

Agenda – Legislation, Justice and Constitution Committee

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| 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

Public meeting

(11.30 – 12.45)

1 Introduction, apologies, substitutions and declarations of interest
(11.30)

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

(11.30 – 12.30)

(Pages 1 – 38)

[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

LJC(6)-32-25 – Paper 2 – Research Briefing



3 Motion under Standing Order 17.42(vi) and (ix) to resolve to exclude the public from items 4, 11, 12 and 13

(12.30)

Private meeting

(12.30 – 12.45)

**4 Senedd Cymru (Member Accountability and Elections) Bill:
Consideration of evidence**

(12.30 – 12.45)

Break

(12.45 – 13.30)

Public meeting

(13.30 – 14.00)

**5 Instruments that raise no reporting issues under Standing Order
21.2 or 21.3**

(13.30 – 13.35)

(Pages 39 – 40)

Attached Documents:

LJC(6)–32–25 – Paper 3 – Draft report

Made Negative Resolution Instruments

**5.1 SL(6)665 – The Council Tax (Administration and Enforcement) (Amendment)
(Wales) Regulations 2025**

Affirmative Resolution Instruments

5.2 SL(6)670 – The Agricultural Subsidies and Grants Schemes (Appeals) (Wales) (Amendment) Regulations 2025

6 Instruments that raise issues to be reported to the Senedd under Standing Order 21.7

(13.35 – 13.40)

6.1 SL(6)666 – Code of Practice on the exercise of social services functions in relation to Part 4 (direct payments and choice of accommodation) and Part 5 (charging and financial assessment) of the Social Services and Well-being (Wales) Act 2014

(Pages 41 – 46)

[Code of Practice](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)–32–25 – Paper 4 – Draft report

7 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3

(13.40 – 13.45)

Made Negative Resolution Instruments

7.1 SL(6)667 – The National Health Service (Optical Charges and Payments) (Amendment) (No. 2) (Wales) Regulations 2025

(Pages 47 – 51)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-32-25 – Paper 5 – Draft report

LJC(6)-32-25 – Paper 6 – Letter from the Cabinet Secretary for Health and Social Care to the Llywydd, 4 November 2025

7.2 SL(6)669 – The Bathing Water (Amendment) (England and Wales) Regulations 2025

(Pages 52 – 55)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-32-25 – Paper 7 – Draft report

LJC(6)-32-25 – Paper 8 – Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 28 October 2025

Affirmative Resolution Instruments

7.3 SL(6)671 – The Agriculture Support Schemes (Eligibility, Enforcement and Appeals) (Wales) Regulations 2025

(Pages 56 – 59)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-32-25 – Paper 9 – Draft report

7.4 SL(6)672 – The Basic Payment Scheme (Tapering, Payment Entitlements and Closure) (Wales) Regulations 2025

(Pages 60 – 62)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-32-25 – Paper 10 – Draft report

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)

8.1 SL(6)648 – The Health Impact Assessment (Wales) Regulations 2025

(Pages 63 – 66)

Attached Documents:

LJC(6)–32–25 – Paper 11 – Letter from the Cabinet Secretary for Health and Social Care, 12 November 2025

LJC(6)–32–25 – Paper 12 – Letter to the Cabinet Secretary for Health and Social Care, 22 October 2025

9 Inter–Institutional Relations Agreement

(13.50 – 13.55)

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

(Pages 67 – 70)

Attached Documents:

LJC(6)–32–25 – Paper 13 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Inter–Ministerial Group for Net Zero, Energy and Climate Change, 10 November 2025

LJC(6)–32–25 – Paper 14 – Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Inter–Ministerial Group for Net Zero, Energy and Climate Change, 10 November 2025

LJC(6)–32–25 – Paper 15 – Written Statement by the Minister for Children and Social Care: British Irish Council Early Years Work Sector Ministerial Meeting , 12 November 2025

9.2 Correspondence from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Biocidal Products (Data Protection Periods) (Amendment) Regulations 2025

(Pages 71 – 72)

Attached Documents:

LJC(6)–32–25 – Paper 16 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 11 November 2025

9.3 Correspondence from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: The Phytosanitary Conditions (Amendment) (No. 2) Regulations 2025

(Pages 73 – 76)

Attached Documents:

LJC(6)–32–25 – Paper 17 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 11 November 2025

LJC(6)–32–25 – Paper 18 – Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 10 November 2025

9.4 Correspondence from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Independent Intergovernmental Relations (IGR) Secretariat annual reports

(Page 77)

Attached Documents:

LJC(6)–32–25 – Paper 19 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 11 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

(Page 78)

Attached Documents:

LJC(6)-32-25 – Paper 20 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 10 November 2025

10.2 Correspondence from the Cabinet Secretary for Education: Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025

(Pages 79 – 80)

Attached Documents:

LJC(6)-32-25 – Paper 21 – Letter from the Cabinet Secretary for Education, 12 November 2025

Private meeting

(14.00 – 14.55)

11 Planning (Wales) Bill and Planning (Consequential Provisions) (Wales) Bill: Draft report

(14.00 – 14.30)

(Pages 81 – 85)

Attached Documents:

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

LJC(6)-32-25 – Paper 23 – Letter from the Chair of Pembrokeshire Coast National Park Authority, 10 November 2025

LJC(6)-32-25 – Paper 24 – Letter to the Chairs of Eryri National Park Authority and Pembrokeshire Coast National Park Authority, 21 October 2025

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

(14.30 – 14.45)

(Pages 86 – 95)

Attached Documents:

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

LJC(6)-32-25 – Paper 26 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 4 November 2025

LJC(6)-32-25 – Paper 27 – Letter to the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 22 October 2025

**13 Supplementary Legislative Consent Memorandum (Memorandum
No. 3) on the Tobacco and Vapes Bill**

(14.45 – 14.55)

(Pages 96 – 100)

Attached Documents:

LJC(6)-32-25 – Paper 28 – Legal Advice Note

Document is Restricted

Statutory Instruments with Clear Reports 17 November 2025

SL(6)665 – The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2025

Procedure: Made Negative

These regulations amend the Council Tax (Administration and Enforcement) Regulations 1992.

These regulations make various amendments to provisions concerning the administration and enforcement of the collection of council tax.

These regulations seek to ensure that a reminder notice and a final notice are always issued when a council tax instalment is missed before a billing authority can take enforcement action. These regulations also prescribe the circumstances in which a final notice must be served, the point at which the taxpayer(s) becomes liable to pay the annual balance and when a billing authority can apply for a liability order.

Parent Act: Local Government Finance Act 1992

Date Made: 20 October 2025

Date Laid: 22 October 2025

Coming into force date: 01 April 2026



Statutory Instruments with Clear Reports

17 November 2025

SL(6)670 – [The Agricultural Subsidies and Grants Schemes \(Appeals\) \(Wales\) \(Amendment\) Regulations 2025](#)

Procedure: Affirmative

These Regulations amend the Agricultural Subsidies and Grants Schemes (Appeals) (Wales) Regulations 2006 to remove the maximum £100 fee limit that the Welsh Ministers can currently charge persons whose appeal relates to the basic payment scheme, the financing, management and monitoring of the common agricultural policy or support for rural development. For these appeals, the Welsh Ministers can charge such fee as they may determine.

Parent Act: Agriculture (Wales) Act 2023

Date Made:

Date Laid:

Coming into force date: 01 January 2026



SL(6)666 – Code of Practice on the exercise of social services functions in relation to Part 4 (direct payments and choice of accommodation) and Part 5 (charging and financial assessment) of the Social Services and Well-being (Wales) Act 2014

Background and Purpose

This Code of Practice (“the Code”) is issued under section 145 of the Social Services and Well-being (Wales) Act 2014 (“the Act”). Local authorities, when exercising their social services functions, must act in accordance with the requirements contained in the Code.

The Code has been revised to add a recently introduced financial recognition scheme to the list of forms of capital that should be fully disregarded in the financial assessment for charging for all forms of care and support.

The scheme was introduced in the Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2025.

The financial recognition scheme to be added to the Code is the Lesbian, Gay, Bisexual and Transgender Financial Recognition Scheme.

Producing a revised Code also presents an opportunity to add reference to amending charging and financial assessment regulations that have come into effect since the previous revision. To this effect, the Care and Support (Charging) (Wales) (Amendment) Regulations 2024 and the Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2025 have been referenced in the revised Code as appropriate. These revisions have been made to ensure clarity and completeness as the regulations amend principal regulations already referred to in the Code. The revised Code also incorporates editorial and stylistic revisions.

Procedure

Draft negative

A draft of the code must be laid before the Senedd. If, within 40 days (excluding any time when the Senedd is dissolved or is in recess for more than 4 days) of the draft being laid, the Senedd resolves not to approve the draft code then the Welsh Ministers must not issue the code.



If no such resolution is made, the Welsh Ministers must issue the code (in the form of the draft) and the code comes into force on a day specified in an order made by the Welsh Ministers.

Scrutiny under Standing Order 21.7

The following 9 points are identified for reporting under Standing Order 21.7 in respect of this code.

1. This Code has been laid in place of a previous version of the Code which was withdrawn following the Committee's consideration of the previous version on 16 June 2025. 30 points were identified for reporting and a Welsh Government response was received. The Explanatory Memorandum states at paragraph 2.2:

This revised Code addresses matters identified for correction in the draft revised Code laid on 3 June 2025 and subsequently withdrawn on 27 June 2025, SL(6)6171.

