

Environment

Brexit Monitoring Report

15 September – 9 November 2018



The Assembly and

BREXIT

The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales, agrees Welsh taxes and holds the Welsh Government to account.

National Assembly for Wales
Senedd Research

Environment

Brexit Monitoring Report

15 September – 9 November 2018

Authors:

Francesca Howorth, Katy Orford, Elfyn Henderson, Chloe Corbyn, Lorna Scurlock, Chris Wiseall and Siân Davies

Paper Overview:

Brexit will bring significant changes in the environmental policy area. The Research Service has prepared this monitoring report for the Assembly's Climate Change, Environment and Rural Affairs Committee. It provides an update on recent Brexit developments that are of importance to environmental policy in Wales.

An electronic copy of this document can be found on the National Assembly website: www.assembly.wales

Copies of this document can also be obtained in accessible formats including Braille, large print, audio or hard copy from:

National Assembly for Wales
Cardiff Bay
CF99 1NA

Tel: **0300 200 7536**

Email: Francesca.Howorth@assembly.wales

Twitter: [@SeneddResearch](https://twitter.com/SeneddResearch)

Blog: SeneddResearch.blog

© National Assembly for Wales Commission Copyright 2018

The text of this document may be reproduced free of charge in any format or medium providing that it is reproduced accurately and not used in a misleading or derogatory context. The material must be acknowledged as copyright of the National Assembly for Wales Commission and the title of the document specified.



The Assembly and

BREXIT

Contents

1. Introduction.....	1
2. UK EU negotiations.....	2
3. Other UK Government action.....	4
4. Welsh Government action.....	7
5. Scottish Government Action.....	9
6. CCERA Committee action.....	10
7. Other National Assembly action.....	12
8. Other UK legislature action.....	14
9. Other key sources.....	18

1. Introduction

This report provides an update on recent developments relating to Brexit in the environmental policy area. It has been prepared by the Research Service for the Assembly's **Climate Change, Environment and Rural Affairs (CCERA) Committee** and covers the time period running from 15 September to 9 November 2018. The **previous report** covers 13 July to 14 September.

This document provides an overview of UK-EU negotiations and developments within the UK that impact on the environmental policy area. It focuses on the activities of:

- The EU institutions;
- The governments and legislatures within the UK; and
- Provides other key sources of information.

For a full overview on the negotiations relating the UK's withdrawal from the EU, see the Research Service's general **Brexit Monitoring Reports and Brexit Updates** that are prepared for the Assembly's **External Affairs and Additional Legislation (EAAL) Committee**. Information can also be found on the Assembly's **Brexit and Wales** webpages.

2. UK EU negotiations

On 14 November 2018, as this report was going to print, the UK Government and European Commission reached agreement on a **Draft Withdrawal Agreement** for the UK's exit from the European Union. Subsequently, it was **announced by the Prime Minister, Theresa May**, that the Cabinet had agreed the draft and the accompanying Outline Political Declaration. A **further statement was made by the Prime Minister** to the House of Commons on 15 November in which she stated:

...yesterday we agreed the provisional terms of our exit from the European Union, set out in the Draft Withdrawal Agreement. We also agreed the broad terms of our future relationship, in an Outline Political Declaration. President Juncker has now written to the President of the European Council to recommend that 'decisive progress has been made in the negotiations'...and a special European Council will be called for Sunday 25th November. This puts us close to a Brexit deal.

Detail on what is included in the Draft Withdrawal Agreement in relation to environment policy will be included in the next edition of this report. The updates included in this report from this point onwards cover the period 15 September to 9 November 2018. The statements referred to above were followed by **the resignations of a number of UK Government Ministers**, any references in this report to Ministerial titles were correct as at 9 November unless otherwise specified.

On **17** and **18** October an EU Council summit was held to discuss the latest progress in relation to Brexit.

On 18 October, the President of the European Council, Donald Tusk, **made a statement** indicating that 'not enough progress has been made' to achieve an agreement and that he would be ready to 'convene a European Council on Brexit, if and when the EU negotiator reports that decisive progress has been made'.

