

Y Pwyllgor Amgylchedd a Chynaliadwyedd

Lleoliad:
Ystafell Bwyllgora 3 – Y Senedd

Dyddiad:
Dydd Iau, 1 Rhagfyr 2011

Amser:
09:30

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



I gael rhagor o wybodaeth, cysylltwch â:

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Agenda

1. Cyflwyniadau, ymddiheuriadau a dirprwyon

2. Ymchwiliad i bolisi ynni a chynllunio yng Nghymru – Tystiolaeth gan RenewableUK Cymru, Tidal Energy Ltd a West Coast Energy Ltd (09.30 – 11.30) (Tudalennau 1 – 28)

E&S(4)-10-11 papur 1 RenewableUK Cymru

E&S(4)-10-11 papur 2 West Coast Energy

E&S(4)-10-11 papur 3 Nuon Renewables

Llywelyn Rhys, Pennaeth RenewableUK Cymru
Gerry Jewson, Cadeirydd a Phrif Weithredwr, West Coast Energy
Steve Salt, Cyfarwyddwr Cynllunio a Datblygu, West Coast Energy
Martin Murphy, Rheolwr Gyfarwyddwr, Tidal Energy

3. Ethol Cadeirydd dros dro, o dan Reol Sefydlog 17.22, ar gyfer y cyfarfod a gynhelir yn y prynhawn ar 1 Rhagfyr

4. Papurau i'w nodi (Tudalennau 29 – 30)

Cofnodion y cyfarfod a gynhaliwyd ar 23 Tachwedd

E&S(4)-09-11 cofnodion

Ymchwiliad i'r diwygiadau arfaethedig i'r Polisi Pysgodfeydd Cyffredin – Gwybodaeth ychwanegol gan The New Under Ten Fishermen's Association (Tudalennau 31 – 38)

E&S(4)-11-11 papur 4

Ymchwiliad i'r diwygiadau arfaethedig i'r Polisi Pysgodfeydd Cyffredin – Gwybodaeth ychwanegol gan Gymdeithas Pysgotwyr Cymru (Tudalennau 39 – 49)
E&S(4)-11-11 papur 5

Gohebiaeth gan Gyngor Cefn Gwlad Cymru ar orsaf bŵer Penfro (Tudalennau 50 – 51)
E&S(4)-10-11 papur 6

Rhaglen waith y Pwyllgor Amgylchedd a Chynaliadwyedd – Gwanwyn 2012 (Tudalennau 52 – 55)
E&S(4)-10-11 papur 7

Ymchwiliad i bolisi ynni a chynllunio yng Nghymru – Gwybodaeth bellach gan ScottishPower Renewables (Tudalennau 56 – 62)
E&S(4)-10-11 papur 8



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Environment and Sustainability Committee: **Inquiry into energy policy and planning in Wales**

Written submission by RenewableUK Cymru

September 2011

RenewableUK (formerly BWEA) was established in 1978 and is the representative body for companies active in the UK wind, wave and tidal energy market. We represent all aspects of the renewables industry from manufacturers of the technology, through to developers and installers, legal and environmental specialists, construction and investment firms. We also have members in the education and training sector – helping to develop the skills needed for the future. As the largest renewable energy trade association in the UK, our membership has grown rapidly over recent years and now stands at just under 700 companies - representing the vast majority of all grid connected renewable energy projects currently installed.

In 2006, a branch of the organisation was established to champion the wind, wave and tidal renewable energy technologies in Wales with a focus of achieving the Welsh Assembly Government 2010 renewable energy targets. This submission is made on behalf of RenewableUK Cymru Strategy Group.

RenewableUK would be pleased to clarify any issues raised in this paper and offer any further information which may be required.

RenewableUK Cymru welcomes the Environment and Sustainability Development Committee Inquiry into energy policy and planning in Wales and look forward to the prospect of positive recommendations that will assist the renewable industry to ensure that Wales becomes a more sustainable country and contribute to the creation of a low carbon economy.

UK Renewables Energy Targets

There are a number of national and international law and policy provisions supporting the development of renewable energy, which include EU Directive 2009/28/EC of June 2009, the UK Government Climate Change Programme, the Energy White Paper 2007, the Climate Change Act 2008, the Renewable Energy Strategy 2009 and the newly published suite of National Policy Statements.

As a result of the 2009 EU Directives, the UK has a binding target of meeting 15% of its energy consumption from renewable sources by 2020. This target is echoed in the 2009 Renewable Energy Strategy (RES) and the UK Low Carbon Transition Plan. The RES makes it clear however, that the 15% target also includes fuel and heating, which means that a greater proportion (i.e. 30% or more) of electricity supply will have to come from renewables to balance out the difficulties in providing a significant proportion of fuel and heating from renewables by 2020. Therefore the adopted scenario in the RES means that the target percentage for renewables is now raised dramatically.

Wind is expected to provide about 64% of all the electricity from renewable sources by 2020, with about 29% coming from onshore wind. While this is just an indicative breakdown, it is important to note that it is based on the RES lead scenario modelling. For comparison, the UK had been working towards (and failing to reach) a 10% target until 2010. Therefore the actual indicative targets for renewable electricity for 2020 is triple the target for 2010, with less than half the time available to achieve it. This clearly demonstrates the case for a rapid increase in the deployment of onshore wind energy.

TAN8 Targets

When TAN 8 was published in 2005 the Assembly Government had targets to generate 4TWh per annum by 2010 and 7TWh by 2020 from renewable technologies. In order to meet the 2010 target the Assembly Government concluded that an additional 800MW of installed capacity should be delivered by onshore wind sources, while another 200MW would be required from offshore wind and other renewables.

By identifying seven Strategic Search Areas (SSAs) for the development of large scale onshore wind farms and an overarching delivery target of 800MW installed onshore wind energy capacity (above 2005 levels) within these areas, TAN8 effectively established a planning presumption in favour of wind farm development within these SSAs. In doing so, the Welsh Assembly Government, through TAN8, also implicitly endorsed the evolution of wind farm landscapes within Wales" SSAs and accepted that this approach would lead to cumulative impacts in these areas.

However, despite Wales" renewable energy aspirations having grown substantially since 2005, the delivery of wind farm projects remains slow and unpredictable, with numerous examples of applications being refused against officer recommendation, or historically having been called in by Welsh Government. It seems that the local planning system is struggling to deal effectively with wind farm planning applications (both TCPA applications and Section 36 / IPC applications). Due to lack of resources to deal effectively with wind farm applications, or due to a lack of will to deliver on national energy policy, LPA"s are frustrating the timely determination of onshore projects that are above and below the 50MW threshold. There are other serious obstacles to delivery including the need to upgrade grid transmissions and transportation plans.

Current TAN8 target performance

In September 2011, nine months after TAN8 expiry date for target delivery, only 180MW (22.5%) of the additional 800MW target set in 2005 had been delivered. In contrast, there are currently over 1,421MW onshore wind capacity in the planning system awaiting determination.

In relation to offshore wind farms a capacity of 90MW has been added following the publication of TAN8 meaning that 45% of the additional 200MW target has been achieved. There was an existing operational offshore wind farm which means that the total operational capacity from this technology is currently 150MW. A further offshore wind farm with a capacity of 576MW has been approved and waiting construction whilst there are larger project in the pipe line from Crown Estate Round 3 sites.

Renewable Energy Route Map & Low Carbon Energy Policy Statement

In 2008 the Welsh Assembly Government published the Renewable Energy Route Map which was a consultation setting out proposals to move Wales towards „self-sufficiency in renewable electricity in a generation“. The Route Map suggested dramatically increasing the renewable energy generation target from 7TWh set for 2020, to a new target of 33TWhr by 2025. The consultation foresaw that wind farms would make a significant contribution to the new targets by creating almost 7TWhr per annum by 2015. The suggestion was that onshore wind farms located within the Strategic Search Areas could generate 2,500MW – a dramatic increase from 800MW identified in TAN 8. “If all potential projects were to go ahead in full, wind-farms within TAN 8 strategic search areas could produce up to 2500MW of capacity: three times the existing TAN 8 indicative target for 2010.” (para 7.17 Renewable Energy Route Map)

The Route Map consultation also confirmed that some of the Strategic Search Areas needed higher capacity electrical connections to the National Grid which was being considered by relevant bodies at the time. (para 7.15 & 11.3 Renewable Energy Route Map)

In 2010 the Welsh Government published its Low Carbon Revolution - Energy Policy Statement which was informed by responses to the Route Map consultation. The Low Carbon document again radically increased the renewables target – increasing annual renewable energy output in TWhr from 33TWh as suggested in the Route Map, to 48TWh by 2020/2025 amounting to 22,500MW of installed capacity. This corresponds to the aims of the UK Government’s RES publication which greatly increased UK national target figure of at least 30% of electricity from renewables by 2020. The Low Carbon statement outlined that the aim in terms of onshore wind was to have 4.5KWh/d/p of installed generating capacity by 2015/17 which would amount to 2GW of total capacity (para 3.1 b A Low Carbon Revolution). This was confirmed by a written statement by the Welsh Government in June 2010. Planning Policy Wales 2011 also states that planning policy at all levels should facilitate delivery of both the Welsh Government’s overall Energy Policy Statement and UK and European targets on renewable energy.

The Low Carbon Revolution includes a technology breakdown as a guide of how to achieve the new set of targets with a lot of emphasis being placed on tidal range and tidal stream renewables (including the possibility of generating a large amount of energy from the Severn Estuary) and on offshore wind which saw its expected capacity increase to 6GW. In terms for onshore wind the capacity target fell from the previously increased figure of 2.5GW as set out in the Route Map consultation to 2GW. (appendix 1 A Low Carbon Revolution)

John Griffiths, the Minister for Environment and Sustainable Development has issued a new guidance letter to Stakeholders (July 2011), which stated that the maximum capacity for TAN 8 SSA’s should be the Garrad Hassan figures amounting to a total of 1,700MW from onshore wind. The Ministerial letter outlined the maximum installation capacity for each of the SSA’s. The remaining 300MW necessary to achieve the 2GW target should come from smaller local, brownfield or community schemes located outside the SSA’s. TAN8 will continue to be used as

the vehicle for the strategic delivery of onshore wind throughout Wales with maximum capacity figures being set for each of the SSAs.

It has been consistently RenewableUK Cymru's view that whilst increases in renewable energy targets are welcome, particularly the target increases in onshore, offshore and wave and tidal technologies, greater flexibility is required within the planning guidance to ensure delivery. In relation to onshore wind developers have followed the guidance as set out in TAN8 and concentrated investments and activity in identified areas. To protect industry confidence in the wind sector and other renewables, it is vital that the status of these areas is protected with determination decisions being made without interruption.

However, the industry acknowledges that directing all significant developments to seven SSAs whilst at the same time significantly increasing onshore generation targets, can result in cumulative impacts as the concentration of wind farms increases in the same vicinity. In order to increase the capacity of onshore wind in a way that would limit turbine density and additional cumulative impacts, RenewableUK Cymru recommends that new areas suitable for large scale wind farm development are identified. This might take the form of identifying new SSAs, extending the area of existing SSAs or adopting a limited criteria-based approach for suitable sites that are outside SSAs.

Devolution of + 50MW determination powers

RenewableUK Cymru recognises the long-standing desire of the Welsh Government and the political parties in the National Assembly that planning decisions on energy projects above 50MW should be devolved. The devolution of further planning powers would give the Welsh Government an opportunity to demonstrate its commitment to the delivery of renewable energy and should be used to increase the rate of deployment.

We believe that decisions on energy projects should be based on appropriate professional advice and as such, our strongly held view is that further devolution could only be effective if the process is properly resourced and linked to professional energy expertise available within Planning Inspectorate Wales.

RenewableUK has long been concerned at the slow rate of delivery towards current renewable energy targets and would hope to see a speedy resolution for outstanding applications under any new planning system.

RenewableUK members would seek to work positively with any new regime, nonetheless given the national importance and strategic need to deliver renewable energy it would be critical that the Government takes direct responsibility for projects above 50MW, with the relevant Welsh Ministers taking a final decision based on an assessment provided by Planning Inspectorate Wales.

RenewableUK Cymru comments on questions alluded to in invitation letter:

What are the implications for Wales if responsibility for consenting major onshore and offshore energy infrastructure projects remains a matter that is reserved by the UK Government?

If consenting major onshore and offshore energy infrastructure remains a reserved matter then renewable energy developers will continue to adhere to the current planning regime as set out by the 2008 UK Government Planning Act. Developers will be guided by National Policy

Statement for major energy projects that will be determined by the Infrastructure Planning Commission. In future the new Major Infrastructure Planning Unit will examine applications with Ministers making decisions. TAN 8 and Planning Policy Wales will be relevant considerations including that large-scale onshore projects should be located within Strategic Search Areas. Planning applications for projects above 50 MW and offshore wind farms would continue to be governed under the 2008 Planning Act.

How does this affect achievement of the Welsh Government's aspirations for various forms of renewable and low carbon energy as set out in the Energy Policy Statement?

The existing planning guidance which aims to increase renewable energy delivery can achieve Welsh Government targets if it is used correctly and appropriately. If planning approval closely followed planning policy as set out in TAN 8, renewable energy targets could be met with less chance that Welsh Government planning policy be superseded by UK planning authorities.

How does this affect delivery of the Welsh Government's target for a 3 per cent reduction in Green House Gas emissions per annum from 2011?

Deploying renewable energy projects would offset electrical generation from fossil fuels. A consistent stream of renewable energy projects would need to be commissioned to maintain the 3% momentum. This would also help ensure that Wales becomes „self sufficient“ in renewable energy as expressed by the Route Map of 2008.

What will be the impact if consenting decisions on major infrastructure projects and associated development are not all taken in accordance with Welsh planning policy?

Planning decisions that do not consistently follow identified planning policy, risk becoming sporadic and unpredictable in nature which is likely to cause confusion and controversy. It is important to note that a planning framework is already in place which ensures that renewable energy projects are consistent with Welsh Government policy as long as they are applied correctly.

Given the strategic importance that associated developments have in significant infrastructure projects, it is RenewableUK Cymru's view that the Welsh Government should use its call-in powers to determine associated development applications. This is particularly relevant in the case of renewable energy proposals which are vital to meeting government renewable energy targets.

There is also a case that determination powers for associated developments relating to nationally important projects should be transferred from local authority to the control of Welsh Ministers.

Issues that the Committee will want to consider as part of these terms of reference:

The role of the different consenting agencies, how they inter-relate and how the current system could be improved, both with and without further devolution (*Infrastructure Planning Commission, Planning Inspectorate, Local Planning Authorities, National Parks, Welsh Government, Marine Management Organisation, Environment Agency*).

Consistency and clarity of roles between planning authorities and statutory consultees is extremely important for developers. With the high volume of planning applications relating to

renewable energy projects expected, it is important to ensure adequate financial and skill resources across planning authorities to avoid delay and bad decisions. Statutory consultees often frustrate developments despite clear planning guidance and renewable energy targets having been established by governments. Any potential merger between separate statutory bodies may lead to conflict of interest questions between public landowners, assessors and regulators.

The relationship between the UK Government's Energy National Policy Statements and Welsh national and local planning policies (including Planning Policy Wales, Technical Advice Note 8 and Local Development Plans) and whether these policies can achieve the Welsh Government's aspirations, including whether or not a formal review of TAN 8 is now required.

The hierarchy and relationship between the above policies are clear to the industry. The National Policy Statement is understood to have primary importance although it must give due consideration to TAN 8 and other Welsh Government planning guidance.

Current planning policies are adequate to realise renewable energy aspirations. However, with targets having been increased since the launch of TAN 8 in 2005, there is a view that the existing renewable energy guidance should be more flexible to ensure target delivery. The wind farm industry supported the pledge in the „One Wales“ agreement to „refresh“ TAN 8 looking at a range of options in order to increase renewable energy generation. However in addition to greater planning flexibility that would facilitate renewable energy projects there is also a strong need to protect existing identified areas and proposals to ensure delivery and investor confidence.

The potential contribution and likelihood that different types of renewable and low carbon energy (*offshore wind, tidal, onshore wind, hydro-power, nuclear, bio-energy/waste, micro-generation, community energy projects*) will be capable of delivering the Welsh Government's aspirations for energy generation as set out in *A Low Carbon Revolution – Energy Policy Statement* and the *UK Renewable Energy Roadmap*.

It is important to have a mix of renewable energy generators, however to reach immediate and midterm targets it is necessary to focus on those technologies that can be deployed and generate electricity in a relatively short time. Successful deployment will build confidence for the developers of future renewable technologies such as wave and tidal devices, and raise interest in micro and community schemes. The deployment of onshore wind projects in Wales will be regarded by investors as a test case for the viability of future renewable developments.

The potential contribution of these different types of renewable energy to meeting the Welsh Government's annual target for Green House Gas emission reduction.

Annual targets require constant and consistent delivery. The only current renewable energy technologies that can significantly offset fossil fuel generation are onshore and offshore wind.

The potential role of other forms of energy production in Wales e.g. existing fossil fuel energy generation, proposed nuclear generation and newer technologies such as coal-bed methane and shale gas.

RenewableUK Cymru promotes the development of wind, wave and tidal technologies that can contribute to the renewable energy mix. Other forms of technologies including non renewables will continue to contribute to total generation.