Whilst most of the matters that were identified have been addressed, clarification in relation to some of the previous reporting points is requested, as set out below.

2. Section 146(1) of the Act states - "Before issuing or revising a code under section 145, the Welsh Ministers must consult such persons as they think fit on a draft of the code (or revised code)."

The Welsh Government was asked, in relation to the withdrawn Code, to explain how it considered that the decision not to undertake a consultation was compliant with section 146(1) of the Act.

The response set out the following:

Consideration has been given to this provision and the Welsh Ministers do not think fit to consult any persons on this occasion given the extent to which the proposal is seeking to revise the existing Code.

The main revision entails adding a recently introduced financial recognition scheme to the list of forms of capital that should be fully disregarded in the financial assessment for charging for all forms of care and support. The financial recognition scheme is a newly introduced scheme and given that the Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2025, which amend the Care and Support (Financial Assessment) (Wales) Regulations 2015 to add the new scheme to the list of capital to be disregarded, came into force on 7 April 2025, the revision to the Code will reflect the law currently in force. Local authorities are thus in a neutral position. Beneficiaries of the financial recognition scheme are unlikely to object to the revision to the Code as evidently, they are benefiting from the capital being disregarded.



Given this reasoning, as well as seeking to avoid stakeholder consultation fatigue in such a circumstance as this, the Welsh Ministers do not think fit to consult any persons in this instance.

However, the following is noted in the Explanatory Memorandum to this Code:

A 3-week consultation exercise on the draft revised Code took place between 26 September to 17 October 2025. The Welsh Government wrote to the Directors of Social Services of the 22 local authorities highlighting the technical revisions proposed to the Code, providing a draft of the revised Code for review and inviting feedback and observations.

The Welsh Government did not receive any responses to the consultation. This was anticipated, as the proposed changes to the Code either reflect existing legal provisions already in force or constitute technical and editorial amendments that do not alter the substantive operation of the Code.

3. In paragraph 5.22 of the Code, there is a difference between the English and Welsh text. In the English text, it notes “from the date that **care and support** was first provided” but the meaning given by the Welsh text is “from the date that **the statement** was first provided”.
4. In Annex D, in paragraph 4.3, in the final bullet points, the term “qualifying relative” has been expressed by using the term “berthynas **cymhwysol**” in the Welsh text, however the defined term in Schedule 2 to the Care and Support (Financial Assessment) (Wales) Regulations 2015 is “perthynas **cymwys**”.
5. In Annex D, in paragraph 5.5, in the final sentence, there is a difference between the English and Welsh text. In the English text, it notes “The local authority should advise...” but the meaning given by the Welsh text is that “The local authority should note...”. Earlier in that paragraph the word “cynghori” rather than “nodi” has been used to express the meaning of “advise”, so it means that the Welsh text is also inconsistent.

This point was raised in relation to the withdrawn Code and the Welsh Government response to the reporting point was as follows:

The verb “advise” is used in paragraph 5.5 of Annex D to the draft revised Code in two different ways. The first use refers to an obligation that the local authority should give advice or guidance to people in relation to considering how they intend to use, maintain and insure their property, and the second use of the verb relates to the local authority giving official information, i.e. specifying if it intends to place any conditions on how the property is used etc. whilst it is the subject of any Deferred Payment Agreement. The Welsh Government is of the view that the



vocabulary used in the Welsh text is therefore consistent with the different uses of the word "advise" in the English text.

The Welsh Government is asked to confirm if it is still of this view.

6. In the Code, in the English text, "DPA" is the defined term for "deferred payment agreement" and in the Welsh text, the full phrase meaning "deferred payment agreement" is the corresponding term noted in paragraph 9.2 of the Code. However, there are repeated differences between the English and Welsh text, in relation to the use of "DPA", "deferred payment agreement" and "agreement" in the Code as follows—
 - a) in Annex B, at the end of paragraph 2.16, in the English text, it notes "Deferred Payment Agreement" rather than using the defined term "DPA". This also occurs in the English text of paragraph 8.13 of Annex C of the Code;
 - b) in Annex D, in paragraph 5.3, in the bullet points, there are repeated differences between the English and Welsh text, in relation to the use of "DPA" and "agreement"—
 - i) in the first, second, eleventh and twelfth bullet points, it notes "agreement" in the English text, but the meaning given by the Welsh text is "deferred payment agreement" or "DPA";
 - ii) in the eighth bullet point, it notes "DPA" in the English text, but the meaning given by the Welsh text is "deferred payments";
 - c) in Annex D, in the English text, it notes "the DPA" but the meaning given by the Welsh text is "the agreement" in paragraphs 9.2, 9.3, 9.5, 9.8, 10.1 (including the heading), 10.2, 10.3, 10.4, 10.5 and 11.9;
 - d) in Annex F, in paragraph 5.1, in the English text, the phrase "deferred payment agreement" is defined again as "DPA", however it has already been defined in paragraph 9.2 of the Code. In addition, in paragraph 6.1 of Annex F, "a DPA" is used twice, but in the Welsh text a phrase meaning "such an agreement" is used on the second occasion.
7. There are examples in both language texts of "the agreement" being used instead of "DPA" in the English text and the full phrase meaning "deferred payment agreement" in the Welsh text. This occurs in paragraphs 4.3 (in the first bullet point), 5.1, 10.3, 10.4 (in the opening words), 10.5, and 11.1(a) of Annex D. It is also queried whether the defined term should be used in paragraph 3.2 of Annex D in place of "deferred payment".



In addition, "agreement" is used in the context of a different written agreement in paragraphs 8.5, 8.6, 8.12 and 8.16 of Annex C, which may also be a consideration.

8. In Annex D, in paragraph 6.4, the English text reads "as part of the administrative costs local authorities can charge for putting a DPA, should they wish to do so." From the meaning of the Welsh text, it appears that the words "in place" are missing after "a DPA" in order to express "ar waith".
9. The Welsh Government response to reporting point 28 in relation to the withdrawn Code set out the following:

Prior to re-laying the draft revised Code, paragraph 3.1 of Annex F to the English text will be revised to clarify the example timeframe for debt accrual. The words:

"if an invoice was issued giving 30 days to pay, the payment becomes due on day 30 and a debt accrues if this is not met"

will be substituted with:

"if an invoice was issued where payment is due on or before 30 calendar days from date of invoice, payment of the invoice becomes overdue at 31 calendar days from date of invoice, and a debt will accrue from that day".

The Welsh text will be revised to correspond to the English text.

In addition, the word "anfon" will be replaced with "dyroddi" to correspond to "issue" in the English text.

However, the revised Code does not include this revised wording, and the original wording has been removed. The Welsh Government is asked why a different approach was taken to the one set out in the response.

Government response

A Welsh Government response is required to reporting points 3 to 9.

Legal Advisers

Legislation, Justice and Constitution Committee

12 November 2025



SL(6)667 – The National Health Service (Optical Charges and Payments) (Amendment) (No. 2) (Wales) Regulations 2025

Background and Purpose

These Regulations amend the National Health Service (Optical Charges and Payments) Regulations 1997 (“the 1997 Regulations”) to provide for an increase in the payments to be made by means of a voucher system in respect of costs incurred by certain categories of persons in connection with the supply, replacement and repair of optical appliances. The Regulations increase the optical voucher values from 1 April 2025 and make transitional provision in relation to vouchers issued or completed but not used or accepted before 1 April 2025.

Procedure

Negative.

These Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

The following two points are identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(iv) – that it appears to have retrospective effect where the authorising enactment does not give express authority for this.

These Regulations were made on 21 October 2025 and came into force on 11 November 2025. However, they have effect from 1 April 2025.

The Explanatory Memorandum to the Regulations notes that:

These Regulations have retrospective effect back to 01 April 2025 so as to ensure that the voucher value increases take effect from that date as agreed during tripartite negotiations between the Welsh Government, NHS Wales and Optometry Wales, as is the usual process and aligns to other contractor services, thereby providing an equitable and fair approach across all primary care contractors.

The reason for these Regulations requiring retrospective effect is due to the timing of the annual negotiations which take into consideration the outcome of the Doctors and



Dentists Remuneration Board, providing an equitable and fair approach across all primary care contractors.

It is noted that the same issue arose in relation to the National Health Service (Optical Charges and Payments) (Amendment) (Wales) Regulations 2025. Whilst the Committee notes the explanation provided for the retrospective effect, the Welsh Government is asked to explain how it intends to avoid the need to make regulations with retrospective effect in this area in the future.

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

Schedule 1 to the Regulations replaces Schedule 1 to the 1997 Regulations. In the new Schedule 1 to the 1997 Regulations, reference is made on two occasions to “the 2006 Act”. This term is not defined in either the Regulations or the 1997 Regulations. In the National Health Service (Wales) Act 2006 “the 2006 Act” means the Health Act 2006 but the reference in the new Schedule 1 to the 1997 Regulations is to the National Health Service (Wales) Act 2006. The term “the 2006 Act” therefore does not have the correct defined meaning for the purpose of these Regulations or the new Schedule 1 to the 1997 Regulations.

Merits Scrutiny

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

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

These Regulations came into force on 11 November 2025, less than 21 days after they were laid before the Senedd. The Cabinet Secretary for Health and Social Care wrote to the Llywydd on 4 November 2025 and stated that:

The Welsh Government’s intention was to fully comply with the 21-day convention on laying and coming into force. Regrettably, there has been a miscalculation when calculating the 21 days between laying and the coming into force of these Regulations resulting in the convention not being fully adhered to by 2 days. The result of this unintentional error is the Regulations will come into force 19 days after they have been laid.

