh Consolidated Fund.

These Regulations extend special tax site relief from LTT to the identified further sites in Ynys Môn from 21 November 2025 until 30 September 2029.

- 3. Standing Order 21.3(ii)- that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.**

Paragraph 3.6 of the Explanatory Memorandum to these Regulations notes that:

“The relief is a subsidy in the form of a geographically limited relief provided to those businesses buying land and meeting the qualifying conditions within the designated special tax site for a limited period of time. The Subsidy Control Scheme for Welsh Freeports was referred to the Competition and Markets Authority (“CMA”) in accordance with section 31 of the Subsidy Control Act 2022, and registered on the subsidy database in accordance with section 33 of that Act on 14 November 2024”.

Welsh Government response

A Welsh Government response to the technical reporting point is required.

Committee Consideration

The Committee considered the instrument at its meeting on 10 November 2025 and reports to the Senedd in line with the reporting points above.



Government Response: The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 2) (Wales) Regulations 2025 (“No.2 Regulations”)

Technical Scrutiny point 1: Notwithstanding the effect of section 29 of the Legislation (Wales) Act 2019, we consider that the reference to midnight makes these Regulations and the Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 3) (Wales) Regulations 2025 (“No.3 Regulations”) that follow them more accessible. If the precise coming into force time is not specified in this provision, a reader who may not be familiar with the rules within the Legislation (Wales) Act may not immediately understand that the LTT No.2 Regulations come into force at midnight on 21 November 2025, with the Land No.3 Regulations coming into force immediately after that. This in no way affects the operation of these provisions, however, the text at Regulation 1(2) will be amended to provide further clarity and consistency between the two sets of Regulations, as set out below, prior to the making of these Regulations.

The italic coming into force date below the SI title confirming only that the Regulations come into force on 21 November 2025 instead of specifying the corresponding point in time mentioned in regulation 1(2) was an oversight, and the outlined change below will also be made prior to the making of the Regulations.

Technical drafting corrections to be made prior to the making of the Regulations

CORRECTIONS MADE TO THE WELSH TEXT PRIOR TO MAKING	CORRECTIONS MADE TO THE ENGLISH TEXT PRIOR TO MAKING
Rheoliadau Treth Trafodiadau Tir (Addasu Rhyddhad ar gyfer Safleoedd Treth Arbennig) (Rhif 2) (Cymru) 2025	The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 2) (Wales) Regulations 2025
Below the SI title on page 2 “ <i>am 12:00 a.m.</i> ” to be added after “ <i>Yn dod i rym 21 Tachwedd 2025</i> ”	Below the SI title on page 2 “ <i>at 12:00 a.m.</i> ” to be added after “ <i>Coming into force 21 November 2025</i> ”.
In regulation 1(2) delete “ <i>hanner nos</i> ” and replace with “12:00 a.m.”	In regulation 1(2) delete “ <i>midnight</i> ” and replace with “12:00 a.m.”
Minor issues such as formatting, minor changes to the explanatory note, footnotes, and correcting typographical errors will also be corrected prior to making.	

Agenda Item 8.3

SL(6)664 – The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 3) (Wales) Regulations 2025

Background and Purpose

These Regulations amend Schedule 21A to the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017.

Schedule 21A provides for a relief from land transaction tax (“LTT”) for qualifying transactions of land within a special tax site. Under paragraph 2 of that Schedule, the relief currently applies to designated areas comprising the Celtic Freeport¹ and the Ynys Môn Freeport².

These Regulations extend the relief to the Flintshire and Wrexham Investment Zone³, with effect from 21 November 2025.

Procedure

Draft Affirmative.

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements.

Regulation 1(2) specifies that these Regulations come into force at a particular point in time (at 12:01 a.m. on 21 November 2025).

However, the italic coming into force date below the SI title states “21 November 2025” and omits the relevant time.

¹ The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Celtic Freeport) Regulations 2024/1035 made on 16 October 2024.

² The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Anglesey Freeport) Regulations 2024/1286 made on 4 December 2024.

³ The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Flintshire and Wrexham Investment Zone) Regulations 2025/1080 made on 14 October 2025.



Merits Scrutiny

The following 2 points are identified for reporting under Standing Order 21.3 in respect of this instrument.