The transport issues relating to wind turbines and other forms of renewable energy including their impact on roads, traffic and tourism.

RenewableUK Cymru is currently project managing two projects that are assessing a timetable for turbine delivery as well as identifying strategic routes to SSA B & C in mid Wales. The overall aim is to quantify, minimise and manage the impacts of turbine component movements during the period of wind farm construction.

For more information or clarification on the contents of this paper please contact Llywelyn Rhys – ll.rhys@renewable-uk.com

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21 Medi 2011

Annwyl Arglwydd Elis-Thomas

Y Pwyllgor Amgylchedd a Chynaliadwyedd – Ymchwiliad i Bolisi Ynni a Chynllunio yng Nghymru

Cyfeiriaf at eich llythyr dyddiedig 2 Awst 2011 ynglŷn â'r mater uchod ac mae'n bleser gennyf gyflwyno ymateb ar ran West Coast Energy Ltd yn ymwneud â'r materion sy'n ffurfio rhan o ystyriaethau'ch Pwyllgor. Byddem hefyd yn croesawu'r cyfle i roi tystiolaeth ar lafar i'r Pwyllgor pe baem yn cael gwahoddiad.

Cwmni datblygu ynni gwynt annibynnol a blaenllaw o Gymru yw West Coast Energy Ltd (WCE Ltd). Mae'r cwmni, a sefydlwyd yn 1996, wedi'i leoli yn yr Wyddgrug, Sir y Fflint. Rydym yn weithredol ledled y DU ac yn ddiweddar rydym wedi ymestyn ein gweithrediadau i Ewrop hefyd. Mae WCE Ltd yn rhan o West Coast Group, sy'n cynnwys Atmos Consulting (cwmni ymgynghori amgylcheddol ac ynni adnewyddadwy), Low Carbon Energy Company (sy'n dylunio a gosod systemau ynni adnewyddadwy bach), WCE Polska (cwmni datblygu ffermydd gwynt ar y tir yng Ngwlad Pwyl) a WCE Network Services (gwasanaethau torri coed i'r gweithredwyr rhwydweithiau dosbarthu trydanol).

Ar hyn o bryd rydym yn gysylltiedig â datblygu systemau i gynhyrchu gwerth cannoedd o fegawatiau o ynni, a hyd yma mae wedi bod yn gysylltiedig â chaniatadau ar gyfer ffermydd gwynt ar y tir gwerth dros 650MW. Mae'r cwmni wedi bod yn gysylltiedig â rhai o'r ffermydd gwynt cynharaf i gael eu caniatáu yng Nghymru, sef Cefn Croes ym Mhowys a Gwastadeddau'r Rhyl (ar y môr), yn ogystal â rhai mwy diweddar megis Tirgwynt, hefyd ym Mhowys.

Rydym yn rhoi pwys mawr ar gynnwys y gymuned yn ei gynigion ac mae wedi arloesi mewn rhoi cyfle i gymunedau lleol gael rhan-berchenogaeth mewn cynlluniau, megis cynllun Tyrbin Cymunedol Fintry yn Swydd Stirling yn yr Alban.

Mae pencadlys Grŵp WCE mewn eco swyddfa newydd bwrpasol gwerth £2M ar Barc Busnes yr Wyddgrug yn Sir y Fflint, Gogledd Cymru. Mae'r swyddfa hon eisoes wedi ennill sawl gwobr ac mae hefyd yn un o'r ychydig adeiladau a ariennir yn breifat yng Nghymru i ennill gradd 'Rhagorol' BREEAM am ei rinweddau amgylcheddol. Mae hefyd yn adlewyrchu ymrwymiad WCE i fuddsoddi yng Nghymru. Mae dros 70 o weithwyr creffus yn gweithio yn y swyddfa, sy'n arwydd o rôl WCE fel cyflogwr gweithwyr coler werdd yn y rhanbarth.



CERTIFICATE NO. 3179

Mae Cadeirydd WCE, Gerry Jewson, yn aelod o banel sector Ynni a'r Amgylchedd Llywodraeth Cymru.

Mae ein hymateb wedi'i rannu'n ddwy ran - A a B. Mae Adran A yn ymdrin â rhai o'r materion mwy cyffredinol, tra bod Adran B yn rhoi ymateb cryno i'r Cylch Gorchwyl a osodwyd ar gyfer yr Ymchwiliad.

Mae croeso i chi gysylltu â mi os bydd gennych unrhyw ymholiadau. Fodd bynnag, sylwch y byddaf ar wyliau am bythefnos o yfory ymlaen - bydd Jonathan Cawley ar gael i ateb unrhyw ymholiadau yn fy absenoldeb. Rhif ffôn a chyfeiriad e-bost Jonathan yw: 07827944664 / jonathan.cawley@westcoastenergy.co.uk

Yr eiddoch yn gywir

Steve Salt

Cyfarwyddwr Cynllunio a Datblygu

ADRAN A: Ymateb WCE i'r ymchwiliad i bolisi ynni a chynllunio:**Cefndir cwmni West Coast Energy Ltd**

- 1.1 Cwmni datblygu ynni gwynt annibynnol a blaenllaw o Gymru yw West Coast Energy Ltd (WCE Ltd). Mae'r cwmni, a sefydlwyd yn 1996, wedi'i leoli yn yr Wyddgrug yng ngogledd Cymru ac mae'n weithredol ledled y DU ac yn ddiweddar mae wedi ymestyn ei weithrediadau i Ewrop hefyd. Mae WCE Ltd yn rhan o West Coast Group, sy'n cynnwys Atmos Consulting (cwmni ymgynghori amgylcheddol ac ynni adnewyddadwy), Low Carbon Energy Company (sy'n dylunio a gosod systemau ynni adnewyddadwy bach), WCE Polska (cwmni datblygu ffermydd gwynt ar y tir yng Ngwlad Pwyl) a WCE Network Services (gwasanaethau torri coed i'r gweithredwyr rhwydweithiau dosbarthu trydanol).
- 1.2 Ar hyn o bryd mae WCE Ltd yn gysylltiedig â datblygu systemau i gynhyrchu gwerth cannoedd o fegawatiau o ynni, a hyd yma mae wedi bod yn gysylltiedig â chaniatadau ar gyfer ffermydd gwynt ar y tir gwerth dros 650MW. Mae'r cwmni wedi bod yn gysylltiedig â rhai o'r ffermydd gwynt cynharaf i gael eu caniatáu yng Nghymru, sef Cefn Croes ym Mhowys a Gwastadeddau'r Rhyl (ar y môr), yn ogystal â rhai mwy diweddar megis Tirgwynt, hefyd ym Mhowys.
- 1.3 Mae WCE Ltd yn rhoi pwys mawr ar gynnwys y gymuned yn ei gynigion ac mae wedi arloesi mewn rhoi cyfle i gymunedau lleol gael rhanberchenogaeth mewn cynlluniau, megis cynllun Tyrbîn Cymunedol Fintry yn Swydd Stirling yn yr Alban. Mae nifer o bortffolios safleoedd presennol WCE bellach yn cynnig canran o berchenogaeth gymunedol a chyfran o'r elw. Mae West Coast Energy yn gweithredu fel asiant i gwmni datblygu Awel Newydd Cyf ar safle Tirgwynt ar hyn o bryd - sef consortiwm rhwng 15 o dirfeddianwyr lleol a chwmni RDC Developments Ltd.
- 1.4 Mae pencadlys Grŵp WCE mewn eco swyddfa newydd bwrpasol gwerth £2M ar Barc Busnes yr Wyddgrug yn Sir y Fflint, Gogledd Cymru. Mae'r swyddfa hon eisoes wedi ennill sawl gwobr ac mae hefyd yn un o'r ychydig adeiladau a ariennir yn breifat yng Nghymru i ennill gradd 'Rhagorol' BREEAM am ei rinweddau amgylcheddol. Mae hefyd yn adlewyrchu ymrwymiad WCE i fuddsoddi yng Nghymru. Mae dros 70 o weithwyr crefftus yn gweithio yn y swyddfa, sy'n arwydd o rôl WCE fel cyflogwr gweithwyr coler werdd yn yr ardal leol.
- 1.5 Mae Cadeirydd WCE, Gerry Jewson, yn aelod o banel sector Ynni a'r Amgylchedd Llywodraeth Cymru.

2. Cyflwyniad: Yr angen am benderfyniadau positif, cyson ac amserol

- 2.1 Cred West Coast Energy mai'r prif ffactor sy'n angenrheidiol er mwyn cyrraedd targedau ynni adnewyddadwy Cymru a sicrhau mewnfuddsoddiad yw darparu fframwaith polisi ynni a chynllunio positif a chyson yn y tymor canolig a'r hirdymor. Mae hyn yn rhoi hyder i fuddsoddwyr sy'n gwbl hanfodol i lwyddiant unrhyw Strategaeth Ynni yng Nghymru neu'r DU. Er ei fod yn bwnc dadl, tybir efallai y dylai'r haen sy'n gwneud y penderfyniadau (boed y Comisiwn Cynllunio Seilwaith yn Llundain neu Lywodraeth Cymru yng Nghaerdydd) yn dod yn ail i wneud polisiau positif a chyson. Mae craffu'n fanwl ar gynnydd y gwaith o geisio cyrraedd y targedau hefyd yn ffactor allweddol.

2.2 Ni ellir diystyru pa mor argyfyngus yw'r broblem ynni adnewyddadwy os ydym am gyrraedd targedau 2020. Er enghraifft, fel arfer mae'r broses o ganfod safleoedd ffermydd gwynt i ddechrau cynhyrchu ynni yn cymryd tua 7 mlynedd i'w chwblhau. Gan hynny bydd y penderfyniadau a wneir nawr yn gwbl hanfodol os yw Cymru am gyrraedd ei tharged.

3. **Beth all fod yn rhwystr i fframwaith penderfynu positif, cyson ac amserol:**

3.1 Er bod llwyddiannau mawr wedi bod yn natblygiad ynni adnewyddadwy a ffermydd gwynt ar y tir yng Nghymru, gwelwyd rhai diffygion hefyd. Methwyd â chyrraedd targedau ynni adnewyddadwy 2010 ac mae ôl-groniad o waith i'w wneud er mwyn cyrraedd targedau 2020. Yn gyffredinol, mae'r fframwaith polisi presennol yn bositif ac yn cynnwys targedau uchelgeisiol, ond mae dryswch o hyd ymhlith datblygwyr ynni gwynt ar y tir, yn arbennig yn y canolbarth, ynghylch polisi ynni, cynhwysedd ardaloedd chwilio strategol, rôl bosibl safleoedd y tu allan i ardaloedd chwilio strategol ac mewn perthynas â chael rhwydwaith grid cadarn i gynnal datblygiadau.

3.2 Mae'r rhesymau dros hyn yn niferus a chymhleth ac yn cael eu tanategu gan ddiffyg cysondeb yn y fframwaith polisi. Mae'r rhestr isod yn tynnu sylw at rai o'r prif broblemau sy'n tanategu'r diffyg cysondeb a chyfarwyddyd:

- a) Yr angen i Lywodraeth y DU, Llywodraeth Cymru, awdurdodau lleol, ymgyngoreion statudol a datblygwyr weithio mewn modd 'cydgysylltiedig' er mwyn cyrraedd y targedau.
- b) Nid yw cynhwysedd a thargedau ffermydd gwynt ar y tir, boed y tu mewn neu du allan i ardaloedd chwilio strategol Nodyn Cyngor Technegol 8, bob amser yn amlwg. Mae hyn yn cael ei gymhlethu gan y gwrthdaro rhwng y Datganiad Polisi Cenedlaethol a gyhoeddwyd yn ddiweddar ar gyfer Cymru a Lloegr a'r polisi penodol ar gyfer Cymru sydd wedi hen ymsefydlu (Polisi Cynllunio Cymru a Nodyn Cyngor Technegol 8). Mae'r targedau sydd wedi'u gosod mewn dogfennau megis Nodyn Cyngor Technegol 8 a Pholisi Cynllunio Cymru hefyd braidd yn amwys, gyda thargedau gwrthdrawiadol ar gyfer yr ardaloedd chwilio strategol e.e. ai 1.2GW, 1.8GW neu darged heb ei gadarnhau yw targed yr ardaloedd chwilio strategol? Nid yw'r Datganiad Polisi Cenedlaethol yn rhoi eglurhad na chyfarwyddyd pellach am y mater hwn. Hefyd mae targedau gwahanol i'w gweld yn Nodyn Cyngor Technegol 8 (2005), Polisi Cynllunio Cymru (2011) a Thrywydd Ynni Adnewyddadwy Cymru (2008);
- c) Yr ansicrwydd ynghylch mater strategol allweddol mewn perthynas â datblygu grid yng Nghymru, gyda datganiadau anghyson gan Lywodraeth Cymru ynglŷn â'r dull gweithio dewisedig. Bydd datblygiad amserol rhwydwaith grid digonol a fydd yn para i'r dyfodol yn allweddol er mwyn cyrraedd targedau 2020 a thu hwnt. Mae angen fframwaith polisi positif a chyson ar frys er mwyn medru darparu hyn.
- ch) Gall safleoedd y tu allan i ardaloedd chwilio strategol fod yn rhan hanfodol o'r ymdrech i gyrraedd y targedau ynni adnewyddadwy. Tybir y dylid datblygu mwy o hyblygrwydd mewn polisiau yn y DU, yng Nghymru ac ar lefel leol er mwyn galluogi safleoedd datblygu posibl i gyflwyno eu hunain. Mae targedau cynlluniau y tu allan i ardaloedd chwilio strategol yn aneglur i'r diwydiant ar hyn o bryd. A yw'r targed o 300MW (sy'n deillio o darged cyffredinol Cymru, sef 2GW o wynt ar y tir namyn y targed uwch disgwyliedig o

- 1.7GW a gynigir gan ardaloedd chwilio strategol) yn cynnwys prosiectau sydd eisoes wedi cael caniatâd o ddyddiad penodol? A yw'r targed yn bwriadu cynnwys cynlluniau o fewn 5km i ardaloedd chwilio strategol neu a yw'r cynlluniau hyn yn cael eu dosbarthu fel rhai sydd o fewn ardaloedd chwilio strategol at ddibenion targedau?
- d) Mae rhai awdurdodau lleol yn cynhyrchu polisiau cynlluniau datblygu aneglur ac anghyson, ac ambell waith yn araf yn paratoi'r cynlluniau. Dylai Cynlluniau Datblygu Lleol fod yn fwy atebol am y modd y gallant gyfrannu'n bositif tuag at dargedau ynni adnewyddadwy 2020. Un enghraifft o'r modd y gall cyfarwyddyd polisi aneglur, ynghyd â safbwyntiau gwleidyddol cryf, gael effaith ar ddarparu ynni gwynt ar y tir yw Cynllun Datblygu Lleol drafft Cyngor Sir Gaerfyrddin. Un o feini prawf ei bolisi ynni gwynt ar y tir yw y dylai unrhyw dyrbin fod o leiaf 1.5km oddi wrth unrhyw eiddo preswyl. Er nad yw'r gofyniad hwn yn cydsynio â'r polisi cenedlaethol, gall ychwanegu at y cydbwysedd cynllunio pan fo cynllun ynni gwynt ar y tir yn cael ei ystyried gan yr Awdurdod Cynllunio Lleol. Yn y pen draw, gallai hyn gynyddu'r risg i gynllun sy'n gydnaws â'r polisi cenedlaethol ond nad yw'n gydnaws â'r polisi lleol drafft a gallai hynny olygu bod y cynllun yn cael ei wrthod oherwydd polisi lleol gwallus.
- dd) Mewn rhai enghreifftiau, mae oedi sylweddol wedi bod gan fod atebion estynedig a hwyr wedi cael eu cyflwyno mewn ymgynghoriadau ar gyfer ceisiadau cynllunio e.e. rhwng ymgeisydd ac amryw o ymgynghoreion statudol ac anstatudol e.e. Awdurdod Prifffyrdd Lleol, Cyngor Cefn Gwlad Cymru. Er enghraifft, cyflwynwyd prosiect Tirgwynt ym Mhowys ym mis Medi 2007 ond ni chafodd ei bennu tan fis Awst 2010. Nid Cyngor Powys fel yr Awdurdod Cynllunio oedd ar fai am y penderfyniad araf, ond yn hytrach yr oedi a achoswyd gan y Cyngor Cefn Gwlad a'r Awdurdodau Prifffyrdd ar lefel lleol a chenedlaethol a dynnodd eu gwrthwynebiadau dros dro yn ôl. Mae'n bosibl na fyddai'r oedi hwn wedi digwydd pe bai gweithlu digonol wedi bod ar gael i ddatrys problemau sy'n cael eu cydnabod fel rhai cymhleth.
- e) Gellir creu dryswch ac anghysondeb trwy gyhoeddi canllawiau cynllunio ar 2 haen h.y. ar lefel y DU trwy'r Datganiadau Polisi Cenedlaethol ac ar lefel Cymru trwy Bolisi Cynllunio Cymru a Nodyn Cyngor Technegol 8.
- f) Tybir bod angen rhoi mwy o bwyslais ar gyrraedd y targedau a monitro'r cynnydd a wneir tuag at eu cyrraedd.
- 3.3 Nid yw pob un o'r rhwystrau uchod o reidrwydd yn dibynnu'n uniongyrchol ar p'un a yw'r caniatâd yn cael ei roi gan Lywodraeth y DU neu Lywodraeth Cymru - maent yn ymwneud yn bennaf â'r angen i gael cyngor polisi clir, cyson a phositif heb ystyried pa awdurdod sy'n gwneud y penderfyniad neu'r polisi. Fodd bynnag, gallai rôl bresennol y Comisiwn Cynllunio Seilwaith a Llywodraeth Cymru wneud pethau'n fwy cymhleth ac aneglur – mae hwn yn faes sy'n mynnu trafodaeth ac ystyriaeth bellach wrth greu fframwaith benderfynu adolygedig;
4. **Goresgyn rhwystrau, cyflymu'r broses ddarparu a magu hyder ymhlith busnesau**
- 4.1 Er mwyn mynd i'r afael â rhai o'r rhwystrau uchod i gynhyrchu ynni adnewyddadwy'n llwyddiannus, rhaid cymryd sawl cam:

a) **Darparu hyblygrwydd o ran ffiniau ardaloedd chwilio strategol / ystyried diweddarau Nodyn Cyngor Technegol 8**