I thank the Senedd’s Legislation, Justice and Constitutional Committee’s clerking team for identifying this issue and for prompt notification of this matter to the Welsh Government.

4. 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

No public consultation was carried out in relation to these Regulations. The Explanatory Memorandum notes that:



No public consultation has been undertaken, however, Optometry Wales, acting as the professional body representing community optometrists, opticians and dispensing opticians across Wales, worked in collaboration to reach an agreed negotiated outcome on the voucher values via tripartite discussions with the Welsh Government and NHS Wales. This follows a well-established and collaborative annual process between the key delivery partners deploying a social partnership approach.

Welsh Government response

A Welsh Government response is required in relation to the technical reporting points only.

Legal Advisers

Legislation, Justice and Constitution Committee

11 November 2025



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

—

Welsh Parliament

Legislation, Justice and Constitution Committee

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Eich cyf/Your ref MA/JMHSC/2462/25
Ein cyf/Our ref

Elin Jones MS
Llywydd
Senedd Cymru
Cardiff Bay
CARDIFF
CF99 1SN

04 November 2025

Dear Llywydd

The National Health Service (Optical Charges and Payments) (Amendment) (No. 2) (Wales) Regulations 2025

In accordance with section 11A(4) of the Statutory Instruments Act 1946 I am notifying you that this statutory instrument will come into force on 11 November 2025, less than 21 days after it has been laid. A copy of the instrument and the Explanatory Memorandum that accompanies it are attached for your information.

These Regulations amend the National Health Service (Optical Charges and Payments) Regulations 1997 which provide for payments to be made by means of a voucher system in respect of costs incurred by certain categories of persons in connection with sight tests and the supply, replacement and repair of optical appliances. The effect of these Regulations are to amend the value of vouchers issued in respect of the supply, replacement and repair of optical appliances in line with negotiated outcomes with the optometry profession.

The Welsh Government's intention was to fully comply with the 21-day convention on laying and coming into force. Regrettably, there has been a miscalculation when calculating the 21 days between laying and the coming into force of these Regulations resulting in the convention not being fully adhered to by 2 days. The result of this unintentional error is the Regulations will come into force 19 days after they have been laid.

I thank the Senedd's Legislation, Justice and Constitutional Committee's clerking team for identifying this issue and for prompt notification of this matter to the Welsh Government.

Bae Caerdydd • Cardiff Bay
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Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

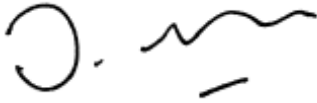
Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

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.

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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.

I am copying this letter to the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip, the Chair of the Legislation, Justice and Constitution Committee, Julian Luke, Director of Senedd Business, Bethan Davies, Head of Chamber and Committee Services, Marc Wyn Jones, Head of Policy and Legislation Committee Service.

Yours sincerely,

A handwritten signature in black ink, consisting of a large 'J' followed by a series of wavy lines and a short horizontal stroke at the end.

Jeremy Miles AS/MS

Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol
Cabinet Secretary for Health and Social Care

Agenda Item 7.2

SL(6)669 – The Bathing Water (Amendment) (England and Wales) Regulations 2025

Background and Purpose

The Bathing Water Regulations 2013 (“the 2013 Regulations”) place duties on the appropriate agencies (Natural Resources Wales in Wales) as well as local authorities, sewerage undertakers, and others to address pollution and poor water quality (as defined in those Regulations) at designated bathing waters.

These Regulations amend the 2013 Regulations by:

- removing the automatic de-designation of bathing waters following five consecutive years of ‘poor’ classification,
- introducing feasibility tests to ensure sites can achieve at least ‘sufficient’ water quality alongside physical safety and environmental protection considerations,
- removing fixed dates for the monitored bathing season to allow adaptive local management, and
- making technical amendments to modernise regulatory practices.

Procedure

Negative.

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

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

1. Standing Order 21.2(ix) – that it is not made or to be made in both English and Welsh

These Regulations have been laid before Senedd Cymru and the UK Parliament and have been made in English only. The Welsh Government’s Explanatory Memorandum states as follows (at paragraphs 2.1 to 2.3):

“A composite SI covering both nations provides a consistent legislative framework that supports this coordination. It avoids the duplication of near-identical regimes, reduces administrative complexity, and gives clarity for regulators, water companies, and local authorities operating across catchments...”



...The 2025 amendments being made are to the 2013 Regulations which is an English language statutory instrument covering England and Wales.

As the 2025 Regulations will be laid in the UK Parliament the same time as the Senedd, the Regulations are not made bilingually."

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

7 November 2025



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

—

Welsh Parliament

Legislation, Justice and Constitution Committee

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Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE Welsh Bathing Water Regulation reforms

DATE 28 October 2025

BY Huw Irranca-Davies, Deputy First Minister & Cabinet Secretary
for Climate Change and Rural Affairs

Today marks a significant and positive step forward in our journey to improve and protect Wales' exceptional bathing waters. The laying of the Statutory Instrument to strengthen the Bathing Water Regulations 2013 in both the Senedd and UK Parliament sends a strong signal of our shared commitment across governments to safeguarding the health of our waters and the wellbeing of those who enjoy them. This milestone reflects months of collaboration and dedication, and sets the foundation for a more modern, responsive, and locally attuned approach to bathing water management.

We are now moving ahead with a programme of meaningful reforms that will strengthen protections and introduce greater flexibility to meet local needs:

- The removal of automatic de-designation will ensure that vital efforts to improve water quality are not halted before they can have a lasting effect.
- Feasibility assessments of a site before it is designated will allow us to take a more proactive and targeted approach to creating safe, environmentally sustainable and appropriate bathing sites the public can trust.
- Flexibility in the bathing season enables the adaptation of the season to the local environment, keeping our policies in line with changing environmental conditions and bathing patterns.

Complementing these core reforms are several technical amendments designed to modernise practices, simplify regulatory processes, and improve the overall effectiveness and efficiency of water quality management. These updates will ensure the Bathing Water Regulations remain fit for purpose, while minimising unnecessary burdens on Natural Resources Wales.

With new guidance and tools being developed ahead of the 2026 bathing season, we are empowering applicants with the clarity and confidence they need to navigate the new

system. This is about more than regulation, it's about enabling progress, supporting outdoor bathing, and responding to the growing enthusiasm for wild swimming and water-based wellbeing.

Wales is home to some of the most breathtaking beaches in Europe, and we are proud to be taking action that will help keep them that way. These reforms are a testament to what we can achieve when we work together—across governments, regulators, and communities—with a shared vision for cleaner, safer, and more resilient waters. While this is an important step forward, it is also part of a broader effort to enhance our water governance, strengthen environmental protections, and ensure the highest standards of water quality for generations to come.

Our commitment to protecting and enhancing Wales' natural resources remains steadfast. By continuing to work collaboratively, we can deliver lasting change and build a future where everyone can enjoy the beauty, health, and sustainability of Wales' bathing waters.

Agenda Item 7.3

SL(6)671 – The Agriculture Support Schemes (Eligibility, Enforcement and Appeals) (Wales) Regulations 2025

Background and Purpose

Under the Agriculture (Wales) Act 2023 the Welsh Ministers may provide support, financial or otherwise, in connection with agriculture in Wales and for ancillary activities that take place in Wales. The availability of such support may be subject to eligibility criteria and to such conditions as the Welsh Ministers consider appropriate. These Regulations make provision in relation to schemes that provide such support including in relation to checking eligibility for support, for publication of scheme data, inspections, enforcement and for appeals against decisions of the Welsh Ministers under these Regulations. They come into force on 13 December 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 five points are 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 19 lists circumstances which the Welsh Ministers may investigate under regulation 20. Following such investigation the Welsh Ministers may determine under regulation 22 there has been default by the agreement holder in relation to the listed circumstances. Under regulation 23 the Welsh Ministers can then impose a sanction which range from an advisory letter to recovering on demand support previously paid.

Regulation 19(d) read with regulation 20 provides that the Welsh Ministers may investigate if they reasonably suspect that an agreement holder has prevented an authorised person from carrying out an inspection under regulations 14, 15 or 16.



Regulation 14(1) provides that an authorised person may carry out a virtual inspection of any land or premises owned or occupied by an agreement holder, other than a private dwelling for the purposes of checking compliance. Regulation 14(2) provides that before an authorised person is permitted to carry out a virtual inspection by live video link, the agreement holder must agree to the use of a live video link. Therefore the powers of the authorised person to carry out such an inspection are not absolute, they are dependent upon the agreement holder consenting.

Regulation 15 provides that an authorised person may, on notice, enter land or premises owned or occupied by an agreement holder or over which the agreement holder has control, other than a private dwelling. It is not expressly set out in regulation 15, but we consider the power is subject to the consent of the agreement holder. This is on the basis that if such consent is not provided, or the Welsh Ministers anticipate entry being refused (regulation 16(3)(a)), a justice of the peace may permit an authorised person to enter relevant land by reasonable force (regulation 16(2)).

It is unclear whether the Welsh Government consider that an agreement holder who refuses either a virtual inspection under regulation 14 or a physical inspection under regulation 15 is breaching the regulations. Further, it is unclear whether the Welsh Ministers consider it is appropriate to sanction such an agreement holder under regulation 23 if they exercise that right.

