

Research Briefing:

Brexit Monitoring Report: Environment

18 May 2018



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Research Service
National Assembly for Wales
Tŷ Hywel
Cardiff Bay
CF99 1NA

Tel: **0300 200 6317**

Email: Elfyn.Henderson@assembly.wales

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

Blog: SeneddResearch.blog

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Research Briefing:

Brexit Monitoring Report: Environment

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Authors:

Elfyn Henderson, Katy Orford, Chloe Corbyn, Lorna Scurlock, Jessica Laimann
and Francesca Howorth

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Contents

1. Introduction.....	1
2. UK EU negotiations	1
3. Other UK Government action.....	3
4. Welsh Government action	6
5. CCERA Committee action	9
6. Other Assembly action	12
7. UK Parliament and Scottish Parliament action.....	13
8. 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**. While the report focuses on recent activity, it also includes some older information where relevant.

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**.

2. UK EU negotiations

Agriculture, food and forestry

On 19 March the UK and EU reached political agreement on a transition period for the UK's withdrawal from the EU. Should an agreement on the Withdrawal Agreement be reached the UK will formally leave the EU on 29 March 2019, but there will be a 21 month transition period between 29 March 2019 and December 2020.

The UK will continue to abide by the rules and regulations of the EU for the entirety of that period including any new regulations that come into force during those years. This means that the UK will continue to participate in the Common Agricultural Policy (CAP) until December 2020. The UK will also continue to have access to the Single Market and Customs Union on the same terms as it enjoys as a Member State.

The European Commission has published a **series of Brexit preparedness briefings** for citizens and businesses, including a **range of publications relating to food, feed and plants**.

Animal welfare

On 27 February the European Commission published a **Brexit preparedness briefing on animal health and welfare**.

Fisheries

The political agreement on the transition period states that the UK will continue to participate in the Common Fisheries Policy (CFP) until December 2020. The UK will be consulted on the annual allocation of fishing quota during the transition period and could be invited to participate in any EU delegations negotiating fishing rights with third-party countries.

In a her **Mansion House speech** on 2 March the Prime Minister, Theresa May, said the UK would cooperate with the EU on the shared management of fisheries stocks and wanted to agree on reciprocal access to waters. On 14 March the European Parliament adopted its **position on the framework for a future relationship between the EU and the UK**. It states:

... the level of access to the EU domestic market must be conditional on the level of access for EU vessels to the UK fishing grounds and their resource.

On 23 March the European Council adopted **its negotiation guidelines on a political declaration on the future partnership between the EU and UK**. The guidelines outlined that a future Free Trade Agreement (FTA) between the EU and UK should include reciprocal access to fishing waters:

In the overall context of the FTA, existing reciprocal access to fishing waters and resources should be maintained.

On 9 April the European Commission published a **Brexit preparedness briefing on fisheries and aquaculture**.

Nature conservation

In late April the EU's Chief Negotiator, Michel Barnier, gave two speeches outlining aspects of the EU's thinking regarding the future partnership between the UK and EU. On 23 April, he gave a **speech at Hannover Messe** on a free trade agreement between the UK and the EU. He said that many of the arrangements would depend on the UK and EU reaching "common ground on competition and state aid, social and environmental standards".

In a **speech to the European Parliament** on 10 April, Michel Barnier stated that the agreement on the future relationship with the UK should include a 'non-regression clause' for environmental standards. Secretary of State for Environment Food and Rural Affairs, Michael Gove, rejected this when **speaking to the House of Commons Environmental Audit Committee** stating it would be "a means of the EU giving itself potential control over domestic legislation", though he did concede it would be a matter for negotiation.

3. Other UK Government action

Air quality

On 10 May the UK Government's Department of Environment, Food and Rural Affairs (Defra) launched a consultation on **Environmental Principles and Governance after EU Exit**. The consultation relates to England and non-devolved matters only. The consultation states that the:

Government intends to replace ... EU environmental reporting with requirements for the Secretary of State to publish implementation reports and data. The Secretary of State may delegate this reporting to delivery bodies responsible for implementing the laws. This would allow the delivery bodies to demonstrate their application of the law and the environmental outcomes achieved.