- Mae Nodyn Cyngor Technegol 8 yn “dodi ei wyau i gyd yn yr un fasedg” o ran ynni gwynt ar y tir. Mae llwyddiant targedau ynni gwynt ar y tir yng Nghymru yn dibynnu fwyfwy ar ddarparu ardaloedd chwilio strategol yn llwyddiannus. Os bydd unrhyw un o'r safleoedd strategol hyn yn wynebu problemau yn eu darpariaeth, bydd llwyddiant targedau ynni adnewyddadwy Cymru yn cael eu heffeithio. Gan hynny, mae'n hanfodol creu rhywfaint o hyblygrwydd ar gyfer defnyddio ynni adnewyddadwy yng Nghymru. Er bod y polisi'n caniatáu safleoedd bach a chanolig (<25MW) y tu allan i ardaloedd chwilio strategol, nid yw'r fframwaith polisi ar gyfer cynigion tebyg bob amser yn glir nac yn bositif (efallai bod hyn i'w weld yn fwy difrifol ymhlith awdurdodau lleol yn arbennig).
- Er gwaetha'r gefnogaeth o blaid cadw'r ardaloedd chwilio strategol a geir yn Nodyn Cyngor Technegol 8 ym Mholisi Cynllunio Cymru a gyhoeddwyd eleni, tybir fod Nodyn Cyngor Technegol 8 yn atal safleoedd cwbl addas a hynny yn syml gan nad yw'r ymarfer 'lefel uchel' dechreuol i ddatblygu'r dull gweithio gofodol yn Nodyn Cyngor Technegol 8 wedi dewis y safleoedd hyn. Mae'n bosibl y gallai mwy o hyblygrwydd yn y dull gweithio gofodol hwn 'ryddhau' mwy o botensial ynni adnewyddadwy;

b) **Dilyn esiampl Llywodraeth yr Alban**

- Mae'r Alban wedi mynd ati i ddefnyddio ynni adnewyddadwy, yn arbennig ynni gwynt ar y tir, yn gyflymach ac yn fwy llwyddiannus nag unrhyw ran arall o'r DU. Mae wedi cynyddu ei chyfran o ynni adnewyddadwy a chynhyrchu mewnfuddsoddiad sylweddol yn hynod llwyddiannus;
- Mae llawer o'r llwyddiant hwn wedi bod yn seiliedig ar:
 - Amgylchedd gwleidyddol, cynllunio a busnes positif;
 - Mae targedau uchelgeisiol ar gyfer defnyddio ynni adnewyddadwy wedi cael eu cynyddu bob tro y nesawyd at y garreg filltir flaenorol e.e. cynyddwyd y targed o 50% o drydan yn dod o ynni adnewyddadwy erbyn 2020 i 80% (ym mis Tachwedd 2010) ac fe'i cynyddwyd eto eleni i 100% o drydan yn dod o ynni adnewyddadwy;
 - Gwell hyblygrwydd daearyddol – heb fod dan orfodaeth ardaloedd chwilio strategol fel yng Nghymru;
 - Mae'r awdurdodau lleol wedi mabwysiadu dull gweithio sy'n fwy positif yn gyffredinol tuag at ynni adnewyddadwy nag Awdurdodau Cynllunio Lleol Cymru.
- Er gwaethaf ymrwymiad WCE i gadw ei sylfaen yng Nghymru a'r buddsoddiad sylweddol y mae wedi'i wneud yn yr economi leol trwy fuddsoddi yn ei weithlu a'i swyddfa newydd, cyfran fach iawn o'i bortffolio ynni gwynt ar y tir sy'n dod o'i fuddiannau tir yng Nghymru. Mae gan y cwmni werth dros 700MW o brosiectau sydd naill ai wedi cael eu caniatáu neu sydd yn y system gynllunio yn disgwyl penderfyniad ar hyn o bryd. O'r rhain, mae dros 450MW (64%) yn yr Alban, ac ychydig dros 100MW (tua 14%) yng Nghymru. Ar ben hynny, mae gan y cwmni gyfran llawer uwch o safleoedd yn y cyfnod 'cyn cynllunio' yn yr Alban a Lloegr nag sydd ganddo yng Nghymru ar hyn o bryd. Nid yw'r ffigurau hyn yn adlewyrchu unrhyw benderfyniad bwriadol gan WCE i osgoi gwneud busnes yng Nghymru (yn wir, i'r gwrthwyneb), yn hytrach tybir bod hyn yn adlewyrchiad

o'r amgylchedd cynllunio mwy positif a hyblyg sy'n bodoli yn yr Alban ar gyfer datblygu ynni gwynt ar y tir.

c) Darparu cyfrifoldeb clir a diamwys dros gyrraedd targedau ynni adnewyddadwy

- Y **targed ynni adnewyddadwy** yw un o'r prif ffactorau sy'n rheoli defnydd yn y fan a'r lle. I sicrhau bod targed cyffredinol 2020 yn cael ei gyrraedd, tybir y dylid rhoi mwy o bwyslais ar dargedau dros dro blynyddol. Dylid cynyddu'r pwyslais hwn trwy gael cyfrifoldeb Gweinidogaethol dros gyrraedd targedau a monitro cynnydd. Tybir hefyd y dylid rhoi mwy o bwyslais ar gyrraedd targedau yn y broses gynllunio a dylai unrhyw ddiffygion mewn targedau dros dro fod yn ystyriaeth arwyddocaol wrth ystyried ceisiadau cynllunio.
- I gefnogi'r rôl hon, dylid rhoi mwy o bwyslais ar dargedau a'u cyrraedd, gan gynnwys cerrig milltir ar hyd y ffordd.

d) Cydnabod arwyddocâd economaidd y sector ynni adnewyddadwy yng Nghymru

- Mae'r sector ynni adnewyddadwy yn un bwysig ac yn un sy'n tyfu yn yr economi. Roedd y sector Nwyddau a Gwasanaethau Carbon Isel yn y DU yn werth £106.5 biliwn yn 2008 – rhagwelwyd twf o 5% y flwyddyn.¹ Yng Nghymru yn unig, amcangyfrifir buddsoddiad o £50 biliwn mewn cynhyrchu trydan carbon isel yn unig dros y 10 – 15 mlynedd nesaf.²
- Roedd tua 800 o bobl yn cael eu cyflogi'n uniongyrchol yn y diwydiant ynni gwynt yn unig yng Nghymru yn 2010, disgwylir i'r ffigur hwn dyfu'n gyflym i 1190 erbyn 2012³
- Mae'r gwaith a ddarperir gan y sector hwn yn darparu swyddi crefftus a chyflogau da. Er enghraifft, mae West Coast Energy yn cyflogi 70 aelod o staff yn ei swyddfa yn yr Wyddgrug ac mae'n gyflogwr pwysig yng ngogledd-ddwyrain Cymru. Mae West Coast Group wedi buddsoddi dros £270,000 mewn hyfforddi a datblygu staff dros y 5 mlynedd diwethaf;
- Gellir gweld y manteision cyflogaeth i Gymru hefyd yng nghyfleuster cynhyrchu tyrbinau gwaith dur strwythurol Bevil Mabey yng Nghymru a agorwyd yn ffurfiol gan Charles Hendry, Ysgrifennydd Gwladol dros Ynni a Newid Hinsawdd, ar 12 Mai 2011 fel rhan o fuddsoddiad gwerth £38 miliwn Mabey Bridge yn y sector ynni adnewyddadwy. Golyga hyn mai Mabey Bridge yw'r unig gynhyrchydd tyrau tyrbinau gwynt a monopolau sy'n gynhenid o'r DU. Mae'r cyfleuster hynod awtomataidd 25,000 metr sgwâr hwn yn cynhyrchu hyd at 300 o dyrau tyrbinau gwynt y flwyddyn, pob un hyd at 120m o uchder. Rhoddodd y ffatri hwb calonogol i'r economi leol, gan greu 240 o swyddi crefftus newydd.
- Mae'r manteision economaidd hyn yn arwyddocaol i Gymru a byddant yn parhau i fod yn arwyddocaol yn y sector twf economaidd mawr hwn. Dylid rhoi mwy o bwys ar fanteision economaidd fel hyn a rhoi ystyriaeth berthnasol iddynt yn ystod y broses benderfynu;

¹ Llywodraeth Cynulliad Cymru (Gorffennaf 2009) 'Strategaeth Swyddi Gwyrdd i Gymru'

² Llywodraeth Cynulliad Cymru (2009) 'Gwireddu'r Potensial'

³ Arad Consulting / Renewable-UK (2010) 'Gwerth Economaidd Ynni Gwynt i Gymru'

5. West Coast Energy: Dyheadau a chyfleoedd yng Nghymru

- 5.1 Er mwyn parhau i dyfu a ffynnu, mae West Coast Energy yn anelu at ddatblygu a buddsoddi yng Nghymru ac mae'r cwmni'n credu bod llawer o gyfleoedd i fuddsoddi ymhellach.
- 5.2 Ychydig o fuddiannau tir sydd gan West Coast Energy yn yr ardaloedd chwilio strategol ac felly mae'r cwmni'n bwriadu canolbwyntio ar gynlluniau bach a chanolig y tu allan i'r ardaloedd chwilio strategol. Byddai nifer o'r cynlluniau hyn yn cael eu darparu gydag elfen gymunedol gref.
- 5.3 Gallai cynigion fel hyn wneud cyfraniad gwerthfawr i dargedau ynni adnewyddadwy Cymru, yr economi a gallai hefyd fod o fudd mawr i gymunedau. Fodd bynnag, tybir bod angen i'r polisi a fframwaith rheoleiddio fod yn fwy pendant ar gyfer datblygu mewn ardaloedd tebyg. Mae hyn yn ymwneud â'r pwynt a wnaethpwyd eisoes ynglŷn â'r angen i gael hyblygrwydd daearyddol a pheidio â dibynnu'n gyfan gwbl ar safleoedd chwilio strategol.

6. Casgliad

- 6.1 Mae gan Lywodraethau'r DU a Chymru dargedau ynni adnewyddadwy uchelgeisiol cyfiawn. Mae lleoliad Cymru yn ei rhoi mewn sefyllfa dda i reoli cyfoeth o adnoddau adnewyddadwy a chyfrannu at dargedau rhyngwladol a chenedlaethol.
- 6.2 Mae'r ymateb hwn yn amlygu rôl West Coast Energy fel cwmni o Gymru yn y sector ynni gwynt ar y tir i gyfrannu at gyrraedd y targedau hyn. Mae hefyd yn tynnu sylw at y manteision economaidd mawr y gall ffermydd gwynt ar y tir eu darparu i Gymru. Mae'r sector hwn hefyd yn buddsoddi'n sylweddol yn y gymuned.
- 6.3 Mae'r ymateb hwn yn nodi mai un o'r prif ffactorau sy'n darparu ynni adnewyddadwy megis ffermydd gwynt ar y tir yw polisi a fframwaith rheoleiddio **positif, cyson ac amserol**. Er bod Llywodraeth Cymru wedi ymdrechu i wneud hyn ac wedi llwyddo mewn rhai meysydd, mae rhai rhwystrau i'w goresgyn o hyd. Mae'r rhain yn cynnwys targedau aneglur, ynghyd â diffyg monitro targedau a diffyg pwyslais ar dargedau wrth ddod i benderfyniadau cynllunio yn ymwneud â defnydd tir. Mae diffyg eglurdeb hefyd am rôl safleoedd ffermydd gwynt y tu allan i'r ardaloedd chwilio strategol wrth gyrraedd y targedau yn ogystal â materion strategol allweddol megis sefydlu seilwaith grid wedi'i gynllunio'n effeithiol. I gymhlethu'r materion hyn, mae awdurdodau cynllunio lleol ac ymgylgoreion statudol yn defnyddio dulliau gweithio anghyson yn y broses gynllunio, ac nid ydynt bob amser yn adlewyrchu'r angen cenedlaethol am ynni adnewyddadwy.
- 6.4 Gall y berthynas afreolaidd rhwng y Comisiwn Cynllunio Seilwaith a Llywodraeth Cymru wrth ddatblygu fframwaith polisi ar gyfer defnyddio ynni adnewyddadwy arwain at ddryswch a chymhlethu'r problemau hyn. Yn olaf, tybir bod diffyg pwyslais ar dargedau a monitro cynnydd tuag at gyrraedd y targedau.
- 6.5 I fynd i'r afael â'r problemau hyn, mae West Coast Energy yn gwneud ambell i awgrym yn yr ymateb hwn. Mae'r rhain yn cynnwys materion megis: darparu mwy o hyblygrwydd ym maes ardaloedd chwilio strategol yn Nodyn Cyngor Technegol 8; dilyn esiampl Llywodraeth yr Alban o arwain ac ymgrychu dros ddefnyddio ynni adnewyddadwy; rhoi mwy o bwyslais ar

dargedau a monitro dros dro'r cynnydd a wneir tuag at gyrraedd y targedau hynny - gan gynnwys mewn penderfyniadau cynllunio defnyddio tir a mwy o gyfrifoldeb Gweinidogaethol er mwyn cyrraedd y targedau; a rhoi pwyslais ar fanteision economaidd ynni adnewyddadwy / ynni gwynt ar y tir i Gymru. Efallai mai'r prif angen yw i'r haenau penderfynu amrywiol dynnu yn yr un cyfeiriad - mae hyn yn cynnwys Llywodraeth y DU, Llywodraeth Cymru, awdurdodau lleol a'r ymgylchoreion statudol amrywiol.

ADRAN B: Cyfeiriad penodol at gylch gorchwyl drafft yr Ymchwiliad Ynni

Beth yw'r goblygiadau i Gymru os bydd y cyfrifoldeb dros ganiatáu prosiectau seilwaith ynni ar y tir ac ar y môr yn parhau i fod yn fater sy'n cael ei gadw yn ôl gan Lywodraeth y DU?

Sut mae hyn yn effeithio ar gyflawni dyheadau Llywodraeth Cymru ar gyfer gwahanol fathau o ynni adnewyddadwy, fel y'u nodir yn y Datganiad Polisi Ynni?

Sut mae hyn yn effeithio ar gyflawni targed Llywodraeth Cymru o gael gostyngiad o 3 y cant mewn allyriadau nwyon tŷ gwydr bob blwyddyn o 2011 ymlaen?

Fel y disgrifir yn Adran A Paragraff 2, uchod, tybir mai un o'r prif ffactorau sy'n effeithio ar ddefnyddio ynni adnewyddadwy'n effeithiol a chyrraedd targedau ynni adnewyddadwy yng Nghymru yw fframwaith polisi positif a chyson. Dylai hwn fod yn brif amcan p'un a yw'r penderfyniadau'n cael eu gwneud yn y DU neu Gymru.

Gydag arweinyddiaeth gadarn a pholisïau clir gan Lywodraeth y DU a Chymru, awdurdodau lleol ac ymgylchoreion statudol, gellir cyrraedd targedau Llywodraeth Cymru fel y'u nodir yn Strategaeth Ynni a Pholisi Cynllunio Cymru. Tybir bod angen i sawl sefydliad gyfathrebu'n fwy 'cydgyssylltiedig' ar y polisi ynni, p'un a yw'r broses benderfynu'n aros gyda Llywodraeth y DU neu'n cael ei datganoli.

Sut all Llywodraeth Cymru sicrhau fod yr holl benderfyniadau caniatáu ar gyfer prosiectau seilwaith mawr a datblygiadau cysylltiedig yn cael eu gwneud yn unol â pholisi cynllunio Cymru?

Ni ellir gwarantu hyn o dan y fframwaith presennol heb ddatganoli rhagor o bŵer. Os mai Llywodraeth y DU fydd yn parhau i wneud y penderfyniadau, dylid sicrhau fod rôl Nodyn Cyngor Technegol 8 a Pholisi Cynllunio Cymru yn fwy eglur er mwyn osgoi gwrthdaro a dryswch. Dylai hyn gynnwys datganiad clir ym mholisi Llywodraeth y DU (h.y. yn y Datganiad Polisi Cenedlaethol) ynglŷn â beth yn union yw rôl Nodyn Cyngor Technegol 8, Polisi Cynllunio Cymru a pholisi ynni Cymru yn y broses benderfynu.