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

Regulation 20 sets out powers for the Welsh Ministers to carry out an investigation if certain circumstances, which are listed in regulation 19 arise.

Regulation 20(5) provides that when such an investigation is underway, the Welsh Ministers may withhold support until the investigation is concluded and they have made a determination under regulation 22. It is not clear how long an investigation may take and the regulations do not impose a time limit. This could have a significant impact on the support holder's business if the Welsh Ministers use their discretion to withhold support.

Until a determination is made, it is not known whether there has been any significant default by the agreement holder that will ultimately lead to a significant financial sanction. A minor default may warrant only a advisory letter (regulation 23(a)). If an agreement holder successfully mitigates based on exceptional circumstances that may result in the Welsh Ministers taking no action (regulation 24).

It is unclear whether the Welsh Ministers considered imposing a limit on how long an investigation can take or alternatively placing a limit on how long support can be withheld pending a determination.

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



Regulation 22 makes provision for the Welsh Ministers to make a determination following an investigation under regulation 20. It provides that if the Welsh Ministers are satisfied that there has been a breach of conditions, or regulation 19 applies, they must make a determination to that effect.

Regulation 19 lists circumstances which, if the Welsh Ministers suspect have arisen, they may investigate under regulation 20.

Regulation 22(2) provides that when the Welsh Ministers make their determination they must make a further determination as to the seriousness of a breach and the appropriate steps, if any, required to be taken in respect of the breach. In making that further determination they must have due regard to any failure on the part of the agreement holder to co-operate with an inspection under regulation 14 or 15. We consider this raises a similar issue to that discussed in reporting point 1 above, if the Welsh Ministers agree that refusing an inspection under regulation 14 or 15 is not a breach of these regulations in itself, it is unclear if they consider it is appropriate to take it into account in determining what action the Welsh Ministers take under regulation 23.

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

Regulation 29 sets out an appeals mechanism that is available to a person who is subject to a decision taken by the Welsh Ministers under regulation 6(2), 10(3) and 25.

Regulation 6(2) makes provision for the consequences of incomplete or erroneous applications for support. Regulation 10(3) applies in the event an applicant for support or an agreement holder experiences a change in circumstances and requires the Welsh Ministers are notified. Regulation 25 applies in the event the Welsh Ministers, following an investigation, determine that there has been a breach of these regulations or of a condition applied to support.

An appeal can be submitted on the grounds that the Welsh Ministers decision under those regulations was based on an error of law, was wrong in law or on the basis that there has been a material procedural error.

Regulation 29 sets out a two stage appeal route with the first stage being a review by officials and the second stage including a hearing by an independent appeals panel. Regulation 29(9) provides that the panel must consider the appeal and make a recommendation to the Welsh Ministers in writing. Regulation 29(10) provides that upon receipt of the panel's recommendation the Welsh Ministers must make a final determination in respect of the stage 2 appeal.

The regulations do not include any information regarding what constitutes an independent appeals appeal, for example who will be eligible for appointment to the panel, how they will be appointed and how the panel will operate. Without such information, it is difficult to



reach a view on how panel will demonstrate independence from the Welsh Ministers and officials who may have been involved in the original decision making or the stage one appeal and therefore to fully consider the appeals mechanism.

5. Standing Order 21.2(vi) – that there appear to be inconsistencies between the meaning of its English and Welsh texts.

In regulation 29, the English language text of the Regulations states that

“A person (“the appellant”) may submit a stage one appeal to the Welsh Ministers against a decision or determination made under regulation 6(2), 10(3) or 25...”

The Welsh language text of the Regulations uses “penderfyniad” for both “decision” and “determination”. Whilst the reference to regulations 6(2), 10(3) and 25 provide clarity in regulation 29(1), elsewhere in regulation 29 it is unclear in the Welsh language text whether a “decision”, a “determination” or a “decision or determination” is being referred to, because “penderfyniad” is used on each occasion. The Welsh Government is asked why alternative wording was not used, and how does it consider that a reader of the Welsh language text is able to distinguish between a “decision”, a “determination” and a “decision or determination” in these Regulations and in regulation 29 in particular.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Government response

A Welsh Government response is required.

Legal Advisers

Legislation, Justice and Constitution Committee

12 November 2025



Agenda Item 7.4

SL(6)672 – The Basic Payment Scheme (Tapering, Payment Entitlements and Closure) (Wales) Regulations 2025

Background and Purpose

The Basic Payment Scheme (Tapering, Payment Entitlements and Closure) (Wales) Regulations 2025 (“these Regulations”) amend assimilated law relating to the Basic Payment Scheme (BPS) in Wales. They provide for the tapering of payments under BPS from 2026 until its closure on 31 December 2028. The Regulations also introduce restrictions on the transfer and use of entitlements, prevent new entrants from accessing the scheme, and close the national and regional reserves. These changes are part of the Welsh Government’s transition to a new agricultural support framework under the Agriculture (Wales) Act 2023.

These Regulations are introduced alongside the Agricultural Support Schemes (Eligibility, Enforcement and Appeals) (Wales) Regulations 2025 and the Agriculture Subsidies and Grants Schemes (Appeals) (Wales) (Amendment) Regulations 2025, which are relevant to the new agricultural support framework.

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 three points are 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 8(2) amends Commission Delegated Regulation (EU) No. 639/2014 by omitting Article 26 (reversion to the national or regional reserve due to retention on transfer of payment entitlements). However, Westlaw indicates that Article 26 has already been repealed by regulation 8(5) of the Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020/1556, which came into force on implementation period completion day (31 December 2020). The provisions in article 26 which remain in force, appear to apply to Northern Ireland and Scotland only.



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

In regulation 2, the definition of “the Direct Payments Regulation” does not use the full title of Regulation (EU) 1307/2013 as it does not include the date “of 17 December 2013” when citing the title. This approach is inconsistent with section 16 of the Agriculture (Wales) Act 2023 which cites the full title, and is inconsistent with references to other legislation in these Regulations, such as regulation 6(1) which does use the full title. Paragraph 6.21 of Writing Laws for Wales provides that the full title consists of, amongst other things, the date on which the instrument was adopted.

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

The Regulations omit provisions relating to the national and regional reserves. However, references to the national or the regional reserves in article 5A of the Direct Payments Regulation, and in article 23(3) of the Commission Implementing Regulation (EU) No 809/2014 have not been amended by these Regulations. The Welsh Government is asked to explain why further amendments have not been made.

Merits Scrutiny

One point is identified for reporting under Standing Order 21.3 in respect of this instrument.

4. 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 5 of the Explanatory Memorandum to these Regulations provides that the Welsh Government conducted a public consultation in 2023 on the future of agricultural support in Wales. The EM states that:

*“stakeholders including farming unions, environmental organisations and rural communities **broadly supported** the phased transition and the principles underpinning the new support framework.”*

However, the EM does not refer to other consultation relevant to these Regulations. The Explanatory Memorandum to the Agriculture Support Schemes (Eligibility, Enforcement and Appeals) (Wales) Regulations 2025, refers to the Sustainable Farming Scheme - Keep Farmers Farming 2024 consultation exercise which received substantial engagement from the public, with 12,108 responses received. The EM provides:

*“Overall, the consensus from the farming community to the consultation was **unfavourable**, resulting in widespread protest at the steps of the Senedd on 28 February 2024...”*



*A wide range of opinions were expressed in response to the consultation; both supportive and unsupportive of the proposals. **Opposition to the proposals was most strongly expressed in response to the proposed Universal Actions and changes to the Basic Payment Scheme (BPS) during the transition phase to the SFS**.*

Welsh Government response

A Welsh Government response is required in relation to the three technical reporting points only.

Legal Advisers

Legislation, Justice and Constitution Committee

12 November 2025



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament **Pack Page 62**

Legislation, Justice and Constitution Committee

Ein cyf/Our ref – PO/JMHSC/0578/25

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
SeneddLJC@senedd.wales

12 November 2025

Dear Mike,

Thank you for your letter of 22 October in relation to the draft of the Health Impact Assessment (Wales) Regulations 2025.

I acknowledge the concerns expressed by the committee about the time between the enactment of the Public Health (Wales) Act 2017 and the laying of the Regulations.

As outlined in my response to the report from the committee, following the significant resource demands of Brexit and the pandemic, officials resumed work on the regulations required under Part 6 of the 2017 Act during 2022-23. A comprehensive consultation exercise was launched at the end of 2023, which concluded in March 2024. The consultation analysis of the 63 responses is available [here](#).

Building on this consultation, officials held a number of workshops and meetings with stakeholders throughout autumn 2024 to gather further feedback and refine the policy proposals. This work culminated in my approval of the final policy instructions in spring 2025.

As you are aware, the primary aim of the regulations is to improve the health and wellbeing of the population in Wales by ensuring that health impacts are systematically considered in certain public sector decision-making. While many organisations already take health impacts into account, this is not done consistently. The regulations are therefore designed to build on existing practice and introduce a more structured approach, enabling public bodies to better understand the effects of their decisions on people's health. Meaningful and extensive engagement has been essential to ensure the regulations are not disproportionately bureaucratic or burdensome.

The committee will recognise the drafting of the regulations differs in a number of areas compared to the version consulted on, reflecting the extent to which stakeholder feedback has been carefully considered and incorporated.

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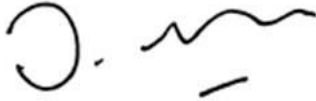
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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.

