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**LETTER FROM THE PRINCIPAL PRIVATE SECRETARY, FIRST
MINISTER REQUESTING CONSENT OF HER MAJESTY**

To: The Private Secretary to the Queen
Buckingham Palace
London
SW1A 1AA

Dear Sir

ENVIRONMENT (WALES) BILL

Please find enclosed two copies of the Environment (Wales) Bill, for which the Consent of Her Majesty is sought.

Statutory background

Section 111(4) of the Government of Wales Act 2006 states:

“The standing orders must include provision for securing that the Assembly may only pass a Bill containing provisions which would, if contained in a Bill for an Act of Parliament, require the consent of Her Majesty or the Duke of Cornwall if such consent has been signified in standing orders.”

Standing Order 26.67 of the National Assembly for Wales further states:

“If a Bill contains any provision, or is amended so as to include any provision, that would, if contained in a Bill for an Act of the United Kingdom Parliament, require the consent of Her Majesty, or the Duke of Cornwall, the Assembly must not debate the question whether the Bill be passed (or approved following Reconsideration) unless such consent to such a provision has been signified by a member of the government during proceedings on the Bill at a meeting of the Assembly.”

Purpose of the Bill

The key aims of the Bill are to:

- Put in place legislation to enable Wales’ natural resources to be managed in a more proactive, sustainable and joined-up manner.

- Make provision to help plan and manage Wales' natural resources at a national and local level, through a State of Natural Resources Report (SoNaRR), a National Natural Resources Policy (NNRP) and Area Statements.
- Provide Natural Resources Wales (NRW) with a general purpose aligned to the statutory principles of sustainable management natural resources defined within the Bill, together with enhanced powers to undertake land management agreements and experimental schemes.
- Provide public authorities with a reshaped requirement to maintain and enhance biodiversity.
- Put in place a clear statutory framework for action on climate change.
- Make provisions for a charging scheme for all types of carrier bags.
- Further improve the management of resources by providing the Welsh Ministers with powers to take action to achieve higher levels of waste recycling, food waste treatment and energy recovery in business.
- provides new powers for the Marine Licensing Authority in Wales to charge fees to recoup costs associated with certain marine licensing functions.
- Clarify the law for a number of existing environmental regulatory regimes, shellfisheries management, land drainage and flood risk management.
- Support the Welsh Government's wider work and initiatives to help ensure that Wales develops sustainably and benefits from a prosperous economy alongside a healthy and resilient environment and vibrant, cohesive communities.

How the Bill could affect the Crown

The Environment (Wales) Bill is capable of affecting the private interests of the Queen in so far as sections 6 and 21 may impose duties on Her Majesty or the Duke in relation to any relevant personal property situated in Wales.

Section 6 may require consent because it imposes a duty on public authorities which includes any person holding an office (a) under the Crown, or (b)

created or continued in existence by a public general Act of the National Assembly for Wales or of Parliament. Section 6 would, for example, apply to the Crown Estates Commissioners continued under the Crown Estate Act 1961.

It is also considered that consent is required for section 21 in so far as it confers the function of approving land management agreements entered into by, or on behalf of, the Crown. The appropriate authorities include Crown Estates, the Duchy of Lancaster, the Chancellor of the Duchy and such persons as may be appointed by the Duke of Cornwall.

Consent

I respectfully ask the Queen for consent, in so far as she may be affected by the Bill as introduced. Please be aware that, if granted, consent will need to be signified to the National Assembly for Wales on 2 February 2016.

Thank you for considering this request and please let us know if we can be of any further assistance to you.

Yours sincerely

Principal Private Secretary, First Minister

Enc: Two copies of the Bill

cc:

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