This includes reporting on air quality, where the UK Government is currently required to submit periodic implementation reports to the European Commission.

Agriculture, food and forestry

Between 27 February and 8 May the UK Government consulted on a future land management policy for England: **Health and harmony: the future for food, farming and the environment in a Green Brexit**. While the document concentrates primarily on England, the final three sections apply to the UK as a whole: "Devolution: maintaining cohesion and flexibility", "International trade" and "Legislation: the Agriculture Bill". The consultation is the precursor to a UK Agriculture Bill which is expected to set the regulatory framework for agriculture in England and, in some areas, the UK as a whole.

The proposals build on the priorities set out by Michael Gove in his **speech to the NFU Conference** in February.

On protected food names **the Minister for Agriculture, Fisheries and Food, George Eustice, said in the House of Commons** on 8 March:

... On protected food names, our intention is that the existing legislation will come across through the European Union (Withdrawal) Bill. Third countries can already seek designations for the EU market, and the designations we already have in the UK will be protected through our domestic legislation.

Animal welfare

The **EU Withdrawal Bill** as currently drafted does not include provision to transfer the principle contained in Article 13 of the Lisbon Treaty recognising animals as sentient beings into UK legislation. Attempts to amend the Bill to include such provisions have been made in the House of Commons and the House of Lords. On 25 April the Lords considered **amendment 40** on animal sentience and welfare. In response to the amendment the UK Government stated that the UK has some of the highest animal welfare standards in the world and undertook that as we leave the EU we will not only maintain existing standards, but enhance them where possible. The amendment was defeated with 169 voting for and 211 against.

The UK Government published an **Animal Welfare (Sentencing and Recognition of Sentience) Draft Bill** in December 2017.

The House of Commons **Environment, Food and Rural Affairs (EFRA) Committee** has completed **pre-legislative scrutiny on the Draft Bill**. Its report calls on the UK Government to produce a regulatory impact assessment for the Bill before it is introduced to Parliament. It calls for the UK Government to separate out Clause 1 on welfare needs of animals as sentient beings, proceed with the Bill as the Animal Welfare (Sentencing) Bill, and to introduce a separate piece of legislation on animal sentience. The **UK Government's response** was published on 23 April.

Fisheries

On 26 April George Eustice confirmed that **the UK will become an independent coastal state** (under the United Nations Convention on the Law of the Sea) at the end of the transition period. This means it will assume control of the UK Exclusive Economic Zone (EEZ) and be required to manage the living resources and fishing activities within it in a sustainable way. On 28 April he confirmed plans to **introduce a fisheries Bill in this Session of Parliament**.

Nature conservation

Defra's current consultation on **Environmental Principles and Governance after EU Exit** includes proposals to establish a new, independent, statutory environmental body to hold the government to account on the environment. It also proposes bringing forward a set of environmental principles to underpin environmental regulation and policymaking. The consultation relates to England and non-devolved matters only. However in the consultation the UK Government invites joint working with the devolved administrations to develop joint arrangements for both the environmental governance body and the environmental principles.

UK frameworks

On 9 March the **UK Government published** its provisional assessment of where common UK frameworks might be required after Brexit in areas of EU law within devolved competence. Many of the areas include environmental and agricultural policy. The document describes its purpose as follows:

This is a working document, designed to inform engagement between officials in the UK, Scottish and Welsh Governments and the civil service in Northern Ireland. It sets out the UK Government's provisional assessment of areas of EU law that intersect with devolved competence in each devolved administration. It is possible that the policy positions set out in this document will change following further analysis, including on the UK internal market, and as conversations between the UK and devolved governments continue. As the devolution settlements are asymmetrical, a different range of powers is relevant to Scotland, Wales and Northern Ireland.

The assessment puts 155 powers into three categories: those which may require legislative frameworks; non-legislative frameworks; or no further action. For example, agricultural support falls into the legislative framework category, air quality falls into the non-legislative framework category and Environmental Impact Assessment falls into the no further action category. The assessment also lists 12 policy areas which the UK Government believes are reserved but are still subject to discussion with the devolved governments.

On 24 April it was announced that the UK and Welsh Governments had reached an agreement on changes to Clause 11 of the EU Withdrawal Bill.