This is particularly the case in relation to some public bodies which were not listed as being covered by the HIA requirements when the 2017 Act was enacted but have since fallen within scope as a result of their addition last year to the list of public bodies at section 6 of the Well-being of Future Generations (Wales) Act 2015.

Yours sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of wavy lines and a short horizontal stroke at the end.

Jeremy Miles AS/MS

Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol
Cabinet Secretary for Health and Social Care

Jeremy Miles MS

Cabinet Secretary for Health and Social Care

22 October 2025

Dear Jeremy,

Regulations to fully implement Part 6 of the Public Health (Wales) Act 2017 regarding health impact assessments

Thank you for your response to our report on the Health Impact Assessment (Wales) Regulations 2025 ("the Regulations"), which we considered during our meeting on 13 October 2025.

In response to the single merits scrutiny reporting point in our report, which notes the lengthy period between the passing of the *Public Health (Wales) Act 2017* ("the Act") in July 2017 and the laying of the Regulations, you state:

"Preparatory work for the formulation of proposals for health impact assessments set out in Part 6 of the 2017 Act was commenced by officials almost immediately following the passing of the 2017 Act. However, staff were redeployed in 2017 to work on the Brexit response, and again in early 2020 in response to the COVID-19 pandemic. Work resumed on the Regulations required by Part 6 of the 2017 Act during the financial year 2022-23 including a consultation exercise in early 2024. The consultation exercise and ongoing engagement with stakeholders yielded a significant number of informative responses which facilitated the further development of the Welsh Government's policy in this area and the drafting of regulations."

While we acknowledge that the Welsh Government consulted stakeholders as a way of further informing the policy in this area before legislating, we are disappointed by the justification for the delay that has been presented to the Committee. Setting aside the stated resourcing implications of Brexit and the COVID-19 pandemic, it is still unclear why, having resumed work on the Regulations during the 2022-23 financial year, it took until 16 September 2025 for the Regulations to be laid before the Senedd.

You will remember that the Committee raised concerns in late 2024 about the delays in the Welsh Government bringing forward **Regulations** to implement Part 4 of (and Schedule 3 to) the same parent Act. It is disappointing that we again have to highlight the untimely implementation by the Welsh Government of legislation passed by the Senedd.

We would welcome any further information that you can share with us that might help better inform the debate on the Regulations in the Senedd.

I have copied this letter to the Chair of the Health and Social Care Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



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

Ein cyf/Our ref: DC/HIDCC/01674/25

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee

Llŷr Gruffydd MS
Chair
Climate Change, Environment and Infrastructure Committee

10 November 2025

Dear Mike, Llŷr,

I am writing further to my letter of 4 September 2025, and in accordance with the Inter-Institutional Relations Agreement, to report on the meeting of the Interministerial Group for Net Zero, Energy and Climate Change that was held on 21 October 2025.

I have issued a [Written Statement](#) summarising the meeting. Ministers from the UK Government are due to chair the next Interministerial Group meeting. I will share the details with you once confirmed.

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

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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.



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Interministerial Group for Net Zero, Energy and Climate Change,
21 October 2025**

DATE **10 November 2025**

BY **Huw Irranca-Davies MS, Deputy First Minister and Cabinet
Secretary for Climate Change and Rural Affairs**

In accordance with the inter-institutional relations agreement, I can report to Members that I attended the Interministerial Group for Net Zero, Energy and Climate Change, on 21 October 2025. The meeting was chaired by Gillian Martin MSP, Cabinet Secretary for Climate Action and Energy for the Scottish Government.

The meeting was also attended by Katie White MP, Minister for Climate for the UK Government's Department for Energy Security and Net Zero, Andrew Muir MLA, Minister of Agriculture, Environment and Rural Affairs and a senior official from the Department for the Economy at the Northern Ireland executive (deputising for Dr Caoimhe Archibald MLA, the Economy Minister).

The Interministerial Group heard an update from the Minister for Climate on the UK Government's approach to addressing the Climate Change Committee's advice on the UK's Seventh Carbon Budget and discussed the priorities, risks, and opportunities the advice presents for the devolved administrations.

The Minister for Climate also provided an update on UK Government's preparations for COP30.

The UK Government will chair the next Interministerial Group meeting.

The communiqué from the meeting has been published on GOV.UK:

[Interministerial Group for Net Zero, Energy and Climate Change communiqué: 21 October 2025 - GOV.UK](#)



WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **British Irish Council Early Years Work Sector Ministerial Meeting**

DATE **6 November 2025**

BY **Dawn Bowden MS, Minister for Children and Social Care**

On 6 November I chaired a virtual British Irish Council (BIC) Early Years Work Sector Ministerial meeting. The focus of the meeting was *'Help and Support for Young Children with Additional Needs'*.

The meeting was attended by the Government of Guernsey represented by Deputy Paul Montague, President of the Committee for Education, Sport & Culture; the Government of Ireland represented by Norma Foley TD Minister for Children, Disability and Equality; the Isle of Man Government represented by Hon. Daphne Caine, MHK, Minister for Education, Sport and Culture; the Government of Jersey represented by Richard Vibert Minister for Children and Families Assistant Minister for Home Affairs Connétable of St. of St. Peter; the Northern Ireland Executive represented by Paul Givan, Education Minister and Aisling Reilly, Junior Minister; the Scottish Government represented by Natalie Don-Innes, Minister for Children, Young People and the Promise and the UK Government, represented by Olivia Bailey MP, Parliamentary Under-Secretary of State.

At the meeting, we noted the Early Years Work Sector's progress to date against its 2023-2026 Work Plan which has focused on its first two themes - the Early Years Workforce and Childhood Experience.

We then discussed work taking place across BIC Member Administrations to support young children with additional needs and I welcomed the opportunity for Welsh Government to share best practice via a presentation from one of Welsh Government's National Speech, Language and Communication (SLC) Coordinators about how we can identify and support children with SLC needs effectively.

I also outlined how we are working across Welsh Government to listen and respond to challenges with the aim of ensuring we have the best possible outcomes for children.

Finally, we agreed that the BIC Early Years Work Sector consider undertaking further work to share insights and knowledge in relation to early identification and support of young children with additional needs. The BIC's Early Years Work Sector remains a valuable forum to exchange good practices and experience.

A joint communiqué can be found at: [BIC Early Years Ministerial Meeting - 6 November 2025 | The British-Irish Council](#).

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

Agenda Item 9.2


Llywodraeth Cymru
Welsh Government

Ein cyf/our ref: MA/HIDCC/1447/25

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

11 November 2025

Dear Mike,

I wish to inform the Committee of the intention to consent to the Secretary of State making and laying the Biocidal Products (Data Protection Periods) (Amendment) Regulations 2025 (“the Regulations”). The Regulations will be made using powers in articles 83A(2) and 89(2)(b) of Regulation (EU) No 528/2012 of the European Parliament and of the Council concerning the making available on the market and use of biocidal products (“the Great Britain Biocidal Products Regulation” or “GB BPR”).

The Regulations amend the date set out in article 95(5) of GB BPR on which regulatory data protection for active substances (those substances which produce the biocidal activity of a product) ends, from 31 December 2025 to 31 December 2030. It also makes amendments to update references to Regulation (EC) No 1451/2007 in article 95(3) and (5) of GB BPR to Regulation (EU) No 1062/2014 which superseded it.

By virtue of article 95(5) of GB BPR, the data protection period for approximately 300 active substance/product type combinations included in the GB Review Programme of existing active substances, but on which an approval decision has not yet been reached, will end on 31 December 2025. This would mean that those active substances which are yet to be reviewed would receive no data protection after that time.

As a result, active substance manufacturers or those supporting their approval would no longer be able to charge other companies to use their data after 31 December 2025, preventing them from recovering any of the costs of commissioning the data. Although the consequences of not amending article 95(5) are difficult to predict, there is a significant risk it would lead to companies withdrawing their active substances from the GB market because they are no longer financially viable. This would have knock on impacts on the pest control, transportation and water treatment sectors and could increase public health and safety risks.

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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.

Article 60 of GB BPR provides that where data has been protected under GB BPR, once that protection has expired the data cannot be protected again. To avoid data protection ending for active substances in scope, the period in article 95(5) of GB BPR is being extended by five years to 31 December 2030.

In accordance with articles 83B and 89(4) of GB BPR, the Secretary of State has approached the Welsh and Scottish Ministers for consent to the Regulations.

Although the Welsh Government's general principle is that the law relating to devolved matters should be made in Wales, on this occasion, it is considered appropriate for the Secretary of State to legislate on a GB-wide basis, as Welsh Ministers do not have the powers and a GB-wide approach ensures timely implementation and policy continuity.

There is no policy divergence between the Welsh and UK Government in this matter, and the Regulations amend legislation that was not made bilingually.

The Regulations will be laid before the UK Parliament on 26 November.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Huw Irranca Davies', written in a cursive style.

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

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

Agenda Item 9.3


Llywodraeth Cymru
Welsh Government

Our ref: MA/HIDCC/2376/25

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Welsh Parliament
Cardiff Bay
Cardiff CF99 1SN

11 November 2025

Dear Mike,

I refer to my letter to you of 14 October 2025. I wish to inform the Committee I have given my consent to the Secretary of State to make the Phytosanitary Conditions (Amendment) (No. 2) Regulations 2025 ('the Regulations'). I have laid a Written Statement which can be found here: <https://laiddocuments.senedd.wales/ws-ld17541-en.pdf>

The Regulations apply to Wales, England and Scotland. The Regulations are subject to the negative procedure and were laid before Parliament on 6 November 2025 with a commencement date of 30 November 2025, except for the correction to the existing import requirements for *Xylella fastidiosa* which come into force on 6 May 2026.

