

Information Further to Ministerial Answers

Information further to the debate on the approval of the TSE (Wales) (Amendment) Regulations 2004 on 19 October, issued by Carwyn Jones, the Minister for Environment, Planning and Countryside, on 2 November 2004

To Mick Bates:

During the Plenary debate on 19 October 2004 concerning the introduction of the TSE (Wales) (Amendment) Regulations 2004, I gave a commitment to provide you with a detailed written response to the questions you posed about the compulsory scrapie flocks scheme.

First, you raised concerns regarding the cost of the scheme. All expenditure will be met by the national scrapie plan budget that is held centrally by the Department for Environment, Food and Rural Affairs on a Great Britain basis. DEFRA will continue to meet these costs for the duration of the scheme in its present form. The total NSP budget allocated for programme funding is £28 million, and around £9.5 million of this has been allocated to both the compulsory scrapie flocks scheme and the voluntary scrapie flocks scheme. It is expected that a quarter of this will be spent in relation to Wales. There are no additional financial implications to the Welsh Assembly.

Secondly, you asked what biosecurity measures have been discussed. Implementing the European Union regulation will not involve any additional biosecurity, although of course normal biosecurity arrangements will apply. Sheep that are to be culled will usually be collected live by the NSP's contracted hauliers for transport to the NSP's specialist abattoir, where they can be disposed of without the potential risk of spreading disease. The fallen stock scheme has no direct relation to the compulsory scrapie flocks scheme. The fallen stock scheme involves the collection and disposal of fallen stock that has died and for which the reason may not be readily apparent. The biosecurity guidelines for the fallen stock scheme were circulated to the Environment and Planning Committee on the 15 October 2004.

The compulsory scrapie flocks scheme will benefit farming businesses by eliminating scrapie on farms and reducing the risk that scrapie may reoccur. Farmers for whom the genotyping approach applies will be able to retain some of their sheep, thus making this a sustainable solution consistent with the Welsh Assembly Government's commitment to sustainable farming and biodiversity. These farmers would also establish a resistant flock, thus helping them in the longer term. Farmers who restock will be able to maintain their livestock businesses. Those involved in the export of breeding sheep will be able to export to other Member states any fully resistant (ARR/ARR genotype) breeding sheep regardless of any recent occurrence of scrapie on their farm, as allowed under the regulation.

Finally, you raised concern about the implications for the flocks affected by genotyping and asked whether farmers will have to keep individually tagged records of their sheep. Since the launch of the national scrapie plan in 2001, all sheep that are genotyped are provided with electronic identification in the form of a ruminal bolus, which is a microchip transponder encapsulated in a small ceramic cylinder. Each bolus has an individual ID number, which can be read using a scanner. The sampling team will have a supply of ear tags available should a farmer wish to tag his sheep in order to easily identify the genotypes in the flock. Furthermore, under the compulsory scrapie flock scheme, unrestricted genotype certificates are provided for type 1 sheep and restricted genotype certificates are provided for type 2 ewes.

We have worked closely with stakeholders to ensure that this scheme is as flexible as possible within the remits of EU legislation. The scheme is important in helping to raise the genetic resistance of the national flock to scrapie and in turn help our sheep industry to withstand

market uncertainties. The scheme will be kept under review and if any particular issues of concern arise they will be taken up with the EU Commission.

To Helen Mary Jones:

During the Plenary debate on 19 October 2004 concerning the introduction of the TSE (Wales) (Amendment) Regulations 2004, I gave a commitment to provide you with a detailed written response to the questions you posed about the compulsory scrapie flocks scheme.

First, you expressed concern about the effect of whole-flock genotyping and of the removal of less-resistant genotypes on local and rare breeds and organic and hefted flocks in Wales. I can assure you that in implementing the EU regulation we will be as flexible as possible and farmers will be able to apply for derogations. These include delaying culling by up to five years and allowing animals not of the prescribed genotype onto the holding. This will allow the flock to remain at a viable number and avoid inbreeding. The national scrapie plan veterinary advisor will discuss with farmers if their flock is eligible. Farmers will be able to appeal against any decision where their application for derogation has not been accepted. We will be monitoring the effect of the EU regulations and if there are any particular issues of concern we will take these up with the EU Commission.

Secondly, you expressed concern that the rates of compensation were deemed to be low by stakeholders and that independent valuation to set compensation would be at the farmers' expense. Compensation for animals that have to be destroyed and that can not go into the food chain will be paid in line with current market values. The standard rate will be £90 for adult animals, £30 for ewes in a flock that has a derogation and £50 for a lamb or kid. For embryos a rate of £150 is proposed and for ova a maximum of £5. The rates of compensation will be reviewed after a period of time to ensure that they continue to reflect market values.

