

# Agenda – Economy, Trade, and Rural Affairs Committee

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Meeting Venue:	For further information contact:
Hybrid – Committee room 5 Ty Hywel and video Conference via Zoom	Robert Donovan Committee Clerk
Meeting date: 3 March 2022	0300 200 6565
Meeting time: 09.30	<a href="mailto:SeneddEconomy@senedd.wales">SeneddEconomy@senedd.wales</a>

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## Private pre-meeting (09:15–09:30)

## Public Meeting (09:30–14:00)

### 1 Introductions, apologies, substitutions and declarations of interest

(09:30)

### 2 Paper(s) to note

(09:30)

#### 2.1 Letter from the Minister for Rural Affairs and North Wales, and Trefnydd

(Page 1)

Attached Documents:

Provisional Frameworks

#### 2.2 Letter from Chair of Legislation, Justice and Constitution Committee

(Pages 2 – 3)

Attached Documents:

Supplementary Legislative Consent Memorandum (Memorandum No.2) –

Animal Welfare (Kept Animals) Bill



**Senedd Cymru**  
**Welsh Parliament**

## **2.3 Letter from Chair of Economy, Trade and Rural Affairs Committee**

(Pages 4 – 5)

Attached Documents:

Legislative Consent Memorandum for the Commercial Rent (Coronavirus) Bill

## **2.4 Letter from Chair of Economy, Trade and Rural Affairs Committee**

(Pages 6 – 7)

Attached Documents:

Supplementary Legislative Consent Memorandum for the Professional Qualifications Bill

## **2.5 Letter from Minister for Economy**

(Pages 8 – 9)

Attached Documents:

Ministerial Forum for Trade

## **2.6 Letter from Minister for Rural Affairs and North Wales, and Trefnydd**

(Pages 10 – 11)

Attached Documents:

Meeting of the Inter-Ministerial Group for Environment, Food and Rural Affairs

## **2.7 Letter from Chair of Legislation, Justice and Constitution Committee**

(Page 12)

Attached Documents:

The Official Controls (Extension of Transitional Periods) (Amendment) (No. 2) Regulations 2021

## **2.8 Letter from Chair of Public Accounts and Public Administration Committee**

(Pages 13 – 15)

Attached Documents:

Provisional Common Framework: Late Payment

## **2.9 Letter from Chair of Economy, Trade and Rural Affairs Committee**

(Page 16)

Attached Documents:

Supplementary Legislative Consent Memorandum (No.2) on the Subsidy Control Bill

## **2.10 Letter from Minister for Education and Welsh Language**

(Pages 17 – 19)

Attached Documents:

Committee report on the Supplementary Legislative Consent Memorandum (Memorandum No 2) on the Professional Qualifications Bill

## **2.11 Letter from Minister for Rural Affairs and North Wales, and Trefnydd**

(Page 20)

Attached Documents:

Setting out the scrutiny period for the Joint Fisheries Statement (JFS)

## **2.12 Letter from Minister for Education and Welsh Language**

(Pages 21 – 22)

Attached Documents:

Committee report on the Supplementary Legislative Consent Memorandum (Memorandum No 2) on the Professional Qualifications Bill

## **2.13 Letter from the Minister for Rural Affairs, North Wales & Trefnydd**

(Page 23)

Attached Documents:

Publication of the Fisheries Management and Support framework

## **2.14 Letter from Huw Morris, Group Director SHELL, Welsh Government**

(Pages 24 – 25)

Attached Documents:

Additional information following the meeting on the 20 January

## **2.15 Letter from Chair Children, Young People and Education Committee**

(Pages 26 – 27)

Attached Documents:

Findings of our 6th Senedd priorities engagement with children and young people

## **3 Hospitality, retail and tourism issues – Business representatives**

(09.30–10.45)

(Pages 28 – 40)

David Chapman, Executive Director, UK Hospitality Cymru

Sara Jones, Head of the Welsh Retail Consortium

Suzy Davies, Chair, Wales Tourism Alliance

Michael Bewick, Chair of North Wales Tourism Forum

Attached Documents:

Research brief

## **Break (10.45–11.00)**

#### **4 Hospitality, retail and tourism issues – Trade Unions and Bevan Foundation**

(11.00–11.45)

Dr Victoria Winckler, Director Bevan Foundation

Shavanah Taj, General Secretary, Wales Trades Union Congress

Mark Turner, Community Co-ordinator, Unite Wales

#### **Break (11.45–12.00)**

#### **5 Hospitality, retail and tourism issues – Skills sector**

(12.00–12.45)

