

ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE

Date: Wednesday 5 February 2003
Time: 9.15 am to 12.15 pm
Venue: Committee Room 2, National Assembly Building

REPORT BY MINISTER FOR ENVIRONMENT

SUSTAINABLE DEVELOPMENT

National Groundwork Conference

I spoke on the theme of 'People, Places & Prosperity - Towards Sustainable Regions' at the National Groundwork Conference in Birmingham on 20th January.

COUNTRYSIDE

Countryside and Rights of Way Act 2000.

The Assembly approved two further sets of regulations on the 21st January 2003 relating to the implementation of open access in Wales – both of which had been considered earlier by the Committee.

The Countryside Access (Exclusion or Restriction of Access) (Wales) Regulations 2003 set out the procedures for landowners and others to follow when restricting access to land for land management and other relevant reason.

The second set of regulations, The Countryside Access (Dedication of Land as Access Land) (Wales) Regulations 2003, enables landowners to voluntarily dedicate their land for access.

The approval of these regulations is an important milestone in implementing the right of access, which is expected to come fully into effect early in 2005.

Rights of Way improvement Plans

Statutory guidance to local authorities on the preparation of Rights of Way Improvement Plans was issued (in bilingual form) at the end of January 2003. These strategic plans will show how local highway authorities intend to improve and manage their rights of way network in the future. The draft guidance was the subject of consultation with the Committee in 2002.

National Trails Exhibition

At lunchtime on the 5th of February representatives from Wales's three National Trails will hold an exhibition in the Milling Area of the Assembly Building in The Bay. National Trails are the flagships of the rights of way system in Wales, designed to offer a very good quality of experience for those who use them in terms of scenery through which they pass and the standard of their management, maintenance and promotion. All Assembly Members are welcome.

Review of National Parks in Wales

Following consideration by EPT Committee on 20 November and the plenary debate on 3 December, an invitation to tender has been issued to external consultants for this review. A decision on the successful tenderer will be taken shortly and the review work will commence, as planned, in February.

ENVIRONMENTAL PROTECTION

British Irish Council (Environment)

On Thursday 16 January I attended the British Irish Council (Environment) Group of Ministers from the UK, devolved administrations, Jersey, Guernsey and the Isle of Man.

The main issue we discussed was an interim report by officials on waste where it was useful to share experiences with other authorities on the common problems we face in seeking to move from landfill. I was particularly interested in the experience of the Irish Government's tax on plastic bags. While the Assembly does not have the necessary tax raising powers to introduce a parallel measure here I have made it clear that I think the Irish experience is well worth careful monitoring and consideration by UK Government.

We also noted work in hand by officials on climate change - mainly extending work on impacts to the smaller islands - and received a draft discussion paper on Sellafield and Radioactive Waste. The issues this raises will be discussed more fully at a future meeting. We agreed to set up a working group of officials to consider action following the World Summit on Sustainable Development.

The next meeting will be in the Autumn in the Isle of Man with the following meeting to be held in Wales in the Spring of next year.

Waste Management

We have been working with DEFRA on amendments to the technical competence provisions of the Waste Management Licensing Regulations 1994. These will be administrative amendments to allow the existing regulations to recognise the revised qualifications that have been developed by the industry as required by the Qualifications Certification Authority. Unfortunately, due to delays within DEFRA, we still do not have a final version of the necessary draft regulations. I hope still to be able to implement these amendments using the accelerated standard procedure but as the regulations must be in force by the 31 March 2003 when the certification of the existing qualifications expire, we may now have to introduce them through the executive procedure. I regret that this procedure may need to be adopted but I will keep the Committee informed.

The All Wales Real Nappy Campaign

I am attending the launch of the All Wales Real Nappy Campaign, which is being hosted by Bro Morgannwg Health Trust at the Princess of Wales Hospital in Bridgend on 31 January 2003. The event is to celebrate the expansion of the Real Nappy Campaign in Wales, which includes:

- Biffaward and the Welsh Assembly Government's support towards an

All-Wales Real Nappy development officer

- Bridgend County Borough Council's support for the expansion of Gentle Touch nappy laundry service within the borough.
- Cardiff County Council's funding for a dedicated project officer for Cardiff.

- Further support from Caerphilly Council.

PLANNING

Planning and Compulsory Purchase Bill

EPT Committee discussed the Bill at the 16 January EPT Committee meeting, and members have received a copy of the letter from Richard Edwards summarising comments made at the meeting and also my response to that letter.