Assistance is also given both with the genotyping and sourcing of replacement stock. The scheme offers two free genotype tests per animal culled so that a suitable replacement can be found. If difficulties are experienced the NSP veterinary advisor may recommend further free genotype tests depending on the case. Furthermore, up to £500 per ram will be paid towards the cost of purchasing replacement rams of the most resistant genotype. This is in order to offset the relatively high price of type 1 rams. This offer of assistance is not a compulsory condition of the EU legislation and it is intended as a contribution rather than meeting the whole cost. Farmers who opt for a valuation will have high value animals and as such they will ultimately receive higher compensation than if they received standard rates.

Finally, you expressed particular concern about the effect of adhering to the requirements of agri-environmental schemes if flocks have to be cleared from the land for a period of time after scrapie has been discovered. There may be an impact on any Tir Mynydd funding a farmer receives, depending on his individual circumstances. Under Tir Mynydd, farmers currently need to have a minimum stocking density of 0.1 livestock unit/ha to qualify for payment. A farmer might not be able to meet this if he has sheep culled under the sheep annual premium scheme 2004, the retention period for which ended on 15 May 2004. Sheep culls could also impact on the Tir Mynydd enhancements, which are currently available for farmers who can demonstrate that their stocking density is less than 1.2 livestock unit/ha.

It is expected that the rules for Tir Mynydd 2006 will still expect claimants to satisfy minimum stocking density requirements. In addition, to maximise their payments and be eligible for enhancements, sheep stocking data will be required. As a result, exemptions to allow payment in 2005 and later years where flocks are subject to scrapie would be sought from the European Commission.

Any sheep farmer who has a confirmed case of scrapie and is in an agri-environment scheme, such as the Tir Gofal scheme or the environmentally sensitive areas scheme, may not be able to comply with the requires management prescriptions and may have his agreement terminated and payments withheld. However, as compensation is payable for animals culled, losses should be relatively small where a farmer restocks quickly.

To aid restocking a farmer can utilise NSP's ram register, which aids the buying and selling of genotype tested rams. The register has been widely publicised and can be accessed online or farmers can telephone the NSP helpline and a member of the NSPAC staff will carry out the search. If farmers are having severe difficulties in finding replacement ewes, a derogation is available until 1 January 2006 to bring on non-pregnant ewe lambs of an unknown genotype. It is expected that sourcing of suitable animals should become easier as membership of the national scrapie plan increases and more resistant animals become available.

We have worked closely with stakeholders to ensure that this scheme is as flexible as possible within the remits of EU legislation. The scheme is important in helping to raise the genetic resistance of the national flock to scrapie by taking action on farms with a confirmed case of scrapie. The scheme will be kept under review and if any particular issues of concerns arise they will be taken up with the European Commission.

**Information further to OAQ38465 issued by Carwyn Jones, the Minister for
Environment, Planning and Countryside, on 3 November 2004**

To Mick Bates:

During Plenary questions on 19 October, the First Minister agreed to provide further information about our work with young people following the Cardiff conference of the Network of Regional Governments for Sustainable Development in March.

The Cardiff declaration of nrg4SD commits members to developing future policies to continue to involve young people, to ensure that education has sustainable development at its heart and to increase the involvement of young people through youth forums and educational processes.

The programme for the general assembly and fifth conference of nrg4SD in Sumatra has an event dedicated to youth societies. Following my mandate to them at the Cardiff conference, I hope that a representative of the Wales Youth Forum on Sustainable Development will be able to attend the conference as a member of the Wales delegation.

The WYFSD is represented on the education for sustainable development and global citizenship advisory panel, which was established by the Minister for Education and Lifelong Learning in 2001. The panel has been tasked to produce a Wales-wide strategy for education for sustainable development and global citizenship by spring 2005 as one of our top 10 commitments in our SD action plan. This will provide an opportunity for WYFSD and others to participate in policy making on behalf of young people in Wales.

To Ieuan Wyn Jones:

During Plenary questions on 19 October, the First Minister agreed to consider your request for a report to be drafted to outline the agreements made in the Cardiff conference of nrg4SD and to give a summary of how decisions are being transferred into the public sector.

The network agreed the Cardiff declaration during the conference, a copy of which I have enclosed for reference. Point 8 of the declaration specifies the action agreed in the summit discussions and I have attached a table reporting on how they are being transferred into the public sector in Wales.

I look forward to taking forward our commitment on future policies with the network and we are in the process of producing an informal pack on SD in Wales to share our good practice with partner regions at the general assembly in February.

The Cardiff Declaration, 25 March 2004

1. We, representatives of regional and state governments from all parts of the world, assembled at the fourth conference of the Network of Regional Governments for Sustainable Development in Cardiff, Wales, from 22-25 March 2004, reaffirm our commitment to making sustainable development a practical reality for our peoples.

2. At a time of continuing global uncertainty, when Nation States can often appear powerless, we declare the importance of working at the regional level, throughout the world and with all parts of society, to foster conditions of justice, equity, tolerance and local identity within which peoples can flourish and which are the foundations for peaceful co-existence.