Although the Welsh Government's general principle is the law relating to devolved matters should be made by the Welsh Ministers, on this occasion it was considered appropriate for the Regulations to be made by the Secretary of State for the reasons outlined in my letter of 14 October.

There is no policy divergence between the Welsh and UK Government in this matter and the Regulations amend legislation that was not made bilingually.

I have written similarly to Llŷr Gruffyd MS, the Chair of the Climate Change, Environment, and Infrastructure (CCEI) Committee.

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

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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.



WRITTEN STATEMENT

BY

THE WELSH GOVERNMENT

| | |
|--------------|--|
| TITLE | The Phytosanitary Conditions (Amendment) (No. 2) Regulations 2025 |
| DATE | 10 November 2025 |
| BY | Huw Irranca-Davies MA, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs |

Members of the Senedd will wish to be aware that we are giving consent to the Secretary of State exercising a subordinate legislation-making power in a devolved area in relation to Wales.

Agreement was sought by the Parliamentary Under Secretary of State, Baroness Hayman of Ullock to make the Phytosanitary Conditions (Amendment) (No. 2) Regulations 2025 ('the Regulations'). The Regulations apply to Wales, England and Scotland.

The Regulations amend Commission Implementing Regulation (EU) 2019/2072 ("the Phytosanitary Conditions Regulation") establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 ("the Plant Health Regulation") as regards protective measures against pests of plants. In accordance with the Plant Health Regulation, the Secretary of State approached the Welsh and Scottish Ministers for consent to the application of the Regulations to Wales and Scotland respectively.

The Regulations protect biosecurity by introducing or amending protective measures against high-risk pests of plants. The Regulations support trade by removing the import requirements for pests which no longer meet the criteria for regulation as a GB Quarantine Pest or GB Pest Free Area Pest. They make amendments to:

- a) Move the pests, *Agrius horni* (known as the aspen root girdler), *Heterobasidion occidentale* (a fungal pathogen of conifers), and *Toumeyella parvicornis* (the pine tortoise scale), from the list of provisional Quarantine

Pests to the list of Quarantine Pests (“QPs”). QPs are listed pests absent from GB (or under official control) which pose an unacceptable risk to GB, as they would cause economic/environmental damage if introduced. There are powers to apply specific import requirements to listed QPs to address the risk of introduction. As a result, specific import requirements are being applied to *Toumeyella parvicornis*. These pests have been assessed as meeting the criteria to be QPs, as a result of a risk and horizon scanning process.

- b) Extend the existing import requirements for the QP *Bursaphelenchus xylophilus* (known as the pinewood nematode) to apply to the host wood exports from Armenia, following the identification of this pest in Armenia.
- c) Add the pest *Homona magnanima* (the oriental tea tortrix) to the provisional QP list, after it was assessed as meeting the criteria to be a QP, based on a preliminary assessment.
- d) Deregulate the pest *Helicoverpa armigera* (the cotton bollworm) after a recent policy review concluded that this pest no longer meets the criteria to be regulated as a QP.
- e) Deregulate the Pest Free Area Quarantine Pests, *Dendroctonus micans* (the great spruce bark beetle) and *Ips cembrae* (the large larch bark beetle). Recent evidence no longer supports the absence of these bark beetles in their respective Pest Free Areas in the west of Scotland. This only affects the timber industry in Scotland.

They also carry out technical amendments to the Phytosanitary Conditions Regulation:

- I. Firstly, to update the taxonomic name of a pest, *Ennomos subsignarius* (the elm spanworm moth), to ensure consistency with the internationally recognised name *Ennomos subsignaria*.
- II. Secondly, to correct an error involving a misplaced asterisk in the existing import requirements for the bacterial pathogen *Xylella fastidiosa*.
- III. Thirdly, to add the seed of *Solanum sisymbriifolium* to the list of goods which require a UK plant passport for their movement within Great Britain or introduction into GB from a Crown Dependency territory. This commodity was added to the legislation by the Phytosanitary Conditions (Amendment) Regulations 2024 (S.I. 2024/610) as a host of the regulated non-quarantine pest, potato spindle tuber viroid after it was found to harbour this pest. As a result of these amendments, the seed of *Solanum sisymbriifolium* must be free from the pest to be moved within, or introduced into, GB.

The Regulations are subject to the negative procedure and were laid before the UK Parliament on 7 November 2025. There is no policy divergence between the Welsh and UK Government in this matter and the Regulations amend legislation that was

not made bilingually. The Regulations neither impact on the legislative competence of the Senedd nor the executive competence of the Welsh Ministers.

Although the Welsh Government's general principle is that subordinate legislation in devolved areas should be enacted by the Welsh Ministers where there is executive competence, on this occasion it is considered appropriate for the Regulations to be made by the Secretary of State. The Regulations relate to a devolved area, however, they impact on the biosecurity of Great Britain which has traditionally been approached as a joint concern. Great Britain is an island and plant pests and diseases have no respect for the borders between countries. Elements of the Regulations relate to the importation of plants and plant products. Most of these goods which enter Wales come through English ports. Introducing separate regulations in Wales, England and Scotland would risk divergence on matters of biosecurity on which policy is aligned, may hamper enforcement by cross border bodies and place an additional burden on the Animal and Plant Health Agency (which enforces plant health across Wales and England) and businesses. Where policy is aligned, legislating on a Great Britain basis assists those stakeholders who must comply with the requirements in the legislation to maintain our biosecurity.

The Regulations and accompanying Explanatory Memorandum, setting out the detail of the provenance, purpose and effect of the amendments is available here:

[The Phytosanitary Conditions \(Amendment\) \(No. 2\) Regulations 2025](#)

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

Ein cyf/Our ref: HID-PO-575-25

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

11 November 2025

Dear Mike,

I am writing to inform you that the Independent Intergovernmental Relations (IGR) Secretariat has now published its annual reports covering the periods 2022–2023 and 2023–2024. These reports have been prepared using existing published information drawn from supporting documents; published Communiqués and quarterly transparency reporting on the [gov.uk web pages](#). As these are independent reports, we have reviewed them solely for factual accuracy. These reports can be accessed [here](#).

As previously notified, the Welsh Government previously published its own IGR Overview reports covering the same periods, in line with the [Inter-Institutional Relations Agreement](#) as laid before the Senedd on 18 November 2021. These reports can be accessed [here](#).

I have copied this letter to the Chairs of the following Senedd Committees: Children, Young People and Education; Climate Change, Environment, and Infrastructure; Culture, Communications, Welsh Language, Sport, and International Relations; Economy, Trade and Rural Affairs; Equality and Social Justice; Finance; Health and Social Care; and Local Government and Housing.

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

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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.

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

Ein cyf/our ref: HID-PO-574-25

Mike Hedges MS
Legislation, Justice and Constitution
Committee
Senedd Cymru
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10 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 for the recommendations raised in the report and I will outline the Government response to these during the Stage 1 general principles debate.

In order to give a fully considered response to the helpful set of recommendations within the report I will need some additional time to respond.

I intend to respond to the full set of recommendations as closely as possible after the general principles debate, if the Bill successfully progresses.

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

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Buffy Williams MS
Chair of Children, Young People and
Education Committee

Peter Fox MS
Chair of Health and Social Care
Committee

Mike Hedges MS
Chair of Legislation, Justice and
Constitution Committee

12 November 2025

Dear Committee Chairs,

I am writing to you to provide an update on The Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025 ('2025 Regulations'). Ahead of our Regulations being laid in December 2025, I wanted to update you on the findings of the consultation and next steps.

On 2 October, I published the [Written Statement](#), this outlined the Summary of Responses to the Healthy Eating in Schools consultation, which received over 2,700 responses from learners, parents, educators, health professionals, local authorities, and other stakeholders demonstrating strong engagement and a shared commitment to improving school food standards in Wales.

My officials have been analysing all consultation responses and have reconvened the multiagency task and finish groups to advise and test on further policy thinking.

As an overview, the 2025 Regulations will amend the standards and requirements relating to food and drink to be provided in nursery and primary schools to:

- Offer more fruit and vegetables to help Welsh children get their five-a-day.
- Provide more wholegrains because evidence suggests Welsh children aren't getting enough fibre.
- Limit pastry, sweetened baked goods and desserts, and fried foods based on the latest dietary advice.

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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.

- Introduce two different energy and nutrient standards for the average school lunch based on age group to help reduce food waste.
- Reduce processed meat and limit processed alternatives to fish and meat which can be high in salt and saturated fat.
- Retain red meat in moderation to ensure children enjoy its nutritional benefits without overconsumption.

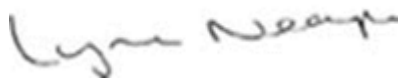
In addition, the 2025 Regulations will amend the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations) 2013 (“the 2013 Regulations”) to remove all references to nursery schools and primary schools so that the 2013 Regulations will then continue to apply to secondary schools.

As I stated within the consultation, the food in school landscape is very different in secondary schools and more work is required before a review of the secondary school provisions can take place. In the interim, to inform such a review, my officials are considering the evidence gathered from the call for evidence (as part of the consultation), work is also underway to gather data and better understand the eating habits of secondary learners, and evidence on secondary provision is being gathered by piloting different approaches to healthy eating in secondary schools in volunteering local authorities. I anticipate these efforts will provide a sound policy base for a review in the future. I am committed to reviewing the regulations as they apply to secondary schools, however, due to the complexity and time available to me, it has not been possible to undertake this work during the current Senedd term.

