

## **Environment, Planning and Countryside Committee**

### **EPC(2) 12-06(p1)**

**Date:** 28 September 2006  
**Venue:** Committee room 2, Senedd  
**Title:** Minister's report

## **Report from the Minister for Environment, Planning and Countryside (EPC)**

### **A. Actions from Previous Meetings**

#### **1. Department for EPC Research and Evaluation Fund**

I agreed at the Committee meeting on 15 June 2006 to provide a note on the above. This is now attached at **Annex 1**.

#### **2. Import checks on poultry and game birds**

I was asked at the last meeting to provide an example of the criteria and the checklist that Veterinary Officers use during inspections of imported poultry and game birds. An example is provided at **Annex 2**.

### **B. Other Issues**

#### **3. Autumn strategy - Avian Influenza**

I would like to inform you of the UK's autumn strategy for avian influenza. The risk of incursion of the disease into the UK is still regarded as low but it has increased marginally at this time due to wild birds returning from northern latitudes which are in the same east Atlantic migratory flyway as the UK.

The strategy, accordingly, includes improving and maintaining existing contacts with the Russian government and maintaining links with authorities in Iceland where testing is carried out on wild migratory birds from Scandinavia.

A complete avian influenza surveillance strategy has been developed with the following elements:

- Annual survey in domestic poultry (last year 438 premises in the UK were sampled. This year a larger number of premises will be sampled thanks to the comprehensive information from the poultry register).
- Targeted wild bird surveillance
  - Testing live birds (captured and released).
  - Testing shot birds (shot as part of legal wildfowling activities)
  - Testing wild birds of certain species that are found dead in designated areas.
- Investigation of suspect disease report cases.

The testing of both live and dead birds undertaken in the UK will concentrate on areas of greatest risk. In Wales these areas are primarily Anglesey and the Severn Estuary. If it is necessary to increase surveillance significantly then the use of external contractors will be considered to provide additional resources in collecting wild birds.

In the event of a significant increase in risk, measures which have already been developed would be put in place, as required, such as:

- Housing – taking all factors into account;
- Gatherings - In a period of heightened risk these could be banned or restricted;
- Vaccination of zoo birds – a vaccine bank exists to protect rare and valuable birds in zoos and plans have been agreed with zoos for distribution and use;
- Vaccination of poultry and other captive birds - tenders have been received for the supply of 10 million doses for potential use as part of contingency planning. The current policy is that vaccination would not be the immediate response to disease control, nor would it be used in the absence of an outbreak.

Pigeon racing has already been restricted from 1 August 2006. It is permitted from within the British Isles and from Northern Ireland but not from mainland Europe.

In the event of an outbreak in wild birds or poultry the contingency plan would be followed i.e. protection and surveillance zones would be set up around sites of infection in which movements of eggs, poultry and products would be restricted and intensive surveillance and inspection undertaken.

Officials are in close liaison with Health divisions and the National Public Health Service Wales in respect of any associated human health aspects.

#### **4. Bluetongue**

I would like to inform you about the situation regarding Bluetongue. It was first discovered in the Netherlands, Belgium and Germany in the middle of August. There are now approximately 200 outbreaks in an area covering the Netherlands, Germany, Belgium, Luxembourg and France. Most new cases are in the existing infected areas but there is a spread in a south easterly direction. Bluetongue does not affect humans and is not spread by meat or milk.

The clinical signs in sheep can vary from unapparent to mild or severe, depending on the virus strain and the breed of sheep involved. Deaths of sheep in a flock may reach as high as 70 per cent. Animals that survive the disease will lose condition with a reduction in meat and wool production. The disease is characterised by fever that may last for several days. Increased respiration and hyperaemia of the lips, mucous linings of the mouth, nose and eyelids, accompanied by excess salivation and frothing may follow this. Nasal discharges are common. In cattle, the disease cannot be easily diagnosed on clinical grounds (it may be sub-clinical) and requires

laboratory testing for confirmation. Affected animals are not automatically slaughtered unless they pose a risk of spreading the disease to midges and so to other animals. The virus will be lost from the animal's body over time.