Iestyn Davies, Chief Executive Officer, Colleges Wales

Jeff Protheroe, Director of Operations, National Training Federation for Wales

#### **Break (12.45–13.00)**

#### **6 UK–Australia Free Trade Agreement**

(13.00–14.00)

(Pages 41 – 52)

Sam Lowe, Director Trade, Flint–Global

Emily Rees, Senior Fellow at European Centre for International Political Economy

Professor Michael Gasiorek, University of Sussex

Attached Documents:

Research brief

#### **7 Motion under Standing Order 17.42(ix) to resolve to exclude the public for the remainder of the meeting**

(14.00)

## **8 Private**

(14.00–14.45)

(Pages 53 – 60)

Consideration of evidence following the meeting

Common Frameworks initial discussion

Attached Documents:

Research brief

Lesley Griffiths AS/MS  
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd  
Minister for Rural Affairs and North Wales, and Trefnydd



Llywodraeth Cymru  
Welsh Government

MA/LG/0454/22

Paul Davies MS  
Chair  
Economy, Trade, and Rural Affairs Committee

4 February 2022

Dear Paul,

I would like to share with the Economy, Trade and Rural Affairs (ETRA) Committee links to the published Framework Outline Agreement and Concordat for the following common frameworks which fall within my portfolio:

- [Agricultural Support](#)
- [Animal Health and Welfare](#)
- [Fertilisers](#)
- [Organic Production](#)

These documents will aid your Committee in its scrutiny of provisional frameworks. Should you wish to scrutinise them, my officials stand ready to assist.

Publication of the two remaining frameworks within my portfolio, Fisheries Management and Support and Zootechnical, is expected shortly and I will write to the Committee again to confirm this.

I am copying this letter to Huw Irranca-Davies MS, Chair of the Senedd Legislation, Justice and Constitution Committee.

Regards,

**Lesley Griffiths AS/MS**  
**Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd**  
**Minister for Rural Affairs and North Wales, and Trefnydd**

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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.

**Legislation, Justice and  
Constitution Committee**

Lesley Griffiths MS,  
Minister for Rural Affairs and North Wales, and  
Trefnydd

8 February 2022

Dear Lesley

**Supplementary Legislative Consent Memorandum (Memorandum No. 2) – Animal Welfare (Kept Animals) Bill**

At our meeting on Monday (7 February 2022), we considered the Supplementary Legislative Consent Memorandum (Memorandum No.2) on the Animal Welfare (Kept Animals) Bill (the Bill).

Our consideration of Memorandum No. 2 has not been as productive as we had hoped given that, in our view, Memorandum No. 2 is missing important information and lacks an appropriate level of clarity, which I have detailed below.

Memorandum No. 2 is unclear as to the extent that Part 1 of the Bill, and Schedules 1 to 4, relating to primates, require the Senedd's consent. While you note the requirement for consent for the amendments to these provisions, you do not confirm whether you consider that the Senedd's consent is needed for all the provisions of Part 1 of, and Schedules 1 to 4 to, the Bill more generally. For example, clause 6 (amongst others in Part 1) is not mentioned in Memorandum No. 2. It is therefore unclear whether the Welsh Government considers that the Senedd's consent is required for clause 6. Similarly, Schedule 4 is not mentioned in Memorandum No. 2.

As a point of general understanding, Memorandum No. 2 also does not explain the provisions of Part 1 or Schedules 1 to 4 in any detail, so as to allow readers to understand what the provisions mean and what the implications are for Wales. In highlighting this point, we draw attention to the fact that the original Memorandum described in detail each clause which required consent at that stage. As Part 1

and Schedules 1 to 4 were not included in the Memorandum because the provisions were not at that point applicable to Wales, we consider that such relevant explanations should have been provided in Memorandum No. 2.

Finally, we are also unsure as to the numbering used in Memorandum No. 2 to identify relevant clauses in the Bill. It appears that Memorandum No. 2 uses clause numbering from an earlier version of the Bill but while referring to clauses which have been amended and/or renumbered. Confirmation on this matter is critical to the Senedd's understanding and scrutiny of Memorandum No. 2.

We have taken the decision to draw these matters to your attention at this stage so that, once addressed, our report can focus on any and other significant issues which should be drawn to the Senedd's attention.

How you address the issues we believe we have identified with Memorandum No. 2 is, of course, a matter for you. However, in order to enable my Committee to formally report to the Senedd on Memorandum No. 2 by 3 March 2022, I would be grateful if you would clarify the issues we have drawn to your attention as a matter of urgency and respond by Thursday 17 February.

I am copying this letter to the Economy, Trade and Rural Affairs Committee.