I would like to offer the Committees an opportunity to receive technical briefing from my officials should your respective Committees consider this helpful once the 2025 Regulations have been laid in December. This technical briefing can cover what the purpose of the Regulations are; the provisions contained within the Regulations; and how the Regulations have been designed with partners and informed by the consultation (including children and young people).

I hope this information is useful and look forward to hearing from you should you wish to attend a technical briefing.

Yours sincerely,



Lynne Neagle AS/MS
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

Agenda Item 11



**Awdurdod
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Arfordir Penfro**

Parc Llanion, Doc Penfro
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**Pembrokeshire Coast
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10 November 2025

Mr. Mike Hedges
Chair, Legislation, Justice and Constitution Committee
Welsh Parliament

Dear Mr. Hedges,

Re: Planning Consolidation Bills

Thank you for your letter dated 21 October 2025 regarding the Planning (Wales) Bill and the Planning (Consequential Provisions) (Wales) Bill. I attach in Annex A comments from the Pembrokeshire Coast National Park Authority in relation to the three issues raised by Bannau Brycheiniog National Park Authority.

Yours sincerely,

Dr. Madeleine Havard
Chair
Pembrokeshire Coast National Park Authority



*Rydym yn croesawu cael
gohebiaeth yn Gymraeg, a
byddwn yn ateb gohebiaeth yn
Gymraeg. Ni fydd gohebu yn
Gymraeg yn arwain at oedi.*

*We welcome receiving
correspondence in Welsh, and will
respond to any correspondence in
Welsh. Corresponding in Welsh
will not lead to delay.*

Annex A: Comments from the Pembrokeshire Coast National Park Authority in relation to issues raised by Bannau Brycheiniog National Park Authority on the Planning (Wales) Bill and the Planning (Consequential Provisions) (Wales) Bill.

Summary of Issue 1 raised by Bannau Brycheiniog National Park

Authority: The Bill fundamentally changes the legal effect of Section 4A of the Town and Country Planning Act 1990 and the role of the National Park Authority as sole local planning authority for the area of the Park.

Comments from Pembrokeshire Coast National Park Authority: Section 7 'The planning authority of an area' identifies the National Park Authority as the Planning Authority for the area of the Park, except where a joint planning board is established under section 8 'Power to designate joint planning area and establish joint planning board'. Under section 9 'Joint planning areas and National Parks' a Joint Planning Board should not be set up to include a national park but that can be overridden by regulations.

There appears to be a subtly different approach in the Bill to the current section 2(1B) of the Town and Country Planning Act which contains an absolute prevention of a Joint Planning Board being established for a National Park in section 2(1D). The Pembrokeshire Coast National Park Authority would suggest that the wording in 2(1D) is retained to ensure this does not introduce a change through the Planning (Wales) Bill 2025.

Summary of Issue 2 raised by Bannau Brycheiniog National Park

Authority: Omission from consolidation of relevant provisions from The Conservation of Habitats and Species Regulations 2017.

Comments from Pembrokeshire Coast National Park Authority: It appears that Awdurdod Parc Cenedlaethol Bannau Brycheiniog are suggesting that the current requirement to prepare a local development plan in section 62 of the Planning and Compulsory Purchase Act 2004, must be read (as a result of regulation 41 of the Conservation of Habitats and Species Regulations 2017) so as to include policies encouraging the management of features of the landscape which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems of marking field boundaries) or their function as "stepping stones" (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species. It would appear that section 19 of the Planning (Wales) Bill does not make that clear, however, with appropriate amendment regulation 41 will still be applied. Our understanding is that the Conservation of Habitats and Species Regulations 2017 would continue to apply and that there is no requirement for a specific reference in the consolidation Bill (section 19), but would welcome clarity from Welsh Government's officers on this point.

Summary of Issue 3 raised by Bannau Brycheiniog National Park

Authority: Lack of clarity about the retrospective application of provision under s62(9) of the Planning and Compulsory Purchase Act 2004, when a local development plan ceases to be a local development plan on the expiry of the period specified in it (as is required to be included under section 62(3B)). The provision is repeated in section 19(9) of the Bill and should specify that it applies

only from the date of commencement of the Planning Wales Act 2015 and not retrospectively.

Comments from Pembrokeshire Coast National Park Authority: We would agree that section 19(9) of the Bill should specify it would only apply to Local Development Plans adopted after the date of commencement of the Planning Wales Act 2015 and not retrospectively to Local Development Plans adopted prior to this date.

Cllr Edgar Wyn Owen
Chair, Eryri National Park Authority

Dr Madeleine Havard
Chair, Pembrokeshire Coast National Park Authority

21 October 2025

Dear both

Planning Consolidation Bills

The Legislation, Justice and Constitution Committee is currently considering the Planning (Wales) Bill and the Planning (Consequential Provisions) (Wales) Bill, which have been introduced by the Welsh Government for the purpose of consolidating planning law.

To inform its consideration, the Committee held a public consultation between 16 September and 8 October 2025. The Committee considered the responses received at its meeting on 20 October 2025.

The Committee noted that Bannau Brycheiniog National Park Authority have drawn three issues to the Committee's attention. As these issues appear to be of relevance to other national park authorities, we would be grateful to receive any comments you may have on them.

As the Committee is required to report to the Senedd on its initial consideration of the Bills by 28 November, I would be grateful to receive any comments by 11 November 2025.

I am copying this letter to Cllr Gareth Ratcliffe, Chair of Bannau Brycheiniog National Park Authority.

Yours sincerely,



Mike Hedges

Chair

Agenda Item 12

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

Ein cyf/our ref: HID-PO-557-25

Mike Hedges MS
Legislation, Justice and
Constitution Committee
SeneddLJCC@senedd.wales

4 November 2025

Dear Mike,

Thank you for your letter of 22 October regarding the Prohibition of the Greyhound Racing (Wales) Bill.

The attached Annex provides the responses to the questions the Committee was not able to ask during the scrutiny session.

I thank the Committee for their interest in this Bill and look forward to considering the Committee's report, in due course.

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

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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

Question 1: A version of the Bill was published shortly before introduction. What changes were made to this version of the Bill before its introduction?

Two minor changes were made to the Bill ahead of introduction. One small change was made to section 2(b) in order to clarify that the persons who commit the offence created by section 1(1)(a) will be (a) the owner of the venue and (b) either the person with overall responsibility for operating the venue, or if the person with that overall responsibility is not in the UK, the person in the UK who is responsible. A further minor change was made to correct punctuation and numbering in Schedule 3, para 3(2)(a)(ii).

Question 2: The Regulatory Impact assessment states that the “Welsh Government submitted a Justice System Impact Identification Form to the Ministry of Justice and engagement is ongoing.” Can you provide an update?

The impact on the justice system has been considered, and a Justice System Impact Identification Form was submitted to the Ministry of Justice.

The Lady Chief Justice’s Department has also been consulted on the anticipated impact the Bill will have on the justice system and a response is awaited.

Engagement with the Ministry of Justice is ongoing. Once this is complete, I intend to publish the JSII and I will reflect the updated position in the Explanatory Memorandum ahead of Stage 3.

Question 3: The Integrated Impact Assessment published on the Welsh Government website states that “[t]he policy objective is to introduce primary legislation to prohibit greyhound racing. If approved, the legislation will be subject to a review no later than five years after it has come into force.” The Bill does not provide for such a review, so how will you ensure that this review takes place?

While the Bill does not include a statutory requirement for post-implementation review under the Government of Wales Act 2006 and does not establish new systems or reporting duties that would necessitate such a provision, the Welsh Government is committed to good practice in policy evaluation. A review will be undertaken within five years of commencement, with evaluation activity beginning from 12 months after the Bill comes into force.

The review will aim to measure whether the policy objectives are being met and to identify any unintended consequences in line with the Welsh Government’s principles for research and evaluation.

A post-implementation review of the legislation will play a key role in monitoring the effects and impacts of the ban. Particular attention will be given to the effectiveness of enforcement mechanisms, unintended consequences and the broader impact of the legislation and will inform ongoing policy decisions.

A post-implementation review specifically of any enforcement action as a result of the Bill will be undertaken within 3 years of the legislation coming into force, in keeping with Welsh Government Justice System Impact Identification guidance.

Question 4: Why does the equality, diversity, inclusion and human rights impact assessment not include any information in relation to the interference with Article 8 rights?

The impact assessments have been published alongside the Bill and are subject to ongoing review. We will ensure that the equality, diversity, inclusion and human rights impact assessment reflects the assessment undertaken in respect of Article 8.

Question 5: The equality, diversity, inclusion and human rights impact assessment, in relation to Article 1 of the First Protocol to the European Convention on Human Rights, states that “[t]here may be a negative impact to the owners of Valley Greyhounds, in that they may be deprived of using their property as they wish.” Do you consider this Bill to amount to a deprivation of property in relation to Valley Stadium?

Our view on the facts as we currently understand them is that the prohibition does not amount to a deprivation of property. The impact assessment recognises that the prohibition will mean that the owners will no longer be able to use the property for greyhound racing.

Question 6: Do you consider restricting how Valley Stadium will be able to use its property is "in the general interest", for the purpose of Article 1 of the First Protocol? If so, please explain how.

I am content the proposed ban is justified and in the general interest. The Explanatory Memorandum explains the context and purpose of the Bill.

