

Clare Pillman  
Chief Executive

4 October 2024

Dear Clare,

### Application of the Water (Special Measures) Bill in Wales

I would like to thank representatives of Natural Resources Wales (NRW) for attending the Committee's 3 October meeting to give evidence in connection with a range of topical matters, including the UK Government's **Water (Special Measures) Bill**.

The Welsh Government laid its **Legislative Consent Memorandum for the Water (Special Measure) Bill** on 18 September 2024. The LCM has been referred to the Climate Change, Environment and Infrastructure Committee (the Committee) for consideration with a reporting deadline of 22 November.

To assist the Committee in its consideration of the LCM, we would welcome any further views you may have on:

- the Bill's provisions in relation to Wales. These are: clause 1, clauses 3 to 9, and clauses 11 to 13; and
- whether and how the provisions will help deliver the Welsh Government's overall aim to reduce water pollution.

Currently, clause 2 (Pollution incident reduction plan) does not apply in relation to Wales. However, the LCM for the Bill states:

*"Welsh Government has not yet agreed to the application of clause 2 to Wales, relating to putting Pollution Incident Reduction Plans on a statutory footing. We will continue to review*

*options on this issue and work with NRW and Defra to agree an approach which is appropriate to the context and approach to the sector in Wales."*

We would therefore also welcome your views on the benefits and disbenefits of clause 2 applying in relation to Wales.

Given the timescale within which the Committee must report, it would be helpful if you could provide a response as soon as possible, and by 18 October 2024 at the latest.

Regards,



Llyr Gruffydd MS,  
Chair, Climate Change, Environment and Infrastructure Committee

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

David Black  
Chief Executive

4 October 2024

Dear David,

### Application of the Water (Special Measures) Bill in Wales

You may be aware that, on 4 September 2024, the UK Government introduced the **Water (Special Measures) Bill** (the Bill) in the House of Lords.

The Bill sets out measures which aim to:

- strengthen the power of the water industry regulators;
- ensure water companies and their executives are held to account;
- enable independent monitoring of every outlet by requiring data from emergency overflows to be published within an hour of a discharge occurring;
- provide greater transparency around water company actions to tackle pollution incidents; and
- modernise the existing special administrations regime for the water industry, strengthening the Government's control in this space and bringing the regime in line with special administration regimes in other sectors.

The Bill makes provision in relation to Wales within the legislative competence of the Senedd. As such, it is subject to the legislative consent process. This involves:

- the laying of a Legislative Consent Memorandum (LCM) by the Welsh Government;
- consideration of the LCM by relevant Senedd committee; and

- the tabling of a legislative consent motion seeking the Senedd's agreement to include the relevant provisions in the Bill.

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Chair, Climate Change, Environment and Infrastructure Committee

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Dr Mike Kiel  
Chief Executive

4 October 2024

Dear Dr Kiel,

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Peter Perry  
Chief Executive

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James Jesic  
Managing Director

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