Materion allweddol

Efallai y dymunai'r Pwyllgor ystyried y materion canlynol fel rhan o'r cylch gorchwyl:

Rôl y gwahanol asiantaethau caniatadau, y modd y maent yn rhyng-gysylltu a sut y gellid gwella'r system bresennol, boed hynny trwy ddatganoli ymhellach neu beidio (*Comisiwn Cynllunio Seilwaith, Arolygiaeth Gynllunio, Awdurdodau Cynllunio Lleol, Llywodraeth Cymru, Y Sefydliad Rheoli Morol, Asiantaeth yr Amgylchedd*).

Y berthynas rhwng Datganiadau Polisi Cenedlaethol Ynni Llywodraeth y DU a pholisïau cynllunio cenedlaethol a lleol Cymru (gan gynnwys Polisi Cynllunio Cymru, Nodyn Cyngor Technegol 8 a Chynlluniau Datblygu Lleol) a p'un a yw'r polisïau hyn yn gallu cyflawni'r dyheadau gofynnol.

Y dadleuon o blaid ac yn erbyn y cyfyngiad uchaf o 100 Megawat ar gyfer caniatadau datganoledig.

Mae llwyddiant parhaus y defnydd o ynni adnewyddadwy a'r diwydiant ynni adnewyddadwy yn yr Alban yn ddadl ysgogol dros ddatganoli ymhellach yng Nghymru – gweler paragraff 4.1 (b) yn Adran A uchod. Fodd bynnag, fel yr esboniwyd yn Adran A, nid y ffaith fod gan yr Alban fwy o bwerau datganoledig yn unig sy'n gyfrifol am lwyddiant cymharol uwch y polisi ynni adnewyddadwy yno. Mae hefyd yn seiliedig ar arweinyddiaeth gadarn a pholisi clir i gyrraedd y targedau.

Cymharu â deddfwrfeydd datganoledig eraill (mae'r Alban wedi datganoli cyfrifoldeb ar wahân i niwclear, mae gogledd Iwerddon wedi datganoli cyfrifoldeb gan gynnwys niwclear).

Cyfraniad posibl a'r tebygrwydd y bydd gwahanol fathau o ynni adnewyddadwy (*ynni gwynt ar y môr, ynni llanwol, ynni gwynt ar y tir, ynni dŵr, niwclear, bio-ynni/gwastraff, microgynhyrchu, prosiectau ynni cymunedol*) yn gallu cyflawni dyheadau Llywodraeth Cymru ar gyfer cynhyrchu ynni fel y nodir yn *Chwyldro Carbon Isel - Datganiad Polisi Ynni Llywodraeth Cynulliad Cymru*.

Cyfraniad posibl y gwahanol fathau hyn o ynni adnewyddadwy i gyrraedd targed blynyddol Llywodraeth Cymru er mwyn lleihau allyriadau Nwyon Tŷ Gwyr.

Mae ynni gwynt yn dechnoleg aeddfed sy'n gallu cyrraedd targedau Datganiad Polisi Ynni Llywodraeth Cymru ac sydd â'r potensial i'w rhagori. Fel pob technoleg ynni adnewyddadwy, mae angen datblygu a buddsoddi yn y seilwaith grid cynhaliol ar frys er mwyn medru cyrraedd y targedau.

Mae technoleg amrediad llanw a ffrwd llanw/tonnau yn dechnoleg cymharol newydd, ac yn gyffredinol nid wedi'i brofi'n weithredol ar raddfa fasnachol. Ar y wyneb, ymddengys fod targed o 8.5GW ar gyfer amrediad llanw erbyn 2022 a 4GW o ffrwd llanw erbyn 2025 yn uchelgeisiol. Dylid monitro'r dechnoleg hon yn fanwl ac os ymddengys na fydd yn cael ei datblygu mewn pryd i gyrraedd y targedau, efallai y bydd gofyn i fathau eraill o dechnoleg ddigolledu'r diffygion.

Environment and Sustainability Committee

E&S(4)-10-11 paper 3

Inquiry into energy policy and planning in Wales – Evidence from Nuon Renewables

Written Evidence from Nuon Renewables (A company owned by Vattenfall) for the Environment and Sustainability Committee. November 28th 2011

TAN 8 as a policy has been in place for 6 years. It is an opportunity to truly foster Wales' vision for a sustainable Wales into a reality. Nuon is concerned that little progress has been made to ensuring that Wales maximises the benefits it can realise from this policy.

The opportunities that large scale 25 year inward investment projects can deliver to Wales are significant. To date, Nuon alone has invested over £35m in Wales.

Over the next 25 years, just from Nuon's Pen y Cymoedd Wind Energy Project alone, we expect the value of the investment to Wales' economy to be in the region of £1bn.

Nuon firmly believes that more work needs to be done to ensure that this level of investment is being effectively harnessed to generate sustainable value and growth for Wales.

Are there clear delivery plans? TAN 8 is a regionally focussed policy – what should each region be prioritising? How can it gain most value and ensure that local priorities are delivered?

These are some of the questions we would like to see considered to ensure that Wales can maximise the benefits from wind energy developments prepare for other renewable energy technologies which will become commercially available the next 5, 10, 15 years.

We see many avenues where wind energy projects can deliver real and very significant benefit, which we will explain in more detail.

Effective Engagement

We strongly assert that effective engagement has to be at the core of delivering sustainable developments.

As an example of what can be done at a project level we have chosen Nuon's Pen y Cymoedd Project located in Strategic Search Area F in South Wales. The vision for the Pen y Cymoedd project was borne from the feedback from our public engagement process. More than 1500 individuals and organisations took part in the process and helped us find real clarity in terms of what we should be prioritising within the project

We had a very clear steer on what we needed to do to make sure that the project benefitted the host communities/region, which allowed us to create a clear vision

for the project to keep us on track towards our end goal – ensuring that Pen y Cymoedd is a sustainable development.

The importance of influencing the final design of the project (or layout) was, of course, a major priority for the engagement process, but this is not discussed here.

We will focus on the benefits that local residents, businesses and organisations wanted/expected to see (some graphs from the door-to-door survey are provided in Annex 1 to give you an idea of the priorities of a representative cross-section of local residents, but the priorities below represent a combination of the priorities from this survey but also the drop-ins and workshops).

- Generate employment opportunities
- Carbon emission reductions, reducing bills
- Green spaces for the community and environment projects
- Education, training and young people
- Tourism
- Long term and ongoing benefit in economic terms

These are all things that we realistically feel can be delivered through the project, and progress has been made on a number of fronts, notably:

- A 1500 hectare Habitat Management Area
- Work to research the best methods to deliver the outcomes above through the £1.8million annual community fund
- A workstream to develop the local employment opportunities through the project
- Research on a virtual visitor centre complex, to seek to utilise existing tourism facilities and projects and build on these (rather than reinventing the wheel)
- Work with local schools and looking to develop relationships with universities in the region.

Work Programmes – Generating Employment Opportunities through the Project

The starting point for generating employment opportunities for Nuon has to be through the project itself, as this is a matter over which we have the greatest control.

We have invested a lot of time and effort into ensuring we have delivery plans in place. Working with the local authority in particular, a session was held in March 2011 for local businesses. More than 140 company representatives from the region attended.

The critical questions or matters that local companies raised were:

- What skills, training and accreditation did they need to work on a wind energy project?
- What opportunities were available?
- Making sure that they received enough notice and time to prepare to compete with more established and bigger companies
- Enabling links with larger contractors for local companies with sub-contracting potential

We have used the feedback from the event to inform our work programme on this element, and have responded by:

- Developed a training support package with the local authority to enable local supply chain companies to gain the necessary accreditation and training to work in the sector
- Made changes to our proposed procurement programme to ensure that “meet the buyer” opportunities are provided to local supply chain companies with the larger contractors prior to the tender submission.
- Provided a briefing pack for business outlining in detail the contract opportunities and value, our contracting strategy, the key criteria and/or necessary skills and the process and timescale to which we are working.
- Implemented a business bulletin to keep local suppliers up to date on the progress of the project.

Work Programme – Community Benefit

The sums of money coming to TAN8 areas are vast. On Pen y Cymoedd alone, there will be an annual sum of £6000 per MW (index linked). Currently it is worth £1.8million annually. We have a community who want very sustainable things – employment, green spaces, initiatives to reduce bills, facilities within the community, funding for local environment/wildlife projects. How do we deliver?

The “traditional” models of community benefit have focussed on small scale community grants. The sums of money coming from the TAN8 policy mean this model is unlikely to be fit for purpose, from a practical point of view and from a value for money point of view. So what are the options?

Our intention with Pen y Cymoedd is to commission detailed research based on the community feedback report to examine the best options or scenario for the fund to deliver what the community wants to see and deliver the best long term outcomes from the fund. Then this will be taken back to the community to take things forward and start to explore the options for the fund in more depth. Some of the scenarios possibilities that might be explored:

- A fund with the sole focus of generating employment – there are number of ways this could be delivered to also provide more traditional community benefit projects (some examples can be found in the CES Report Investing for Community Benefit

- A community bank (or a fund that includes an element of a community bank) – where low interest loans are available to support local businesses, community groups, with the money eventually paid back, creating a fund in perpetuity and supporting capacity building in the community and ensuring sustainable and well thought through projects are supported, and moving away from the fund becoming the sole revenue source for local projects and so forth)
- A two tiered fund – local community funding for small scale grants, which are decided within each community at one level; then another level where the communities around the project come together to make decisions on strategic opportunities for the fund to invest in the region and derive benefit.

These examples are merely illustrations of the many ways in which the fund could be developed – the final decisions will be made through engaging with the communities, but these examples illustrate the potential of these funds to create and support local economic growth and the development of sustainable, resilient communities over the next 25 years. Mention also needs to be made here of the importance of match funding opportunities, of which there are many avenues to explore to deliver on the priorities of the local community.

In summary, what we are keen to highlight is the urgent need to consider how Wales makes the most of its opportunity. There has been six years of debate over renewable energy, but precious little actual work on how Wales is going to ensure it benefits from this strategically important industry.

Wales has a vision to be a sustainable nation. Just from Pen y Cymoedd, we are talking about £1bn worth of investment to harness towards this vision, guided by communities, organisations and government. Our evidence from engaging at the local level is that communities in Wales want very sustainable things.

There needs to be greater coherence and delivery plans to ensure that opportunities are maximised. There needs to be clear leadership. The industry is now in the process of establishing a cross-sector working group to work through the benefits and a framework of how they might be delivered across Wales. We hope that government will play a strong role in this. It is unusual for private companies to be leading an agenda such as this in this manner, we would normally expect to respond to a clear steer from government as they are well placed to convene stakeholders and make the right links across their portfolio to maximise the opportunities – in delivering against wellbeing, the environment, economy, and developing local communities (infrastructure, cohesion and so forth). The progress that individual developers have made to date gives a valuable platform to progress, as we have illustrated, but engagement from other stakeholders will be essential.

TAN 8 is a massive economic opportunity, with a rare opportunity to derive benefits for local industry, companies, regions, and communities. It is an opportunity to take a holistic approach to delivering economic growth within the region. 6 years on, we are unfortunately no closer. There is a severe lack of evidence, research and vision to develop effective delivery plans. Wales has attracted the investors – it needs plans now to maximise the benefits from this multi-billion pound inward investment across regions in South, Mid and North Wales.

ANNEX 1 – Extract of a residents survey commissioned for Nuon around Pen y Cymoedd

1.1 Methodology

The fundamental aim of this survey was to ascertain the views of a representative cross-section of residents across the area identified for resident consultation. It was critical therefore, that the methodology selected for this work was the most effective for delivering such a representative and robust cross-section of residents. The most effective way of delivering a controlled sample of this nature amongst residents is by face to face interviews, controlled by location and by composition, and this was the approach taken.

1.1.1 Selection of respondent households and respondents

In order to select respondents, respondent households were first identified and selected. The map boundary shown on Figure 2 was matched to Census Output Areas to provide a clear definition of the geographical extent of survey coverage. Some output areas straddled the boundary of the area being considered, and these areas were either excluded from the sample (if the large majority of the output area, and the households within it, were outside the boundary) or more usually included, with the chosen sample including only households whose locations were within the area boundary.

Figure 1 Map showing the boundary of the survey area (black line), and the sample points used in the survey (black dots)

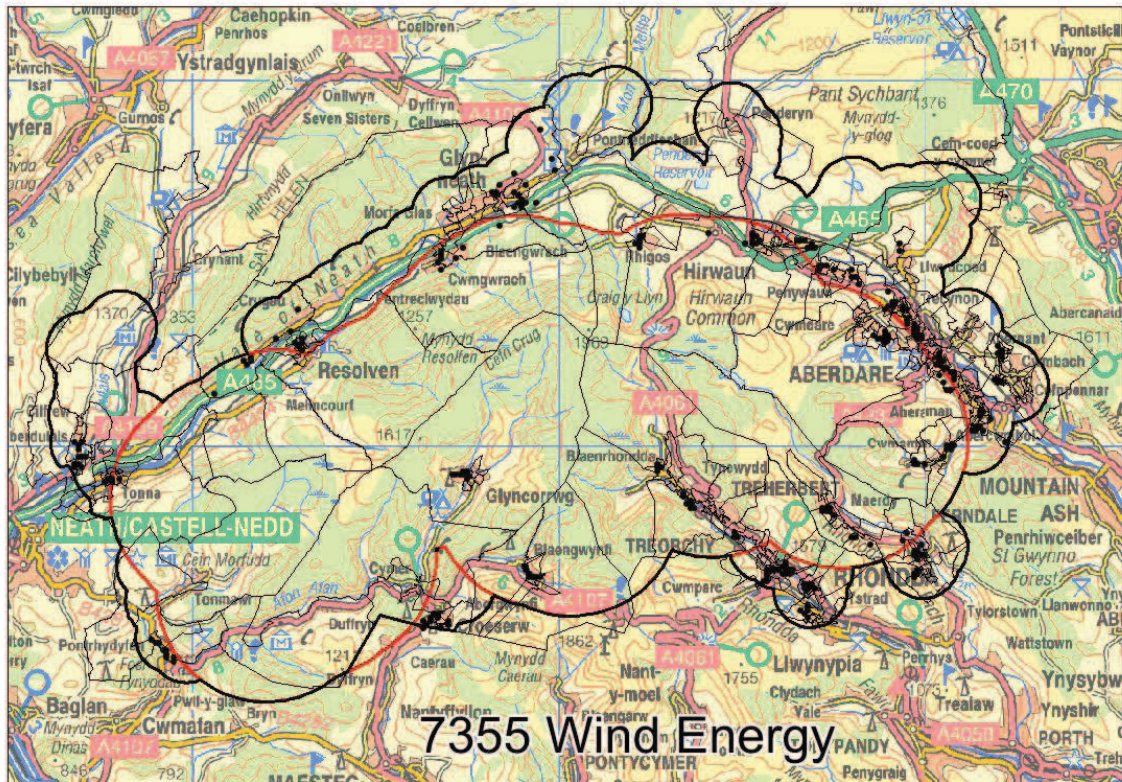
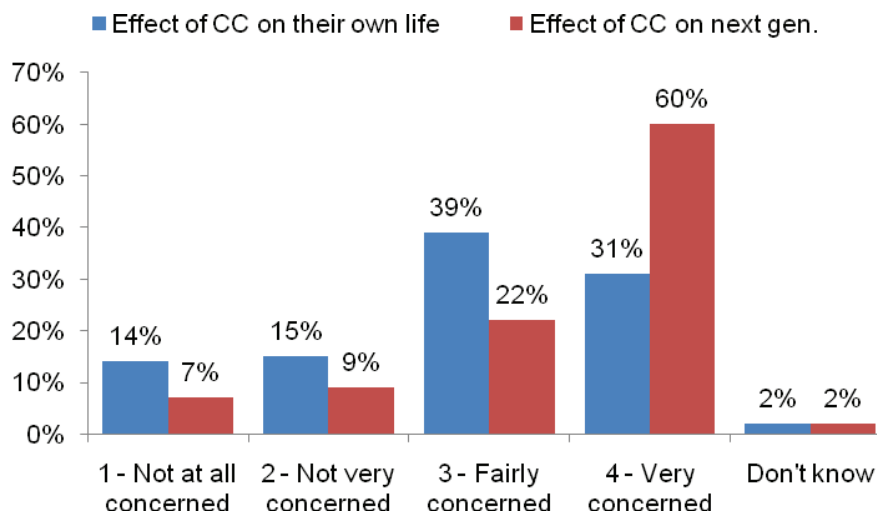
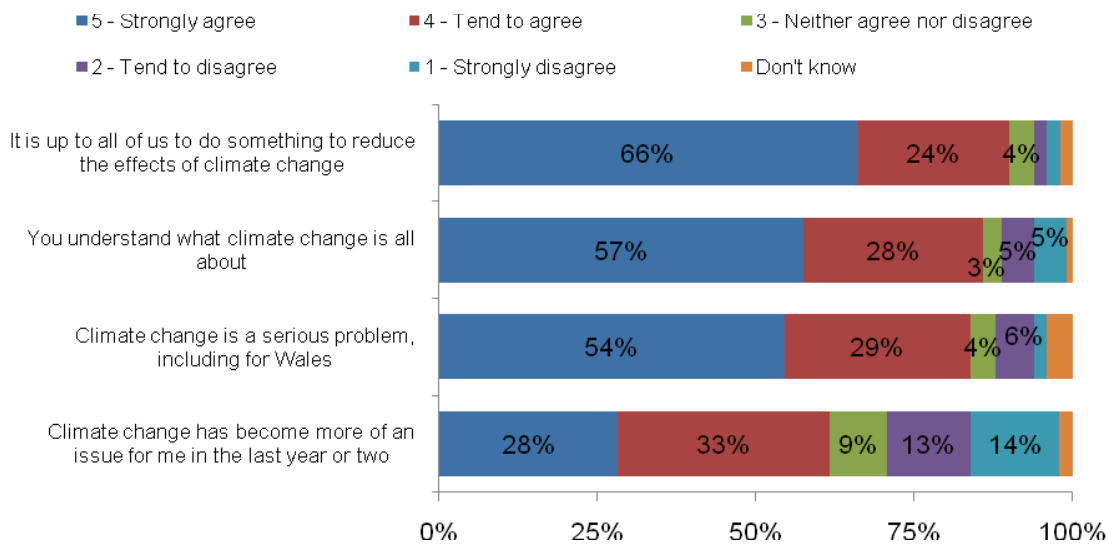