Yours sincerely,

*Huw Irranca-Davies*

Huw Irranca-Davies  
Chair

# Agenda Item 2.3

**Pwyllgor yr Economi,  
Masnach a Materion Gwledig**

—

**Economy, Trade and  
Rural Affairs Committee**

**Senedd Cymru**

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Vaughan Gething MS  
Minister for Economy

8 February 2022

Dear Minister,

## Legislative Consent Memorandum for the Commercial Rent (Coronavirus) Bill

The Committee considered the LCM for the Commercial Rent (Coronavirus) Bill at its meeting on 3 February. The Committee's report on the LCM has been [laid](#) in advance of the reporting deadline of 10 February. I write to draw your attention to further information requested by the Committee in advance of plenary debate on the LCM, as set out in paragraphs 20 and 21 of the report:

- The Committee notes that clause 27 as currently drafted creates an anomaly, given devolved powers in relation to any future closure requirements on Welsh businesses. It also notes the desire for the Bill to be amended so that Welsh Ministers must be consulted, and give consent, to any changes to be made to the moratorium period by the Secretary of State (clause 9).
- Paragraph 6 of the LCM states "It was agreed that my officials would work with UK Government on the development and passing of an England and Wales Bill". But the LCM does not provide any detail on discussions Welsh Government may be having with the UK Department for Business, Energy and Industrial Strategy about these two clauses, or whether amendments are proposed or under consideration. It would have been helpful for the Committee's scrutiny to have more information about this, and the Committee would welcome an update from the Minister as soon as possible. It would also be helpful for Welsh Government to continue to keep Senedd Members



updated of any amendments agreed to address these issues, in advance of plenary debate on the Legislative Consent Motion associated with this Memorandum.

Kind regards,

A handwritten signature in black ink that reads "Paul Davies". The signature is written in a cursive style with a large initial 'P'.

Paul Davies MS

Chair: Economy, Trade and Rural Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.

# Agenda Item 2.4

**Pwyllgor yr Economi,  
Masnach a Materion Gwledig**

—  
**Economy, Trade and  
Rural Affairs Committee**

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Jeremy Miles MS  
Minister for Education and Welsh Language

8 February 2022

Dear Minister,

## Supplementary Legislative Consent Memorandum for the Professional Qualifications Bill

The Committee considered the SLCM for the Professional Qualifications Bill at its last meeting on 3 February 2022. Thank you for your previous correspondence with the Committee regarding this Bill.

The Committee's report on the SLCM has been laid in advance of the reporting deadline of 10 February. I write to draw your attention to further information requested by the Committee in advance of plenary debate on the SLCM, as set out in paragraphs 32 and 33 of the report:

- How the UK Government has made its position clear in relation to clause 16(5) of the Bill (Paragraphs 25-26 of the Committee's report), and that copies of any correspondence in relation to this point be provided; and
- A further update from the Minister regarding the policy concerns as set out in the original LCM and in the Minister's letter of 4 October.

Given the lack of time available for further scrutiny of the Bill's provisions or to publish related Committee correspondence, the Committee calls on the Welsh Government to provide the information requested as soon as possible, and make it available to all Senedd Members in advance of plenary consideration of the Legislative Consent Motion associated with this Supplementary LCM.

Kind regards,



Paul Davies

Paul Davies MS

Chair: Economy, Trade and Rural Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.





Llywodraeth Cymru  
Welsh Government

Paul Davies MS  
Chair of Economy, Trade, and Rural  
Affairs Committee

Huw Irranca-Davies MS  
Chair of Legislation, Justice and  
Constitution Committee

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9 February 2022

Dear Paul, Huw

I am writing further to my letter of 21 January and in accordance with the inter-institutional relations agreement, to inform you that I attended the Ministerial Forum for Trade on the 26 January.

The meeting was attended by Penny Mordaunt, Minister of State for Trade Policy; Ivan McKee, Scottish Minister for Business, Trade, Tourism and Enterprise; and Gordon Lyons, Northern Ireland Executive Minister for Economy.

During the meeting, we discussed ways of improving working arrangements following the review of intergovernmental relations (IGR). The forum's Terms of Reference (ToR) are currently under review and I highlighted the need for them to align with the IGR structure..

There was an update on the on-going Free Trade Agreement (FTAs) negotiations, including Canada and the United States. I raised the point that we still have concerns about the level of Tariff Rate Quotas (TRQs) granted in recent FTAs, as well as animal welfare standards, and I asked for clarification on how safeguards will protect Welsh industries. I reiterated that these concerns must be taken into account as future deals are negotiated.

