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Gweinidog yr Amgylchedd a Datblygu Cynaliadwy
Minister for Environment and Sustainable Development



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Lord Dafydd Elis-Thomas AM
Chair of the Environment and
Sustainability Committee

27 September 2012

Arwngyl Dafydd,

Further to my letter of 17 August 2012, please find attached a draft of the second order relating to the Natural Resources Body for Wales.

As I indicated in my previous letter, this is a working draft of the order which is being provided in English only at this stage. The draft order will need to undergo further revision and checking before the order is laid in the Assembly. It will also need to take account of issues raised in the responses to the supplementary public consultation which is due to end on 5 October.

I should also stress that some aspects are subject to change in light of ongoing discussions with Defra and other UK Government departments on drafting; in particular on powers of direction, and some of the cross border arrangements for water and flood risk management functions. We are still drafting the provisions on plant health, working closely with Forestry Commission GB, and any appropriate provisions will be included in the draft order which is laid. We are also looking at the best way of ensuring that the body comes under the terms of the Welsh Language Act 1993 and Equality Act 2010.

Nonetheless the order is essentially complete and should give your Committee a very good feel for the duties and powers that we intend to give the body, and how we intend to deliver the legal changes. I hope this will give you an opportunity to be better informed as to our intentions and to provide comments on the order. I would welcome your Committee's initial views.

I also attach a covering note to explain how the order has been drafted. The draft order that will be laid will of course be accompanied by an Explanatory Memorandum.

The covering note also briefly describes other legal provisions that will be required, some of which will need to be made via UK Government orders. We are discussing the best approach to deliver these changes with the Wales Office, Defra and other departments.

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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As suggested in my earlier letter, it would be extremely useful if you could provide any preliminary comments or recommendations for changes by 18 October so that there is sufficient time to consider them prior to the draft order being laid.

I am copying this letter to the Chair of the Constitutional and Legislative Affairs Committee, should they also wish to take the opportunity to consider the draft order at this stage.

Dymunador gorau,



John Griffiths AC / AM

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