On 22 October, having restated that 95 per cent of the withdrawal agreement and protocols are now settled, the UK Prime Minister, Theresa May, provided **an update on the key sticking point** – the Irish backstop. She reported:

[we must make the commitment to] create an option to extend the implementation period as an alternative to the backstop. I have not committed to extending the implementation period. I do not want to extend the implementation period, and I do not believe that extending it will be necessary.

What I am saying is that if, at the end of 2020, our future relationship is not quite ready, the proposal is that the UK would be able to make a sovereign choice between the UK-wide customs backstop or a short extension of the implementation period.

In terms of trade she said:

[it is for the Government to] deliver the commitments we have made to ensure full continued access for Northern Ireland's businesses to the whole of the UK internal market. Northern Ireland's businesses rely heavily on trade with their largest market, Great Britain, and we must protect this in any scenario.

Donald Tusk's statement following the EU leaders' summit also explored this possibility of an extension to the transition period. He indicated that:

if the UK decided that an extension of the transition period would be helpful to reach a deal, I am sure that the leaders would be ready to consider it positively.

On 22 October, the Welsh European Advisory Group **published the minutes for its meeting held on 20 September**. A short extension of the implementation period would be in line with the Group's call 'for the UK to request that the EU offers more flexibility regarding timings to secure a mutually beneficial deal between the UK and the EU'. This was reiterated by the Cabinet Secretary for Finance, Mark Drakeford, in a **statement on the same day**.

There had been speculation that a special EU Council meeting would be called in November to finalise the Withdrawal Agreement and the associated, non-binding, Political Declaration on the future EU-UK relationship. **In a letter dated 24 October** (PDF,224KB), the Secretary of State for Exiting the European Union, Dominic Raab, indicated that he is:

happy to give evidence to the [House of Commons, Exiting the EU] Committee when a deal [on the Withdrawal Agreement] is finalised, and currently expect 21 November to be suitable.

For an estimated Brexit timeline for the coming months, see the Research Service's **blog post**.

3. Other UK Government action

Agriculture and food

On 4 October, the UK Government's Department for Environment, Food and Rural Affairs (Defra) launched a **consultation on establishing UK Geographical Indications (GI) schemes after exit**. The consultation closed on 1 November. The consultation sets out the proposals for the new UK GI schemes, which will bring the existing EU GI regulations into UK law via the EU Withdrawal Act. This covers the four separate GI schemes for; agri-food products, wines, aromatised wines and spirit drinks.

Throughout September and October several **UK Government departments published guidance documents for a no-deal Brexit**. Those relating to agriculture and food include:

- **Producing and labelling food if there's no Brexit deal;**
- **Importing and exporting plants and plant products if there's no Brexit deal;**
- **Existing free trade agreements if there's no Brexit deal;**
- **Health marks on meat, fish and dairy products if there's no Brexit deal;** and
- **Exporting GM food and animal feed products if there's no Brexit deal.**

On 16 October, Defra **announced a review** to deliver 'fair funding' for farmers between England, Scotland, Wales and Northern Ireland up to 2022. An independent advisory panel will look at which factors should determine the distribution of agriculture funding. Under the **terms of reference** of the review, the panel will 'consider a wide range of factors reflecting the environmental, agricultural and socio-economic circumstances of each of the four parts of the UK'. The review is expected to last 6 months and conclude prior to the 2019 Spending Review with the aim of informing future funding decisions. It will be chaired by Lord Bew of Donegore who will be supported by a panel of representatives from across the UK. The announcement confirmed that the UK Government will not apply the Barnett formula to changes in funding beyond this Parliament.

Defra is recruiting more officials to support its work on delivering Brexit and the 25 Year Environment Plan. It has recently advertised 52 policy-making roles across its sites. Additional funding has been made available to the Welsh Government from the £20.7m Brexit-related consequential allocated for 2018-19 and 2019-2020 and the Welsh Government Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths, **has secured funding** for 144 Brexit posts.