Bluetongue virus is present in much of the Americas, Africa, Southern Asia and Northern Australia. It is occasionally present in Southern Europe. The midge responsible for the spread of the virus belongs to the Culicoides group but the species normally associated with this is not naturally found in the UK. It is thought that midges found in the UK could transmit the virus. The spread of infection is temperature dependent – the temperature must be above 15 degrees Celsius for virus replication within the midge and more than 12 degrees Celsius for the midge to survive. The virus in the current outbreak is serotype 8 which is a sub-Saharan African strain.

In line with EU legislation all the affected countries imposed a 20 km standstill zone around infected premises in which the movement of animals is prohibited and housing and other measures for vector control are required. Further 100 km protection zones and outer 50 km surveillance zones were put in place in which the movement of animals is controlled, premises identified, surveillance undertaken and animals prevented from moving into and out of the zones. Restrictions in the Netherlands were relaxed but reintroduced for the whole country following a new unexpected case in the north.

In the UK the window for testing for the virus has been widened following a review of the epidemiological evidence available so far from Europe. So far results are negative. Results of tests on a small number of report cases are so far negative. Work is progressing on control measures should there be an outbreak.

In Northern Europe any outbreak of the disease is likely to be a season problem as both virus and vector midge are temperature dependent for survival and replication. While the origin of the current situation in Europe is unknown or the method of introduction, efforts are underway in the UK to understand the factors that might affect spread should the disease make another incursion into Northern Europe next year.

## **5. Sheep Dip Pollution Reduction Programme**

The effective control of ectoparasites (scab, flystrike, lice etc) in sheep is one of the biggest challenges facing livestock farming today. Parasite resistance to chemical treatments is on the increase and consequently the availability of effective chemical treatments will decline. Those treatments that are effective are chemicals that can have severe effects in the environment when incorrectly used. Safeguarding the environment by following 'best practice' in the use and safe disposal of sheep dip is a key element in the environmental and legislative aspects of sheep dipping.

The Sheep Dip Pollution Reduction Programme, a new initiative to help tackle sheep dip pollution, was launched on 24 August 2006.

The programme has a number of key actions to minimise the environmental risks from sheep dip chemicals, whilst also meeting the needs of the sheep farming industry.

The Environment Agency and Veterinary Medicines Directorate have developed the action plan following consultation with a wide range of stakeholders including the farming industry and angling and conservation groups.

The Sheep Dip Steering Group met for the first time on Monday 21 August 2006. Members were briefed by the National Farmers Union on the 'STOP every DROP' campaign. This forms one element of the action plan and represents immediate voluntary action that can be taken by the farming industry to ensure farmers and contractors adopt best practice when using dip products.

Other key actions include:

- monitoring rivers and streams nationally in order to measure the extent of the problem and to provide a baseline against which improvements can be measured;
- carrying out research to provide strong evidence to support any decision making around sheep dip pollution.

Over the next twelve months the Environment Agency and the Veterinary Medicines Directorate will work together with the industry and angling and conservation groups to tackle this problem. In 2005, pollution incidents involving sheep dips caused significant damaging to our environment and attracted fines of up to £38,000.

The steering group will be responsible for monitoring the action plan, reporting on progress after six months and again after one year. It is made up of representatives from the farming industry, manufacturers of dips, the wool industry, veterinarians, angling and wildlife interests, the government and relevant regulators.

There is also a sheep industry initiative to eradicate sheep scab. This is currently being led by the National Sheep Association. The Welsh Assembly Government continues to work with industry to provide advice and support on the eradication campaign. Officials will monitor the work of the Pollution Reduction Programme to ensure it runs alongside the industry initiative.

## **6. EU Emissions Trading Scheme (EU ETS)**

I would like to draw your attention to the above.

The EU ETS is a key mechanism for reducing greenhouse gas emissions both in the UK and across the EU.

Phase II of the EU ETS will begin on 1 January 2008 and will run for 5 years to 2012.

The UK Government submitted the UK National Allocation Plan (UK NAP) to the Commission for assessment on 21 August 2006. The Commission now has 3

months to assess the UK NAP. The National Allocation Plan provides the framework for the second Phase of the EU ETS.

The Government will allocate 246 million allowances in Phase II which includes those installations not covered in Phase I. This cap represents an 8MtC (million tonnes of carbon equivalent) reduction on Business as Usual.

At the same time, the installation level lists which set out the number of allowances for each installation have been published for public consultation.