The process for handling World Trade Organisation (WTO) trade disputes was also discussed during the meeting. It was agreed that discussions would continue to develop an approach that outlines how responsibility for any WTO trade dispute could be handled, in line with the UK's WTO and FTA obligations.

I will write to you again to inform you of the date of the next meeting.

Yours sincerely,

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**Vaughan Gething AS/MS**  
Gweinidog yr Economi  
Minister for Economy

# Agenda Item 2.6

Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd  
Minister for Rural Affairs and North Wales, and Trefnydd



Llywodraeth Cymru  
Welsh Government

Huw Irranca-Davies MS

Chair

Legislation, Justice and Constitution Committee

[Huw.Irranca-Davies@senedd.wales](mailto:Huw.Irranca-Davies@senedd.wales)

9 February 2022

Dear Huw,

Further to my letter of 4 January, and in accordance with the inter-institutional relations agreement, a meeting of the Inter-Ministerial Group for Environment, Food and Rural Affairs was held on 31 January.

The meeting was attended by Mairi Gougeon MSP, Cabinet Secretary for Rural Affairs and the Islands, Scottish Government; Lorna Slater MSP (Chair), Minister for Green Skills, Circular Economy, and Biodiversity, Scottish Government; Edwin Poots MLA, Minister of Agriculture, Environment and Rural Affairs, Northern Ireland Executive; and George Eustice MP, Secretary of State for Environment, Food and Rural Affairs, UK Government. Lord Malcom Offord, Parliamentary Under Secretary of State for Scotland and David TC Davies MP, Parliamentary Under Secretary of State for Wales were also in attendance.

At the meeting we discussed Scottish Government's request for an exclusion to the Internal Market Act for single use plastics where I pressed UK Government to provide a timetable for decisions on this matter. The Northern Ireland Executive gave a presentation on their consultation for their future agriculture policy.

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**Lesley Griffiths AS/MS**  
**Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd**  
**Minister for Rural Affairs and North Wales, and Trefnydd**



**Llywodraeth Cymru**  
**Welsh Government**

Supply chains and labour shortages within the EFRA sectors was discussed, where I reiterated my concerns about shortages in veterinary staff, in particular, those needed by APHA and for future border checks at Welsh ports and the Northern Ireland Protocol, where I pressed for clarity on whether interim measures at Irish-facing ports would be needed.

There were a number of areas of AOB items including an update on the publication timeline of Common Frameworks, the Dimpleby Report, RCVS proposals regarding veterinary reform, seed potatoes, and the Brexit Freedoms Bill. Both frameworks and the Brexit Freedoms Bill will be substantive items at the next IMG to be held on 21 March 2022.

A communique will be published on the UK Government website at <https://www.gov.uk/government/publications/communique-from-the-inter-ministerial-group-for-environment-food-and-rural-affairs>.

I am copying this letter to the Climate Change, Environment, and Infrastructure Committee and to the Economy, Trade and Rural Affairs Committee.

Regards,

**Lesley Griffiths AS/MS**  
**Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd**  
**Minister for Rural Affairs and North Wales, and Trefnydd**

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**Legislation, Justice and  
Constitution Committee**

Paul Davies MS  
Chair, Economy, Trade, and Rural Affairs  
Committee

10 February 2022

Dear Paul

**The Official Controls (Extension of Transitional Periods) (Amendment) (No. 2) Regulations 2021**

As you may be aware, as part of the Inter-Institutional Relations Agreement the Welsh Government agreed that Ministers will notify the Senedd of when they intend to, or have given, consent to the UK Government exercising a delegated legislative power in a devolved area in relation to Wales.

On 20 December 2021 we received a letter from the Minister for Rural Affairs and North Wales, and Trefnydd informing us that she had given her consent to the Secretary of State to make the Official Controls (Extension of Transitional Periods) (Amendment) (No. 2) Regulations 2021 in relation to Wales. Following our meeting on 10 January 2022 we agreed to write to the Minister to seek clarification on a number of issues regarding her letter and the Regulations. We considered the Minister's response at our meeting on 7 February 2022 and, given your Committee's remit, we agreed that we would draw to your attention the correspondence regarding these Regulations.

Yours sincerely,



Huw Irranca-Davies  
Chair

Vaughan Gething MS  
Minister for Economy  
Welsh Government

10 February 2022

Dear Minister

### Provisional Common Framework: Late Payment

As you know from my colleague Paul Davies' letter of 17 January, it was agreed that the Public Accounts and Public Administration Committee would consider the Provisional Common Framework on Late Payments.

The Committee considered the framework in Committee on 9 February and seek the following information to help inform any future recommendations on its final content.