Energy and Climate Change

Several UK Government departments have also published no-deal guidance. Those relating to energy and climate change include:

- **Meeting climate change requirements if there's no Brexit deal;**
- **Running an oil or gas business if there's no Brexit deal;**
- **Trading gas with the EU if there's no Brexit deal;**
- **Trading electricity if there's no Brexit deal;** and
- **Generating low-carbon electricity if there's no Brexit deal.**

The notice on **meeting climate change requirements** in the event of a no-deal reiterates the UK's commitment to domestic and international efforts to tackle climate change. It also sets out that in such a scenario the UK would be excluded from participating in the EU Emissions Trading Scheme (EU ETS) and that the UK Government would remove requirements relating to the surrender of emissions allowances. However, it also says that to retain as much continuity as possible the UK Government intends to maintain Monitoring, Reporting and Verification arrangements.

A **technical note** (PDF,256KB), published alongside the **UK Autumn Budget 2018**, outlines **plans** to replace the **EU ETS** with a UK carbon tax in the event of a no-deal Brexit. It would start at £16/tCO₂ (tonnes CO₂) – roughly the same as the current EU ETS price – effectively maintaining the level of carbon pricing across the UK economy at similar levels to those currently in place.

Fisheries

On 25 October Defra published a **summary of responses** to the **Fisheries white paper: sustainable fisheries for future generations**.

On the 25 October the UK Government introduced the **Fisheries Bill** to the UK Parliament. The Bill is accompanied by **explanatory notes** and a **delegated powers memorandum**. It supports the process of moving away from the EU's Common Fisheries Policy to the UK managing its own waters as an independent coastal state.

Fisheries is a devolved matter and the Bill contains a number of powers which will be exercisable by the Welsh Ministers and the other devolved administrations, as well as by the Secretary of State. It also contains some powers which are exercisable by the Secretary of State in relation to devolved matters – but with the consent of the devolved administrations, in order to support a consistent approach to fisheries management across the UK. The Bill extends the powers of the Marine Management Organisation to make byelaws to control the impact of fishing on the marine environment and confers equivalent powers on Scottish Ministers and Welsh Ministers.

The Bill also provides a number of powers which will enable UK Ministers, and the devolved administrations in some cases, to introduce secondary legislation.

A Joint Fisheries Statement (JFS) must be adopted by the four UK Fisheries Administrations, setting out how their policies will achieve or contribute to the achievement of key UK fisheries objectives. The JFS must be prepared by the fisheries policy authorities acting jointly, and the first JFS must be prepared and published before 1 January 2021. The JFS must be laid in draft before each of the legislatures for scrutiny and consulted on appropriately. The Secretary of State must also prepare a Secretary of State fisheries statement (SSFS).

Nature conservation

It was reported in **ENDS Report** that the Secretary of State for Environment, Food and Rural Affairs, Michael Gove, told a Conservative Party Conference fringe event on 30 September that there should be legally binding targets in the Environment Bill (which was **announced in July by Theresa May**) alongside non-binding targets 'which can be changed as science develops and as our understanding of what's possible grows'.

4. Welsh Government action

Agriculture and food

On 25 September the Cabinet Secretary for Economy and Transport, Ken Skates, made a written statement on the **Launch of the Business Wales Brexit Portal**, a website specifically designed to help businesses as they 'prepare for the changes and challenges' arising from Brexit. He stated that the portal has two objectives:

First, to provide up-to-date information and advice on a range of relevant business topics (including trading internationally and workforce planning) as we enter the six-month period leading up to the UK's departure from the EU.

Second, to provide a diagnostic tool which will enhance our existing support to businesses, raising awareness of appropriate preparedness actions and additional sources of support. This will provide a health check for those businesses already prepared or identifying key actions for those that may need more support.

On 4 October the **Legislative Consent Memorandum for the Agriculture Bill was laid in the Assembly**.

On 30 October the Welsh Government's **Green Paper consultation, Brexit and Our Land**, closed receiving over 1200 responses.