Figure 2 Level of concern relating to climate change



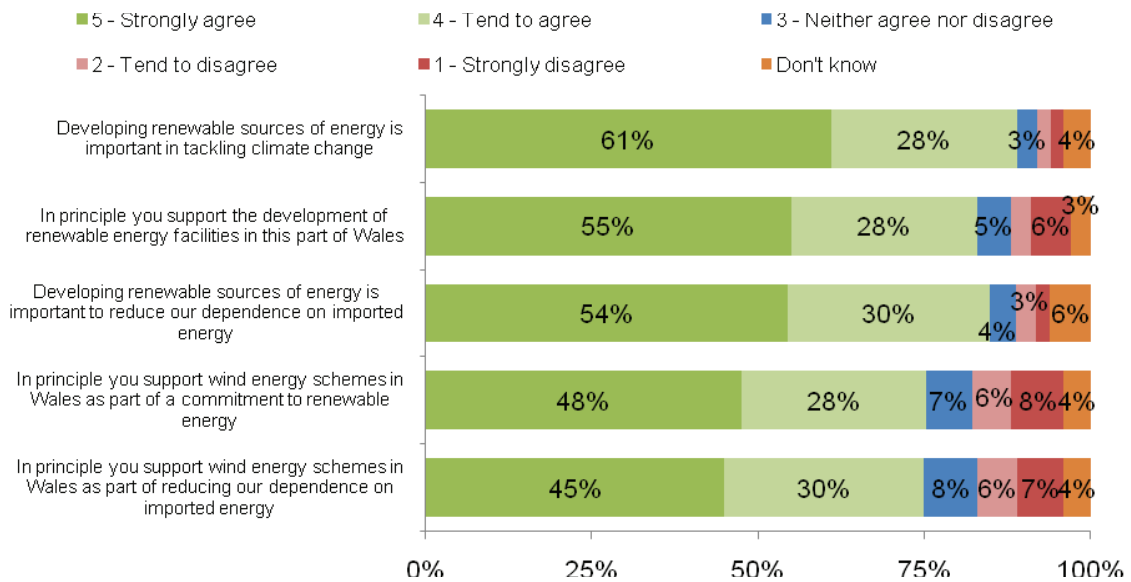
Base: All respondents

Figure 3 Understanding of climate change



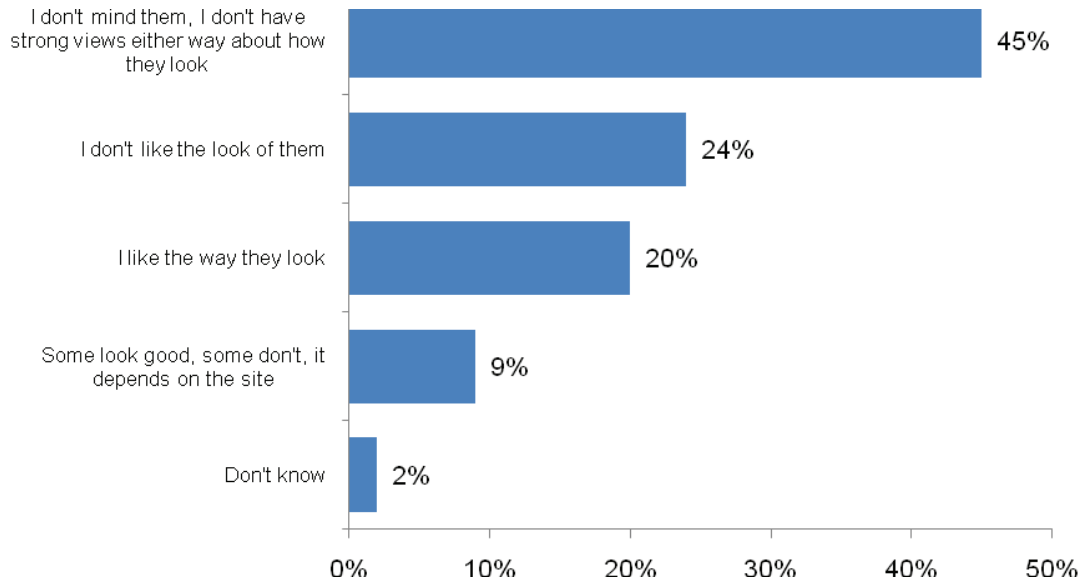
Base: All respondents

Figure 4 Views on renewable sources of energy



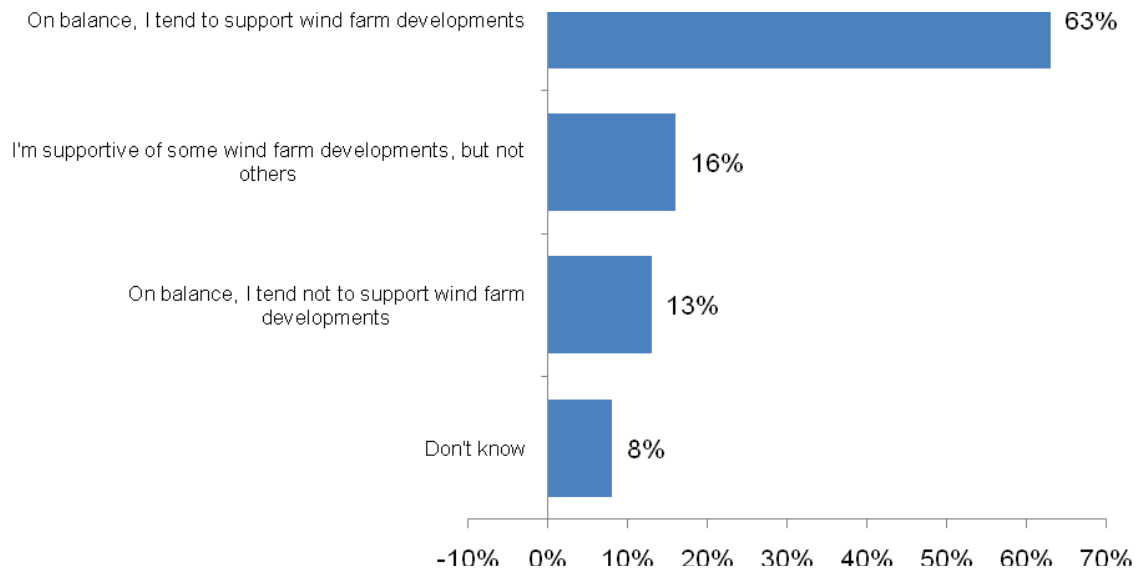
Base: All respondents

Figure 5 Opinions of power site aesthetics



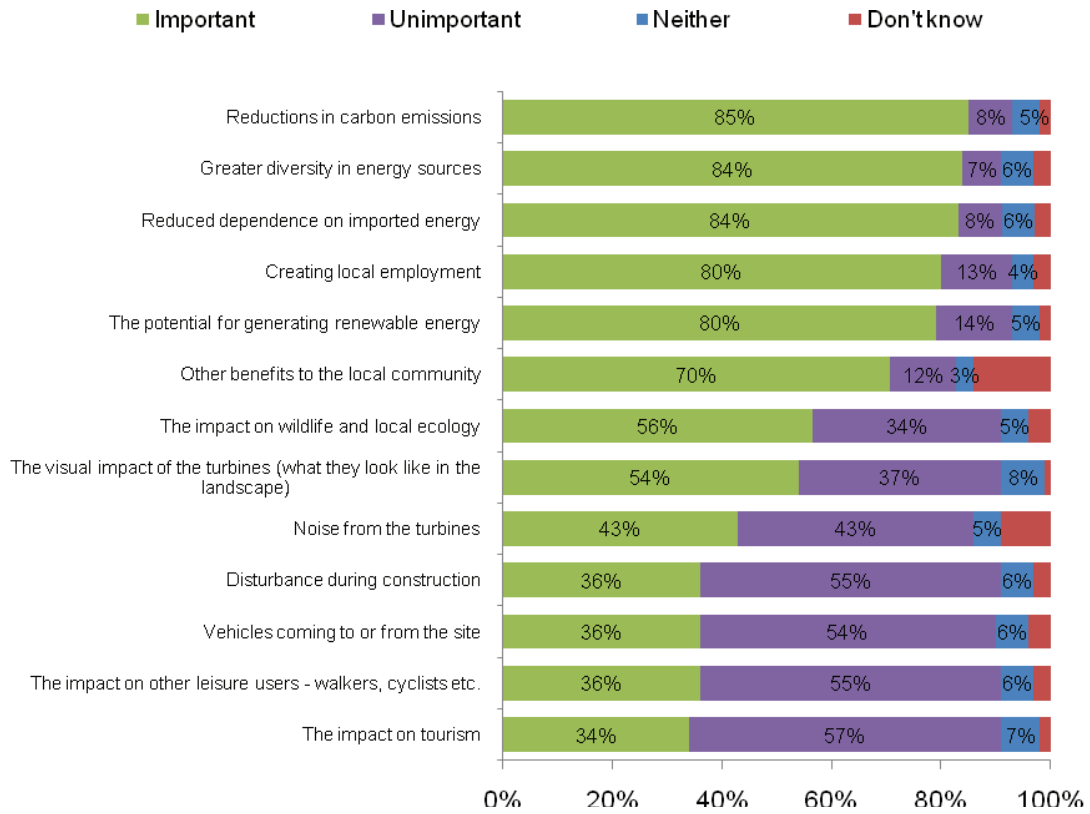
Base: All respondents

Figure 6 Opinions on wind farm developments as a whole



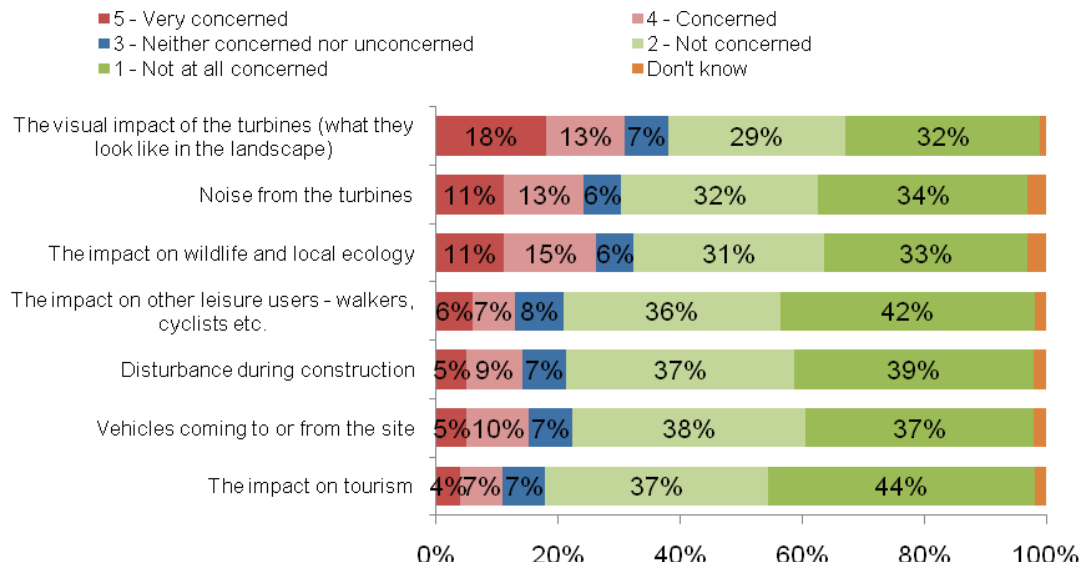
Base: All respondents

Figure 7 Important considerations



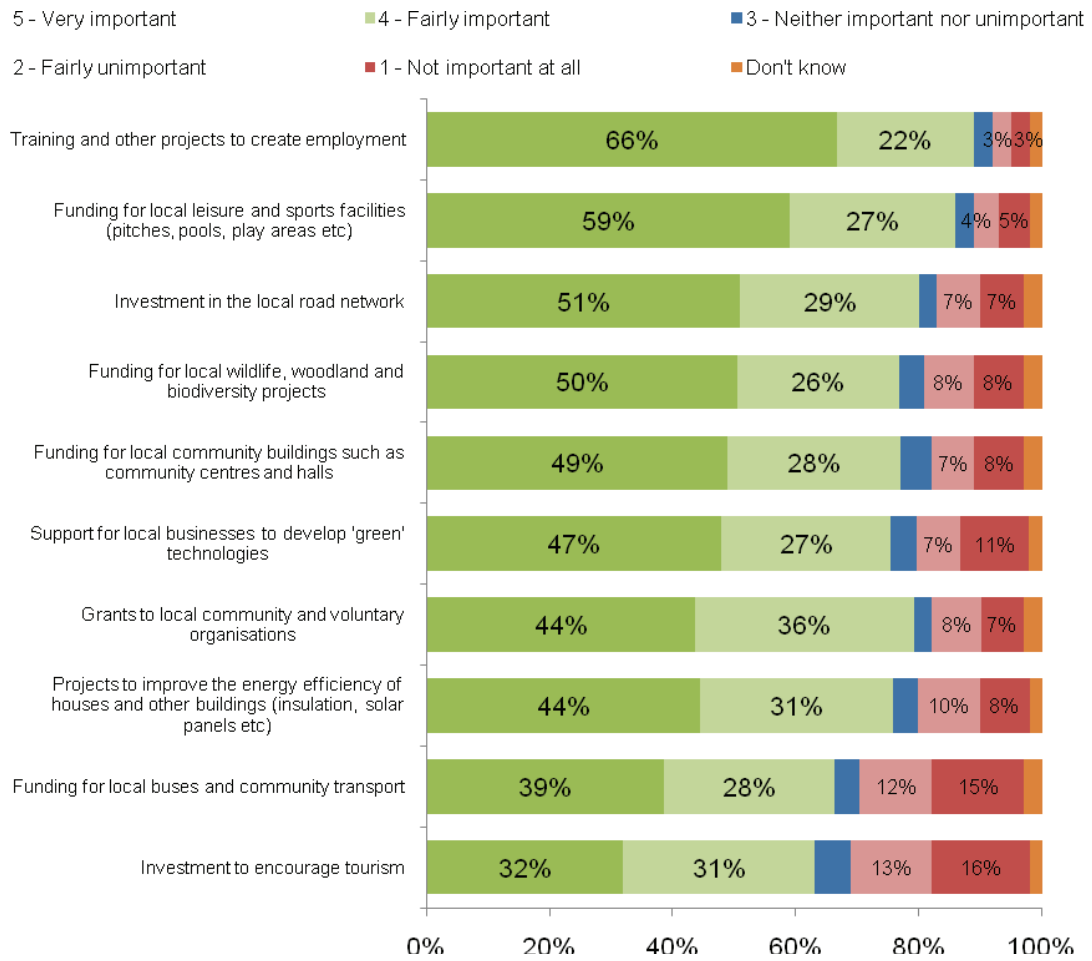
Base: All respondents

Figure 8 Overall public concern



Base: All respondents

Figure 9 Importance of potential funding beneficiaries



Base: All respondents

Y Pwyllgor Amgylchedd a Chynaliadwyedd

Lleoliad: Ystafell Bwyllgora 2 – Y Senedd

Dyddiad: Dydd Mercher, 23 Tachwedd 2011

Amser: 09:30 – 12:05

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Julie James
David Rees
Antoinette Sandbach

Tystion:

Peter Burley, Yr Arolygiaeth Gynllunio
Ceri Davies, Asiantaeth yr Amgylchedd Cymru
Anthony Wilkes, Asiantaeth yr Amgylchedd Cymru
Morgan Parry, Cyngor Cefn Gwlad Cymru
Roger Thomas, Cyngor Cefn Gwlad Cymru
Dr Sarah Wood, Cyngor Cefn Gwlad Cymru

Staff y Pwyllgor:

Virginia Hawkins (Clerc)
Catherine Hunt (Dirprwy Clerc)
Graham Winter (Ymchwilydd)

1. Cyflwyniad, ymddiheuriadau a dirprwyon

1.1 Cafwyd ymddiheuriadau gan William Powell. Nid oedd dirprwyon.

2. Ymchwiliad i bolisi ynni a chynllunio yng Nghymru – tystiolaeth gan yr Arolygiaeth Gynllunio

2.1 Atebodd y tystion gwestiynau aelodau'r Pwyllgor am bolisi ynni a chynllunio yng Nghymru.

2.2 Cytunodd Mr Burley i ddarparu nodyn ynghylch a yw cynlluniau datblygu lleol yn cael eu datblygu yn unol â pholisi ynni cenedlaethol Cymru.