### General

1. Why is a framework needed for late payment law and how will it link up with the framework on public procurement?

### Making decisions

2. The framework states that governments will 'seek to maintain a level playing field across the existing body of late payment legislation'. Do you consider that the framework gives the Welsh Government and the Senedd appropriate scope to make law and policy for Wales?

3. Will the framework have any impact on any existing or planned Welsh legislation or policy?

Croesewir gohebiaeth yn Gymraeg neu Saesneg.  
We welcome correspondence in Welsh or English.

4. The UK Government has set out plans for changes to procurement law relating to late payment in response to its Transforming Public Procurement consultation. Will these changes be considered through this framework?

5. Does the Welsh Government intend these changes to be applied to devolved procurement in Wales?

6. The UK Government has announced plans to enable retained EU law to be amended and repealed more quickly. Would any such changes to retained EU law on late payment be considered through the framework, and (if so) how?

### **International obligations**

7. What international obligations are relevant to this framework and how does the framework take international obligations into account?

8. If the framework needs to be amended in future to reflect a new international obligation, what revision process will be engaged?

### **UK Internal Market Act**

9. UK Government analysis suggests that this framework interacts with the UK Internal Market Act. Can you outline what the impact of the Act on the framework would be and does the Welsh Government intend to seek an exclusion from the Act in this framework area?

### **Governance and dispute resolution**

10. Do you consider the dispute resolution mechanism to be robust enough for its intended purpose?

11. The framework provides for actions under dispute to be paused while the dispute resolution process is ongoing. Do you consider that this poses any risk for the exercise of devolved competence?

### **Transparency and accountability**

12. Did the Welsh Government engage with any stakeholders in Wales in developing the provisional framework? How does the provisional framework reflect the response of stakeholders?

13. How will the Senedd and stakeholders be updated on the continuing operation of the framework and contribute to the review and amendment process for the framework?

14. The framework states that it 'will be reviewed annually', then that it will be reviewed 'one year after final sign off, and every three years thereafter' (page 12). Which of these is correct?

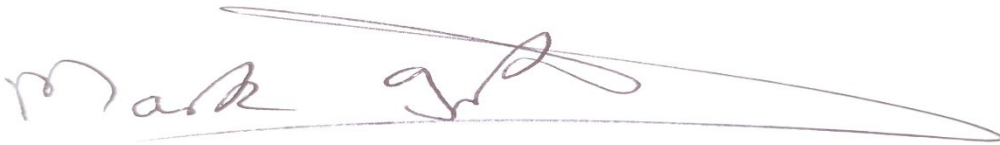
15. If changes are made in future, how will the Senedd be notified? What scrutiny procedure will apply to the changes?

I look forward to your early response to enable the Committee to further consider the issues and respond in advance of the March deadline.

I am copying this letter to Paul Davies MS, Chair of the Economy, Trade and Rural Affairs Committee and Huw Irranca-Davies MS, Chair of the Legislation, Justice and Constitutional Committee.

Thank you

Regards

A handwritten signature in black ink, appearing to read 'Mark Isherwood', is written over a long, thin horizontal line that tapers to a point on the right side.

Mark Isherwood MS  
Committee Chair

# Agenda Item 2.9

**Pwyllgor yr Economi,  
Masnach a Materion Gwledig**

**Economy, Trade and  
Rural Affairs Committee**

**Senedd Cymru**

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Vaughan Gething MS

Minister for Economy

Rebecca Evans MS

Minister for Finance and Local Government

10 February 2022

Dear Ministers,

## Supplementary Legislative Consent Memorandum (No.2) on the Subsidy Control Bill

The Committee considered the Supplementary Legislative Consent Memorandum (SLCM), which was laid on 6 January 2022, at its meeting on 3 February 2022.

The Committee will not be reporting on this SLCM, but welcomes the clarification it gives regarding Senedd consent to clauses 41 and 42 of the Subsidy Control Bill, which we raised in our report on the original LCM in November 2021.

I thank the Minister for Finance and Local Government for attending Committee on 21 October to give evidence relating to this Bill. Given the importance of the future subsidy control regime for Wales, we would welcome being kept updated on developments with the Bill as it progresses through Committee stage in the House of Lords.

Kind regards,



Paul Davies MS

Chair: Economy, Trade and Rural Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.



**Jeremy Miles AS/MS**  
Gweinidog y Gymraeg ac Addysg  
Minister for Education and Welsh Language

## Agenda Item 2.10



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA/JMEWL/0491/22

Huw Irranca-Davies MS  
Chair,  
Legislation, Justice and Constitution Committee  
Senedd Cymru  
[SeneddLJC@senedd.wales](mailto:SeneddLJC@senedd.wales)

10 February 2022

Dear Huw,

Thank you for your letter of 28 January and for the Committee report on the Supplementary Legislative Consent Memorandum (Memorandum No 2) on the Professional Qualifications Bill.