- 2. Standing Order 21.3(i) – that it imposes a charge on the Welsh Consolidated Fund or contains provisions requiring payments to be made to that Fund or any part of the government or to any local or public authority in consideration of any licence or consent or of any services to be rendered, or prescribes the amount of any such charge or payment.**

Section 25 of the Tax Collection and Management (Wales) Act 2016 provides that the Welsh Revenue Authority must pay amounts collected in the exercise of its functions, which includes the collection of LTT, into the Welsh Consolidated Fund.

These Regulations extend special tax site relief from LTT to the identified Investment Zone from 21 November 2025 until 30 September 2034.

- 3. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.**

Paragraph 3.6 of the Explanatory Memorandum to these Regulations notes that,

“The relief is a subsidy in the form of a geographically limited relief provided to those businesses buying land and meeting the qualifying conditions within the designated special tax site for a limited period of time. The Subsidy Control Scheme for Welsh IZs was referred to the Competition and Markets Authority (“CMA”) in accordance with section 31 of the Subsidy Control Act 2022, and registered on the subsidy database in accordance with section 33 of that Act on 6 October 2025, Scheme SC11410.”

Welsh Government response

A Welsh Government response to the technical reporting point is required.

Committee Consideration

The Committee considered the instrument at its meeting on 10 November 2025 and reports to the Senedd in line with the reporting points above.



Government Response: The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 3) (Wales) Regulations 2025

Technical Scrutiny point 1: This was an oversight and although does not affect the operation of the Regulations, it will be rectified prior to their making.

Technical drafting corrections to be made prior to the making of the Regulations

CORRECTIONS MADE TO THE WELSH TEXT PRIOR TO MAKING	CORRECTIONS MADE TO THE ENGLISH TEXT PRIOR TO MAKING
Rheoliadau Treth Trafodiadau Tir (Addasu Rhyddhad ar gyfer Safleoedd Treth Arbennig) (Rhif 3) (Cymru) 2025	The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 3) (Wales) Regulations 2025
Below the SI title on page 2 " <i>am 12:01 a.m.</i> " to be added after " <i>Yn dod i rym 21 Tachwedd 2025</i> "	Below the SI title on page 2 " <i>at 12:01 a.m.</i> " to be added after " <i>Coming into force 21 November 2025</i> "
Minor issues such as formatting, minor changes to the explanatory note, footnotes and correcting typographical errors will also be corrected prior to making.	

Julie James AS/MS
Y Cwnsler Cyffredinol a'r Gweinidog Cyflawni
Counsel General and Minister for Delivery

Agenda Item 9.1



Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

Llywodraeth Cymru
Welsh Government

SeneddLJC@senedd.wales

13 November 2025

Dear Mike,

Inter-Institutional Relations Agreement: Inter-Ministerial Group on Justice

I am writing in accordance with the inter-institutional relations agreement to notify you that the next Inter-Ministerial Group on Justice will be held at 13:00 - 14:30 on Thursday 11 December. It will take place in the Welsh Government's offices in Cardiff.

I am due to chair the meeting which will consider the standing items of prison capacity, court caseloads and legal aid. The Cabinet Secretary for Social Justice, Trefnydd and Chief Whip is also due to attend as two of the agenda items fall within her portfolio.

The first of these additional items will consider emerging digital strategies and digital innovation within the justice system. The second additional item will consider the different approaches taken throughout the United Kingdom on matters relating to violence against women and girls.

I will provide an update after the meeting.

I am copying this letter to the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip.

Yours sincerely,

Julie James AS/MS
Y Cwnsler Cyffredinol a'r Gweinidog Cyflawni
Counsel General and Minister for Delivery

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Cwnsler.Cyffredinol@llyw.cymru
correspondence.Counsel.General@gov.wales

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.



WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill – Government Amendments
DATE	14 November 2025
BY	Huw Irranca-Davies, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

I am very pleased that the Senedd, on 11 November, approved the General Principles and Financial Resolution of the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill and the Bill has successfully moved to Stage 2.

I would like to thank Members and stakeholders who have contributed, supported, and worked with us to develop the proposals for this vital legislation. Their combined perspective, expertise, and challenge have been instrumental in shaping and refining this Bill so far and will continue to be as we go through the next stages of the legislative process.