Also on 30 October the Cabinet Secretary for Finance, Mark Drakeford, **made a statement** in response to the UK Autumn Budget 2018. In terms of Brexit he said:

Brexit continues to weigh on growth prospects for both Wales and the UK as whole. While the Chancellor spoke yesterday about the promise of more funding to come in the event of a good Brexit deal. The negotiations between the UK and the EU remains far from certain and the threat of a disruptive and disastrous no deal Brexit, which would hit Wales disproportionately hard, edges ever closer.

On 8 November the Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths, **provided an update** on the Hybu Cig Cymru/Meat Promotion Wales (HCC) Enhanced Export Development Programme. She stated:

since its commencement, the programme has enabled HCC to support the industry to establish a network of representatives in key markets, including France, Germany, Italy, Scandinavia and Benelux, delivering key activities including trade support, consumer focussed marketing, point of sale and in-store activities, digital marketing and inward missions. The programme is successfully helping to maintain key markets in Europe, as well as developing market access further afield, and has already been instrumental in securing brand new business in Belgium, Portugal, Singapore and Qatar.

Fisheries

On 26 September, Lesley Griffiths **announced further support through the EU transition fund for fisheries, environment and the food industry to prepare for Brexit**. This includes over £1.2million to help support research into future fisheries management, the Cabinet Secretary said:

we know that leaving the EU will be particularly difficult for the fishing and food industry. The funding they will receive through this fund will help ensure [they] maximise any emerging opportunities, ensure their competitiveness in changing markets and enable them to thrive in a post-Brexit world.

UK frameworks

On 25 October, a fifth meeting of the Interparliamentary Forum on Brexit was held in the National Assembly for Wales. Following the meeting, a **joint statement** (PDF,220KB) was issued re-asserting that, in relation to intergovernmental arrangements, ‘the consensus view of committees is that the Joint Ministerial Committee (JMC) mechanism is not fit for purpose’. However, Robin Walker MP did not concede to the Welsh Government’s proposal for a Council of Ministers, **stating that additional work streams have been created:**

I think we’ve also recognised [...] that there needs to be additional machinery to support this process, and the ministerial forum on EU negotiations [...] has been set up with the specific aim of reporting back to JMC(EN) on upcoming negotiations on the future relationship.

5. Scottish Government Action

Agriculture and food

On 26 September the Scottish Government’s Constitutional Relations Secretary, Michael Russell, **warned about the possibility of Brexit affecting food safety** and said ‘all powers in devolved areas like food law must transfer directly to the Scottish Parliament.’

On 26 September the Scottish Government’s Cabinet Secretary for the Rural Economy, Fergus Ewing, **made a statement to the Scottish Parliament regarding the Common Agricultural Policy**. He said:

there is no doubt that the year ahead will be difficult, which is why the Scottish Government has made it clear that no matter what else happens, farm and rural businesses will receive their current payment entitlements largely as they currently are, and not just in 2019 but in every year until 2022.

On 15 October the Scottish Government published **‘Scotland’s place in Europe: our way forward’** which sets out the Scottish Government’s position in relation to the Chequers proposal, details recent independent analysis of the UK Government’s proposals and urges the UK Government to maintain membership of the European Single Market and Customs Union.

On 6 November the Scottish Government’s Rural Affairs Minister, Mairi Gougeon, **warned that Scotland risks losing its 13.5% EU market share in the seed potato industry** in a no-deal Brexit scenario.

During October and November, Fergus Ewing **wrote several times to the UK Government’s Secretary of State for Environment, Food and Rural Affairs**, Michael Gove, laying out concerns around the UK Agriculture Bill and proposing a number of amendments.

6. CCERA Committee action

Agriculture and food

On 10 October the CCERA Committee discussed its approach to consideration of the Legislative Consent Memorandum on the UK Government's Agriculture Bill. The Committee **wrote to the Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths, on 18 October** on several issues including concerns around the broad delegated powers in the Bill. In **her response** the Cabinet Secretary stated:

I would like to re-assure the Committee the powers being taken now are broad enabling powers which do not constrain or predetermine future policy decisions. ... I acknowledge the Committee's concern regarding the significant regulation-making powers provided in the Bill to Welsh Ministers. I am committed to consulting stakeholders properly should these powers be used.