3. Ymchwiliad i bolisi ynni a chynllunio yng Nghymru – tystiolaeth gan Asiantaeth yr Amgylchedd Cymru

3.1 Atebodd y tystion gwestiynau aeldau'r Pwyllgor am bolisi ynni a chynllunio yng Nghymru.

4. Ymchwiliad i bolisi ynni a chynllunio yng Nghymru – tystiolaeth gan Gyngor Cefn Gwlad Cymru

4.1 Atebodd y tystion gwestiynau aeldau'r Pwyllgor am bolisi ynni a chynllunio yng Nghymru.

4.2 Cytunodd Dr Wood i ddarparu nodiadau am y nifer o geisiadau a ddaeth i law ar gyfer prosiectau uwchben ac o dan 50MW, wedi'u nodi yn ôl sector. Cytunodd hefyd i ddarparu nodyn am gyfraniad Cyngor Cefn Gwlad Cymru i'r pwyllgor cynllunio a sefydlwyd gan Lywodraeth Cymru i gynghori ar dreulio anaerobig a throi wastraff yn ynni.

TRAWSGRIFIAD

Gweld [trawsgrifiad o'r cyfarfod](#).

Environment and Sustainability Committee

E&S(4)-10-11 : Paper 4

Inquiry into Proposed reforms to Common Fisheries Policy – Additional information from the New Under Ten Fishermen’s Association

English Inshore Producer Organisation – next steps

It is clear that the under10m fleet desperately both needs and deserves improved access to fishing opportunities. They recognise the potential benefits of an improved management structure and through that, more control over their own destiny. They consider it vital to retain, and even enhance that inherent flexibility so necessary to the prosperity and survival of an under10m vessel restricted to fishing local waters. They want a level playing field with the Sector, to be able to sit at the table on an equal basis with their larger scale colleagues and work more in partnership than in conflict, albeit recognising that the balance of rights needs to be finally settled for that to happen. They also recognise and require support for more effective representation and in many areas, similar assistance for marketing and supply chain issues.

Against this, the approach epitomised by the current Defra proposals, specifically with regard to the allocation of individual transferable rights that would inevitably have a monetary or tradable value was seen by many as the proposal’s Achilles Heel. Apart from the general objections, the introduction of this approach would seriously discriminate against under tens on the basis of the massive imbalance of current accrued resources between the sectors when competing for limited resources.

We are therefore faced with a need for change; an almost unanimous rejection of FQA’s but support for a similar approach to allocation and management based on the PO model. Yet at the same time a clear concern expressed that allowing quota to have a tradable and monetary value would undoubtedly and inevitably lead to the demise of this sector of the English fleet and a concern

that allocations to individuals would also lead to aggregation, either within or outwith the sector and loss of quota.

So in terms of the proposal for pilot projects by Defra to test alternatives to the current system, Nutfa had put forward a Recommendation within its response to the Consultation, based upon the creation of an Inshore Producers Organisation for England, but managing the pool quota, together with any reallocated and realigned quota and any other quota that it would acquire over time, for the benefit of the whole fleet, rather than through the allocation of individual FQA's. This paper seeks to expand on the proposal and consider what needs to be done to pursue this initiative. It is certainly clear that it is not possible to write an application for support for the creation of an inshore PO at the present time without procuring additional resources in order to do so. Whilst we would like to progress the idea without delay, on the basis that change is urgently needed within the under ten fleet , it is not something that we can do in isolation and without some significant research.

In previous discussions with Bella Murfin and colleagues, it was made clear that the idea of an inshore PO was something that Defra could support and that the relevant legislation, primarily 104/2000 and 2318/2001 was generally supportive.

It is however very much the case that an Inshore PO, managing a pool, rather than individual quota allocation requires some thinking about and discussion between the applicant and Defra / MMO et al.

Even in the event that we were making an application for a straightforward traditional PO, there are a raft of questions that need answering, some of which do not appear to be forthcoming from Defra's recent enquiries with PO's in that respect, and some political aspects that require consideration. There are equally a number of practical issues surrounding infrastructure and the use of and relationship with existing MMO ground staff that will require debate and resolution.

At the same time, and to quote the Minister, if I was starting from somewhere, it wouldn't be from here.

The current reporting and recording procedure for under ten landings is in the opinion of many informed individuals, not fit for purpose. Defra are unable to put any confidence level on the quality of data or the efficacy of buyer reporting and therefore the accuracy of what finally is used not only for quota management and allocation by the MMO but would, in the event that Defra's proposals for FQA's were taken forward, be the basis for quantifying an individual's track record. This is unacceptable. (See Note 1 below)

It is worth noting that many respondents to the consultation on the RBS methodology made clear their concerns in this respect and felt that relying on a third party to report landings was likely to be problematical and that a straightforward log book system would be preferable, more accurate and make fishers themselves more accountable.

In recent discussions with the MMO, it is apparent that postal notification of licence variations is likely to be scrapped in the near future in favour of an SMS message to licence holders, telling them to look on the MMO website for updates.

If we are to collectively rely more upon modern communication systems, including mobile phone based VMS systems, to the extent that their efficiency would be reliable enough to take legal action against anyone who "didn't receive it" then perhaps we should be considering introducing a system whereby fishers could simply send a text message with the species and quantities as soon as they land? This is not a facetious idea but illustrates the options that are potentially available to replace the current reporting system. Perhaps a slightly more practical approach, without more research, would be to make log books a requirement for all commercial fishers, irrespective of size of vessel. I suggest that this may need to be the case in any event in light of the current proposals within the CFP Draft Regulation that espouses Transferable Fishing Concessions to all vessels other than those under 12 metres using passive gear. There is a danger of ending up with a range of reporting requirements dependent not only on the length of the vessel in question, or whether an under ten is leasing but also for vessels of under 12m using both static and mobile gears having to record catches dependent upon the method used at the time. The thrust of one element of Defra's recent proposals was aimed at removing arbitrary divides

between the sectors and therefore a log book system for all, with of course allowances for vessels without wheelhouses or other shelter to record catches on landing (or via text as suggested previously) rather than contemporaneously may be worthy of consideration. It is certainly the case that if overarching changes are to be made to the current system then it would seem sensible to kill as many birds with one stone as possible. It is also the case that these initiatives would possibly make the overall reporting, recording and management system for under ten metre landings far more transparent, efficient and cost effective than is presently the case.

A further salient point is that with regard to costs. Like any other management service, including existing PO's, a charge will be necessary but the inshore fleet must recognise that they have never had to contribute directly to the management, marketing or representation of their sector. Little wonder then that it has become very much the poor relation, in many cases struggling for survival, and with little historic standing or influence on the wider stage. It also needs to recognise that if it is to survive and prosper that there is an ever increasing need for these services against a backdrop of management and regulation from both the European Commission and Parliament.

Whilst initial full funding for a pilot study and the subsequent creation of an inshore PO may be forthcoming via EFF and Defra, the organisation would inevitably and rightly have to generate sufficient income to be self supporting in the long term.

At the same time, it will be vital for the organisation to acquire and generate sufficient resources to be able to operate in a similar fashion to existing bodies if there is to be anything of a level playing field.

Apart from running costs and funds for the acquisition of additional quota, there is little doubt that questions with regard to funding any reductions in both potential over capacity and latent effort will need to be collectively addressed. We are aware that straightforward funding for decommissioning is unlikely to be forthcoming on the basis that the EU Commissioner and others have raised concerns with regard to its past effectiveness, although we feel somewhat aggrieved that the under ten fleet, with the exception of one small and badly targeted recent tranche has never had the opportunity to benefit from the

£120m plus thrown at the over ten sector in past years and is therefore expected to deal with any capacity problems without an equitable level of support.

Nevertheless, Defra has indicated that there may be an element of match funding available to support a reduction in capacity, latent or otherwise, within the under ten fleet and it therefore begs the question as to where the industry match funding is likely to come from. Defra have suggested approaches to wealthy NGO's but in reality, it will be largely incumbent upon the industry itself to generate the funding required for the most part. It may be worth considering a further and one off element of government funding if the creation of an inshore PO can show savings on the current administration cost of the under ten metre pool by the MMO.

Although the recent Nutfa tour highlighted differences of opinion with regard to how and if one should deal with latent and over capacity, and indeed whether they actually exist and the level of threat they represent, there was general agreement that any such reductions should be paid for, even if that payment was not overly generous. There was a view that in the same way that PO's are currently arguing, and seem to have succeeded in persuading the government, that they have a 'legitimate expectation' in terms of the value of their holdings, so owners of licences, that have a far clearer legal claim of ownership than perhaps does a quota holder, should therefore be recompensed in the event that government decided to remove that property right.

At the same time, it is clearly inefficient to attempt to manage quota allocations to the fleet when managers have no clear idea of just how many vessels they are dealing with and just how many vessels may decide to prosecute a fishery or fisheries on any given day. It is therefore impossible for the MMO, unlike the PO's who have a legal requirement to do so, to produce an accurate fishing plan for fishers within their jurisdiction.

It is clear that the long term and effective management of inshore quota must be based upon, at least in general terms, a more stable number of vessels than is presently the case. It may be that any vessels that are deemed to be 'long term latent effort' should have to give a period of notice before coming back into any given fishery so as to allow managers to be able to allocate quota more

effectively than the current scenario where they have to be overtly cautious for the reasons outlined above.

It was also clear from responses during the tour that there are a significant number of under ten metre vessels, latent and otherwise, that would grasp the opportunity to leave the fishery, given even reasonable compensation and it may be that a special case could and should be made to Europe to provide funding for a one off rebalancing requirement?

Debate is necessary to consider “ownership” of quota by individual inshore fishers. A major premise of this proposal is that it seeks to avoid, by the ring fencing of the existing pool and other quota, the problems associated with the monetarisation of the resource. At the same time, it recognises that fishers should have the ability to lease and purchase quota from external sources so perhaps the baseline management of pool, reallocated, realigned and other available quota acquired by the inshore PO should be sufficient in the first place?

In short, it is our contention that before an application could be constructed in support of an inshore PO, we need to undertake a funded pilot study to answer the plethora of practical and political questions that any such application would throw up. Amongst these questions are:

- Definition of geographical area
- How PO rules are currently adhered to or otherwise and to what extent (necessary to understand real world politic)
- RBS confidence levels
- Interaction between industry managers and MMO ground staff
- Revised Reporting procedures and methodology
- Revised Recording procedures and methodology
- Timeline
- Costings and funding
- Management and data systems
- Location and staff
- Initiative interaction with CFP Proposals

- And importantly, the fleet view
- Interest in and buy in from other Devolved Administrations and their respective fleets.

The overarching proposal fits with the current Government's commitment in terms of the Big Society, provides an incremental approach to more self management and responsibility for English small scale fishers, may provide an acceptable template for fishers and managers within the Devolved Administrations whilst at the same time seeking to avoid the pitfalls inherent within a value based FQA system.

Note 1: It is salient to note that although RBS requirements are ostensibly EU wide, it is clear to anyone who wants to look that many of our European cousins don't in fact appear to bother with it to the same extent as the UK. It is suggested that France and Spain at least pay only lip service to the requirements under the legislation and effectively allow their small scale fleet to get on with fishing unencumbered by the requirements laid down. So not only are UK inshore vessels managed differently from the wider EU, but are subject to a recording system that is clearly less than effective or accurate and furthermore that Defra wants to use it as a basis for the allocation of FQA's that would then cast the system in stone with no opportunity for any further review).

NB: I also attach my original aide memoire developed from the tour report for information.

- Single English Inshore Producer Organisation
- Incremental approach
- Take over management of English pool quota
 - Manage for wider purposes
 - Focussed on industry needs
 - Seat at the table on equal terms
 - Inclusion of reallocated and realigned quota
- EFF support plus % of Defra savings over three years

- Build up financial reserves with fees to:
- Match fund decommissioning
- Buy out latent capacity
- Acquire quota
- Effective representation and marketing
- Retains all quota within 'family'
- Prevents aggregation or loss – protects national assets
- All inshore quota movements dealt with by PO (at market prices) [PO has first option to purchase]
- All decisions by National Board
- Long term rationalisation of a public resource
- EFRA Report:
 - Quota in hands of working fishers only
 - More opportunities to acquire quota
 - Register of holdings and increased transparency
 - Discard reduction

Environment and Sustainability Committee

E&S(4)-10-11 : Paper 5

Inquiry into Proposed reforms to Common Fisheries Policy – Additional information from the Welsh Fishermen’s Association

“The reason for developing this "Agreement" was to ensure appropriate participation in the Project by active fishermen to improve the confidence in the data collection.

Initially there was a reluctance by industry to engage in the Project due to past experience with CCW. The "Agreement" was developed between industry and CCW specifically to reassure potential participants that a clear set of terms exist to draw a line under the past and move forward in the security of a firm agreement whereby industry is included in every stage of the project.

Our relationship with CCW has developed further in respect of the recent consultation document regarding management proposals for Horse Mussel (*Modiolus, modiolus*) Reef off the North Wales coast which is currently "work in progress", however should the Members be interested in the correspondence to date between ourselves and CCW in respect of the matter I would be happy to submit the relevant documents.”

THE AGREEMENT

Established between:-

The Welsh Fisherman's Association – Cymdeithas Pysgotwyr Cymru (WFA-CPC)
on behalf of the Welsh Fishing Industry through its respective membership

Together with:-

The Countryside Council for Wales (CCW)

Have agreed a working relationship conducive to the collaborative objectives of
“The Welsh Fisheries Strategy” with particular regard to the “Pilot Project” FishMap
Môn.

This agreement is consistent with the principles of mutual respect and
understanding outlined within the “Terms of Engagement” and the documents
appendixed thereto:-

- i Terms of Engagement 5th September 2011
- ii Approved minutes 23rd August 2011
- iii Terms of Reference – Project Board (FishMap Môn)
- iv Terms of Reference - Steering Group (FishMap Môn)

This cover and the documents referenced herein combine to form The Agreement
between the above parties.



5th September 2011

Jim Evans

Chairman, Welsh Fishermen's Association-Cymdeithas Pysgotwyr Cymru (WFA-CPC)

Dear Mr Evans,

Re: Fishing Industry and CCW (re FishMap Môn) Terms of Engagement

Following the meeting on 23rd August 2011 with you and other fishing industry representatives of FishMap Môn's Steering Group we appreciate the need to agree and formalise working relationship between the fishing industry and CCW with regard to FishMap Môn. This letter aims to clarify this working relationship through reference to the key issues discussed and agreed by both parties during the meeting on 23rd August (see Appendix ii for approved minutes).

At present we can clarify the following areas of agreement:

Key Issue 1: Industry to be kept informed

- The fishing industry will be kept informed throughout the project via the Project Board and Steering Group (see Appendices iii and iv for terms of reference).
- To ensure transparency, information about the project including documents from meetings and workshops will be published on the project web pages.
- Individuals can contact the project at any time with questions or concerns and these will be recorded and responded to as soon as possible.

Key Issue 2: Industry to be included and consulted within the decision-making process

- During the FishMap Môn project, outputs such as presentation of indicative evidence and the development of guidance on management options will be discussed at both the Steering Group and Project Board and agreed with Project Partners before they are presented to the Welsh Government.

Key Issue 3: Data confidentiality

- Confidentiality of the data will be assured through the use of a data consent form which must be signed by each individual fisherman prior to being interviewed. The data consent form will detail the level of confidentiality, the resolution of data presentation and the use of the data in outputs. The data consent form will be agreed in consultation with the Project Board and Steering Group.
- Fishermen's data collected during the project will only be used for the purposes of the FishMap Môn project and Bangor University's School of Ocean Sciences European Fisheries Fund project (providing agreement is gained from individual fishermen).



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Key Issue 4: Industry to clearly understand the sensitivity work carried out by CCW

- Documents describing the creation of fisheries habitat maps and their sensitivity to fisheries activities will be available on the FishMap Môn web pages. Fishermen can also request further information/ presentations on issues relevant to the FishMap Môn project.

Key Issue 5: Potential participants to be made aware of the data confidence, data requirements and subsequent interpretation

- The confidence of the fisheries habitats underlying the sensitivity maps will be available on the web pages.
- Data requirements will be made clear throughout the project via meetings, workshops and the web pages.
- During the FishMap Môn project, the development of the tool and options of guidance for management will be discussed and agreed at the Project Board and Steering Group meetings and will be written up and available on the web pages.
- The Project will investigate the involvement of fishermen in the improvement of the accuracy of these habitat maps during the interview process.

Key Issue 7: Transparency in CCW's current and future work

- The Welsh Government (WG) are the regulatory authority responsible for Welsh inshore fisheries. CCW provide nature conservation advice to WG and will be available to others such as the fishing community and NGOs once WG have formulated draft policy or procedure and this is presented by WG for consultation. With agreement from WG, CCW will discuss casework with the industry at the earliest opportunity.
- The project will produce a set of Frequently Asked Questions (FAQs) with assistance from the Welsh Fishermen's Association and SeaFish to clarify areas of concern.