Once again, I thank the Committee for their detailed observations and for sharing the report. I am pleased to provide additional information as requested below.

I am coping this letter to Paul Davies MS, Chair of the Economy, Trade and Rural Affairs Committee.

Yours sincerely,

**Jeremy Miles AS/MS**  
Gweinidog y Gymraeg ac Addysg  
Minister for Education and Welsh Language

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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.

## Recommendations

***Recommendation 1.*** *While we welcome the Minister's action to seek an amendment to the Bill to the effect that the powers in the Bill cannot be used by UK Ministers to make regulations that amend the Government of Wales Act 2006, the Minister should, at the earliest opportunity and in advance of the Senedd's debate on a relevant consent motion, provide an update on any relevant action by, or discussions with, the UK Government on this specific matter.*

### *Response – Accept*

On 12 October 2021 the UK Government made an offer to table an amendment to the Bill which would require the Secretary of State or Lord Chancellor to consult with Welsh Ministers before making legislation in areas of devolved responsibility.

I rejected this offer and made it clear that it was inadequate to address our concerns and failed to respect the devolution settlement. The consultation requirement did not give any assurance that the Secretary of State or Lord Chancellor could not or would not use the powers in the Bill to impose regulations on Wales, as the UK Government remained free to disregard any concerns or oppositions raised by the Welsh Ministers during consultation. My response also set out the Committee's concerns in relation to the combination of concurrent powers and Henry VIII powers in the Bill, and I asked the UK Government to table an amendment to ensure that the powers in the Bill could not be used by UK Ministers to make regulations that amend the Government of Wales Act 2006 (GOWA).

On 2 December the UK Government offered to table an amendment to the Bill to provide for a more detailed consultation procedure. However, this amendment again failed to respect the devolution settlement and meet our requirement that the UK Government obtain the consent of Welsh Ministers before making regulations in devolved areas.

On 9 December the UK Government made an offer to table an amendment to the Bill for a specific carve out from the Minister of the Crown consent requirements in paragraph 11 of Schedule 7B to GOWA. The amendment would have meant that the Secretary of State's consent was not needed for Senedd Cymru to be able to remove the concurrent powers that the Secretary of State and Lord Chancellor have under the Bill to make regulations that are within the legislative competence of the Senedd.

However, the UK Government made it clear that this amendment would be tabled only if I agreed to recommend the Senedd consents to the Bill.

Whilst the inclusion of this amendment was welcomed, my response to these offers was that I remained unable to recommend to the Senedd that consent is given to this Bill without a further amendment to require the UK Government to secure the consent of devolved governments before making regulations in devolved areas.

I met with UK Government Minister for Investment, Lord Grimstone, and Minister for Small Business, Consumers & Labour Markets and Minister for London, Paul Scully MP, on 6 January 2022 to further clarify my concerns, and to reiterate my position that the powers in this Bill should align with the devolution settlement. The UK Government subsequently

sought to provide reassurance by setting out some potential situations where they considered it may be appropriate to use the concurrent powers in the Bill to legislate on a UK-wide basis, including in devolved areas, but they failed to provide a detailed, evidence based analysis as to why those powers could not be made subject to a requirement to obtain consent from the Welsh Ministers.

***Recommendation 2.*** *The Minister should, at the earliest opportunity and in advance of the Senedd's debate on a relevant consent motion, provide further information as to how and when the UK Government made its position clear in relation to clause 16(5) (previously clause 14(5)) and provide fuller detail on what the assurances are and how such assurances have assuaged the Minister's previous concerns*

*Response – accept*

In paragraph 6 of my [letter of 10 September 2021](#) to the Committee, I set out the UK Government's explanation of clause 14(5) (now 16(5)).

We were concerned an assumption had been made by the UK Government that UK Bills which confer regulation making powers on the Welsh Ministers should always be drafted in a way which ensures that the legislative competence of the Senedd and the executive competence of the Welsh Ministers align.

On 29 September the UK Government wrote to confirm their position that there are instances where executive and legislative competence do not align.

Whilst I am satisfied with this outcome, my concern overall remains that the concurrent powers in the Bill are unacceptable, for the reasons outlined above.



