

ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE

Date: Wednesday 1 November 2000

Time: 2:00 pm - 5:00 pm

Venue: Committee Room 1, National Assembly Building

REPORT BY MINISTER FOR ENVIRONMENT

ENVIRONMENT

Hyder/WPD

The take-over of Hyder by WPD became effective on 15 September.

On 14 September the First Minister and I met Robert Symons from WPD. He confirmed his plans for the future of the Group which were to separate the water and electricity businesses and to retain their operational headquarters functions in Wales. WPD's present plans are to retain the existing numbers of operational/field staff in the water and electricity businesses.

WPD is still considering its position in relation to the unregulated businesses that were part of the Hyder Group.

The Office of Water Services is expected to consult shortly on the modifications to the operating licence conditions of Dwr Cymru it is proposing as a consequence of the take-over. It is presently expected that the Committee will consider the OFWAT consultation paper at its meeting on 15 November.

The High Court has upheld the main elements of a legal challenge brought by Severn Trent in respect of the WPD/Dwr Cymru plans to contract out day to day operations of the water business to United Utilities. As a consequence of the court judgement WPD will be re-

tendering the contract for the water operations and for those parts of Hyder Services associated with water operations.

It was announced on 16 October that Dwr Cymru had applied to OFWAT for an interim price determination. The application is based largely on the greater number of customers opting (voluntarily) for meters than was assumed at the time price limits were set last year; it is not related in any way to the take-over.

Environmental Protection

I met the Chair and Director of the Keep Wales Tidy Campaign on 18th October to discuss their corporate plan and funding and their strategic role in the future. Among the possible key roles are being part of the delivery of a waste strategy for Wales, and environmental education as part of the Welsh national curriculum, especially once PSE (Personal & Social Education) becomes a compulsory part of the curriculum in 2002.

I delivered a keynote address - entitled 'How Wales Will Meet the Challenge' - at the National Society for Clean Air's Conference on Sustainable Wales held at the Millennium Stadium Friday 20th October.

On 6 November, I will present Millennium Marque awards to the 19 successful Welsh projects - sites of outstanding environmental quality which incorporate the highest possible quality in design, materials and maintenance. The Millennium Marque scheme is a Tidy Britain Group scheme. The ceremony will be held at one of the award-winning projects, Brecon canal basin and theatre.

I can announce that two sets of bylaws made by Pembrokeshire and Swansea Councils, banning dogs from areas of the beaches at Poppit Sands, Bracelet and Limeslade beaches respectively for the summer season each year, have been confirmed.

British-Irish Council

The first meeting of the British-Irish Council (BIC), Sectoral Group on the Environment was held on Monday, 2 October. All BIC members were represented. I was unable to attend due to Cabinet business, and the Assembly was represented by the Head of Environment Division (Bob Macey) and its Environmental Science Adviser (Harvard Prosser). The Group considered a paper reviewing the conclusions of a Quality Status Report on the Celtic Seas and considered the arrangements already in place for intergovernmental action to follow up those conclusions. The Group also agreed on the range of issues which it would recommend to the main Council should be taken forward. If this is agreed at the Council it is likely that officer level sub-groups would be set up to progress consideration of the selected subjects and to report back to the Group and the BIC.

Transfer of resources from the Other Environmental Services Sub Expenditure Group (SEG) to the Environment Agency SEG

In accordance with Standing Order 19, the Committee will wish to note that I have approved, and the Finance Secretary has agreed, a transfer of £654,000 from the Other Environmental Services baseline into the Environment Agency's grant in aid budget. Both SEGs fall within the Transport, Planning and Environment Main Expenditure Group.

Environment Agency Wales has sought this additional provision following central Government's decision to waive for four years the annual subsistence charges payable to the Environment Agency by farmers who have been licensed under the Groundwater Regulations to dispose of sheep dip. The Agency has had to refund charges already paid in 1999/2000 and 2000/2001 and faces a continuing loss of income while still having to undertake its statutory monitoring duties under the Regulations.

Provisions for future years have been allowed for in the Assembly's draft budget allocation to the Environment Agency.

SUSTAINABLE DEVELOPMENT

Following the recent changes to Cabinet, I am now responsible for championing sustainable development. This Committee is therefore now responsible for scrutinising my work on that, on behalf of the whole Assembly.

A revised draft Sustainable Development Scheme is to be put before Plenary for making on 16 November. This will reflect amendments to the motion passed in Plenary on 14 September. Meanwhile, consultation on our proposed SD indicators closed on 27 October, and responses are being analysed. It is intended to invite Plenary to endorse an initial set of indicators on 16 November, alongside the Scheme.