On 24 October the Committee **held an evidence session on the Welsh Government's Green Paper consultation, Brexit and our Land**. The focus of the session was the proposed Public Goods Scheme and the outcomes-based approach. The Committee heard from academics, farming unions, environmental NGOs and representatives from outcomes-based schemes.

On 8 November the Committee carried out **draft budget scrutiny with Lesley Griffiths**. The Committee asked questions around the budget allocations relating to agricultural aspects of her portfolio such as for Research and Evaluation, Technical Advice Services and pilot schemes for new agricultural programmes.

Animal welfare

During **draft budget scrutiny** the Committee asked the Cabinet Secretary questions around the budget allocations relating to bovine TB. This included the potential for a new badger vaccination programme given the availability of the vaccine. She told the Committee that she would not roll out a new vaccination programme but has made funding available for pilot schemes. The system of compensation paid to farmers was also discussed.

Fisheries

On 16 October the Committee published its inquiry report on the **impact of Brexit on fisheries in Wales**. The report makes a number of recommendations, including for the Welsh Government to report back to the Committee on discussions it has had with the UK Government about future fisheries policy.

During **draft budget scrutiny**, the Committee asked the Cabinet Secretary questions around the budget allocations relating to the marine and fisheries aspect of her portfolio, including how work is being prioritised within the Welsh Government's Fisheries Operation Branch. The Committee also asked when the Welsh Government's Legislative Consent Memorandum for the UK Fisheries Bill can be expected by the Assembly. The Committee has written to the Cabinet Secretary to clarify this.

Nature conservation

During **draft budget scrutiny** the Committee asked the Cabinet Secretary questions around the environmental governance body to fill the environmental 'governance gap' post-Brexit. The Cabinet Secretary said it was too early to detail the costs, however she plans to use the model for setting up the Well-being of Future Generations Commissioner's Office as a comparison. She said a consultation would be published by the end of November. She did not commit to a Wales-only model or a UK-model when questioned by the Committee.

7. Other National Assembly action

Agriculture and food

On 3 October, the Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths, **answered a number of questions in Plenary regarding the UK Agriculture Bill.**

On 8 October the External Affairs and Additional Legislation Committee held an **evidence session with the food sector** on preparing for Brexit.

On 5 November the Constitutional and Legislative Affairs (CLA) Committee held a scrutiny session with Lesley Griffiths, on the UK Agriculture Bill. Clause 26 of the Bill gives the Secretary of State for Environment, Food and Rural Affairs Regulation making powers in relation to the World Trade Organisation (WTO) Agreement on Agriculture. These would allow the UK Government to set financial ceilings for the devolved administrations in relation to agricultural support that is considered to be trade distorting. The Cabinet Secretary said that the UK Government's position on the WTO, set out in Clause 26, was a 'red line' and that she could not recommend that the Assembly gives consent to the Bill if the UK Government did not change its position on it being a completely reserved matter. The Welsh Government disagrees with the UK Government on the extent to which Clause 26 is a reserved matter, and emphasised the strong relationship between WTO powers and devolved responsibilities on agricultural support in a written statement on 12 September.

Marine

On 3 October Lesley Griffiths, was **asked in Plenary** about levels of protection for Wales's European marine sites following the UK's exit from the EU. The Cabinet Secretary said:

using powers under the EU withdrawal Act, we are working to ensure the same protections are in place and the law remains functional upon exit. This includes legislation underpinning Wales's European marine sites.

UK Frameworks

On 5 November, during the CLA Committee **scrutiny session with Lesley Griffiths**, the Cabinet Secretary re-iterated that the vast majority of UK frameworks for agricultural support will be through non-legislative vehicles with WTO rules as an exception, requiring a legislative framework. She said a further progress report on UK frameworks will be published after her next quadrilateral meeting in November.