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA/LG/3908/21

Paul Davies MS  
Chair  
Economy, Trade, and Rural Affairs Committee

[Paul.Davies@senedd.wales](mailto:Paul.Davies@senedd.wales)

11 February 2022

Dear Paul,

Further to my letter of 12 January, setting out the scrutiny period for the Joint Fisheries Statement (JFS), and my appearance at your committee on 3<sup>rd</sup> February, we have had concerns raised over the length of the scrutiny period and have been exploring this with colleagues in other UK administrations.

As the JFS has been developed jointly with all UK administrations, we have been aiming to synchronise timings with the other UK legislatures. Following the recent developments in Northern Ireland unfortunately this is no longer appropriate. We also appreciate the Committees' desire for more time to scrutinise the JFS and engage stakeholders. We are, therefore, proposing extending the scrutiny period to 12 April 2022, to align with the end of the public consultation on the JFS.

Regards,

**Lesley Griffiths AS/MS**  
**Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd**  
**Minister for Rural Affairs and North Wales, and Trefnydd**

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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.

**Jeremy Miles AS/MS**  
Gweinidog y Gymraeg ac Addysg  
Minister for Education and Welsh Language

## Agenda Item 2.12



Llywodraeth Cymru  
Welsh Government

Chair of the Economy, Trade and Rural Affairs Committee  
SeneddEconomy@senedd.wales

14 February 2022

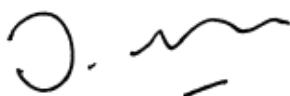
Dear Paul,

Thank you for your letter of 8 February, and for the Committee report on the Supplementary Legislative Consent Memorandum (Memorandum No 2) on the Professional Qualifications Bill.

Once again, I thank the Committee for their valued observations. I am pleased to provide additional information as requested below in Annex A.

I am coping this letter to Huw Irranca-Davies MS, Chair of the Legislation, Justice and Constitution Committee, and all Members of the Senedd.

Yours sincerely,



**Jeremy Miles AS/MS**  
Gweinidog y Gymraeg ac Addysg  
Minister for Education and Welsh Language

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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 A

1. *How the UK Government has made its position clear in relation to clause 16(5) of the Bill (Paragraphs 25-26 of the Committee's report), and that copies of any correspondence in relation to this point be provided;*

In paragraph 6 of my [letter of 10 September 2021](#) to the Legislation, Justice and Constitution Committee, I set out the UK Government's explanation of clause 14(5) (now 16(5)).

We were concerned an assumption had been made by the UK Government that UK Bills which confer regulation making powers on the Welsh Ministers should always be drafted in a way which ensures that the legislative competence of the Senedd and the executive competence of the Welsh Ministers align.

On 29 September the UK Government wrote to confirm their position that there are instances where executive and legislative competence do not align.

Whilst I am satisfied with this outcome, my concern overall remains that the concurrent powers in the Bill fail to respect the devolution settlement, and are unacceptable.

I have attached copies of relevant correspondence as requested.

2. *A further update from the Minister regarding the policy concerns as set out in the original LCM and in the Minister's letter of 4 October.*

The UK Government has now published a list of [professions regulated by law in the UK and their regulators](#). Whilst this has helped to clarify scope, for example, it confirms our assertion that Further Education teachers in Wales are within scope of the Bill, it also demonstrates the number of professions and regulators that fall within devolved competence and that are at risk of having their professional standards undermined if the UK Government uses the concurrent powers in the Bill.

Whilst the UK Government has assured us they will not do this, and have attempted to appease regulators by adding additional clauses to the Bill to protect regulator autonomy, the fact remains that there is nothing in the Bill that prevents the UK Government from making regulations in devolved areas which are contrary to the policy aims of Welsh regulators or the Welsh Ministers.

We remain concerned that this Bill could be used to facilitate trade deals that in future could undermine the role of our workforce regulators because of the desire to secure trade deals.

MA/LG/0454/22

Paul Davies MS  
Chair  
Economy, Trade, and Rural Affairs Committee

[Paul.Davies@senedd.wales](mailto:Paul.Davies@senedd.wales)

17 February 2022

Dear Paul,

In my letter to you on 4th February, I stated I would inform the Committee when documentation for the two unpublished frameworks within my portfolio was available for consideration.

I can confirm the Framework Outline Agreement and Concordat for the [Fisheries Management and Support framework](#) has now been published.

I will write to the Committee again to confirm when the documentation for the remaining framework in my portfolio, Zootechnical, is available for consideration.

I am copying this letter to Huw Irranca-Davies, Chair of the Senedd Legislation, Justice and Constitution Committee.

Regards,



**Lesley Griffiths AS/MS**  
**Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd**  
**Minister for Rural Affairs and North Wales, and Trefnydd**

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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.

