

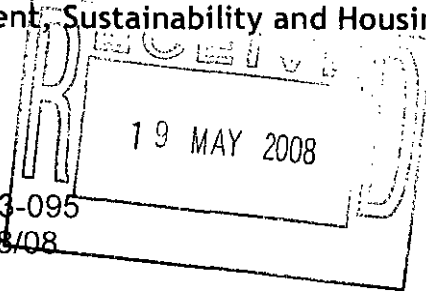
Jane Davidson AC/AM

Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai  
Minister for Environment, Sustainability and Housing

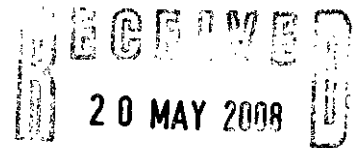


Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref PET-03-095  
Ein cyf/Our ref JD/00538/08



Val Lloyd AM  
Petitions Committee  
National Assembly For Wales  
Cardiff Bay  
Cardiff  
CF99 1NA



APSD

15 May 2008

*Dear Val,*

#### PETITION: REGIONAL WASTE PLAN FIRST REVIEW

Thank you for your letter of the 21 April 2008, in which you present a copy of a petition presented to the Petitions Committee in relation to the above Review.

I note your request that the consultation exercise on the Regional Waste Plan First Review be re-opened to permit further public consultation.

In response, it is important that I clarify first of all the status of, and process for, the Regional Waste Plans and the First Review. Regional Waste Plans form part of the implementation for Wales of the requirement within the Waste Framework Directive to produce waste management plans. Technical Advice Note 21 (Waste) requires local authorities to work together to prepare regional waste plans. This is a process driven and managed by the constituent local authorities, which make up the Regional Waste Groups. Whilst the Welsh Assembly Government sponsors the review process (and is a stakeholder in the three Regional Waste Groups), it does not have a remit to instruct the Regional Waste Groups, as these are independent bodies undertaking work under the terms of a voluntary arrangement as laid out in Technical Advice Note (TAN) 21 (Waste).

The details of the public consultation process were set out and agreed by the Regional Waste Groups prior to engaging the contractors responsible for delivering the process. During the 10 weeks of the consultation process [15<sup>th</sup> October – 24<sup>th</sup> December 2007], the contractors undertook the following work :-

- Held three Public Focus group meetings in each Region.
- Held three Strategic Stakeholder group meetings in each Region.
- Held a Community Group meeting in each local authority.
- Undertook three media briefings, with contact made to 106 separate media bodies.
- Produced 27,000 briefings and surveys to summarise the Regional Waste Plan First Review and supporting documentation.

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- Sent 11,100 of these briefings and surveys by post to householders in Wales. [The remaining briefings were kept for dissemination at meetings and following contact via a web-based survey.]
- Hosted a web-site for the duration of the consultation which contained an electronic copy of the survey and links to the supporting documentation.
- Provided a telephone hotline for the period of the survey to enable consultees to have easy access to advisors.

Following the consultation period, the contractors summarised the outputs of the meetings, the returned surveys, the internet surveys and written and verbal representations made in relation to the Consultation Documents, and presented these in the form of three Regional Consultation Reports. Each of these reports was subsequently accepted by the relevant Regional Waste Planning Group to which it relates, and these groups are satisfied that the consultation process followed met with their requirements.