## **7. Consultations for pollution control**

A Joint Defra/Welsh Assembly Government consultation on options for transposition of the Sulphur Content of Marine Fuels Directive was issued on 26 July for comments by 20 October 2006.

A Welsh Assembly Government consultation proposing to increase the fee for dry cleaners who submit a late application for an operating permit under the Pollution Prevention and Control Regime was issued on 21 July and closed on 1 September 2006.

A consultation paper covering guidance and regulations in relation to the introduction of artificial light and insects as potential statutory nuisances was issued on 19 July for comments by 13 October 2006.

A consultation paper discussing options for transposition and implementation of the fourth Daughter Directive, which relates to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air, has recently been issued and comments are invited by 18 December 2006.

## **8. Committee on Radioactive Waste Management (CoRWM)**

The Committee on Radioactive Waste Management (CoRWM), set up in 2003, is an independent committee co-sponsored by the Welsh Assembly Government, the UK Government and the other Devolved Administrations.

As Members are aware, their remit is to review the options for managing the UK's high level radioactive waste for which there is no agreed long-term solution and present their recommendations to sponsoring Ministers.

The committee presented their recommendations on the options for managing the UK's high level radioactive waste to sponsoring Ministers on the July 31<sup>st</sup> 2006.

Following a joint interim response to CoRWM made by sponsoring Ministers in July, Devolved Administration and UK Government Ministers will respond in full to the recommendations following the summer recesses.

## **9. Snowdon Summit Building**

On Tuesday 12<sup>th</sup> September I was delighted to launch, with Sue Essex AM the physical works for the new Snowdon summit building with the beginning of the demolition of the summit café.

The cost of the project is some £8.3million and the funding package includes a commitment of £3 million from the Welsh Assembly Government and £4million from the European Regional Development Fund. Other support is coming from the Welsh Assembly Government's Visit Wales, the Snowdonia National Park Authority itself, the Snowdon Mountain Railway Company and an ongoing Public Appeal.

Some 350,000 people a year use the existing summit building, which was built in the 1930s. The new summit building, which is due to be completed by spring 2008, will have up to date facilities giving visitors the opportunity to learn more about the mountain and its environment. It will also provide weather information, advice on descent routes as well as catering facilities.

## **10. Ceredigion County Council Unitary Development Plan (UDP)**

You were advised at the last meeting of the Direction issued to Ceredigion County Council requiring them to amend the settlement policies in their UDP prior to adoption of their plan.

One of the issues for the Council was that any further modifications requiring public consultation would likely jeopardise their plan, as an environmental assessment of the UDP had not been carried out under the SEA Regulations and the deadline for adoption without an SEA was 22 July 2006.

The Council is due to consider their formal response to the Direction and their development plan options by 21 September. I will update you at the meeting if a formal response is forthcoming.

## **11. Coal Technical Advice Note**

I plan to meet the Scottish Executive's Planning Minister, Ms Johann Lamont MSP, shortly to discuss their opencast policy framework. An update to Committee will be provided following that meeting.

## **12. Current Consultations on Planning Policy /Technical Advice Notes**

The Welsh Assembly Government has issued a number of consultation documents in relation to the planning system in Wales over recent months. These are detailed in **Annex 3**.

**13. Forthcoming Legislation -  
The Sheep and Goat (Records, Identification and Movements) (Amendment)  
(Wales) Order 2006**

This Order was notified to Committee in my oral report of 13 July 2006.

Unfortunately agreement to tightening the tagging requirements for export animals was sought by the Commission after this date. As the Assembly was in recess it was not possible to include the item on a list of forthcoming legislation to put to the Committee.

However, I wrote to the Chair of the Committee on 24 July 2006 informing him of this additional amendment which brings UK requirements for the tagging of sheep for export in line with EU legislation. The letter explained the reasons for the amendment and that the industry had been made aware of this proposed change and was content that it be introduced in order to maintain the existing UK ID system.

I have agreed that this proposed minor change will assist the UK in meeting its commitments to the Commission. Failure to implement this change could mean the introduction of double tagging of sheep and goats.

The Committee is again invited to consider whether it wishes to scrutinise these Regulations.