The Welsh clauses of the Bill were discussed at the 23rd January Commons Committee sitting. There were many complimentary comments on the Welsh clauses in terms of their simplicity and clarity. No changes were made to the Bill itself.

The Bill has completed the twelve Commons Committee Stages and will now move forward to the Third Reading/Report stage in the House of Commons. At the moment this is scheduled for early March but this may be subject to change depending upon other business commitments in the House.

Sand and Gravel Supply in South Wales

In my Report to EPT Committee on 18 December I referred to the issue of a Position Statement on Sand and Gravel Supply for South-East Wales following the plenary debate that day. The Government View for the renewal of the Nash Bank dredging licence also issued on the same day. Members may wish to know that the Environmental Statement and Coastal Impact Study for Helwick Bank off Gower have now been published. These will be the subject of widespread consultation until the end of March.

Planning Inspectorate

The Advisory Panel on Standards (APOS) was set up to advise the Deputy Prime Minister and the First Minister of the Assembly on the maintenance and enhancement of professional standards in the work of the Planning Inspectorate. The ninth APOS Report, which provides a view on the Inspectorate's performance in 2001 - 02, was published at the end of last year.

I am pleased to report that, as in the previous year, the panel concluded that 99% of the Inspectorate's casework is free from justified complaint (The Inspectorate classifies complaints when they arrive into justified and unjustified complaints. When APOS carries out its annual review it examines the details of all those classified as justified and a random sample of those classified unjustified. By doing this it either confirms or otherwise the assessment made by

PINS themselves on the complaints received) and that the Inspectorate continues to maintain high standards across its field of responsibilities. This was achieved despite an overall increase of eight per cent in the number of decisions determined by the Inspectorate (England and Wales basis) during the year.

Separately work has begun on a business process review of the Planning Inspectorate. This will be undertaken under the guidance of ODPM and the Assembly Government with outside input from users. The review will be completed by the autumn of this year.

TRANSPORT

Update on The Road Traffic (Vehicle Emissions) (Fixed Penalty) (Wales) Regulations 2003-01-23

The Committee has been informed of these regulations previously. I have agreed the draft regulations and they have been approved by the Minister for Open Government before going forward to the Business Unit. The target dates for submission to the Legislation Committee and Plenary are 4 February and 25 February.

Road Safety

I launched the Road Safety Strategy for Wales in Sandfields, Port Talbot on 23rd January. A full report on the Strategy is on the Committee Meeting Agenda for the 5 February. On 15th January I visited Llysfaen School, Cardiff to see the work of the Child Pedestrian Training Co-ordinator and the parent volunteers.

Rail

I refer you to my announcement in Plenary on 22 January.

Transport Grant

I announced Transport Grant allocations for 2003-2004 on the 30 January and members have received a copy of the announcement.

HERITAGE

Quinquennial review of the Royal Commission on the Ancient and Historic Monuments of Wales

In discussing Martin Rolph's report of the quinquennial review of Cadw on 4 December, Committee Members asked that they be sent copies of the draft report of the quinquennial review of the Royal Commission, given its relevance to the historic environment as well as the culture of Wales.

I attach with my Report the note to Culture Committee Members from Martin Rolph, who has carried out the quinquennial review of the Royal Commission on the Ancient and Historical Monuments of Wales (which falls within the Culture portfolio). His note attached his draft report and he invited Members to provide comments, if any, they may have before the end of February.

Following consideration of any comments received, Martin will submit the final version of his report to Ministers for consideration at which point the Welsh Assembly Government will make its response.

His key recommendations include one that the Commission continues, for the time being, to exist in broadly its current form, but with a transformed basis which brings control over its overall functions and existence within the Assembly which funds it.

The review identifies merger with Cadw as the option for merger whose advantages and disadvantages are most worthy of reconsideration in the longer term, but recommends that any decisions on the transfer of functions into or out of the Commission await the Welsh Assembly Government's decisions relating to the whole field of the historic environment of Wales, when it has considered the report of the consultants currently engaged on a review of this wider topic. I have indicated that the consultants' report will be issued for public consultation before we consider potential next steps. Martin's draft reports on both Cadw and the Royal Commission were sent to the consultants late last year.

I also attach with my Report, Martin Rolph's covering paper to Culture Committee members' covering paper, and the draft report and annexes.

Sue Essex

Minister for Environment