If I may consider the points raised in the petition :-

- a.) Extension of closing date to 29<sup>th</sup> February 2008 or until such time as the people of Caerphilly Borough have been properly consulted*** – the Regional Waste Planning Groups considered that the initial 10 week consultation period was adequate. The North Wales Group subsequently allowed an extension to their consultation of an extra month, but this was not copied by the other two Groups. The extended consultation period did not significantly alter the number of responses received by the North Wales Group.
- b.) Ensuring that public meetings concerning the plan are held in the North, East, South and West of Caerphilly Borough*** –The holding of a series of open public meetings was considered by the Regional Waste Groups but was not felt by the Groups to be a productive use of resources. If such public meetings were held as suggested in the Petition, then this would require nearly a hundred such meetings across Wales. Given the low turnout at meetings to which stakeholders were invited in advance (and these invites followed up with further reminders by email and telephone), it is not considered that the expenditure involved in hosting these meetings would have led to an enhanced consultation response, nor would it have represented value for money.
- c.) Ensuring that the rights of the people of Caerphilly Borough are preserved under the formal planning system, so that planning applications for waste facilities are not given approval by use of the Certificate of Lawful Use Procedure (CLOPUD) as suggested in the draft SE Regional Waste Plan (October 2007) document*** - the draft South East Regional Waste Plan outlines the CLOPUD procedure in Section 11.3.5. An application for a lawful development certificate is solely a means of establishing whether the development, which is the subject of the application is, or would be, lawful. For planning purposes the development would be lawful if enforcement action could not be taken against it – either because it didn't need planning permission, or planning permission had been granted for it or because of the passage of specified periods of time. The nature of the development is irrelevant to these considerations as all that may be taken into consideration are the legal and technical issues of whether the development is lawful. It is because of this that there are no requirements for applications for lawful development certificates to be notified to other owners or publicised.

In determining an application for a lawful development certificate the planning merits of the development are not at issue, are not relevant and may not be taken into consideration.

d.) ***Ensuring that Caerphilly County Borough Council make provision for the development of waste management facilities in its Local Development Plan –***

In preparing its LDP, local planning authorities must, amongst other things, have regard to national policy. This is one of the criteria that the Planning Inspectorate will use for assessing the soundness of the LDP when it is submitted for independent examination. The Welsh Assembly Government is one of the statutory consultees which local planning authorities are required to consult at pre-deposit and deposit stages of LDP preparation (prior to submission for examination). The Assembly Government will scrutinise pre-deposit documentation and deposit plans to identify whether they are consistent with national policy or whether any conflict is justified by robust evidence of local circumstances; any concerns will be lodged as objections.

***e) In view of the noise, smells, traffic impact and perceived health hazard associated with waste facilities, ensures that the SE Regional Waste Authority precludes them from all business or industrial parks within Caerphilly County Borough*** – in July 2004, the Assembly Government issued a policy clarification letter (CL-04-04). This stated that sites on general industrial estates would be suitable for many types of waste management processes. It was acknowledged at this time that further work would be required by the Regional Waste Groups to reach agreement on the siting of national or regional-scale waste management facilities. The Regional Waste Groups consider that this position is still germane. The First Review consultation draft plan states that due to advances in technology and the introduction of new legislation, policies and practices, many modern waste management / resource recovery facilities are no different to many other modern industrial processes in terms of their operation or impact. For this reason, many existing land use class B2 'general industrial' (and similar) employment sites, existing major industry areas, and new B2 sites allocated in development plans will be suitable locations for the new generation of in-building waste management facilities. In addition to this, the Regional Waste Planning Groups have undertaken an 'Areas of Search' land use mapping exercise. The purpose of the mapping was to identify Areas of Search at a strategic level for use by Local Planning Authorities during the Local Development Plan preparation process – as a starting point for more detailed local level assessments to identify appropriate sites for waste management facilities in Local Development Plans.

It will be a matter for Caerphilly County Borough Council in preparing its Local Development Plan to decide on the appropriate locations for waste management facilities as part of its contribution towards fulfilling EU obligations to make adequate provision for a network of waste management facilities.

I have also read with interest the relevant part of the verbatim transcript of the Petitions Committee meeting of 6<sup>th</sup> March that covered the Regional Waste Plan consultation. I see there was much useful debate about the nature of the consultation process. In respect of the reference made to one of my officials expressing his opinion in correspondence that "it [the consultation] does seem to be an extensive process that goes well beyond the usual statutory minimum", my official was referring to the fact that, in respect of many statutory consultation exercises, there is only a statutory requirement to "consult" or at best "publicise" the consultation. The method of consultation is rarely prescribed in statute, or indeed in any statutory guidance. In this case it is considered that the Regional Waste Plan consultation process meets the requirements of the Public Participation Directive which applies to plans and programmes relating to the environment and specifically includes plans required by the Waste Framework Directive.