Once the Scheme is made, a draft Action Plan will be prepared and brought to this Committee as soon as possible. One urgent element of this will be how we develop policy appraisal and review tools so as to ensure that SD is properly mainstreamed. Other elements will include external publicity and internal awareness raising and training. Options for a Sustainable Development Committee and for an expert Panel will also be considered as required by the motion passed in Plenary on 14 September.

COUNTRYSIDE

Candidate Special Areas of Conservation (Natura 2000)

On 23 October I announced a further tranche of proposed candidate Special Areas of Conservation, to comply with the Assembly's obligations under the Habitats Directive. The Countryside Council for Wales has initiated a public consultation on these proposed sites, and the Assembly is consulting on the regulatory impact of these proposals.

Quinquennial Review of the Countryside Council for Wales

The quinquennial review of the Countryside Council for Wales will begin next week. As part of the review, consultation will be undertaken with interested parties in Wales; and the Committee's views will also be sought on the review's findings.

I advised the Committee in September that advertisements were being placed to fill (a small number of) current and forthcoming vacancies on the Countryside Council for Wales and the National Parks. There has been a very encouraging response received, and the selection process is under way.

PLANNING

Quinquennial Review of the Planning Inspectorate

I announced on 5 April that a Quinquennial Review of the Planning Inspectorate would be undertaken jointly by the Assembly and DETR. The review is being conducted in two parts and part one, which considered organisational options, has now been completed. The report of Stage One was published on 20 October. It recommends that the Planning Inspectorate should remain as an executive agency and I have accepted the recommendation. The review will now move to Stage Two, which will examine the scope for improving the performance of the Inspectorate. A consultation exercise will be conducted as part of Stage Two and the views of EPT Committee members will be invited.

Unitary Development Plans Wales

The consultation exercise on the revised Unitary Development Plan guidance ended on 16 October and 30 responses have been received. **'Unitary Development Plans Wales'** will replace 'Planning Guidance (Wales): Unitary Development Plans', 1996; and there will be a revised booklet entitled **'Unitary Development Plans - A Guide to Procedures'** to replace 'Development Plans - What You Need to Know'. The target date for consideration of the final versions by the EPT committee is January 2001, with publication in March 2001.

High Hedges

I announced on 5 October that legislation to provide a local authority complaints system in England to deal with nuisance hedges between neighbours, would also apply to Wales. The DETR is currently preparing the legislation in consultation with officials of the Assembly, which, it is expected, will be introduced by a private member's Bill.

Rural Diversification

At the end of September a research project looking at the effects (both negative and positive) of the planning system on rural diversification was let to Land Use Consultants in collaboration with the University of the West of England and the Welsh Institute of Rural Studies. The results are due in January 2001 and will be fed into the current review of 'Planning Policy Wales'.

Planning Research: Land Based Sand and Gravel Extraction in South East Wales

Feasibility Study of Crushed Rock Sand Resources in South Wales

The research projects have now been completed and a Seminar to disseminate the findings was held on 26 September at the Baverstock Hotel, Merthyr Tydfil.

South Wales has traditionally relied on marine dredged materials from the Bristol Channel as a source of sand for the construction industry.

The Assembly has decided to look at alternatives. Two studies have been commissioned to investigate the potential of other resources to supply construction material. The Symonds Group has looked into the availability and distribution of sand and gravel deposits, and assessed a range of other options such as the use of recycled materials and imports from other regions. The British Geological Survey has investigated the feasibility of using crushed rock to provide sand.

This research has made significant progress towards assessing the potential of land based resources. Nearly three quarters of the resources are affected by planning and environmental constraints; unconstrained resources are unevenly distributed across the area.

The reports and their conclusions will be considered carefully, to decide whether to take on board the recommendations when developing future aggregates policy. This will need to be done in the context of the Assembly's sustainable development scheme and its commitment to developing more spatial planning guidance.

EIA Amendment Regulations

Nick Raynsford MP is expected to sign the EIA amendment Regulations covering the review of mineral permissions, so that they may be laid during the week commencing 23 October.

Publicity will be by way of a guidance note for England and Wales, issued by Department of the Environment, Transport and the Regions.

Telecommunications Mast Development

Following publication of the Stewart Report on 11 May, I responded to one of the key recommendations by accepting that all new telecommunications masts should be subject to full planning control and gave an undertaking to consult widely on the precise scope and detail of the new arrangements.

I have invited members of the Committee to comment on a draft of a consultation paper by Friday 27th October. All other Assembly Members have been given a similar opportunity to comment on the paper.

We propose in early November to issue the consultation paper to a wide range of interests allowing 2 months for comment.

TRANSPORT

Transport Forum

On the 21st September, I convened a special meeting of the Transport Forum in response to the fuel crisis to consider the impact of the fuel prices. The meeting included representatives of a wide range of organisations including transport operators and representatives of the fuel price protestors.

The Transport Forum met as planned on the 9th October. Reports were received from the working sub groups from the special meeting. A report has been sent to Lord MacDonald, the Minister for Transport and I have been in discussions with him about the impact of fuel prices. A copy is in the library. I attended a meeting convened by Rhodri Glyn Thomas AM on 24 October in the Assembly to hear the views of farmers and hauliers on high fuel prices. Also discussed at the meeting were a brief outline of the Transport Framework for Wales and the initial analysis of the Local Transport Plans.

Transport Grants

Bids from 22 Local Authorities in Wales including many reflecting consortia strategies and partnership approaches have been received and are currently being assessed. Copies are in the Library and I expect to announce the results by the end of the year.

Local Transport Plans

All 22 authorities have submitted plans, copies of which are in the Library. An initial analysis of the plans has been made and a brief initial assessment that was presented to the Transport Forum is in the Library.

Rail

Rail Franchising

8 Franchise prequalifying companies have until early December 2000 to put forward proposals to the shadow Strategic Rail Authority (sSRA). They will need to demonstrate that they have taken full consultation with local stakeholders.

As part of this exercise, we have arranged for a Rail bidders pack, which draws out the key themes of the aspirations developed through the rail audit, our discussions in Committee, and other emerging policies, to be provided to all 8 bidders.

Copies have also been sent to members of the EPT Committee, Local Authorities, the Rail Passengers Committee, the WDA and the sSRA.

The sSRA has also held franchise consultation meetings with statutory consultees (Local authorities and the Rail Passengers Committee) across the Wales and the Borders region (in Bangor, Carmarthen, Cardiff, Newtown, Chester and Gloucester). All Assembly Members were invited to these meetings.

The sSRA will provide a further presentation towards the end of the year, when the sSRA has completed preparation of its strategic plan. We are currently waiting for dates to be confirmed.

North Wales Coast Line

The Assembly is contributing funding for an improvement in line speeds from 75mph to 90mph on sections of the North Wales Coast Main Line between Bangor and Chester. This is intended to improve journey times between those points, reducing the journey time to under one hour from the current 70-80 minutes taken. Virgin Trains and First North Western Trains will then be able to make best use of the new faster rolling stock they have bought for this route.

I am deeply concerned in the delay in implementing the line speed improvements by Railtrack across the North Wales Coast Line between Bangor and Chester. Although all the infrastructure works are in place, design flaws mean that there will be a delay in Railtrack being safely able to authorise drivers to go forward at the optimum speeds for the route.

I have continued to press for an early meeting with Gerald Corbett, the Chief Executive of

Railtrack, due to previously arranged meetings not materialising. At this meeting I intend to press hard for work to be taken forward as quickly as possible.

In the meantime, we have written directly to the North West Zone director expressing our concern. He has assured me that powerful steps are being taken to take forward full implementation as soon as possible. He has asked for an urgent review of the current installation, and hopes to be able to offer 90mph for some twelve route miles, and 85mph for the remainder of the route running. This would result in train running times of about half a minute more than will be possible when the implementation is complete. Officials will be meeting him on 13th November.

I have also arranged a meeting with Tom Winsor, the Rail Regulator in early December, to discuss how we can achieve improved performance from Railtrack for progress with infrastructure projects.

Following the last meeting of the Committee, I wrote to Keith Hill to request a copy of the study, which had been commissioned by Virgin Trains into electrification of this line. As commercially confidential property of Virgin Trains he cannot make this available to the Assembly so I have subsequently written to Chris Green of Virgin Trains to ask for a copy.

Sustrans

Sustrans is a registered charity which has been operating for twenty years, working on practical projects to reduce car dependency by encouraging people to walk and cycle more. I have agreed to a grant of £180,000 over three years to Sustrans, to enable the organisation to set up an office in Wales. A condition of the grant is a commitment to nine shared objectives, including developing a further 350km on the National Cycle Network in Wales, building up proposals for linked regional routes, developing the Safe Routes to School programme, advice to employers developing travel plans, and improving pedestrian and cyclist access to stations.

Road Safety

I am setting up a Road Safety Strategy Board, to take forward the development of an implementation programme for the UK Road Safety Strategy in Wales. The Board includes representatives of local government, Health interests, the Police, Friends of the Earth, and Sustrans, and meets for the first time on 30 October. A consultative conference will be held early in 2001 to enable a large number of interested parties to participate in work on the draft. I intend that the EPT Committee will be able to discuss the draft next Spring, following a more formal public consultation.

On 28 September I issued a press notice alongside publication of the Welsh Assembly Statistical Release 'Road Casualties in Wales, 1999'.

Sue Essex

Minister for Environment