The EU Withdrawal Bill **amendments to clause 11** give the devolved legislatures the freedom to legislate on any areas within their powers, as opposed to placing a

blanket restriction on legislative competence. However, the amendment gives powers to UK Ministers to make regulations imposing restrictions in devolved areas. This power to make regulations placing restrictions lasts for up to two years after ‘exit day’ and the restrictions themselves can last up to five years.

The UK Government has also published a supporting **Intergovernmental Agreement on the Bill and the Establishment of Common Frameworks**. This agreement sets out additional commitments on how the amendments will work in practice.

4. Welsh Government action

Air quality

In February 2018, the High Court ruled that the Welsh Government had failed to meet EU targets to cut air pollution in a case brought by the environmental group ClientEarth. The ruling in the court case, which also included the UK Government, placed a legal obligation on the Welsh Government to draft a plan by the end of April, and have a final plan in place by 31 July to improve air quality across Wales in line with EU law.

On 24 April the Environment Minister, Hannah Blythyn, made a **statement in the Assembly** announcing that the Welsh Government will establish a Clean Air Wales Programme. The “immediate aim will be to achieve compliance with existing legislative air quality obligations”. The Minister stated that should the programme identify “gaps in the necessary levers to make required air quality improvements” she will seek to develop new legislation to address this. Within the statement, the Minister also announced:

- A consultation on a **draft clean air zone framework for Wales**;
- A consultation on the **Welsh Government supplemental plan to the UK plan for tackling roadside nitrogen dioxide concentrations 2017**;
- A clean air plan for Wales will be published for consultation by the end of 2018;
- An air quality monitoring and assessment centre for Wales will be established in 2019;
- The launch of the **Air Quality in Wales website**; and

- The allocation of over £20 million for an air quality fund through to 2021 to help accelerate compliance with nitrogen dioxide limits and improve air quality in Wales.

Regarding the establishment of clean air zones in Wales the Minister stated

The proposed model for Wales requires certain vehicles using the roads to meet the latest Euro emissions standards in order to be able to travel within the boundaries of the clean air zone. This could be introduced through the introduction of access restrictions for the most polluting vehicles, such as bans or charges.

It was announced on 17 May that the European Commission is pursuing infraction proceedings against the UK Government for air quality breaches as well as other EU member states. The Commission has referred the UK, France, Germany, Italy, Hungary and Romania to the European Court of Justice for violating clean air rules.

Agriculture, food and forestry

On 8 May the Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths, made a **statement in the Assembly on the future of land management**. The statement builds on her **speech to the NFU Conference in February** and **subsequent Written Statement in March**. During the May statement the Cabinet Secretary reiterated her **five principles** for a new scheme and announced that the current Basic Payment Scheme would come to an end after the 2019 scheme year. The five principles are:

we must keep land managers on the land;

food production remains vital for our nation;

future support will centre on the provision of public goods that deliver for all the people of Wales;

all land managers should have the opportunity to benefit from new schemes; and

we need a prosperous and resilient agricultural sector in Wales, whatever nature of Brexit.

The Cabinet Secretary intends for the new scheme to have two elements of support, one for economic activities and one for public goods production. She committed to funding the current Basic Payment Scheme until 2019, followed by a transition period to full implementation of the new scheme by 2025.

The UK Government has **committed to maintaining agricultural funding until 2022** and the Cabinet Secretary has committed that the funding will be allocated specifically to agriculture and land management until that date.

The Cabinet Secretary intends to publish proposals for consultation in early July. In her May statement she said the consultation would also consider reform to the regulatory framework around water, soil and air quality, and animal health. She also said that she was still working with the UK Government to determine how best to legislate and was considering either a Welsh Agriculture Bill or including temporary provisions in the planned UK Agriculture Bill.

The Welsh Government has repeatedly stated that it opposes future funding for land management being subject to the Barnett Formula, on the basis that this would dramatically reduce the amount of money Wales receives. The Cabinet Secretary **restated this position in the Assembly on 21 March** saying “we're completely opposed to any Barnettisation of that funding”. The First Minister, Carwyn Jones, also made this position clear during a **Committee for the Scrutiny of the First Minister meeting** on 16 February. He said future funding should not be subject to the Barnett Formula and that agriculture support should not be part of the Block Grant, effectively ring-fencing the funding for agricultural support.

