

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: WQ87918 & WQ87954

Adam Price MS
Senedd Member for Carmarthen East and Dinefwr
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

19 June 2023

Dear Adam,

Thank you for your Written Questions 87918 of 29 March and 87954 of 31 March regarding powers over water in Wales. Further to the holding replies issued by myself on 5 April and the First Minister on 7 April, please find a substantive response below. I sincerely apologise for the delay in responding to you.

First, with regards to WQ87918 relating to the conclusions reached by the joint UK / Welsh governments review programme established by the Silk Commission. The conclusions focussed initially on the work to deliver against the Silk Commission recommendation for a formal intergovernmental protocol to be established in relation to cross-border issues, and for the Secretary of State's existing legislative and executive powers of intervention in relation to water to be removed in favour of mechanisms under the intergovernmental protocol. That work was completed with the intergovernmental protocol on water coming into force on 1 April 2018. You can find it online at [Signed Intergovernmental protocol English.pdf \(publishing.service.gov.uk\)](#).

The 2018 intergovernmental protocol is also the mechanism in question under WQ87954, regarding the mechanism by which the Welsh Government could veto a project to transfer water from Wales, and under what circumstances would the Welsh Government consider utilising this power.

The purpose of the protocol is to ensure there is no serious adverse impact on water resources, water supply or water quality in Wales arising from the action or inaction of the Secretary of State or public bodies exercising functions in England, and no serious adverse impact on water resources, water supply or water quality in England arising from the action or inaction of Welsh Ministers or public bodies exercising functions in Wales.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@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.

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.

The protocol sets out ways of working based on communication, consultation and cooperation between both Governments. It also sets out the process to manage disputes.

Any development that involves sourcing water from Wales must demonstrate economic, environmental and wider benefits for the people of Wales as well as ensuring there is enough water for those that need it. Water companies wholly or mainly in Wales must follow Welsh Government's Guiding Principles for Developing Water Resources Management Plans published in 2022 and Welsh Ministers have a statutory role in the sign off process for any plans.

We would be likely to object to any proposals that do not meet this criteria, and, if necessary raise our concerns with the UK Government under the protocol.

Yours sincerely,

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change