Question 7: Do you consider the prohibition to be proportionate, and does it strike a fair balance between the general interest and the private interests of Valley Stadium? If so, please explain how.

I am content the Bill achieves a fair and proportionate balance between the protection of the rights of those affected by the Bill and the general interest. This takes account of a range of factors including the potential for re-purposing of the track and the long lead in time provided for the ban to take effect.

The length of the lead in time will ensure that any impacts can be properly managed and mitigated as far as possible. We will continue to assess all evidence and information provided during the Bill process and will keep this under review.

Supplementary: Did you consider any alternatives that would have had a less invasive impact on Valley Stadium?

An assessment of policy options, including their associated costs and benefits, is set out in the published Regulatory Impact Assessment and Explanatory Memorandum. Alternatives were considered, including those with less impact on Valley Stadium.

Among these was the licensing of owners, keepers, or trainers. However, as outlined in the Explanatory Memorandum, this approach would not achieve the primary policy objective of preventing the risks associated with greyhound racing, including injury, race fatality and poor post racing outcomes. An ethical argument is also brought forward for a ban. The public and stakeholder support for a ban on greyhound racing reflects a desire for meaningful change.

Question 8: In relation to the negative impacts of the proposals, the reason for the decision given in the impact assessment is “[t]hese proposals need to be balanced against the prevention of animals suffering for sport.” Considering the negative consequences of the prohibition on Valley Stadium, are you satisfied this assessment is sufficiently detailed for the purposes of justifying the interference with Valley Stadium’s right to peaceful enjoyment of their possessions?

In addition to the Explanatory Memorandum, a Regulatory Impact Assessment and a number of [impact assessments](#) have been completed and published. We will continue to assess all evidence and information provided during the passage of the Bill and will keep the Explanatory Memorandum, the Regulatory Impact Assessment and the impact assessments under review.

I am content that the Bill achieves a fair and proportionate balance between the protection of the rights of those affected by the Bill and the effectiveness of the proposed ban. This takes account of a range of factors including the potential for re-purposing of the track and the long lead in time provided for the ban to take effect. The length of the lead in time will ensure that any impacts can be properly managed and mitigated as far as possible.

Question 9: What assessments have been made of the contracts currently in place at Valley Stadium and are there any contracts that would be in place beyond the earliest date a ban could come into force?

The published Regulatory Impact Assessment accompanying the draft legislation sets out our understanding of these impacts. At present the extent of some impacts are not fully known, including on employment, the local economy and communities and secondary industries associated to Valley Greyhound Stadium. It acknowledges the limitations of available data and highlights areas where further analysis will be undertaken as the Bill progresses.

We have listened to the evidence provided to the Culture, Communications, Welsh Language, Sport, and International Relations Committee from the industry, academics and other stakeholders. We will continue to assess all evidence and information provided during the Bill process and consider any additional information provided to further inform our assessments.

The impact of the ban remains a key consideration, and we are actively undertaking work to assess implications as part of our ongoing work. These assessments will be kept under review during the passage of the Bill.

My officials have requested on a number of occasions via the Implementation Group detailed information from Valley Stadium, including commercial contractual and financial information, as well as social and attendance figures, to support further assessment of the Bill's social, economic and financial impacts. The Implementation Group will play a key role in providing guidance and advice on the readiness of the industry, rehoming organisations, and local authorities, enabling the government to give appropriate notice to the industry and set a commencement date in a planned and considered way that mitigates any potential negative impacts.

The legislation is proposed to come into force between April 2027 and April 2030. This window gives time to consider how the industry in Wales will wind down its activities and allows the Implementation Group to advise us on whether any key areas need to be addressed during that period in readiness for a ban.

Supplementary: Why has this information not been included in the equality, diversity, inclusion and human rights impact assessment?

The impact assessments are subject to ongoing review, and we will ensure that the equality, diversity, inclusion and human rights impact assessment reflects all relevant information that we are provided.

Question 10: Are you of the view that the rights of owners and keepers of greyhounds that currently race in Wales are impacted by the provisions of this Bill? Have any assessments been carried out?

Human rights implications have been considered in relation to all those who may be impacted by the provisions of the Bill, including owners and keepers of greyhounds in Wales.

The Bill prohibits the racing of greyhounds in Wales and will not prevent or restrict the owning or keeping of greyhounds in Wales. For owners and keepers who are also trainers of racing greyhounds, the Bill will prohibit them in Wales from being involved in organising training practices that involve setting greyhounds to run around a track in pursuit of a lure activated by mechanical means.

The Regulatory Impact Assessment sets out the anticipated impacts, disbenefits and associated costs of the Bill's provisions.

Supplementary, if the previous answer is that the rights of owners/keepers are impacted: Why has this information not been included in the equality, diversity, inclusion and human rights impact assessment?

The Impact Assessments are subject to ongoing review, and we will ensure that the equality, diversity, inclusion and human rights impact assessment reflects all relevant information that we are provided.

Question 11: If there are questions surrounding a dog's breed, who will determine the breed for the purposes of enforcing the offences in the Bill?

An inspector would determine the breed for the purposes of enforcing section 1 of the Bill.

Inspectors are provided with powers of enforcement in section 4 and schedule 2 of the Bill. The powers of enforcement include powers of entry and powers to inspect.

In exercising the power of entry in section 4 and schedule 2 inspectors may be accompanied by other persons where appropriate, to support as needed.

Question 12: The Explanatory Notes to the Bill state that the offence under section 1(1)(b) of organising greyhound racing in Wales could include organising such a race on "open land". Is the Bill clear enough in what could be captured by this offence?

Section 1 of the Bill introduces two new offences. The first, at section 1(1)(a), makes it an offence for an operator of a stadium or a similar venue in Wales to use it, or knowingly permit it to be used, for greyhound racing.

The second, at section 1(1)(b), makes it an offence for a person to be involved in organising greyhound racing in Wales. This includes at a stadium or similar venue or anywhere else.

If the event involves organising greyhound racing anywhere where greyhounds pursue a mechanically activated lure around a track, it will fall within the scope of the offences. This reflects a key objective of the Bill to capture greyhound racing around a track anywhere else.

The term 'open land' isn't used in the Bill. Open land is referenced in the explanatory note as an example of other places greyhound racing activity could take place.

Huw Irranca-Davies MS
Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs

22 October 2025

Dear Huw

Prohibition of Greyhound Racing (Wales) Bill

Thank you for appearing before Committee on 20 October 2025 to discuss the Prohibition of Greyhound Racing (Wales) Bill ("the Bill").

There were a number of matters that we did not have time to raise with you fully during the session. As such, I would be grateful if you would consider and respond to the questions in the Annex by 5 November 2025.

Yours sincerely,



Mike Hedges
Chair

ANNEX

Question 1: A version of the Bill was published shortly before introduction. What changes were made to this version of the Bill before its introduction?

Question 2: The Regulatory Impact assessment states that the “Welsh Government submitted a Justice System Impact Identification Form to the Ministry of Justice and engagement is ongoing.” Can you provide an update?

Question 3: The Integrated Impact Assessment published on the Welsh Government website states that “[t]he policy objective is to introduce primary legislation to prohibit greyhound racing. If approved, the legislation will be subject to a review no later than five years after it has come into force.” The Bill does not provide for such a review, so how will you ensure that this review takes place?

Question 4: Why does the equality, diversity, inclusion and human rights impact assessment not include any information in relation to the interference with Article 8 rights?

Question 5: The equality, diversity, inclusion and human rights impact assessment, in relation to Article 1 of the First Protocol to the European Convention on Human Rights, states that “[t]here may be a negative impact to the owners of Valley Greyhounds, in that they may be deprived of using their property as they wish.” Do you consider this Bill to amount to a deprivation of property in relation to Valley Stadium?

Question 6: Do you consider restricting how Valley Stadium will be able to use its property is “in the general interest”, for the purpose of Article 1 of the First Protocol? If so, please explain how.

Question 7: Do you consider the prohibition to be proportionate, and does it strike a fair balance between the general interest and the private interests of Valley Stadium? If so, please explain how.

Supplementary: Did you consider any alternatives that would have had a less invasive impact on Valley Stadium?

Question 8: In relation to the negative impacts of the proposals, the reason for the decision given in the impact assessment is “[t]hese proposals need to be balanced against the prevention of animals suffering for sport.” Considering the negative consequences of the prohibition on Valley Stadium, are you satisfied this assessment is sufficiently detailed for the purposes of justifying the interference with Valley Stadium’s right to peaceful enjoyment of their possessions?

Question 9: What assessments have been made of the contracts currently in place at Valley Stadium and are there any contracts that would be in place beyond the earliest date a ban could come into force?

Supplementary: Why has this information not been included in the equality, diversity, inclusion and human rights impact assessment?

Question 10: Are you of the view that the rights of owners and keepers of greyhounds that currently race in Wales are impacted by the provisions of this Bill? Have any assessments been carried out?

Supplementary, if the previous answer is that the rights of owners/keepers are impacted: Why has this information not been included in the equality, diversity, inclusion and human rights impact assessment?

Question 11: If there are questions surrounding a dog's breed, who will determine the breed for the purposes of enforcing the offences in the Bill?

Question 12: The Explanatory Notes to the Bill state that the offence under section 1(1)(b) of organising greyhound racing in Wales could include organising such a race on "open land". Is the Bill clear enough in what could be captured by this offence?

Agenda Item 13

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

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