Key Issue 8: Review of CCW's casework handling based on the principles set out in FishMap Môn

- This terms of engagement is specific to FishMap Môn. This framework will be reviewed at the end of the project and could form the basis of future collaborative work between CCW the commercial fishing sector consistent with the objectives of The Welsh Fisheries Strategy.

We are hopeful that this agreement will create the foundation for the local fishing industry to participate in FishMap Môn and contribute towards the aims and objectives of the Welsh Fisheries Strategy. We would appreciate your comments on the areas of agreement outlined in this letter and look forward to hearing from you.

Yours sincerely,

Suzanne M. Hearn

pp. Tim Jones
CCW, Director North region



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APPROVED MINUTES OF MEETING REGARDING TERMS OF ENGAGEMENT BETWEEN FISHING INDUSTRY AND CCW IN RESPECT OF FISHMAP MÔN

DATE AND TIME: 23rd August 2011, 2pm

PLACE: Llys y Bont, CCW North Area office, Parc Menai, Bangor

Attendees:

- RD** Richard Dyer- North Wales Fishermen's Co-operative Ltd
- CE** Clare Eno- CCW, Senior Sea Fisheries Advisor
- JE** Jim Evans- Welsh Fishermen's Association
- MG** Mark Gray- SeaFish
- SH** Sue Hearn- FishMap Môn, Project Officer
- TJ** Tim Jones- CCW, Director North region
- RS** Rowland Sharp- CCW North region
- SWd** Sam Wilding- Cardigan Bay Fishermen's Association
- JW** James Wilson- Welsh Aquaculture Producers' Association/Bangor Mussel Producers

1. Introductions

TJ opened the meeting, welcomed all present and asked everyone to introduce themselves. JE thanked TJ for a) holding this meeting and b) subsequently postponing the Working Group meeting. JE and TJ agreed that whilst there have been difficulties between the industry and CCW in the past, they are keen to move forward to get the appropriate process and tools in place to provide a framework in which industry can participate. Without this framework, JE said that there will be little participation and low confidence in the mapping and sensitivity work. MG stated that it's a very key time in that if we can get the approach right from the start, then the methodology can potentially be rolled out across Wales.

It was agreed to use the minutes from the Fishing Industry's 27th July meeting as a basis for the agenda for the meeting, by going through the key issues in the 'Terms of Engagement'.

2. Key Issue 1: Industry to be kept informed at all stages as information emerges

There was discussion about communications between FishMap Môn and the industry. SH outlined the distinction between the Steering Group and the Project Board and it was agreed to send two-monthly e-mail updates to the Steering Group members. TJ added that stakeholders are welcome to e-mail him, SH or CE with any queries.

TJ explained his reluctance to produce a formal Terms of Engagement but that he is happy to discuss issues and place the minutes from this meeting on FishMap Môn's web pages. JE said that he would also like something formal to provide an assurance to the industry of working relationships with CCW with regard to FishMap Môn.

MG outlined the need for transparency between CCW and the industry in order to avoid confusion about different processes. It was agreed that the FishMap Môn web pages will contain project information including FAQs and hyperlinks to other processes and projects (such as the HPMCZ process in Wales and the MCZ projects in England). It was also suggested that someone from Welsh Government could come to the Working Group meeting on the 6th September in order to explain the HPMCZ process.





ACTIONS

AP230811/01: SH to ensure FishMap Môn web pages are available on CCW's website as soon as possible and that the Project Plan (including gantt chart), minutes from this meeting and hyperlinks to other projects and processes and FAQ are all added to FishMap Môn's web pages.

AP230811/02: SH to send two-monthly e-mail updates to Steering Group members.

AP230811/03: TJ and JE to produce an agreement of working relationships between the fishing industry and CCW in respect of FishMap Môn.

AP230811/04: SH, CE, JE and MG to produce a list of FAQ in relation to FishMap Môn.

AP230811/05: SH to investigate the potential of someone from the Welsh Government coming to the Working Group meeting on the 6th September (or at least provide a presentation).

3. Key Issue 2: Industry to be included and consulted within the decision making process

TJ explained that stakeholders are going to be part of the process all the way through and therefore will be part of any guidance on management options as they are developed and before they are presented to the Welsh Government.

The development of the tool (for decision-support rather than decision-making) was outlined; once data is collated and inputted, outputs will be taken to the industry through the Steering Group and Project Board.

JE stated that he would like to see the fishing industry involved in project outputs before they are presented to the Welsh Government.

ACTION

AP230811/06: CE to produce a brief description of tool and option development and involvement of stakeholders, including fishing industry.

4. Key Issue 3: Data confidentiality to be assured

JE explained his concern over the 'Approved Users' clause in section 5 ii), particularly the Crown Estates and Consultants/Contractors. It was agreed that data would only be given to Consultants/Contractors under contract and for the purposes of FishMap Môn and that the Crown Estate would be removed. The data consent form would be further discussed at forthcoming meetings.

ACTION

AP230811/07: SH to remove the Crown Estate Commissioners from the list of 'Approved Users' in section 5 ii) in the data consent form and to add discussion of the data consent to the agendas for the forthcoming Project Board (31st August) and Working Group (6th September) meetings.

5. Key Issue 4: Industry to clearly understand the sensitivity work carried out by CCW

CE outlined the sensitivity work including the production of a paper for peer review to be submitted in September and agreed to produce a chronology of the sensitivity work for the web pages. MG explained that there is a feeling that it was something which CCW produced and that it would be useful to have some fisheries experts critique it alongside the academic process. JE requested a commercial fishing example to illustrate the sensitivity work.

ACTIONS

AP230811/08: CE to progress the sensitivity paper and to inform Steering Group once submitted/accepted for publication.





AP230811/09: CE to produce a chronology of the sensitivity work for the web pages.
AP230811/10: CE/FishMap Môn team to produce commercial examples to illustrate the sensitivity work.

6. Key Issue 5: Potential participants to be made aware of the data requirements and subsequent interpretation

JE explained the concern that outputs will be based on low confidence maps. CE provided an overview of the creation of the intertidal and subtidal habitat maps and their confidence and agreed to place summaries of this on the web pages alongside a link to HABMAP.

ACTION

AP230811/11: CE/SH to produce summaries of fisheries habitat creation process and ensure a link to HABMAP is available on the FishMap Môn web pages.

7. Key Issue 6. Species stock assessment

JE explained that this was a misunderstanding so the meeting could move onto Key Issue 7.

8. Key Issue 7: Transparency in CCW's current and future work

MG asked whether advice which CCW provide to Welsh Government could be more transparent and available to the fishing industry earlier in the process. This would avoid rumours such as the concerns that CCW advised the Welsh Government to restrict fishing grounds in the project area due to newly surveyed *Modiolus* (horse mussel) beds. JE explained that Industry is concerned that some of the current closed areas are larger than necessary in the light of VMS. He also asked whether there is a de-designation process. TJ explained that once things are in the public domain links will be put on FishMap Môn web pages. MG said that it would be useful to add to the FAQ that CCW do frequently survey the seabed and that if species/habitats of nature conservation interest are found, action will be taken but with appropriate consultation. He also asked if something could be added to the FAQ about the recent concerns regarding the *Modiolus* beds.

ACTION

AP230811/12: SH to incorporate reference to CCW's survey work and also concerns regarding the *Modiolus* (horse mussel) beds to the FAQ.

9. Key Issue 8: Review of CCW's casework handling based on the principles set out in FishMap Môn

TJ explained that CCW are very keen to be transparent and offered for North region CCW staff to attend relevant fishing association AGMs. JE said that he would be happy for someone from CCW to attend CBFA meetings and added that Welsh Government are keen to see CCW and the fishing industry work well together consistent with the Welsh Fisheries Strategy.

ACTION

AP230811/13: JE to ask WFA/FAs to indicate when FA AGMs occur and invite CCW regional staff to attend.





Any Other Business

TJ asked for advice on the organisation of data validation meetings during FishMap Môn. JE suggested asking the four regional English MCZ projects how they have collected and validated fishing data. He added that the Irish Sea Conservation Zones project involved a poor geographical distribution of stakeholder organisations. RD suggested using the NWFCI ports (Conwy, Bangor, Amlwch, Holyhead, Caernarfon and Nefyn). JE said that he would leave things with an Open Door Policy and TJ said that we will progress things through the actions arising from the minutes.

CE listed issues that had arisen to be covered at the Working Group meeting on the 6th September:

- HPMCZ process
- MCZ projects in England including outside 12nm
- FAQ (MG suggested using a flipchart which people can add to throughout the meeting)
- Data confidentiality
- Data outputs (resolution)
- Sensitivity process including commercial fishing example(s)

Meeting closed at 4.45pm





TERMS OF REFERENCE AND MEMBERSHIP OF THE FISHMAP MÔN PROJECT BOARD

The Project Board will have the following roles:

- Take management decisions regarding the project including alterations to project workplan, objectives and outputs
- Ensure that the project proceeds on schedule and that the project's objectives and outputs are met to the required standard
- Ensure that the project's budgets are maintained and take decisions about possible changes to the budget as the project proceeds
- Direct the project's communication planning and advise on communications with individual fishermen and fishermen organizations
- Advise on membership and purpose of Steering Group and receive feedback
- Advise on and update the project risk register
- Provide specific input at key stages throughout project, including *development of software for data collection *sample design for interviewing Recreational Sea Anglers *presentation of maps *development of web-based management guidance tool *generation of options for providing guidance on environmentally sustainable fisheries management.

Procedure:

Meetings will be held every four months for the duration of the project (January 2011- September 2012) as follows:

2011: May, September

2012: January, May, September

Members can agree to schedule ad hoc meetings for a specified purpose.

Membership:

Chair David Parker - CCW, Director Evidence & Advice

Secretary Sue Hearn- CCW, Project Officer

Roger Cook- Welsh Federation of Sea Anglers

Richard Dyer- North Wales Fishermen's Co-operative Ltd

Clare Eno- CCW, Headquarters fisheries advice

Tim Jones- CCW, Director North Region

Trevor Jones- Bangor Mussel Producers Ltd



TERMS OF REFERENCE AND MEMBERSHIP OF THE FISHMAP MÔN STEERING GROUP

The Steering Group will have the following main roles:

- Act as a discussion forum for the project
- Provide an influential forum for external stakeholders to have their views heard on the pilot project
- Encourage dissemination of the project to stakeholders
- Foster support for the project across a range of stakeholders
- Elicit views on maps and management guidance options

Procedure:

Meetings will be held every four months for the duration of the project (January 2011- September 2012) as follows:

2011 July, November

2012 March, July

Members can agree to schedule an ad hoc meeting for a specified purpose.

Group membership:

Chair Tim Jones- CCW, Director North Region

Secretary Sue Hearn- FishMap Môn, Project Officer

Iwan Ball- Worldwide Fund for Nature (WWF), Wales Environment Link (WEL), WMFAG, North Western Waters Regional Advisory Council (NWWRAC)

Colin Charman- CCW, Sea Fisheries Advice Officer HQ fisheries advice

Phil Coates- Welsh Government, Head of Science

Kevin Denman- South and West Wales Fishing Communities Limited (SWWFCL)

Clare Eno- CCW Senior Sea Fisheries Advisor

Jim Evans- Welsh Fishermen's Association (WFA-CPC)

John Fish/Sam Wilding- Cardigan Bay Fishermen's Association (CBFA)

Mark Gray- SeaFish

Alison Hargrave- Gwynedd Council, Pen Llŷn a'r Sarnau SAC Officer

Cristina Herbon/Gareth Johnson- Joint Nature Conservation Committee/Regional MCZ projects

Hilmar Hinz- School of Ocean Sciences

Ian Lawler- Bord Iascaigh Mhara (BIM)/Irish Sea Fisheries Board

Hefin Jones- Welsh Federation of Sea Anglers (WFSA)

Stewart McElroy- North Wales Fishermen's Cooperative Ltd (NWFCL)

John Owen- Anglesey Council, Maritime Officer

Niall Phelan - Environment Agency

Mark Roberts- Llŷn Fishermen's Association/Welsh scallop fisheries

Dale Rodmell- National Federation of Fishermen's Organisations

Rowland Sharp- CCW North region, Marine Specialist

Nick O'Sullivan- Wales Marine Fisheries Advisory Group (WMFAG)

Koen Vanstaen/Janette Lee- Centre for Environment, Fisheries and Aquaculture Science (CEFAS)

Sion Williams- Llŷn Pot Fishermen's Association

James Wilson- Bangor Mussel Producers Ltd/Welsh Aquaculture Producers' Association (WAPA)





CYLCH GORCHWYL AC AELODAETH GRŴP LLYWIO FISHMAP MÔN

Dyma fydd prif swyddogaethau'r Grŵp Llywio:

- Bod yn fforwm trafod ar gyfer y prosiect
- Cynnig fforwm dylanwadol ar gyfer budd-ddeiliaid allanol fel y gallant leisio'u barn ynglŷn â'r prosiect peilot
- Annog yr arfer o ledaenu'r prosiect ymhlith budd-ddeiliaid
- Meithrin cefnogaeth ar gyfer y prosiect ar draws amrywiaeth o fudd-ddeiliaid
- Ennyn barn ynglŷn â'r mapiau a'r gwahanol ganllawiau rheoli

Gweithdrefn:

Yn ystod oes y prosiect (Ionawr 2011 – Medi 2012) bydd cyfarfodydd yn cael eu cynnal bob pedwar mis, fel a ganlyn:

2011 – Gorffennaf, Tachwedd

2012 – Mawrth, Gorffennaf

Aelodau'r grŵp:

Cadeirydd Tim Jones- CCW, Cyfarwyddwr Rhanbarth y Gogledd

Ysgrifenyddes Sue Hearn- FishMap Môn, Swyddog Prosiect Rheoli Pysgodfeydd,

Iwan Ball- Worldwide Fund for Nature (WWF), Wales Environment Link (WEL), WMFAG, North Western Waters Regional Advisory Council (NWWRAC)

Colin Charman- CCW, Swyddog Cyswllt Pysgodfeydd Môr

Phil Coates- Llywodraeth Cynulliad Cymru, Pennaeth Gorfodi Pysgodfeydd y Glannau

Kevin Denman- South and West Wales Fishing Communities Limited (SWWFCL)

Clare Eno- CCW, Uwch Gynghorydd Pysgodfeydd Môr

Jim Evans- Cymdeithas Pysgotwyr Cymru (WFA-CPC)

John Fish/Sam Wilding- Cardigan Bay Fishermen's Association (CBFA)

Mark Gray- SeaFish

Alison Hargrave- Cyngor Gwynedd, Swyddog Pen Llyn a'r Sarnau SAC

Cristina Herbon/Gareth Johnson- Joint Nature Conservation Committee/Regional MCZ projects

Hilmar Hinz- Gwyddorau Eigion Môr

Ian Lawler- Bord Iascaigh Mhara (BIM) Irish Sea Fisheries Board

Hefin Jones- Welsh Federation of Sea Anglers (WFSA)

Stewart McElroy- North Wales Fishermen's Co-operative Ltd (NWFLC)

John Owen- Swyddog Môr, Cyngor Ynys Môn

Niall Phelan - Environment Agency

Mark Roberts- Cwmni Pysgotwr Llŷn

Dale Rodmell- National Federation of Fishermen's Organisations

Rowland Sharp- CCW Rhanbarth y Gogledd

Nick O'Sullivan- Wales Marine Fisheries Advisory Group (WMFAG)

Koen Vanstaen/Janette Lee- Centre for Environment, Fisheries and Aquaculture Science (CEFAS)

Sion Williams- Cymdeithas Cewyllwyr Llŷn

James Wilson- Welsh Aquaculture Producers' Association (WAPA)/Bangor Mussel Producers Ltd



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Cyngor Cefn Gwlad Cymru Countryside Council for Wales

CADEIRYDD/CHAIRMAN: MORGAN PARRY • PRIF WEITHREDWR/CHIEF EXECUTIVE: ROGER THOMAS

Anfonwch eich ateb at/Please reply to: Mr Morgan Parry, Cadeirydd/Chairman
Cyfeiriad Isod/Address Below
Llinell Union/Direct Line: 01248 387141; Ffacs/Fax: 01248 385506
Ebst/Email: n.sanpher@ccw.gov.uk

Y Gwir Anrhydeddus Arglwydd Dafydd Elis-Thomas AC
Cadeirydd
Y Pwyllgor Amgylchedd a Chynaliadwyedd
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CAERDYDD
CF99 1NA

18 Hydref 2011

**GORSAF BŴER PENFRO
RÔL CYNGOR CEFN GWLAD CYMRU**

Diolch am holi ynglŷn â'r uchod.

Mae'r Cyngor Cefn Gwlad yn ymgynghorai statudol parthed y cyfundrefnau caniatáu gwahanol sy'n berthnasol i'r achos. Mae'r caniatadau wedi bod yn niferus ac wedi cynnwys caniatâd cynllunio, trwyddedau morol, caniatâd Awdurdod y Porthladd, tynnu dŵr a'r Rheoliadau Caniatáu Amgylcheddol.

Cyn ymateb i unrhyw un o'r caniatadau hyn – ac er diwedd y flwyddyn 2004, cyn i'r gwaith adeiladu gychwyn – bu'r Cyngor Cefn Gwlad yn cynnal trafodaethau â'r ymgeisydd a'r awdurdodau caniatáu ynglŷn â'r effeithiau amgylcheddol posibl ar y safle dynodedig a rhyngwladol bwysig sydd gerllaw, sef Ardal Cadwraeth Arbennig (ACA) Sir Benfro Forol. Yn y trafodaethau a gynhaliwyd cyn i'r cais gael ei gyflwyno, a hefyd yn ein hymateb ffurfiol i'r ymgynghoriadau, rydym wedi dweud yn gyson bod gennym bryderon mawr ynglŷn â'r dull oeri uniongyrchol a gynigir. Mae'n bwysig nodi y byddai dulliau oeri eraill (er enghraifft dulliau oeri anuniongyrchol, fel oeri ag aer, neu gyfuniad o oeri â dŵr ac aer) yn effeithio llai ar y safle dynodedig uchod.

Ar hyn o bryd, mae'r Cyngor Cefn Gwlad yn rhoi cyngor manwl i Asiantaeth yr Amgylchedd Cymru a Llywodraeth Cymru ynglŷn â'r drwydded Rheoliadau Caniatáu Amgylcheddol. Mae'r cyngor hwn yn canolbwyntio ar sicrhau bod y prosesau a roddir ar waith i asesu'r cynnig yn addas i'r diben, a bod yr effeithiau tebygol ar gadwraeth natur wedi cael eu hystyried yn briodol. Mae ein trafodaethau ag Asiantaeth yr Amgylchedd Cymru ar y gweill o hyd ac rydym yn rhoi gwybod i Lywodraeth Cymru am y cynnydd.



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<http://www.ccw.gov.uk>

Tudalen 50

Prif bryderon y Cyngor Cefn Gwlad o hyd yw'r effaith a gaiff gollwng dŵr wedi'i gynhesu ar amgylchedd Dyfrffordd Aberdaugleddau, ynghyd â'r bywleiddiaid a gaiff eu gollwng a'r organeddau morol a gaiff eu cludo. (Mae Dyfrffordd Aberdaugleddau yn rhan o'r safle dynodedig y cyfeirir ato uchod.) Rydym yn dal i ddatgan ein bod o'r farn y bydd y cynnig hwn yn effeithio ar ACA Sir Benfro Forol.

Mae hwn wedi bod yn achos cymhleth yn ymwneud â nifer helaeth o awdurdodau caniatáu. Mae gan y system gynllunio ran bwysig i'w chwarae wrth geisio sicrhau y caiff yr amgylchedd ei gyfoethogi a'i warchod, gan gefnogi amcanion economaidd a chymdeithasol yr un pryd. Ym marn y Cyngor Cefn Gwlad rhaid cael proses gref a chadarn er mwyn sicrhau y caiff ynni ei ddatblygu mewn modd cynaliadwy. Ymhellach, byddai cydlynu fframweithiau polisi a chyflawni yn well ar lefel Cymru yn helpu i arwain at gyflawni targedau ynni mewn modd cydlynol. Yn nhyb y Cyngor Cefn Gwlad, yn y dyfodol dylid cael proses integredig er mwyn sicrhau bod caniatadau ar wahân, yn ogystal â phrosesau trwyddedu sy'n ymwneud â seilwaith mawr, yn gydnaws â'i gilydd.

Gobeithio bod y llythyr hwn yn ateb eich cwestiwn. Os byddwch angen mwy o fanylion, cofiwch ddweud.



Morgan Parry
Cadeirydd

Eitem 4d

Y Pwyllgor Amgylchedd a Chynaliadwyedd E&S(4)-10-11 : Papur 7

Blaenraglen Waith y Pwyllgor Amgylchedd a Chynaliadwyedd - Tymor y Gwanwyn 2012

Diben

1. Mae'r papur hwn yn gwahodd Aelodau i nodi amserlen y Pwyllgor Amgylchedd a Chynaliadwyedd sydd ynghlwm yn atodiad A.

Cefndir

2. Yn atodiad A, ceir copi o amserlen y Pwyllgor Amgylchedd a Chynaliadwyedd.

Argymhelliad

3. Bod y Pwyllgor yn nodi'r rhaglen waith sydd ynghlwm yn atodiad A.

Gwasanaeth y Pwyllgorau

Atodiad A

Y Pwyllgor Amgylchedd a Chynaliadwyedd

Yr amserlen waith - tymor y gwanwyn, 2012

Tudalen 53

	Y Pwyllgor Amgylchedd a Chynaliadwyedd	Grŵp gorchwyl a gorffen ar y Polisi Amaethyddol Cyffredin	Grŵp gorchwyl a gorffen ar y Polisi Pysgodfeydd Cyffredin
Dydd Iau 12 Ionawr 9.00 - 12.00	Clywed tystiolaeth lafar mewn perthynas â'r ymchwiliad i bolisi ynni Adroddiad Grŵp gorchwyl a gorffen ar y Polisi Amaethyddol Cyffredin Sesiwn cwmpasu a trafodaeth ar yr ymchwiliad(au) nesaf	Cyfarfod i gytuno adroddiad / llythyr	
Dydd Iau 12 Ionawr 13.00 - 15.00	Clywed tystiolaeth lafar mewn perthynas â'r ymchwiliad i bolisi ynni		
Dydd Mercher 18 Ionawr 9.00 - 12.00			Tystiolaeth lafar

Dydd Iau 26 Ionawr 9.00 - 12.00	Clywed tystiolaeth lafar mewn perthynas â'r ymchwiliad i bolisi ynni		
Dydd Iau 26 Ionawr 13.0 - 15.00			
Dydd Mercher 1 Chwefror 9.00 - 12.00		Tystiolaeth lafar	
Dydd Iau 9 Chwefror 9.00 - 12.00	Clywed tystiolaeth lafar mewn perthynas â'r ymchwiliad i bolisi ynni		
Dydd Iau 9 Chwefror 13.00 - 15.00	Clywed tystiolaeth lafar mewn perthynas â'r ymchwiliad i bolisi ynni		
	HANNER TYMOR		
Dydd Mercher 22 Chwefror 9.00 - 12.00			Tystiolaeth lafar
Dydd Iau 1 Mawrth 9.00 - 12.00	Clywed tystiolaeth lafar mewn perthynas â'r ymchwiliad i bolisi ynni		

Dydd Iau 1 Mawrth 13.00 - 15.00	Clywed tystiolaeth lafar mewn perthynas â'r ymchwiliad i bolisi ynni		
Dydd Mercher 7 Mawrth 9.00 - 12.00			Tystiolaeth lafar
Dydd Iau 15 Mawrth 09.00 - 12.00	Clywed tystiolaeth lafar mewn perthynas â'r ymchwiliad i bolisi ynni		
Dydd Iau 15 Mawrth 13.00 - 15.00	Clywed tystiolaeth lafar mewn perthynas â'r ymchwiliad i bolisi ynni		
Dydd Mercher 21 Mawrth 9.00 - 12.00	Ymchwiliad i bolisi ynni		
Dydd Iau 29 Mawrth 09.00 - 12.00			
Dydd Iau 29 Mawrth 13.00 - 15.00			
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Environment and Sustainability Committee

E&S(4)-10-11 : Paper 8

Inquiry into energy policy and planning in Wales - Additional information from ScottishPower Renewables

SUPPLEMENTARY MEMORANDUM BY SCOTTISHPOWER RENEWABLE ENERGY LIMITED

DECEMBER 2011

Community Benefits - The ScottishPower Renewables Experience

Background

1. ScottishPower Renewable Energy Limited (known as ScottishPower Renewables (SPR)) owns and operates 23 windfarms in the UK.
2. There is no requirement on renewable energy projects in the UK to make any community payment but it is normal practice for SPR to provide a community benefit to the communities neighbouring our projects.
3. Our standard rate of community benefit is £2000 per MW installed capacity - well above the industry average. These funds are paid annually, for the lifetime of the project (usually 25 years) and are index linked.
4. All but one of our projects in Britain provides community benefit. The exception is Coal Clough near Burnley, Lancashire, which was developed before this practice was adopted by SPR, but this project is currently being repowered, and a community benefit package is included in these plans.
5. Our Llandinam project in Powys was also developed prior to the introduction of community benefit payments. Consequently, SPR and our partners in this project, Eurus Energy, introduced community benefit payments for this site some years ago. The funds are paid directly to the local community council.
6. In 2011, there were 24 separate community benefit agreements in place (including new agreements for extensions to windfarms). SPR will provide well over £1million in community benefit payments this year.

Types of Community Benefit Arrangement

7. There is no single model for community benefit. Arrangements have changed over time, and local arrangements are made to suit the needs of the communities and comply with any guidance or policies e.g. from the relevant local authority.
8. The preferred model from our experience to date is for the funds to be provided direct to relevant local community bodies, provided they are properly constituted, represent the community, and are accountable. Some communities either adapt existing Trusts, or establish purpose built bodies. Increasingly communities are opting for a community interest company (CIC) which can provide more flexibility in the use of funds.

Enabling Communities

9. Not all communities have experience in establishing and running a community body which might be in receipt of up to £10million over a 25 year period. SPR attempt to help communities prepare for the receipt of community benefit and often helps communities to make links with independent third parties such as the Development Trusts Association Wales – <http://www.dtawales.org.uk/> or the Wales Council for Voluntary Action – http://www.wcva.org.uk/main/dsp_home.cfm .
10. We also refer them to the Government published Community Benefit Toolkit for England and Wales – http://www.decc.gov.uk/publications/basket.aspx?FilePath=What+we+do%5cUK+energy+supply%5cEnergy+mix%5cRenewable+energy%5cORED%5c1_20090721102927_e_%40%40_DeliveringcommunitybenefitsfromwindenergyAToolkit.pdf&filetype=4#basket

Case Studies

11. Some examples of existing SPR community benefit arrangements are provided below:

Case Study 1 – Argyll and Bute Concordat

Introduction

12. Argyll and Bute Council (ABC) area is a key region for SPR. It has long been important for onshore wind, and we have three operational windfarms (Beinn an Tuirc, Cruach Mhor and Clachan Flats) and an extension to Beinn an Tuirc in construction in the region.
13. It is also of great importance for offshore wind, with the 1.8GW Argyll Array located in the region, and it is the site of the world's first consented tidal energy farm project in the Sound of Islay – both SPR projects.

A Strategic Relationship

14. Given the key role that the area has for SPR and the vital role that renewables play in the future development of the area, SPR and ABC agreed, in 2004, to enter into a strategic relationship – the Argyll and Bute Concordat.
15. The aims of this Concordat were as follows:
 - I. To spread a proportion of the funds realised from SPR onshore wind projects throughout ABC;
 - II. To encourage other renewable energy operators to do likewise;
 - III. To improve communication between SPR and ABC both on a project specific level and at a policy level; and
 - IV. To raise awareness of renewable energy throughout ABC.

Outputs

16. The outputs from the Concordat have been as follows:

Spreading the Benefits

17. In order to spread the economic benefits, SPR and ABC agreed to a new form of community benefit, with SPR paying on the basis of output rather than installed capacity. This risk sharing approach has allowed SPR to pay a rate of £1 per MWh (approximately 25% higher than our normal rate).
18. This extra funding will be used to support small scale renewable energy and energy efficiency actions throughout ABC, thus reducing local expenditure on energy and helping to reduce fuel poverty.
19. Other developers have to some extent followed this example, but the response has been mixed. Some have not taken part, some have allocated only a small part of the community benefit fund to this wider fund, and others have constrained the purposes to which those funds might be used.

Better Communication

20. Since 2004, SPR and ABC have met twice yearly to exchange information and consult each other on the development of policy, including a strategic review of tidal energy resources and technology.
21. This close relationship led directly to the identification of the Sound of Islay as a site with the potential to prove new tidal energy technology on a commercial scale, both due to the technical/environmental conditions but also due to the proactive view of the local community.
22. *This has led directly to the Sound of Islay project receiving the first consent for a tidal energy farm worldwide.*

23. This information sharing approach has now led to a strategic partnership approach to helping assess and direct the onshore developments associated with the Argyll Array, should this project receive consent. This means that the local and wider community will be better placed to maximise development and education benefits.

Raising Awareness

24. In order to help achieve this objective, SPR has been providing core funding for an education officer with ALIEnergy, a public sector body tasked with promoting renewable energy and energy efficiency throughout ABC.
25. This has allowed schools and colleges within ABC to receive education support and materials aimed both at raising awareness and improving employability.

Result

26. This groundbreaking approach has resulted in recognition at a national level with a commendation in the 2005 Scottish Government Awards for Quality in Planning.

Lessons Learned

27. In retrospect, although community benefits are voluntary and cannot be insisted upon by the local authority, stronger policy guidance might have encouraged more developers to participate more fully in the ABC wide fund.

Case Study 2 - Whitelee Windfarm

Introduction

28. Whitelee windfarm, at 322 MW, is the largest onshore windfarm in Europe.
29. Due to the sheer scale of the project and the large number of neighbouring communities, it was agreed that community benefits for Whitelee Windfarm would be subject to an agreement between SPR and the three local authorities (East Ayrshire, East Renfrewshire and South Lanarkshire).
30. The community benefit package is part of a wider Section 75 agreement attached to the consent for the site and covers three main issues:
- I. A proactive access strategy for the site
 - II. A purpose built visitor centre

III. Direct community benefit payments

Access Strategy

31. Given the location between three large population centres (Glasgow, East Kilbride and Kilmarnock) and the creation of 90km of access tracks over a previously inaccessible and rarely used moorland, it was anticipated that the windfarm might provide an opportunity for public access.
32. Consequently, it was agreed that SPR, as part of the community benefit package, would fund the creation and management of an Access Strategy Group which would develop and implement an access strategy for the site – again funded by SPR.
33. Currently, there are four countryside rangers employed on site with a gradual roll out of access provision – way marking, seats, shelters, public art works – and ongoing development of small car parks, new footpaths beyond the windfarm boundary to link across the site, and special interest groups (for example a strollers groups for parents with prams).
34. The site has proved very popular with walkers, cyclists, horse riders, dog sledders and cross country skiers. The Duke of Edinburgh award scheme has a dedicated camp on site.
35. Plans are now being developed for a dedicated mountain bike trail for more specialist users.
36. To date, SPR has provided approximately £1million to fund access on site.

Visitor Centre

37. SPR has built a visitor centre on site, operated on our behalf by Glasgow Science Centre, an education charity. They employ 10 staff to operate the facility.
38. The Centre has exceeded expectations with over 100,000 visitors in its first full year of operation, including specialist visits such as school groups, government delegations and youth groups. It also hosts community events such as a farmers market, storytelling events. The facilities are provided either free or at cost for such events.
39. To date, SPR has funded the building and equipping of the visitor centre (over £2million) and provided an annual six figure subsidy.

Community Benefit

40. Since full opening of the site, SPR has provided an annual community payment of £1,000 per MW installed capacity (£322,000 in year one), index linked. This will be paid for the 25 year lifespan of the project – a total of more than £8million at today's values.
41. The funds are divided between the three local authorities, based upon the total capacity of turbines installed in each local authority area.

Results

42. Whitelee is now regarded as one of the major recreation destinations in the region, playing a key part in local aspirations to develop the rural economy.
43. In recognition of the role that Whitelee Windfarm plays in contributing to the local community, to the regional economy and to reducing national CO₂ emissions, we were proud to receive the Queens Award for Sustainable Development in 2010.

Case study 3 – Arecleoch and Mark Hill Windfarms

Introduction

44. Arecleoch Windfarm is 120MW. It is situated in South Ayrshire and was developed and built by SPR. It was opened in early 2011.
45. Mark Hill Windfarm, at 60MW, sits on the opposite side of the valley from Arecleoch. It was developed by a third party and bought by SPR as a consented project.

Development of a Community Benefits Package – Arecleoch

46. SPR operated community negotiations in parallel with the planning process to both agree an appropriate form of community benefit for Arecleoch, and enable the eight Community Councils involved to create a structure to receive and manage the funds.
47. One key principle of these negotiations was that they would not prejudice the community role in the planning process. The communities were free to object to the project if they

so wished, knowing that they were still able to negotiate an agreement should the project go ahead.

48. Early on, it was agreed that the standard sum (£2,000 per MW installed) would be shared by the neighbouring communities, with a top up based on output (an extra 25% in an average year) to be spent in the wider area.

49. The communities jointly created a Community Interest Company (CIC), with SPR funding some research and set up costs.
50. While this process was ongoing, the Scottish Government issued revised guidance giving local government a stronger role in helping to deliver community benefits. Consequently, South Ayrshire Council (SAC), confirmed that our approach was in line with Scottish Government guidance and SAC endorsed this process.

Aligning Mark Hill

51. When Mark Hill was brought into the SPR portfolio, there was no community benefit agreement for the wider area.
52. SPR retrospectively introduced a package, and agreed a contract for the payment to be made to the same CIC.

Result

53. Communities in South Ayrshire now receive over £400,000 per year, which will be index linked for the 25 years of the project – more than £10million at today's values.

Lesson Learned

54. An open negotiation process, separate from the planning process, is vital. The role of the Scottish Government in providing guidance was invaluable.

**ScottishPower Renewable Energy Limited
December 2011**