Ahead of and alongside my formal response to the Committees, I would like to take the opportunity to highlight particular areas where I would like to explore, with committee, the opportunity for Government amendments during the future stages of the Bill.

Part 1 – Environmental Objective and Principles

In respect of Part 1 of the Bill, I intend to bring forward amendments to:

- set a firm date by when the environmental principles and integrating environmental protection statement ('the section 6 statement') must be laid before the Senedd and published.
- include a process to enable Senedd scrutiny and recommendations before the section 6 statement is finalised.
- require the Welsh Ministers to regularly review the section 6 statement, at least once per Senedd term.

- clarify that the Welsh Ministers' duty to have special regard to the environmental principles and integrate environmental protection applies to all policy making unless there is no or a negligible effect on the environment, which is a very low threshold.
- require the Welsh Ministers to explain in the section 6 statement how they propose to determine whether a policy has no or a negligible effect on the environment.
- require the Welsh Ministers to explain in the section 6 statement how they consider the environmental principles should be interpreted.

I will also explore further clarifying the definition of "policy" to ensure the duties are clear and effective.

Part 2 – The Office of Environmental Governance Wales

For Part 2 of the Bill, I intend to bring forward amendments to:

- require Welsh Ministers to provide sufficient funding to the OEGW.
- require Welsh Ministers to have regard to protecting the OEGW's independence when exercising functions relating to it.
- ensure the Welsh Ministers have no role in the review committee process by removing the requirement for them to hold a list of individual members to be appointed.
- reduce the number of independent persons required for the review committee process to be 'at least 1'.
- require Welsh Ministers to consult the OEGW, and any other persons it considers necessary, when amending the definition of environmental law by regulations.
- ensure citizens are able to access environmental justice by providing representations directly to the OEGW and ensure they will be kept informed of the OEGW's response to representations and any action taken.
- require the OEGW's functions to be commenced within two years of Royal Assent, with an option to extend for a further limited period but only if the Senedd agrees.
- enable the Senedd to have greater involvement in the appointment process by being part of the recruitment panel for non-executive roles.
- provide that a review of a compliance/urgent compliance notice by the OEGW review committee must be completed as soon as reasonably practicable.

Part 3 – Biodiversity Targets

For Part 3 of the Bill, I intend to bring forward amendments to:

- Reduce the timescale for bringing forward draft regulations setting targets in priority areas from three years to two years.
- Reduce the timescale for the Welsh Ministers to lay a report before the Senedd explaining why a target has not been met and what steps they'll take to achieve the target from twelve months to six months.
- Require the Welsh Ministers to set both short-term and long-term targets for the species and ecosystems priority areas.
- Require Welsh Ministers to publish a report summarising the consultation process and representations received before setting targets and when publishing their section 6 plan.
- Introduce a duty on the Welsh Ministers to review, at least once every ten years, the effectiveness of current targets in contributing to halting and reversing the decline in biodiversity. If such a review concludes further targets should be set, such targets to be laid before the Senedd within two years of the review.
- Introduce additional requirements for the Welsh Ministers' section 6 plan, including applying the principles of sustainable management of natural resources when preparing that plan, setting out the actions to be taken to contribute to the Global Biodiversity Framework's 2050 vision, proposals covering the areas of responsibility of each of the Welsh Ministers, how the Welsh Ministers intend to maintain a target standard once it's been met, and how the Welsh Ministers intend to promote awareness of biodiversity.

I look forward to continued engagement with Members and stakeholders as we move through the next stages of the legislative process. Now, more than ever before, we must all act to protect and improve Wales's natural environment, which is so vital to our well-being.

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet
dros Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs



Llywodraeth Cymru
Welsh Government

Our ref/ein cyf: HID-PO-584-25

Mike Hedges MS
Legislation, Justice and Constitution
Committee
Senedd Cymru
Cardiff Bay
CF99 1SN

14 November 2025

Dear Mike,

Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill

Thank you for the Legislation, Justice and Constitution Committee's Report, published on 24 October, regarding the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill as part of Stage 1 scrutiny.

I am grateful to the Committee for its considered stage 1 scrutiny and pleased the Bill has passed Stage 1 general principles successfully.

I have carefully considered the committee's report and please see my response in Annex 1 to the set of recommendations as outlined in the Stage 1 general principles debate.

