

Environmental governance and principles in Wales post European Union Exit

On 18 March we published our consultation paper on Environmental Governance and Principles in Wales post European Union Exit. The consultation will conclude on 9 June.

Oversight of the implementation of environmental law and the accountability of Member States for their delivery against it has been overseen by the European Commission and the European Court of Justice. On leaving the EU, these environmental governance structures will no longer apply in the UK.

In Wales, we recognise our environment is intrinsically linked to our economy and essential to our society. For this reason, our approach to the environment is cross-cutting. In developing the solutions to address the gap in environmental governance caused by leaving the EU, we must avoid creating a siloed approach to the environment.

Our consultation paper is drafted to provide an opportunity to start a conversation with stakeholders on the key factors required to provide a coherent and effective governance framework, which is fit for purpose for Wales and compliments the existing sustainable development framework provided by our Well-being of Future Generations and Environment Acts.

These two Acts, which place sustainable development and the environment at the core of decision-making mean in Wales, we have a different starting position for the governance to the rest of the UK. As such in Wales, one of the key aims is to address the gaps in a way which is compatible and in alignment with the wider approach to sustainable development.

The consultation sets out existing Welsh arrangements and identifies gaps both in principles and in governance arrangements such as independent scrutiny, investigation and enforcement. We also seek stakeholder views on how to address these gaps in a way which continues to drive environmental improvement; enhances our reputation for high standards and provides a coherent, integrated governance framework, which will meet any future requirements once the UK has exited the EU.

Our starting point has been to address the principles and governance gaps in a way which would meet the specific requirements in Wales in line with our existing legislative and governance frameworks. However, we recognise that where there are common UK obligations or where there is interface between the UK nations on environmental matters, a UK wide governance mechanism may be appropriate. To that end, the consultation also seeks views on what would be appropriate at a UK wide level.

This is a complex issue, deserving careful consideration to enable us to develop governance arrangements, which are fit for purpose and meet our national need. Post the consultation, we will continue to engage with stakeholders in the development of the policy options.