

Lesley Griffiths MS

Minister for Environment, Energy and Rural Affairs

25 November 2020

Dear Minister

Agriculture (Model Clauses for Fixed Equipment) (Wales) Regulations 2019

Thank you for your letter of 3 November in relation to the Agriculture (Model Clauses for Fixed Equipment) (Wales) Regulations 2019, in which you say that:

“Following the outcome of the consultation on the repair and maintenance of fixed equipment and end-of-tenancy compensation, it was not my intention to include the repair and replacement of field drainage and flood banks as new liabilities in the amending regulations.”

It is apparent that no objection was raised to the inclusion of these matters in the Regulations during the earlier Welsh Government consultation. You have not, in your response, explained the reasons for your decision. We would be grateful if you could provide the Committee with such an explanation.

In the absence of an explanation from you for the exclusion of these matters, the Committee believes you should bring forward subordinate legislation to amend Schedule 1 paragraph 1 (2) of the Agriculture (Model Clauses for Fixed Equipment) (Wales) Regulations 2019.

I look forward to your response.

Yours sincerely



Mike Hedges MS

Chair of Climate Change, Environment and Rural Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg
We welcome correspondence in Welsh or English.



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Llywodraeth Cymru
Welsh Government

Ein Cyf/Our ref: LG/425/20

Mike Hedges AS/MS
Chair of Climate Change, Environment and Rural Affairs Committee
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11 December 2020

Dear Mike

Thank you for your letter of 25 November, regarding the Agriculture (Model Clauses for Fixed Equipment) (Wales) Regulations 2019.

Respondents to the consultation on the repair and maintenance of fixed equipment and end-of-tenancy compensation showed widespread support for increased consistency with England to avoid confusion and misunderstanding in the agricultural tenancy sector. This is particularly important for cross border holdings as it reduces administrative complexity and the need for extra professional help.

On balance of the evidence provided, I decided to maintain regulatory alignment and not introduce new liabilities for the repair and replacement of field drainage and flood banks.

Regards

Lesley Griffiths AS/MS
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.