Statutory Instruments

On 29 October the CLA Committee agreed a **protocol with the Welsh Government** (PDF,104KB) for the scrutiny of regulations arising from the UK's exit from the European Union. The Protocol sets out an understanding between the CLA Committee and the Welsh Government of the administrative arrangements for the scrutiny of regulations that are to be made by the Welsh Ministers.

A list of Statutory Instruments laid before the UK Parliament that require Assembly consent (Statutory Instrument Consent Memorandums -SICMs), **is available on the CLA Committee webpages**. A number of SICMs transpose EU law, while others include proposals to change the law as a result of the UK's exit from the EU (these SICMs include the phrase 'EU Exit' in the title). To date, the following SICMs have been laid in relation to the environment:

- **The Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018;**
- **The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) Regulations 2018;**
- **The Control of Mercury (Enforcement) Regulations 2017;** and
- **Environmental Impact Assessment (Miscellaneous Amendments Relating to Harbours, Highways and Transport) Regulations 2017.**

8. Other UK legislature action

Air quality

On 31 October, during a House of Commons debate on air pollution in the constituency of Broxbourne, the **Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs, Dr Thérèse Coffey**, said the UK Government will:

be publishing a clean air strategy before the end of the year, which will set goals working towards World Health Organisation recommendations on particulate matter emissions. That goes further than what the EU requires.

Agriculture and food

On 31 October the House of Commons Environment, Food and Rural Affairs Committee **held a scrutiny session on the UK Agriculture Bill** with the Secretary of State for Environment, Food and Rural Affairs, Michael Gove, and the Minister for Agriculture, Fisheries and Food, George Eustice. Michael Gove responded to criticism that the Bill would bypass Parliament with the transfer of powers from the EU to the UK Government. He said:

people make comparisons with a perfect model of parliamentary accountability, as they might see it, but decline to note that for many years, while we have been in the European Union, there have been aspects not just of agriculture but of huge swathes of policy area where Ministers, and indeed Parliament, have had to meekly accept what was decided elsewhere.

There was discussion of the possibility of binding future governments through the Bill in order to see the long-term environmental impacts and to protect farmers in the future.

Michael Gove gave assurances that the UK will not sign up to any trade deals that would allow produce into the country that is produced to lower standards than allowed in the UK, a commitment agreed by the International Trade Secretary and the Cabinet. However, George Eustice argued that, any amendment to the Bill that sought to ensure that any food production standards imposed domestically would apply equally to imports, would be out of the scope of the Agriculture Bill as it is better placed in the context of the Trade Bill.

Alan Brown MP raised the issue of Clause 26, which relates to WTO rules, possibly requiring a legislative consent motion from the Scottish Government, according to legal advice sought by the National Farmers Union Scotland. The legal advice was that it would be the UK Government legislating in devolved competence, possibly undermining support that could be given to farmers in Scotland. Michael Gove responded:

we are looking at the amendments. I think there may be a difference of understanding on some of these points, but we want to achieve a shared understanding and a shared way forward.

On 17 October the House of Lords Delegated Powers and Regulatory Reform Committee **published its report** on the UK Agriculture Bill. The Committee's overall concern is the number of delegated powers conferred on the Secretary of State/ Ministers which it believes bypass Parliament and the devolved legislatures in Wales and Northern Ireland. The report comments that although 17 of the 26 delegated powers allow for regulations to be made by the affirmative procedure (which it considers to be a high proportion by the standards of most Bills), the affirmative procedure offers nothing like the scrutiny given to a Bill. The Delegated Powers Committee has concerns that the UK Department for Environment, Food and Rural Affairs (Defra) has not supplied any draft statutory instruments.

On 18 September the **UK Government responded** to the House of Commons Environment, Food and Rural Affairs Committee Report '**The future for food, farming and the environment**'. Defra confirmed it would be:

reducing Direct Payments in 2021 and for them to be completely phased out by the end of the transition, with the last payments being made for the 2027 scheme year.

On 20 September, the House of Lords European Union Committee published '**Brexit: the customs challenge**' (PDF,780KB) which explores the various options with the future of the EU and highlights the challenges and complexities of current supply chains for a wide range of industries including food.