# Agenda Item 2.14

Grŵp Yr Economi, Sgiliau a Chyfoeth Naturiol  
Economy, Skills and Natural Resources Group



Llywodraeth Cymru  
Welsh Government

Paul Davies MS  
Chair of the Economy, Trade and Rural Affairs Committee

18 February 2022

Dear Paul Davies MS

At the Economy, Trade and Rural Affairs Committee meeting on 20 January I undertook to provide the Committee with further details on the progress made on implementing the recommendations of the 2018 Reid Review, in particular those relating to QR funding and competitive bidding.

We recognise the increased significance of the recommendations in the light of the UK's exit from the EU and the challenge that creates for the higher education sector in successfully competing for alternative UK-Government sourced funding and funding from UK charities, industry and other sources.

We have delivered against a number of the measures recommended by Professor Reid:

- We have fulfilled our commitment to establish a London Office. This has ensured Wales has an increased presence to promote the excellent research and innovation activity in Wales, provides a platform and link to decision-makers and the UK research community and has helped to improve inter-government engagement on policy matters.
- The increased levels of funding we have provided to HEFCW in recent years have enabled them to establish their Research Wales Innovation Fund. £15m has been allocated for the Fund in 2021/22. HEFCW has also been able to maintain levels of Quality Research (QR) funding and in 2021/22 increased its QR allocation to £81.7m, more than £10m above the £71m level recommended by Professor Reid.
- Work is underway to develop with Welsh partners a new cross Government Innovation Strategy. In devising the strategy there is a need to focus innovation effort towards recovery and growth. Professor Reid's review is one source of evidence which will inform this work. However, under this term of Government our priorities and focus have, out of necessity, also evolved, taking into account current funding constraints.

*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.*



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- Officials are working with HEFCW and the wider HE sector to consider how to increase competitive grant capture in the Welsh research system. We welcome the establishment of the Wales Innovation Network (WIN) and have provided additional funding of £2m this year through HEFCW to support the WIN.
- Additional funding of £10m has also been provided to HEFCW to be distributed to institutions as an uplift to their QR allocations this year. The funding will support research which contributes towards delivery of Programme for Government commitments as well as the First Minister's priorities for research, development and innovation.

HEFCW will be reporting to the Minister in October on how the additional funding provided this year has been allocated and the impact it has had. In addition, in relation to the QR uplift, HEFCW have been asked to include in the report information on the research outcomes the additional funding has helped to deliver.

Yours sincerely,



**Huw Morris**

Director Skills, Higher Education and Lifelong Learning (SHELL)

—  
**Children, Young People  
and Education Committee**

Senedd Committee Chairs

18 February 2022

**Findings of our 6<sup>th</sup> Senedd priorities engagement with children and young people**

Dear Committee Chairs,

As part of the consultation that we carried out to inform our priorities for the 6<sup>th</sup> Senedd, the Senedd's citizen engagement team undertook a series of engagement activities with children and young people on our behalf. The purpose of that engagement was to find out more about what matters most to children and young people.

The citizen engagement team heard directly from 127 children across seven sessions. They engaged with children and young people across Wales, in a diverse range of locations and settings. They targeted children that we as a Committee find difficult to reach, such as children under 12 and children from low income families. The team reported their findings back to us during our meeting on 27 January.

I and my fellow Committee members were struck by the clarity with which the children and young people communicated their concerns and priorities. Clear themes emerged from the engagement work, with nuances that reflect the diversity of the children who contributed and their different experiences of the world around them. They spoke about deforestation, littering, social isolation, mental health, poverty, hospital waiting times, infrastructure, diversity, social media and much more. They shared their views - and their visions for a better Wales – clearly and articulately.

After considering the report, we felt strongly that we should share it with you. Everything that the children and young people raised with us is directly relevant to at least one other Senedd Committee. Much of it is relevant to various Committees, and some of it should resonate with us all.

I have therefore attached the citizen engagement team's report to this letter. I hope that you are able to find the time to consider it and incorporate its findings into your work.

**Senedd Cymru**

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I appreciate that there is so much work for Senedd committees to do, and it can seem as if there is never enough time to do it all. The Children, Young People and Education Committee therefore warmly welcomes any opportunities for joint working where it is in our mutual interests – or more importantly, in the mutual interests of children and young people in Wales - to do so.

Yours,



Jayne Bryant MS

Chair of the Children, Young People and Education Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

**Attached report:**

Citizen Engagement Report: Young People's Priorities for the Committee in the 6th Senedd - Children, Young People and Education Committee, January 2022

# Agenda Item 3

Document is Restricted

# Agenda Item 6

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# Agenda Item 8

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