

REPORT ON PRIMARY LEGISLATION BY THE ENVIRONMENT, PLANNING AND COUNTRYSIDE COMMITTEE

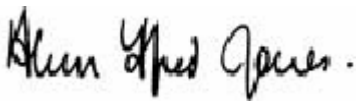
The Natural Environment and Rural Communities Bill

The Committee considered the Bill at its meetings on 13 July and 22 September. The Bill had been remitted to the Committee following the plenary debate on the Queen's Speech on 21 June.

At its meeting on 13 July, Committee undertook detailed scrutiny of the various parts of the Bill. In particular, Members were unhappy that Clause 38 allowed for the Secretary of State to issue directions to the Joint Nature Conservation Committee (JNCC) about the exercise of certain functions, whilst having no legal duty to consult devolved administrations. Members questioned whether this was in keeping with the UK Government White paper, *Better Governance for Wales*. Committee therefore requested that the Minister convey its wishes to the Secretary of State for an amendment to the Bill that would reflect the spirit of devolution and ensure that Ministers in devolved administrations would be consulted.

On Part 7 of the Bill on Inland Waterways, Committee wished the Bill to be amended so that further powers be devolved to the Assembly. The Minister stated that he would consult his colleague, the Minister for Economic Development and Transport, as it was technically a matter for him.

In an update to Committee on 22 September, the Minister reported that the amendment suggested in Committee on 13 July, relating to Clause 38, Part 2 of the Bill had been accepted by DEFRA and would be proposed as a Government amendment to the Bill. On Committee's request for more devolved powers on inland waterways (Part 7 of the Bill), the Minister stated that the Welsh Assembly Government was not against this in principle and was considering the issue further. Any possible new powers would, however, be unlikely to be included in the Bill, given the timeframe for its passage through Parliament. The Minister assured Committee that another legislative opportunity would arise to secure any agreed new powers in this area.



Alun Ffred Jones AM
Chair, Environment, Planning and Countryside Committee