Yours sincerely,

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd
a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Huw.Irranca-Davies@llyw.cymru
Correspondence.Huw.Irranca-Davies@gov.wales

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.

Annex: Response to Legislation, Justice and Constitution Committee’s report on the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill – November 2025

Recommendation 1. The Cabinet Secretary should provide the Committee with a flow diagram explaining in detail how the Welsh Government envisages section 3 of the Bill being applied by Welsh Ministers in a real-world context. In particular, the explanation should include the processes in place to identify relevant policies, the assessment of whether a policy has (or may have) any effect on the environment, and the practical application of the duty to have special regard to the environmental principles.

ACCEPT

I welcome this recommendation and consider this product would be helpful to include with the section 6 environmental principles statement or in supporting materials. I am therefore happy to commit to providing this to the committee ahead of the public consultation on the statement, which I intend to launch shortly after the Bill receives Royal Assent.

As the precise processes will be subject both to amendments to the Bill itself, as well as collaboration with stakeholders on the content and approach, it would not be appropriate to produce and share this until that work has completed.

Recommendation 2. The Bill should be amended to include an interpretation provision that explains, using a non-exhaustive list, what constitutes “making policy” in section 3 of the Bill.

ACCEPT IN PRINCIPLE

The Bill and supporting materials already clarify the meaning of “policy” and “making policy” in connection with the Welsh Ministers’ and NRW’s duties. We have not sought to define policy more explicitly on the face of the Bill to avoid any unintended consequences, for example where matters not listed are considered outside scope, which may not be the case. We think a broader, more encompassing approach is preferable.

However, we recognise that certain stakeholders would welcome further clarity and reassurance around this intended scope. I am therefore considering whether it is appropriate to include further clarification by amending the Bill or the supporting materials to support its interpretation but am unable to commit to making an amendment until this further exploration has concluded.

Recommendation 3. The Bill should be amended to require the Welsh Ministers to expressly set out how the four environmental principles are to be interpreted in the section 6 statement.

ACCEPT

Section 6 of the Bill sets out a number of specific and detailed matters that the Welsh Ministers are required to explain in the statement. This includes explaining how the Welsh Ministers propose to comply with their duties to apply the principles and integrate environmental protection.

However, on balance we consider there may be benefits to making it clearer on the face of the Bill that the section 6 statement will include a requirement to explain how the principles should be interpreted. I therefore intend to bring forward an amendment to this effect for stage 2.

Recommendation 4. The Bill should be amended to provide that a statement laid under section 7(2) of the Bill must not be published and come into force if the Senedd resolves that the guidance should not be published within 40 days of laying.

ACCEPT IN PRINCIPLE

The Bill currently provides for laying the statement before the Senedd, along with details of the consultation carried out, a summary of the consultation representations, and the Welsh Ministers' response. Whilst we consider this to provide a satisfactory level of transparency and accountability, we agree this could be enhanced by further scrutiny by the Senedd.

I intend to bring forward an amendment at Stage 2 to enable the Senedd to consider the post-consultation draft of the statement, with opportunity to submit recommendations to the Welsh Ministers. This is also explained in my response to the CCEI report. I am content to consider providing 40 days for this consideration as the recommendation requests. In turn, I intend to place a requirement on the Welsh Ministers to consider and respond to any such recommendations before the statement can be finalised.

The statement is one of government policy, and the approach reflects this whilst also providing a significantly strengthened role to enable Senedd recommendations to be provided. It also requires the Welsh Ministers to respond to these recommendations.

I can therefore accept the recommendation in principle only as I do not consider it appropriate for the Senedd to be able to approve a government policy statement. I welcome the opportunity for further scrutiny and refinement that this process could provide.

Recommendation 5. The Bill should be amended to ensure that the statement prepared under section 6 of the Bill must be capable of coming into force within 6 months of Royal Assent, taking into account the 40 day standstill period in Recommendation 4.

ACCEPT IN PRINCIPLE

I consider the section 6 statement essential for the Part 1 provisions to operate effectively. It is, therefore, my policy intention to publish the statement on commencement of the substantive duties under the Part 1 provisions, but I also recognise that provision in the Bill for a date by when the final statement must be laid and published can add clarity and enforceability to this intent.

