

## **ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE**

**Date:** Wednesday 17 January 2001  
**Time:** 2.00 to 5.15 pm  
**Venue:** Committee Room 3, National Assembly Building

### **REPORT BY MINISTER FOR ENVIRONMENT**

#### **COUNTRYSIDE**

##### **Appointments to the Countryside Council for Wales and Snowdonia and Pembrokeshire Coast National Park Authorities**

We are drawing to the close of the process to make appointments to the Countryside Council for Wales and the Pembrokeshire Coast National Park Authority. Letters to successful candidates, offering appointment, have been sent. Once the offers have been accepted I will issue press notices.

Interviews for the appointments to the remaining two National Parks (Snowdonia and Brecon Beacons) are planned for next month.

The two EPT Committee Nominees have been kept informed of progress and once the process for appointments to the Countryside Council for Wales and the three National Parks have been completed I shall report back to this Committee.

##### **Candidate Special Areas of Conservation**

A further 20 new candidate Special Areas of Conservation in Wales were put forward to the European Commission on 20 December. This brings the total number of candidate Special Areas of Conservation in Wales to 81, nearly double the number we had this time last year. This is a significant contribution to the UK list of Natura 2000 sites.

## **PLANNING**

### **Human Rights**

The High Court gave judgement last month on four cases brought in relation to the ability of the Secretary of State for the Environment, Transport and the Regions to call in and determine planning applications. The cases also involved recovered appeals, Compulsory Purchase Orders and related Orders under a Highways Act.

The Court concluded that the processes involved in each case were not compatible with the European Convention on Human Rights. However the Court also held that the Secretary of State was not acting unlawfully and concluded that he could not have acted in any other way, as he had to act within the provisions of the primary legislation involved.

The Secretary of State is to appeal. Once the results of that appeal are known we will need to urgently consider our response.

### **Minerals Planning Policy Wales**

Minerals Planning Policy Wales will be issued as soon as publication has been completed. Copies will be sent to all local authorities. I approved the final draft following the EPT Committee on 13 December. This followed an extensive consultation process resulting in numerous responses. Technical Advice Notes (TANs) for Aggregates and Coal will follow shortly – the Aggregates TAN is to be reported to EPT Committee on 31 January. The policy on Buffer Zones is being developed. This will be aided by a survey of those planning authorities with experience of active operations close to communities.

### **Waste**

The Draft Technical Advice Note for Waste was issued for consultation in December, and the deadline for comments is 16 February. We intend to proceed towards completing the final document by April/May. The Waste Strategy for Wales is being prepared by the Wales Waste Policy Support Unit and is likely to be issued for consultation in Summer 2001.

### **Flood Risk**

A Technical Advisory Group (TAG) is being set up to review the policy and technical issues relating to development and flood risk in Wales, with a view to the early development of a new draft Technical Advice Note 15: *Development and Flood Risk*, before the end of the summer 2001. The first meeting has been arranged for 2 February 2001 in Newtown and will involve

local planning authorities, the Environment Agency and various representatives of the development and construction industry.

## **Renewable Energy**

A Technical Advisory Group (TAG) is being set up to review the detailed planning issues relating to all forms of renewable energy, including wind, waste, water (hydro, tidal, waves and currents), sun, energy crops and wood, in Wales. The first meeting of the TAG is anticipated on 9 February 2001 in Newtown and will involve various representatives of the renewable energy sector, local planning authorities, the Countryside Council for Wales, the Council for National Parks, and the Environment Agency. The early development of a new draft TAN 8: *Renewable Energy* is anticipated before the end of this summer.

## **Telecommunications**

On 8 November 2000 our paper, setting out the scope and detail of proposals to amend legislation so as to bring all new telecommunications masts under full planning control, was issued for public consultation. The paper also included draft related planning guidance, which addresses a number of concerns including health. The consultation period ended on 5 January 2001 and all responses received are being collated and assessed.

## **TRANSPORT**

### **Transport Grant**

I announced a 5-year indicative programme of major rail and road infrastructure investments and gave details of Transport Grant allocations for 2001-02, on 11 January.

A copy of the Press Notice has been e-mailed to all Assembly Members.

### **Freight Facilities Grant**

Freight Facilities Grant is available to make the use of rail or waterways for freight competitive with road, where there are sufficient environmental benefits. The Strategic Rail Authority is reviewing this grant and intends to relaunch it next summer. I have agreed that officials should negotiate an Agency Agreement with the Strategic Rail Authority whereby they would undertake the administrative and technical processing of freight facilities grant applications from Wales, and promote the scheme to prospective applicants. The Assembly would retain its budget and a final decision on all applications, and would promote the scheme at a more strategic level.

## **Cycling and walking strategies**

In line with the Partnership Government's commitment to encourage cycling and walking, Sustrans are preparing draft outline strategies for consideration, in consultation with relevant interests in both the statutory and voluntary sectors. The drafts are to be presented to the Welsh Transport Forum on March 26.

## **Guidance on eligibility of disabled people for travel concessions**

The Assembly is putting in funds to enable local authorities from April 2001 to guarantee free bus passes and at least half-fare travel on buses for pensioners and disabled people. The eligible categories are set out in the Transport Act 1985 and associated Regulations.

We are committed to go further, and to guarantee free travel for pensioners and disabled people from April 2002. The necessary subordinate legislation will be brought forward in 2001-02. I am currently consulting widely among groups representing disabled people together with the Welsh Local Government Association and others on draft proposals specifying the categories of disabled persons entitled to receive these concessions under the new legislation.

## **Noise Payments to the Owners of Movable Homes Affected by Road Schemes**

At the November EPT Committee meeting my report referred to new regulations which came into force in England on 23rd November which enable payments to be made by highway authorities to the owners of movable homes, caravans and houseboats, who are affected by noise from new or altered highways. I have now received the draft Welsh statutory instrument. It is intended that the draft should be referred to the Business Committee later this month.

**Sue Essex**

**Minister for Environment**