On 10 October the **House of Commons held its Second Reading of the Agriculture Bill** where Michael Gove answered MPs' questions. Regarding the devolved powers in the bill, he said:

some people have suggested that the Bill constitutes a power grab from our devolved Administrations—nothing could be further from the truth. The Bill will empower the Welsh Assembly, the Northern Ireland Government and the Scottish Government to do what they believe is right for our farmers, and what is right for our farmers is to move away from a system that has constrained their energy, undermined their enterprise, held back innovation in food production and inadequately rewarded them not only for the food that they provide, but for the environmental and other goods that they provide for us.

On 19 October the House of Commons **Scottish Affairs Committee launched an enquiry into the future of Scottish agriculture after Brexit.**

On 22 October the House of Commons **Northern Ireland Affairs Committee published its Brexit and Agriculture inquiry report.** It states the UK Government should publish, in advance of Brexit, how policy for farmers and growers will be devised in the absence of an executive in Northern Ireland.

On 31 October **George Eustice told the House of Commons Scottish Affairs committee** (PDF,210KB) that payments to farmers after Brexit will ‘have far more flexibility than EU law currently allows’.

Between 23 October and 1 November the House of Commons Public Bills Committee held the **first, second, third, fourth, fifth, sixth, seventh and eighth** sitting of the Agriculture Bill where George Eustice answered the Committee’s questions on the bill.

Energy and climate change

On 26 September **the Scottish Parliament held a debate on the impact of leaving the European Atomic Energy Community.**

On 30 October the House of Lords Grand Committee considered **the Electricity and Gas (Powers to Make Subordinate Legislation (Amendment) (EU Exit) Regulations 2018.** Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy, Lord Henley said:

the UK will work with Ireland and the EU in an effort to ensure that the Single Electricity Market (SEM) is maintained in any future scenario.

On 1 November the House of Commons Delegated Legislation Committee considered **the Draft Electricity and Gas (Powers to Make Subordinate Legislation) (Amendment) (EU Exit) Regulations 2018.** The Minister for Energy and Clean Growth, Claire Perry, said the:

number one focus is ensuring that we have a very smooth EU exit for our energy system, to maintain security of supply and low prices and to ensure that the price cap Bill applies.

Fisheries

On 15 September the House of Commons Northern Ireland Affairs Committee **published its report** into the impact of Brexit on Northern Ireland fisheries.

On 10 October the House of Lords **held a ‘Brexit: EU Commission debate’** where Minister of State (Department of Exiting the European Union), Lord Callanan, said:

one of the great advantages of Brexit is that we will leave the common fisheries policy, one of the great environmental disasters of our time. We will be an independent coastal nation and we will determine our own fishing policy in future.

On 17 October the House of Lords EU Energy and Environment Sub-Committee asked Michael Gove about **Defra’s preparedness for a ‘no-deal’ Brexit.**

On 31 October the House of Commons Environment, Food and Rural Affairs Committee launched an **inquiry on the scope, provisions and powers proposed in the UK Fisheries Bill.**

Forestry

On 31 October the House of Commons held a **debate titled ‘Leaving the EU: Timber Trade’**, where Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs, David Rutley, said:

although the UK’s exit from the EU may pose challenges for the forestry and timber-processing industries, we are working flat out to ensure that those issues are mitigated. We want to create more opportunities for the production of domestic timber.

Nature Conservation

On 6 November the **UK Government’s response** to the House of Commons Environmental Audit Committee’s report **‘The Government’s 25 Year Plan for the Environment’** was published. Mary Creagh MP, Chair of the Committee said:

it is deeply worrying that the response does not commit to replace the one third of EU environmental legislation that cannot be copied and pasted into UK law after Brexit.