The Cabinet Secretary stressed the importance of protected food names when **responding to questions in the Assembly** on 23 January:

... I think it's very important that, after we exit the EU, we aim to work with the Department for Environment, Food and Rural Affairs to ensure the EU honour any [protected food name] schemes that are in the pipeline to their completion. Also, companies and food producers who have PFN at the moment, I think they want to retain it. Certainly, there are examples of countries outside the EU having registered products, so I don't see that that's necessarily a barrier. So, I think there is a strong precedent to negotiate our continued part in the scheme, and those are discussions that are ongoing.

Energy and climate change

On 6 April the Welsh Government announced that **Wales is to be a key partner in pioneering EU funded community energy scheme**. The €5.4 million initiative aims to drive forward local community energy schemes with partners across North West Europe.

Nature conservation

On 17 April Hannah Blythyn made a **statement in the Assembly on the impact of Brexit on the environment**. She identified five priorities:

- reversing the decline in biodiversity;
- working with the national parks and Areas of Outstanding Natural Beauty (AONBs);
- increasing the number of trees and woodlands;
- accelerating our action on air quality; and
- becoming the best in the world on recycling.

UK frameworks

At the conclusion of the ninth Joint Ministerial Committee on EU Negotiations (JMC (EN)) held on 3 May, it was announced that the UK Government and the devolved administrations had **agreed plans to work together on UK frameworks**. The plans will involve “multilateral official level discussions in a range of areas where frameworks may be required”. The progress on these discussion will be considered at the next meeting JMC (EN) (date to be confirmed).

Natural Resources Wales action

In December 2017 **Natural Resources Wales (NRW)** established an EU Response Programme with the aim for ensuring that its transition to day one post Brexit is as smooth as possible. The programme has ten key workstreams including reporting, standards and objectives, regulation and legislation, permitting and licensing, markets and trade. The workstreams aim to work through impacts and opportunities within NRW, as well as linking to Brexit work being undertaken by the Welsh Government and other organisations.

5. CCERA Committee action

Agriculture, food and forestry

The Committee carried out an **inquiry into future of agricultural and rural development policies after Brexit** in 2016 and 2017. The inquiry report, **the future of land management (PDF 2MB)**, was published in March 2017.

The Committee recommended that the Welsh Government should develop a new post Brexit support system that delivered sustainable outcomes and high quality food. The Committee also said there should be a transitional period equivalent to the duration of the remainder of the current and the next CAP funding cycles, and that future funding should not be subject to the Barnett Formula. Other recommendations included tariff and quota-free access to the EU Single Market for Welsh agricultural and food products, and for Wales' specific labour requirements to be reflected in Brexit negotiations. The **Welsh Government has responded to the recommendations (PDF 196KB)**.

On 18 April the **Committee responded (PDF 150KB)** to the UK Government's **consultation on the future for food, farming and the environment (Health and Harmony)** drawing on the conclusions included in its future of land management report.

The Committee undertook an **inquiry into forestry and woodland policy** in 2017. The inquiry report, **Branching out: a new ambition for woodland policies (PDF 1MB)**, was published in July 2017. It highlighted the need to increase woodland cover to achieve economic, environmental and social benefits, and the opportunity to bring commercial forestry and agriculture together in a more joined up land management policy after Brexit. The **Welsh Government has responded to the recommendations (PDF 239KB)**.

The Committee is currently running an inquiry entitled **Rethinking Food**. The Committee has focused initially on the public procurement of Welsh and local food and heard from stakeholders on this topic in October 2017. The inquiry is ongoing.

Energy and climate change

On 22 March the Committee scrutinised Lesley Griffiths on **the Welsh Government's climate change ambition, action and policy**. During the session the Committee discussed the EU Emissions Trading Scheme (ETS) and whether, post-Brexit, Wales would continue to participate in the scheme. The Cabinet Secretary said that further discussions were needed with the UK Government and other devolved administrations to consider the options, and that she was frustrated with the lack of progress on this matter.