**14. 2006 Single Payment Scheme**

Members may wish to note that:

- 17,986 Single Application Forms (SAFs) have been received for the 2006 scheme year.
- 17,452 farmers in Wales have claimed under the 2006 Single Payment Scheme.
- Over 9,000 Welsh farmers have been asked to provide additional information to or clarification of the information provided on their 2006 SAF forms.

I would very much like to replicate the success of 2005 but this will only be possible if farmers respond quickly to officials' enquiries regarding their 2006 Single Payment Scheme applications. Failure to do so will delay payments in December.

## **Department for EPC Research and Evaluation Fund**

Research and evaluation forms a critical part of the policy making process. Evaluation assists in strengthening the EPC evidence base and the development of new policies by identifying 'what works'; it can provide on-going monitoring for existing policies; and it can ascertain wider social, economic and environmental impacts from policy initiatives.

The demand for evaluation already exists across EPC: it is a mandatory feature of EU funded programmes. The Minister has also indicated his desire to make policy according to robust evidence.

The delivery of robust evidence is dependent on the appropriate use of evaluation tools. The Research and Evaluation fund provides an important component of the evidence base for policy development within EPC by supporting the evaluation of those EPC programmes which are not already assessed through designated monitoring and evaluation budgets.

It can also provide 'top up' evaluation support to particular programmes that have incorporated monitoring budgets where these proved to be insufficient to meet increased evidence base requirement. In future years it will be used to fund projects that, following evaluation or research, are identified as requiring start up or additional support.

### **Context**

The EPC Research and Evaluation fund was introduced in 2005/6 specifically to address a range of programmes and schemes for which evaluation funding was not already fully incorporated and which met the following criteria:

- Research and Evaluation gaps in EPC work identified by the last SPREE round
- Wales: A Better Country commitments
- Programmes that received additional funding in that year's Budget Planning Round.
- Small Budget Expenditure Lines and Grant schemes

In addition, funding was also available to improve the research and evaluation infrastructure within EPC.

### **Fund Utilisation 2005/6**

In 2005/6 the fund spent £180k supporting the following projects:

- An assessment of farmers perceptions of the Farming Connect Scheme to assist development of a Farm Advisory Service.

- A review of the implementation of the CROW Act - access provision to inform Coastal Access implementation.
- A data analysis exercise on Welsh TB data to support the Preventative Measures project.
- An assessment on the Environmental Opportunities Review to assist development of a Farm Advisory Service.
- A review of potential indicators for the State of the Environment report to support monitoring of the Environment Strategy.
- An assessment of the delivery of Rural Development Programmes e.g. Leader in Wales to inform the new RDP.

In addition EPC secured the services of an evaluation specialist on secondment from Cardiff University who undertook a review of evaluation across EPC and made recommendations for its future management within the department.

### Fund Utilisation 2006/7

In 2006/7 the fund will be supporting the following projects and actions with an estimated cost of £300k:

- A review of the Environment Wales and Sustainable Development Funds to inform their future formats.
- A regulatory impact assessment of the new Marine Bill.
- Evaluation of additional components of the Farming Connect scheme to inform the development Farm Advisory Service.
- Evaluation of CAP reform impacts in Wales.
- Evaluation of issues surrounding the dairy industry in Wales including the impact of Herd Health Planning and a review of Environmental impacts to support the animal welfare and sustainability agenda.
- Evaluation of the Welsh Ewe Genotyping Scheme and an assessment of the scope for Farm Animal Disease incidence reporting in Wales.
- Evaluation of the botanical outcomes from the Tir Gofal agri-environment scheme and an evaluation of the socio-economic benefits of the Pontbren Scheme.
- An assessment of the net effects of horticultural production in Wales in the context of the objectives of the Environment Strategy.

The fund will also be used to support training provision on evaluation principles and techniques to key EPC staff to improve the evaluation culture and expertise within the department.

### Fund Utilisation 2007/8

In 2005/6 and 2006/7 the £300k fund has been used to support research and evaluation work. In 2007/8 a much larger sum, £5m, has been allocated. The intention is to allocate £300k again to research and evaluation, the remainder will be allocated to projects which, after research or evaluation, are identified to benefit from start up or increased funding. This is an innovative approach in EPC, which is intended to encourage evidence based policy making. The proposal is that support from the evaluation fund would be short-term, with the intention that if successful the

projects would secure longer term funding through the usual Assembly budgetary process. It is not the intention to 'tie up' the fund for mainstream projects.

**Annex 2**

**IMPORT CHECKS ON POULTRY AND GAME BIRDS (04/06)**

AHDO :  Identification of consignment:   
 (TRACES number, otherwise specify country of origin)

**Tick category:**

Hatching eggs	<input type="checkbox"/>	Chicks up to 4do	<input type="checkbox"/>	Older birds	<input type="checkbox"/>
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Number and species:

Selected for visit?	<b>Y/N</b>	Visited within 3 days of import?	<b>Y/N</b>
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**What was the main reason for deciding whether or not to [check]? (Tick one)**

Disease risk attributable to consignment/ origin	<input type="checkbox"/>
Local knowledge of importer	<input type="checkbox"/>
Other priorities within the Division	<input type="checkbox"/>
Operational efficiency	<input type="checkbox"/>

**Results of checks**

Checks carried out	Satisfactory	Not satisfactory	No Check
Importer notification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TRACES message	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Implementation of biosecurity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Importer aware of import rules	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Importer knows to report disease	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Documents valid and correct	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identity matches certificate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Physical inspection of birds/ transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Birds arrived at specified destination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poultry Movement records	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Action taken to rectify non-compliance (tick all that apply)**

Information to Local Authority or Fiscal	<input type="checkbox"/>
Verbal advice given	<input type="checkbox"/>
Written advice given	<input type="checkbox"/>
AAP Regulation 13(3) notice served	<input type="checkbox"/>
VO visit at about 7 days	<input type="checkbox"/>
VO visit at about 21 days	<input type="checkbox"/>
Notifiable disease suspected and reported	<input type="checkbox"/>
Certificate/ other docs faxed to IAHDU Lincoln	<input type="checkbox"/>

**Details of any non-compliances found, action taken, any other comments (PTO if necessary).**

Sign:  Date:

### **Current Consultations on Planning Policy /Technical Advice Notes**

- **Consultation Document on Planning & Compulsory Purchase Act Development Control Provisions**  
This covers changes to the planning system, including one that will help make new developments more accessible. It also includes proposals for the use of Local Development Orders, the introduction of a Standard Applications Form for planning consent, regulations in relation to additional internal floorspace (mezzanines), reduction in the period of validity for a planning permission, listed building consent and conservation areas consent, and proposed changes to the Use Classes Order. Comments are invited by 28 September 2006.
- **Revision to TAN 13 'Tourism'**  
This provides planning advice about the role of tourism in the Welsh economy and environment, and updated advice for development plan preparation. Comments are invited by 27 October 2006.
- **Revision to TAN 16 'Sport, Recreation and Open Space'**  
This provides planning advice about the role of formal and informal facilities and of open spaces in meeting children's play needs, the recreational and amenity needs of communities, and updated advice for development plan preparation. Comments are invited by 27 October 2006.
- **Revision to TAN 18 'Transport'**  
TAN 18 sets out planning advice on how to apply the Assembly Government's planning policy for transport, given its critical role for achieving sustainable development goals. Comments are invited by 27 October.
- **Draft Ministerial Planning Policy Statement on "Planning, Health and Well-being"**  
The draft Statement draws attention to the importance of health as a material consideration in the planning process, and to the preparation of Health Impact Assessments of plans, policies, programmes and proposed developments. Comments are invited by 27 October 2006.
- **Revised Guidance on Environmental Impact Assessment (EIA)**  
This consultation sets out the Welsh Assembly Government's proposals for two publications on the subject of Environmental Impact Assessment (EIA), including proposed amendments to Circular 11/99 on EIA, and new draft EIA procedural and good practice guidance to replace the current departmental publication "EIA: A Guide to Procedures". Comments are invited by 6 November 2006.
- **Planning Fees and Childminders**

This consultation seeks to address concerns that would-be childminders are being deterred by planning procedures, including in some cases, payment of fees where they are required to seek planning permission. It proposes to reduce by 50% planning application fees for childminders, in cases where planning consent is needed. Comments are invited by 10 November 2006.

Further details of all of these consultations are available via the Assembly Government website at:

<http://new.wales.gov.uk/topics/planning/planningconsultation/currentconsultations/?lang=en>