9. Other key sources

Air quality

House of Commons Library briefing paper, [Brexit and air quality](#), October 2018

Agriculture and food

Centre for Constitutional Change, [The Agriculture Bill and the implications for devolution](#), October 2018

Greener UK, [Parliamentary briefing: Second reading of the Agriculture Bill](#), October 2018

House of Commons Library briefing paper, [The Agriculture Bill](#), October 2018

National Assembly for Wales Research Service, [What does the UK Agriculture Bill mean for Wales?](#), October 2018

National Assembly for Wales Research Service, [What's in a name? The future is unclear for Welsh protected food names after Brexit](#), October 2018

NFU, [UK - a nation united by food](#), September 2018

NFU Cymru, [Brexit update](#), October 2018

ResPublica, [Coming home to roost: The British poultry meat industry after Brexit](#), September 2018

SPICE, [Migrant labour in Scottish agriculture](#), October 2018

SPICE, [The UK Agriculture Bill](#), October 2018

SPICE, Guest blog - [Stopping the rot? The UK seasonal agricultural workers pilot scheme](#), October 2018

The RSA Food, Farming and Countryside Commission, [Our common ground](#), October 2018

UK in a Changing Europe, [Is the importance of agriculture being diminished in the face of Brexit?](#), October 2018

UK in a Changing Europe, [The Agriculture Bill and the implications for devolution](#), October 2018

Animal welfare

House of Lords European Committee, [Brexit: plant and animal biosecurity](#), October 2018

Energy and climate change

Greener UK, [Why the proposed new environmental body should enforce climate law](#), October 2018

Greener UK, [How Brexit will affect UK energy and climate policy](#), November 2018

House of Commons Library briefing paper, [Future of the UK oil and gas industry](#), October 2018

Fisheries

Brexit and Environment Academic Network, [The Fisheries Bill: What does it tell us about post-Brexit fisheries policy?](#), November 2018

Fishing News, [Fisheries Bill opens new era](#), October 2018

House of Commons Library briefing paper, [Fisheries: Brexit negotiations](#), October 2018

Marine Conservation Society, [Government's post-Brexit plans for fisheries published](#), October 2018

National Federation of Fisheries Organisation, [Publication of the UK Fisheries Bill](#), October 2019

New Economic Foundation, [Fishing after Brexit: voices from the coast](#) (video), October 2018

SPICE, [Scientific advice around fishing quotas](#), October 2018

SPICE, [Preparing for a no-deal Brexit: Commercial fishing](#), November 2018

UK in a Changing Europe, [Brexit and the future of fisheries policy in Northern Ireland](#), October 2018

Nature conservation

Brexit and Environment Academic Network, **Environmental policy in a devolved United Kingdom: Challenges and opportunities after Brexit**, October 2018.

Greener UK, **Greener UK headlines for the content of a Westminster Environment Bill**, October 2018

UK in a Changing Europe, **Northern Ireland: challenges and opportunities for post-Brexit environmental governance**, October 2018

UK in a Changing Europe, **Scotland: challenges and opportunities for post-Brexit environmental governance**, October 2018

UK in a Changing Europe, **Wales: challenges and opportunities for post-Brexit environmental governance**, October 2018

WWF, **Living planet report 2018**

Waste

Greener UK, **How Brexit will affect UK resource efficiency?**, November 2018

Other

Brexit and Environment Academic Network, **Brexit and water law: Implications for the UK and Scotland**, September 2018

Brexit and Environment Academic Network, **The limits of entrenchment: Parliamentary sovereignty and post-Brexit environmental policy**, November 2018

Centre on Constitutional Change, **UK & Devolved Governments Need to Cooperate on Environment After Brexit**, October 2018

Green Alliance blog, **How not to deliver a green Brexit**, October 2018

Greener UK, **Green benchmarks for Brexit**, October 2018

Institute for European Environmental Policy, **Brexit and the environment: Avoiding deregulatory pressures**, October 2018

Institute of Environmental Management and Assessment, **Blueprint for a new Environment Act**, September 2018

LexisNexis Purpose Built, **Upholding environmental standards if there's no Brexit deal**, October 2018

SPICE, **Preparing for a no-deal Brexit: Environmental standards**, October 2018

UK in a Changing Europe, **Environment under threat without greater cooperation between devolved nations and UK government**, October 2018

UK in a Changing Europe, **Environmental policy in a devolved United Kingdom**, October 2018