As we are giving further consideration to the Senedd procedure and the impacts on the delivery timeline, I am unable to commit to the statement taking effect within 6 months of Royal Assent. Other matters will need to be factored in, including for example, the need for time to respond to any recommendations and potential further consultation if substantive changes are warranted.

I intend, however, to clarify by amendment to the Bill, a firm date by when the statement must be laid before the Senedd and published, to provide clarity and certainty and to ensure that the Part 1 provisions can operate effectively.

Recommendation 6. The Bill should be amended to include provision which expressly confirms the independence from government of the Office of Environmental Governance Wales

ACCEPT

I agree the independence of the OEGW is paramount to its effective operation, and I am content that the Bill, as drafted, already provides for this effect.

However, reflecting on feedback from stakeholders and committee, I consider a statement about the independence of the OEGW on the face of the bill would further enhance the importance of its independence.

I intend to bring forward a Government Amendment for Stage 2 placing a clear requirement on Welsh Ministers to have regard to protecting the OEGW's independence.

Recommendation 7. We invite the Welsh Government to undertake an assessment of the broader pre-appointment's regime with a view to better reflecting the operation of the regime on the face of primary legislation.

ACCEPT

I am happy to provide the committee with my further reflections on this in relation to this Bill. As identified in the committee report, the framework for pre-appointments operates outside of this Bill. This Welsh Government remains committed towards making pre-appointment hearings a routine part of the appointment of chairs of public bodies in Wales to enhance the scrutiny and transparency of the public appointment making process.

The Bill provides sufficient legislative flexibility to deliver upon this political commitment. However, it will be for future governments to determine the level of this commitment, including the extent to which it wishes the Senedd to have a direct role in scrutinising the public appointments.

I have considered this recommendation further and concluded it is not necessary to legislate for such matters on the face of this Bill. It is a matter of discretion as to which public appointments merit the further scrutiny provided by pre-appointment hearings. The operation of this regime is rightly subject to flexibility depending on the appointment at hand and will differ depending on the nature and level of role which is being appointed.

The Committee will also note that we have responded to the CCEI committee outlining my intention to bring forward an amendment that will enable Senedd members be involved in the appointment process, which I consider is a more direct method of strengthening Senedd involvement.

Recommendation 8. The regulation-making power in section 29(4) of the Bill should be subject to an enhanced form of the Senedd's approval procedure. In particular, the Bill should be amended to require mandatory consultation (including

public consultation) and a longer laying period in the Senedd to allow sufficient time for meaningful scrutiny.

ACCEPT IN PRINCIPLE

We recognise the potential impact of this power and, in response to the CCEI committee's report, I am intending to bring forward amendments to ensure, before making regulations under section 29(4), the Welsh Ministers must consult the OEGW and any other persons considered appropriate.

The regulations will be subject to the Senedd approval procedure. I consider the current scrutiny process in the legislation is sufficient and provides the appropriate opportunity for the Senedd to provide meaningful scrutiny of the proposals, including any responses from the consultation with the OEGW and other stakeholders.

I also wanted to take this opportunity to respond to a few of the comments raised in relation to Part 3 – Biodiversity Targets

- The target-setting framework in Part 3 of the Bill complements existing provision in the Environment (Wales) Act 2016. Section 6 of that Act requires public authorities to seek to maintain and enhance biodiversity in the exercise of their functions in Wales, meaning they must consider biodiversity in their day-to-day functions. The targets will give measurable goals to guide and assess progress toward halting and reversing the decline in biodiversity in Wales, and action taken by designated public authorities to contribute to achieving those targets will complement the section 6 duty.
- We recognise that inserting new substantive provisions into existing legislation can present challenges for readability. However, our intention in amending the Environment (Wales) Act 2016 was to retain all biodiversity-related duties within a single legislative framework. This approach avoids fragmentation, improving long-term accessibility and legal certainty. This is considered more accessible than splitting the provisions over two Acts.
- We note the Committee's broader concern about the complexity of the environmental legislative framework. The Bill has been carefully designed to complement existing legislation, including the Well-being of Future Generations (Wales) Act 2015, the Environment (Air Quality and Soundscapes) (Wales) Act 2024, and the Agriculture (Wales) Act 2023. The biodiversity targets framework is intended to strengthen strategic oversight and drive action, not to duplicate or confuse.

Agenda Item 11

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted

Agenda Item 12

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted