

# UK common frameworks on agriculture and environment



## Submission from the Wales & Europe Working Party of Cytûn – Churches Together in Wales to the Climate Change, Environment and Rural Affairs Committee

Cytûn (Churches Together in Wales) brings together the main Christian denominations of Wales, and a number of other Christian organisations, to work together on matters of common concern. The 17 member denominations have around 160,000 adult members in every community across Wales, and regular contact with many more adults, children and young people. A full list of member churches and organisations can be found at: <http://www.cytun.cymru/us.html>

The Wales & Europe Working Party was founded in the aftermath of the June 2016 referendum to enable the churches to work together in responding to the result and the many resulting changes in the life of the nation. All member churches of Cytûn are involved. Resources published by the Working Party can be found at: [www.cytun.cymru/waleseurope](http://www.cytun.cymru/waleseurope)

We would welcome the opportunity to be involved further in the work of the Committee. Any queries should be directed to the Revd Gethin Rhys, National Assembly Policy Officer for Cytûn, at [gethin@cytun.cymru](mailto:gethin@cytun.cymru). This response may be published in full.

**1. In which policy areas, within the [remit of the Climate Change, Environment and Rural Affairs 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?**

- 1.1 We are aware that during this consultation period, a mechanism has been agreed between the UK and Welsh Governments for making and ratifying these decisions.
- 1.2 The Wales & Europe Working Party has not had the opportunity to consider the process or the provisional assessment in detail.
- 1.3 We are concerned at apparent inconsistencies in the inclusion (or exclusion) of particular policy areas from the list of those requiring frameworks. The criteria outlined by the Joint Ministerial Committee (EN)<sup>1</sup> are quite general, and seem to have been inconsistently applied. For example, it is not clear to us why water quality does not require a common framework – given that it relates to the “management of common resources” and rivers flow freely across the borders of the nations of the UK – whereas GMO crops do require a common framework, despite being an area where there is currently divergence between the nations of the UK. We believe that a clearer set of common principles needs to be published which can account for such differences so that the public and stakeholders can understand what is proposed and why.
- 1.4 We hope that the mechanism now proposed for making regulations regarding the areas requiring legislative frameworks under Clause 15 of the European Union (Withdrawal) Bill will provide an opportunity for such rationales to be published. We would urge the Welsh and UK Governments to operate this procedure as transparently as possible, and that the National Assembly and its committees should make maximum use of the 40 day period during which Clause 15 regulations are laid before the Assembly to allow for public consultation.
- 1.5 Some rural chaplains have raised a specific concern regarding Food Geographical Indications (FGIs). It is indicated in the provisional assessment (and repeated in the Annexe to the [Intergovernmental Agreement](#) of 24 April 2018) that the UK Government believes this to be a reserved matter, rather than a devolved matter subject to a framework, but that there is disagreement with the devolved administrations about this. The work led by Hybu Cig Cymru – Meat Promotion Wales (HCC) on building Wales’s red meat brands in European markets has been valuable for Welsh farmers, and has been based on a ‘Welsh Lamb’ and ‘Welsh Beef’ designation, rather than a common UK brand.
- 1.6 We therefore note with concern the aim stated in [Health and Harmony: the future for food, farming and the environment in a Green Brexit](#) (DEFRA, Feb 2018) *Building on the GREAT Britain*

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<sup>1</sup> Reprinted in [Health and Harmony: the future for food, farming and the environment in a Green Brexit](#) ch. 13 pp 59-60

*campaign, we want to help develop a British brand that can help inform those [food purchase] choices (para 25, and chapter 14 as a whole). It is a matter of particular concern that this aspiration is outlined in a consultation document branded on the Gov.UK website as *seeking views on future agriculture policy in England*<sup>2</sup> and a similar designation was expressed to Cytûn's Policy Officer in a meeting with a senior adviser from DEFRA. We suspect that many Welsh organisations will not have responded to this consultation for this reason.*

1.6 Clearly, FGIs have value only if they are recognised internationally (not just within the UK), and the mechanism for achieving such recognition must be an international one. However, the decision as to whether a 'Welsh' or a 'British' brand (or both) is to be submitted for approval is one in which devolved administrations have a strong legitimate interest, and which is currently a devolved competence, as the work of Hybu Cig Cymru (a Welsh Government sponsored body) indicates. We would therefore urge that FGIs should be treated as a devolved matter subject to frameworks rather than as purely reserved.

## **2. How should both the legislative and non-legislative frameworks be developed and implemented?**

2.1 Cytûn has been consistent in our responses to various aspects of the European Union (Withdrawal) Bill, as to the Wales Bill 2016-17, that when changes are made to devolved competences, it should be as clear as possible to members of the public which level of government is dealing with which matter, in order that stakeholders may make representations to the appropriate elected representatives and the officials answerable to them.

2.2 In the case of the matters which fall within the remit of the CCERA committee, citizens in Wales have for 19 years been used to approaching Assembly Members and the Welsh Government and its agencies to discuss these matters. We therefore believe that public consultation on the development of frameworks should be led by the Welsh Government and its agencies rather than by UK/mainly English departments and agencies with which the public in Wales has had little contact in recent years.

2.3 For the same reasons, we would urge that the implementation of agreed frameworks in these areas in Wales be led by Welsh Government rather than by UK Government.

## **3. How prescriptive should the common frameworks be and how much discretion should each administration have within the frameworks?**

3.1 The answer to this question will vary from framework to framework. We do not believe that the drawing up of a framework in one area should set a precedent for the degree of flexibility to be allowed in another, as the subject matter covered varies so much, as does the reason for needing a framework.

3.2 Where a legislative framework is required, we believe it is essential – for the reasons stated in 2.2 above – that the public administration of the framework in Wales should be by Welsh Government and its agencies. This means that the public can continue to have confidence that they can approach elected AMs and familiar faces within Welsh Government and its agencies to seek advice and support, even as the legal basis of such administration changes.

16<sup>th</sup> May 2018.



**Parch./Revd Gethin Rhys**

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<sup>2</sup> <https://www.gov.uk/government/consultations/the-future-for-food-farming-and-the-environment>