Fisheries

The Committee is carrying out a **short inquiry into fisheries management post Brexit**. On 14 May the Committee launched a five week consultation seeking views on:

- To what extent do current Welsh fisheries policies and wider management measures deliver desired outcomes?
- What outcomes and policies does Wales want to see from the UK Fisheries Bill? How can policy best reflect the needs of different sectors, including the fishing industry, aquaculture and coastal communities?
- What are the main challenges and opportunities for fisheries during the transition period and post-Brexit?
- How effective is the Welsh Government's engagement with the UK Government on fisheries? Are Welsh interests being given sufficient consideration within the Brexit negotiations?

The consultation runs until 18 June. The Committee will take further evidence in July from experts and stakeholders on issues affecting the fishing industry post-Brexit.

Nature conservation

The Committee is carrying out a short inquiry on **environmental governance and principles post-Brexit**. It is exploring future arrangements to fill the 'governance gap' in the absence of EU institutions and is considering the EU environmental principles in this context. The Committee heard from an **expert panel on 10 May** and held a **stakeholder workshop on 16 May** to gather evidence.

UK frameworks

The Committee will carry out a **short inquiry on UK common frameworks** in June with a focus on policy areas relating to agriculture and the environment. The Committee is asking:

- In which policy areas, within the remit of the Committee, are legislative and non-legislative common frameworks needed? Does the provisional assessment published by the UK Government set out an appropriate approach and is it complete? Do you have any specific concerns about the proposed categorisation?

- How should both the legislative and non-legislative frameworks be developed and implemented?
- How prescriptive should the common frameworks be and how much discretion should each administration have within the frameworks?

6. Other Assembly action

Agriculture, food and forestry

The EAAL Committee held an **information gathering session on agriculture and Brexit** on 21 May. The Committee heard from two expert academic panels on the implications of Brexit for the agriculture industry and the opportunities presented for designing a new approach to agriculture and land management policy.

Nature conservation

The Welsh Government has committed to “take the first proper legislative opportunity to enshrine the environmental principles into law and close the governance gap”. This followed unsuccessful **attempts to amend** the (to be repealed) **Law Derived from the European Union (Wales) Bill** to include an environmental governance body and environmental principles.

UK frameworks

The EAAL Committee has been exploring developments in the UK framework discussions as part of its work on the **European Union (Withdrawal) Bill and its implications for Wales**. On 16 April the Committee questioned Mark Drakeford on the **common UK framework discussions or ‘deep dives’**. He explained some of the work:

Just under 30 deep dives—formal deep dives—have now been completed. They have covered all of the areas where initial assessments suggested that cross-UK legislative underpinning for frameworks might be needed. All of those deep dives have involved officials from all three administrations. Some deep dives have lasted for more than a day, so the amount of time is slightly longer than the number.

UK frameworks have been discussed repeatedly in Plenary. In answering questions, Lesley Griffiths **agreed a need for UK frameworks in certain areas** and highlighted the Welsh Government’s continued discussions with the other devolved governments and the UK Government at Ministerial and official level.

7. UK Parliament and Scottish Parliament action

Air quality

The House of Commons EFRA, Environmental Audit, Health, and Transport Committees undertook a **joint inquiry on air quality** to scrutinise cross-government plans to tackle pollution hotspots. The Committees **published a joint report in March**. The Committees recommended:

... that a new Environmental Protection Agency be established to hold Government to account after EU-exit, and recommend that provision for such an agency be written into legislation, specifying equivalent powers, standards and enforcement mechanisms as the equivalent enforcement agencies in the EU...the new watchdog must have powers equivalent to those of the European Commission to force the Government to act, otherwise action on air quality will be further weakened.

The inquiry also concluded that as the European Union (Withdrawal) Bill does not make provision for post-Brexit institutional and governance arrangements for air quality:

... the Government should establish appropriate institutions and agencies to independently enforce air quality requirements. Furthermore, the Government should establish in primary legislation a requirement that UK air pollution standards are at least as high as equivalent standards in the EU, and that the relevant enforcement agency must have equivalent powers, standards and enforcement mechanisms as the equivalent agencies in the EU.