Having therefore considered the above issues, I do not consider that it is appropriate to request that the SE Wales Regional Waste Planning Group re-open the consultation exercise. I would also add that the public consultation exercise across Wales to date has cost over £222,000, and that re-opening this would add to this figure. I do not consider that this offers value for money given the issues raised in the petition, which I believe have already been addressed for the reasons given above.

Yes,



**Jane Davidson AM**

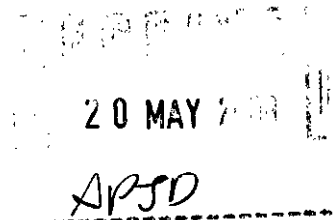
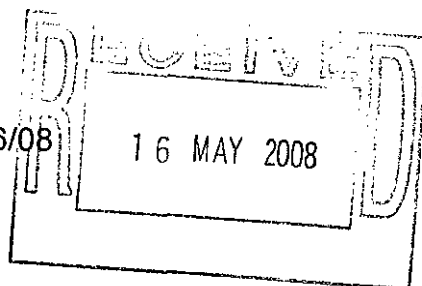
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Minister for Environment, Sustainability and Housing

Ieuan Wyn Jones AC/AM  
Dirprwy Brif Weinidog /Deputy First Minister



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Welsh Assembly Government

Eich cyf/Your ref  
Ein cyf/Our ref DFM/00776/08



Val Lloyd AM  
Petitions Committee  
Bae Caerdydd  
Caerdydd  
CF99 1NA

14 May 2008

Dear Val

Thank you for your letter dated 15 April 2008 regarding Pride in Barry.

My Department and, previously, the former Welsh Development Agency, have invested heavily in the regeneration and redevelopment of Barry over many years.

The Barry Joint Initiative, a partnership established between Associated British Ports (ABP), my Department (including the former WDA) and the Vale of Glamorgan Council, has supported a range of significant regeneration activities in Barry since the early 1990's. These programmes have not only helped provide a secure future for Barry, but have also created a platform for the town to potentially secure an additional £250 million of private sector investment over the coming years. A significant sum, in excess of £49m, has been invested by/via the partnership in Barry to date.

The legal agreements in place determine how the proceeds from the sale of the Barry Waterfront land are shared between ABP and the Welsh Assembly Government. In simple terms, the distribution of receipts is based upon the total investment made by each partner into the project.

Between 1994 and 2006, a total of approximately £14.5 million was received by the WDA/Welsh Assembly Government from the sale of land at Barry Waterfront. In September 2007 the exchange of contracts for the sale of the remaining land at Waterfront 2 took place between ABP and the selected development consortium. The sales particulars of the site are the subject of a specific confidentiality clause between ABP and the developers. This should be viewed within the context of the significant expenditure that has been required to create the Barry Waterfront 'opportunities'. The Assembly Government has received a part payment and will receive a further share of

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proceeds in due course, upon the granting of planning consent for the development of Waterfront 2 or upon the three year anniversary of the 21 September 2007.

For your general information, the self generated receipts that accrue from the sales of land and property are normally re-invested into the economic development and regeneration priorities that my Department is charged with delivering across Wales, which vary according to project needs and timescales. Such receipts fund an important portion of the DE&T expenditure budget each year and this funding framework is typical of the arrangements within which most Government Departments, local authorities and other public bodies operate.

To illustrate the point, my Department's commitment to the redevelopment of Barry Waterfront and the regeneration work that we are undertaking elsewhere in Barry has already been financed by the proceeds of land sales achieved elsewhere in Wales. If receipts were only used to fund projects in the towns from which the revenues were originally generated, this would not only have a detrimental impact on our ability to flexibly apply resources and funds to the locations and projects where they are most needed and effective, but would also disadvantage the less prosperous and lower value areas of Wales.

With regard to the petition presented by Pride in Barry, I am able to provide reassurance that the regeneration needs and opportunities in Barry will continue to be discussed through the existing partnership arrangements and via the Local Service Board. However, funding availability will, as always, be determined through the established Welsh Assembly Government business planning and usual budgetary processes.

*Yours  
Ieuan*

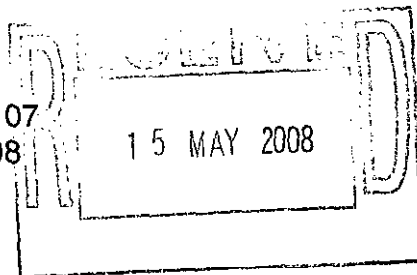
**Ieuan Wyn Jones**  
Gweinidog dros yr Economi a Thrafnidiaeth  
Minister for the Economy and Transport

Rhodri Glyn Thomas AC/AM  
Y Gweinidog dros Dreftadaeth  
Minister for Heritage

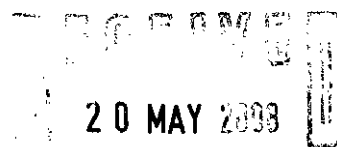


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Eich cyf/Your ref PET-03-107  
Ein cyf/Our ref RT/00315/08



Val Lloyd AM  
Petitions Committee  
Cardiff Bay  
Cardiff  
CF99 1NA



APJD

14 May 2008

Dear Val

I am writing in response to your letter dated 15 April regarding funding for the Welsh language print media.

On 9 August 2007, I announced that I had asked the Welsh Language Board to carry out a review of the Welsh-language print media in Wales. The purpose of the review was to obtain a clear and comprehensive picture of the state of the Welsh-language print media in Wales. I wanted to investigate how the Welsh Assembly Government could implement in a sustainable way the recommendation of 'One Wales' to 'expand the funding and support for Welsh-medium magazines and newspapers, including the establishment of a Welsh-language daily newspaper.'

The Welsh Language Board appointed Dr Tony Bianchi to conduct the review, and his report 'A Review of the Welsh Language Print Media', which was published on 14 January, included a detailed analysis of the publications that were within the review's terms of reference—Golwg, Y Cymro, Barn, and the new proposed Welsh-language daily newspaper, Y Byd—as well as useful international comparisons.

Following the commitment in 'One Wales', I announced on 5 February in an oral statement to Plenary that the Welsh Assembly Government will provide £600,000 over the next three years to fulfil the commitment in 'One Wales', that is, £200,000 a year until 2011. That is in addition to the £173,000 currently being spent by the Welsh Assembly Government, through the Welsh Books Council, on Welsh-medium news and current affairs publications. This additional funding will be a significant boost to the Welsh-language print media and will strengthen and extend the current provision.

The additional funding is being administered by the Welsh Books Council. The Council advertised in March inviting interested parties to apply for the additional funding.

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The closing date for submitting applications was 1 May and the Welsh Books Council has confirmed that 5 applications were received. A special Panel has been established by the Welsh Books Council to assess the applications and will meet before the end of May.

*Best uchel*  
*Rhodi*

**Rhodri Glyn Thomas AC/AM**  
Y Gweinidog dros Dreftadaeth/Minister for Heritage



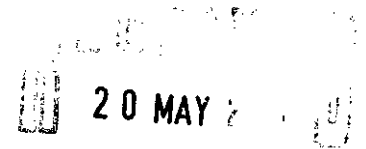
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Dirprwy Brif Weinidog /Deputy First Minister



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Eich cyf/Your ref  
Ein cyf/Our ref DFM/00899/08

Val Lloyd AM  
National Assembly For Wales  
Cardiff Bay  
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CF99 1NA



15 May 2008

*Dear Val*

Thank you for your letter of 30 April 2008 following a petition that was given consideration by the Petitions Committee on 10 April concerning road safety around schools.

I consider the improvement of road safety to be a priority and have taken action to promote and implement a number of road safety measures. Our Road Safety Strategy for Wales was launched in January 2003 with the aim of bringing together key measures and policies to address the causes of road collisions and reduce casualties. One element of the Strategy focuses on safety for children.

Since 2000 the Welsh Assembly Government has provided funding to local authorities via the Local Road Safety Grant which they can use to make safety improvements on the local road network and develop and implement road safety education initiatives for children. Since 2000 over £54million has been provided. In addition since 2000 we have been funding a Child Pedestrian Training Co-ordinator in every local authority in Wales. These co-ordinators are responsible for running child pedestrian training schemes which teach children road safety awareness by means of practical training at the roadside.

Our Safe Routes to School initiative was launched in 1999 with the aim of not only tackling the congestion caused by the school run, but also to remind children and parents that there are alternatives to using the car. Over £27million has been provided for schemes in Wales. This year a new Safe Routes in Communities Programme replaced the Safe Routes to School initiative and £10million has been provided for the implementation of 91 schemes around Wales. The main focus of this new programme continues to be on schools but also aims to improve accessibility and encourage walking and cycling more generally within communities.

**Ieuan Wyn Jones**  
Gweinidog dros yr Economi a Thrafnidiaeth  
Minister for the Economy and Transport

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Jane Davidson AC/AM

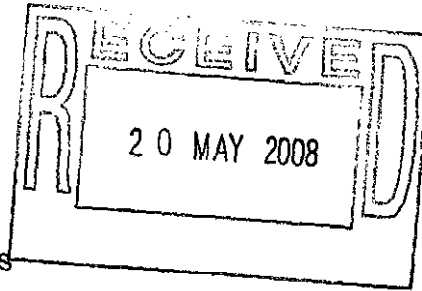
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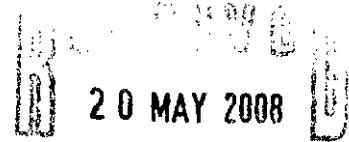
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Val Lloyd AM  
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National Assembly for Wales  
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Welsh Assembly Government



APJD

19 May 2008

*Dear Val,*

Thank you for your letter of 30<sup>th</sup> April 2008 regarding the monitoring of dredging in the Bristol Channel.

A major research project, the Bristol Channel Marine Aggregates Research Project, was commissioned by the former Welsh Office, the former Department of the Environment, Transport and the Regions and the Crown Estate between September 1996 and August 2000. The objectives of the study were to further our understanding of the sediment transport regime and the extent to which the sediment deposits interlinked in the Bristol Channel. The data in this study was independently updated in October 2003 and is due to be updated again in 2008-09.

Monitoring is an integral part of the conditions imposed on any licence issued, and as our understanding of the best methods improves, these requirements are built into new licence agreements, bearing in mind that the conditions must be relevant and reasonable to impose on the applicants.

For example, we receive bathymetric and beach monitoring reports several times a year as a condition of the Nash Bank dredging licence and the beach monitoring extends to Rest Bay. These monitoring reports are sent to the Centre for Environment, Fisheries and Aquaculture Science (Cefas) for independent review. Similar monitoring conditions apply to the licence for Helwick Bank, and in both cases they are paid for by the applicant and independently reviewed by Cefas.

In specific relation to Rest Bay, the conclusion from Cefas is that any changes in beach conditions at Rest Bay are extremely unlikely to be caused by dredging operations. The relevant quote is below:

'With regard to Rest Bay, the changes observed are likely to be part of the natural cycle of change. There is no information in these reports on the offshore setting, so no clear conclusions regarding the significance of the changes, which have taken place, can be made.'

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Whilst changes in these beaches might, in addition to many other factors, relate partly to the occurrence of strong winds from the SE, (i.e. which might drive waves across the seafloor over parts of Nash Bank), there is no obvious physical mechanism where beach changes could be meaningfully related to recent changes in Nash Bank.'

It is the Assembly Government's position, based on the scientific advice and information available to it, that there is no confirmed connection between coastal change and dredging. However, a precautionary approach is being taken, and each licence includes provisions for suspension of operations if clear environmental harm, relating to the operation, is discovered. This approach can be shown in the Government View issued for Nash Bank, where dredging is being phased out, concluding in 2010.

If you need any further information please do not hesitate to contact me.

Yours,

A handwritten signature in black ink, appearing to read 'Jane Davidson', written over a large, stylized circular flourish.

**Jane Davidson AM**

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Minister for Environment, Sustainability and Housing