




Llywodraeth Cymru
Welsh Government

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Minutes of a meeting of the Cabinet on 6 March 2023.

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Present

- Rt. Hon. Mark Drakeford MS (Chair)
- Lesley Griffiths MS
- Rebecca Evans MS
- Vaughan Gething MS
- Jane Hutt MS
- Julie James MS
- Jeremy Miles MS
- Eluned Morgan MS
- Mick Antoniw MS

- Hannah Blythyn MS
- Dawn Bowden MS
- Lynne Neagle MS
- Julie Morgan MS
- Lee Waters MS

Officials

- Andrew Goodall, Permanent Secretary
- Des Clifford, Director Office of the First Minister
- Rebecca Dunn, Head of Cabinet Division
- Toby Mason, Head of Strategic Communications
- Jane Runeckles, Special Adviser
- Alex Bevan, Special Adviser

- Daniel Butler, Special Adviser
- Ian Butler, Special Adviser
- Kate Edmunds, Special Adviser
- Sara Faye, Special Adviser
- Sam Hadley, Special Adviser
- David Hooson, Special Adviser
- Clare Jenkins, Special Adviser
- Owen John, Special Adviser
- Phillipa Marsden, Special Adviser
- Tom Woodward, Special Adviser
- Christopher W Morgan, Head of Cabinet Secretariat (minutes)
- Damian Roche, Cabinet Secretariat
- Catrin Sully, Cabinet Office
- Tracey Burke, Director General Climate Change & Rural Affairs
- Jo-Anne Daniels, Director General Education, Social Justice and Welsh Language
- Reg Kilpatrick, Director General, COVID-19 recovery and Local Government
- Tim Moss, Chief Operating Officer
- Judith Paget, Director General Health and Social Services
- Andrew Slade, Director General, Economy, Treasury and Constitution
- Helen Lentle, Director Legal Services
- Liz Lalley, Director Risk, Resilience and Community Safety (item 4)
- Adam Evans, Head of Civil Contingencies and Incident Response (item 4)
- Piers Bisson, Director European Transition, Constitution and Justice (items 5)
- Dylan Hughes, First Legislative Counsel (items 5)
- Robert Parry, Deputy Director, European Transition Legislation (item 5)

Item 1: Minutes of previous meetings

1.1 Cymeradwyodd y Cabinet gofnodion y 27 Chwefror / Cabinet approved the minutes of 27 February.

Item 2: First Minister's items

St David's Day visits

2.1 The First Minister reported on the international visits Ministers had undertaken to promote Wales as part of the St David's day celebrations. He had attended a number of events in Brussels the previous week along with meetings with the UK and Irish Ambassadors, the Minister President of Flanders and Members of the European Parliament. The main event had been the St David's Day reception at the UK residence, which had over 300 attendees.

2.2 In addition, the Minister for Education and Welsh Language had hosted a St David's Day reception in Dublin, along with a series of visits related to his portfolio. The Minister for Health and Social Services had attended a World Health Organization conference in Copenhagen and hosted a reception.

Final Budget 2023-24

2.3 The First Minister informed Cabinet that an agreement had been reached

with Plaid Cymru on the Final Budget 2023-24, in line with the Co-operation Agreement, and, as such, they would be abstaining during the vote in the Siambr the following day.

Item 3: Senedd business

3.1 Cabinet considered the Plenary grid and noted that voting time was expected around 5.15pm on Tuesday, then, following a short break, Stage 3 of the Social Partnership and Public Procurement (Wales) Bill would commence. This was scheduled to conclude around 8:30pm but, given the number of amendments that had been tabled, may finish earlier. The Deputy Minister for Social Partnership would lead on the debate, but due to contracting COVID-19 would be participating remotely. Voting time on Wednesday would be around 6.25pm.

Item 4: Resilience in Wales

4.1 The First Minister introduced the paper, which set out the case to refresh the civil contingencies environment in Wales and asked Cabinet to agree the priorities for a programme of work for a safe and secure Wales.

4.2 The work would build on the solid foundations already in place in Wales and reflected the excellent relationships the Government had with delivery partners. This had been reflected through managing the response to the pandemic and

responding to incidents such as flooding and the impact on local communities.

4.3 Cabinet welcomed the paper.

4.4 Cabinet approved the paper and noted the Deputy Minister for Social Partnership would present the new work programme at the Civil Contingencies Conference in Swansea later that month.

Item 5: Retained EU Law

5.1 The Counsel General and Minister for the Constitution introduced the paper, which outlined the latest position on the UK Government's Retained EU Law Bill.

5.2 Retained EU law (REUL) was the body of EU-derived legislation converted into domestic law by the EU (Withdrawal) Act 2018 at the end of the transition period and then corrected by a very large programme of statutory instruments to make it work in a domestic context. This was done to provide legal continuity and certainty to citizens and businesses.

5.3 The REUL Bill, which was making its way through Parliament, would give effect to UK government policies as set out in its 'Benefits of Brexit' document and would amend, replace or repeal retained EU law.

5.4 A number of concerns with the Bill had been identified at the early stages of its development, which had been raised consistently with the UK government and highlighted in the Senedd as part of the LCM process.

5.5 These included a sunset of REUL by 31 December 2023, with only the UK government being able to extend powers beyond this date, and UK ministers being able to use powers in devolved areas. The Bill also placed restrictions on the use of powers, which would be an unacceptable constraint on the policies of Welsh Ministers. In addition, there were implications for intervention and reference powers of Law Officers, with limitations on those in Devolved Governments. Furthermore, UK ministers would have the potential to develop new policy in areas of significant importance to Welsh Ministers.

5.6 The Bill would also have significant implications for all portfolios, for example Defra alone had identified around 1800 items of REUL in their policy area, which did not include those made by the Senedd.

5.7 The Welsh Government, in co-operation with Scottish Ministers, had raised concerns and opposition to the Bill, while seeking changes. This had included liaising with UK Ministers, with no avail, and pursuing amendments in the House of Lords, which were being debated that afternoon.

5.8 Cabinet expressed concern about the impact the UK Bill would have on the devolution settlement, Welsh Government policies and the legislative programme.

Cabinet Secretariat
March 2023

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