The House of Commons **Environmental Audit Committee** undertook scrutiny of Michael Gove in November 2017 on “**the Government’s Environmental Policy**.” During this oral evidence session the Secretary of State commented:

... there are some things that should be common standards at a UK level—air quality and water quality I ventured would be those.

Agriculture, food and forestry

The House of Commons EFRA Committee is currently examining the UK Government's **consultation on the future for food, farming and the environment** via its **Health and Harmony Inquiry**. On 2 May, the Committee **heard from George Eustice**. During the session the Minister emphasised that agriculture was a devolved policy area and that it is for the devolved administrations to bring forward new post Brexit agriculture schemes in their territories, albeit within the context of UK frameworks in certain areas. He also answered questions on future funding arrangements and international trade agreements.

The EFRA Committee is also currently looking at labour constraints in the agriculture, horticulture and food sectors. On 28 March the Committee **heard from George Eustice and the Minister for Immigration, Caroline Nokes**. The Ministers answered questions on a range of topics including labour supply issues and a reliance on non-UK EU veterinarians in the meat processing sector.

On 1 February the EFRA Committee published a report entitled **Brexit: Trade in Food (PDF 613KB)**. The Committee's **recommendations to the UK Government** included retaining protected food names in similar form, ensuring working rights for non-UK EU veterinarians currently working in the UK and ensuring that future trade deals are not agreed to the detriment of the UK's reputation for high animal welfare, environmental and food standards. The **UK Government responded to the recommendations (PDF 144KB)** on 25 April.

On 14 May the EFRA Committee launched an **inquiry into the promotion and marketing of British food and drink**. The terms of reference include the effectiveness of UK Government policy, the opportunities and challenges presented by international trade, engagement with devolved administration and the role of EU protected food names. The inquiry consultation period closes on 8 June.

The House of Commons Welsh Affairs Committee is undertaking a long-running inquiry into **agriculture, trade and the repatriation of powers after Brexit**. The terms of reference include consideration of UK frameworks, future funding and the implications for international trade. The inquiry was originally launched in July 2016, and then **re-launched in September 2017** (following the General Election in June 2017). On 1 May, the Committee **heard from George Eustice**. He said that he could not give a commitment about how future funding would be allocated, but that he had received strong representation from the Welsh Government and the sector that preference would be for ring-fenced agriculture funding, rather than funding being subject to the Barnett Formula.

The House of Commons Northern Ireland Affairs Committee is also carrying out an **agriculture inquiry**. The inquiry is considering areas such as future funding and trade arrangements, labour issues, cross border issues with the Republic of Ireland and the extent to which the needs of Northern Ireland are reflected in the UK Government's **consultation on the future for food, farming and the environment (Health and Harmony)**.

On 22 April the House of Commons Business, Energy and Industrial Strategy Committee published a **report on the impact of Brexit on the processed food and drink sector (PDF 587KB)**. The Committee **draws conclusions and makes recommendations** in areas including tariff barriers, non-tariff barriers, regulatory alignment, skills and research and development.

The Scottish Parliament **Rural Economy and Connectivity Committee** is undertaking ongoing work on the **implications of the outcome of the EU Referendum for Scotland**, focusing on agriculture, forestry and fisheries.

Animal welfare

The EFRA Committee is carrying out an **inquiry into fur trade in the UK** which looks at post-Brexit opportunities for reviewing the UK legislation on fur import.

The House of Lords **EU Energy and Environment Sub-Committee** is **exploring** the impact of Brexit on the UK's biosecurity in terms of animal and plant health, food safety and invasive species. For the purposes of the inquiry, biosecurity is defined as preventing and containing the spread of pests, diseases and pathogens. The Sub-Committee **received written evidence from Lesley Griffiths**.

On 1 May the Scottish Parliament **Environment, Climate Change and Land Reform Committee** is carrying out an inquiry into **EU Environmental and Animal Welfare Principles**.

Energy and climate change

On 25 April the House of Commons Environmental Audit Committee published a report on **UK Progress on reducing F-gas Emissions**. Section 4 of the report discusses the **Impact of leaving the EU on the UK's F-gas Regime**.

In January the House of Lords **EU Energy and Environment Sub-Committee** published its report into **energy security post Brexit**. The report states that Brexit will put the UK's current frictionless trade in energy with the EU at risk. The Sub-Committee called on the UK Government to set out how it will work with the EU to

anticipate and manage supply shortages, and to assess what impact leaving the Internal Energy Market would have on the price paid by consumers for their energy.

The UK joined the European Atomic Energy Community (Euratom) in 1973. Since then, the UK's agreements for safeguard monitoring with the International Atomic Energy Agency (IAEA) have been fundamentally underpinned by the UK's membership of Euratom. One of Euratom's roles is to implement safeguards on nuclear material across Euratom member states. The **Nuclear Safeguards Bill 2017-19** was presented to Parliament on 11 October 2017 and makes provision for nuclear safeguards after the UK leaves Euratom. The Bill had its first reading in the House of Lords on 24 January and second reading on 7 February. The Bill was amended at report stage in the House of Lords on 20 March by the UK Government and Opposition, and received third reading on 27 March. Lords amendments were considered by the Commons on 8 May.

In her **Mansion House speech** on 2 March, the Prime Minister highlighted energy as an area where the UK and EU economies are closely linked. She outlined her desire to secure broad energy co-operation with the EU, including protecting the single electricity market across Ireland and Northern Ireland. She also outlined her intention to explore options for the UK's continued participation in the EU's internal energy market. Furthermore, she stated her belief that it would be of benefit to both the UK and EU for the UK to have a close association with Euratom.

Fisheries

The House of Commons EFRA Committee is carrying out a **fisheries inquiry** to examine how potential changes to the fisheries and seafood trading arrangements between the UK and the EU will affect fishers, seafood processors, consumers, coastal communities and the environment. The inquiry is currently open, however no further evidence has been received since December 2017.

The House of Commons **Northern Ireland Affairs Committee** are undertaking a **fisheries inquiry** looking at the implications of Brexit for the fishing industry in Northern Ireland. The Committee has been taking written and oral evidence. On 2 May the Committee **examined proposals for sustainable fisheries management**. On 16 May the committee **took evidence from George Eustice**.

Marine

On 23 April the House of Commons Environmental Audit Committee launched an **inquiry into sustainable seas**. The inquiry examines how UK seas can be protected in the post-Brexit future.

Nature conservation

Following unsuccessful attempts to amend the EU Withdrawal Bill to enshrine an environmental governance body and environmental principles in UK law during House of Commons stages of the Bill the UK Government was defeated twice in relation to this issue during the House of Lords stages of the Bill.

On 15 May the **UK Government also lost a vote**, 294 to 244, during Third Reading of the Withdrawal Bill on an amendment which would require environmental principles to be enshrined in UK law through primary legislation.

In a **UK Government defeat** on 18 April an amendment to the EU Withdrawal Bill the House of Lords, Members voted by 314 votes to 217 in favour of ensuring that retained EU law relating to environmental rights can only be amended or repealed by primary legislation after Brexit. This would limit the power of ministers to change existing environmental protections from EU law without the approval of parliament.

On 18 April the House of Commons Environmental Audit Committee took oral evidence from **Michael Gove on the 25 year environment plan**. Although the 25 year plan predominantly applies to England, these policies could have **implications for Wales** given proposals to develop UK frameworks in certain environmental areas.

On 26 April the Environmental Audit Committee received a **letter from the Secretary of State (PDF 1.61 MB)** responding to the Committee's request for a comprehensive list of the more than 300 work streams relating to Brexit. He states that as of 28 February Defra had recruited 1150 additional staff.

On 18 May the Environmental Audit Committee launched its **environmental governance inquiry** in which it will examine Defra's aforementioned consultation. The Committee is accepting written evidence (until 1 June 2018).

On 14 March 2017 and 23 January 2018, the Scottish Parliament Committee for Environment, Climate Change and Land Reform heard from **expert panels on the environmental implications for Scotland of the UK leaving the EU**.

UK frameworks

On 13 March the Scottish Parliament Committee for Environment, Climate Change and Land Reform held an **evidence session with the Minister for the UK Negotiations on Scotland's Place in Europe, Michael Russell**, on the UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill (the Scottish Continuity Bill).

8. Other key sources

Air quality

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