National Assembly for Wales
Constitutional and Legislative Affairs Committee

CLA670 - The Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2016

Background and Purpose

These composite Regulations provide for the regulation of "flood risk activities". They establish a new scheme under the existing Environmental Permitting framework to regulate activities on or near watercourses in England and Wales.

This new scheme means that flood risk activities will be integrated into the existing Environmental Permitting framework. This is intended to be simpler than the current scheme where floor risk activity consents operate under various regimes.

Procedure

Composite Affirmative

Technical Scrutiny

One point is identified for reporting under Standing Order 21.2(ix) (that it is not made or to be made in both English and Welsh).

This is a composite instrument, and is made in English only. The Committee notes the explanation in the Explanatory Memorandum to the Regulations, which states:

> "As this instrument will be subject to both the National Assembly for Wales and UK Parliamentary scrutiny, it is not considered reasonably practicable for this instrument to be made or laid bilingually."

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Government Response

These composite Regulations apply to England and Wales and are subject to approval by the National Assembly for Wales and by Parliament. Accordingly, it is not considered reasonably practicable for this Instrument to be laid or made bilingually.

Committee Consideration

The Committee considered the instrument along with the Government response at its meeting on 22 February 2016 and reports to the Assembly in line with the technical point above.