3. As the Secretary General of the UN reminded us in his message of support, we know what policies are needed to fight global warming, to reduce pollution, and to provide safe drinking water and sanitation. What we must find is the will, and the resources, to put them into practice. Those policies may seem expensive, but the cost of continuing on our present path will be far greater.

4. But government alone cannot achieve implementation. As representatives of regional and state governments we commit ourselves to finding ways and means of working with all parts of civil society to deliver sustainable development including educating people about how their choices and decisions impact on our peoples and the world.

5. We have heard from young people during our meetings who have challenged us to create a very different future. We must actively involve them in the policy making process in an integrative manner, and work in partnership on issues of social, cultural, economic, environmental and educational importance. We commit ourselves to ensuring that through our work they are able to make their voices heard so that we can meet the expectations they have rightly placed upon us.

6. We believe that Regional and State governments are key to finding sustainable solutions. We commit ourselves to play our full part in taking forward the Johannesburg Plan of Implementation and the Millennium Development Goals. We reaffirm the importance of poverty eradication, changing consumption and production patterns, and protecting and managing the natural resource base for economic and social development as overarching objectives of, and essential requirements for sustainable development. We will develop strategies and ways of working to achieve this. We will continue to develop and share best practice and to enter into partnerships internationally to implement them.

7. Faced with the pressures of globalisation, we affirm the need to respect, strengthen and celebrate our distinctiveness and diversity, so that people's values, culture, identities and traditions are respected, and that we work together in respect, unity and solidarity. We also ask that steps be taken to ensure that economic, social and environmental changes caused by globalisation bring benefits to all parts of the globe, and are made democratically accountable.

8. We commit ourselves above all to taking specific action in the areas where we have agreed network policies in our summit discussions:

- ensuring we have effective strategies for sustainable development that underpin and drive all our government policies;
- delivering sustainable strategic management of water in accordance with the Johannesburg Plan of Implementation;
- promoting energy efficiency, renewable energy and other measures to meet the challenges of climate change and help to deliver the Kyoto targets;
- making trade fair and ethically-led so that all peoples can lead long, healthy and creative lives, using procurement by government to promote such change; and
- promoting sustainable development in the tourism sector.

9. We commit ourselves to developing future policies as a network:

- to promote sustainable production and consumption in accordance with the Johannesburg Plan of Implementation, including strengthening corporate responsibility;
- to promote wider engagement and empowerment of civil society, including use of electronic means of involvement;
- to continue to involve young people and ensure education has sustainable development at its heart;
- in support of cultural identity and indigenous peoples;
- to agree common indicators of progress;
- to ensure sustainable use of our maritime areas;
- to ensure public procurement policies promote sustainable development throughout the supply chain;
- to promote fair trading practices at all levels;
- to increase the involvement of young people through youth forums and educational processes;
- to develop life-long learning programmes which hold sustainable development as a core value. This would empower all citizens with the necessary knowledge and awareness to create a sustainable future; and
- to work in partnership with local government.

10. We support the leadership role of the United Nations as the most universal and representative organisation in the world, which is best placed to tackle the strategic challenges of sustainable development. We will take our work and commitments to the next meeting in New York of the Commission for Sustainable Development as an example of multilateral partnership working, and we will seek recognition of the importance of our sphere of governance through the Secretary General's review of stakeholder engagement.

11. At the start of our conference, His Royal Highness the Prince of Wales reminded us that sustainable development is not about making a small change to existing work and adding the word 'sustainable'. We, the regions present in Cardiff, acknowledge this challenge and commit ourselves to creating a genuine 'step change' in policy that truly seeks to reconcile our social environmental and economic goals into a coherent, fresh approach.

12. We call on regions of the world unable to be in Cardiff to reflect on our policy statements and to join our network to demonstrate their commitment for this vital cause.

13. nrg4SD would like to thank Wales and the Welsh Assembly Government for its warm welcome and hospitality during this conference and looks forward to continuing the stimulating debate and dialogue around these issues in Sumatra in 2005.

Cardiff Declaration Action Report

COMMITMENT		ACTION
1.	Ensuring we have effective strategies for SD that underpin and drive all our government policies.	The Sustainable Development Action Plan was endorsed in Plenary on 19 October.
2.	Delivering sustainable strategic management of water in accordance with the Johannesburg Plan of Implementation.	The EU Water Framework Directive was transposed into UK legislation at the end of 2003 and will address the majority of the issues agreed. The Environment Agency Wales is the competent authority for implementation of the Directive in Wales and will work in partnership with other relevant bodies.
3.	Promoting energy efficiency, renewable energy and other measures to meet the challenges of climate change and help to deliver the Kyoto targets.	<p>The relevant SD action plan top ten commitments state that:</p> <ul style="list-style-type: none"> • By 2010 100 per cent electricity used in all Assembly buildings will be supplied from renewable sources or good quality embedded generation; and we shall work towards a similar figure for other public sector buildings. • The Assembly Government, its agencies and the NHS in Wales will report annually on the use of energy in its estates. • From January 2005 we will specify in all contracts for new or refurbished public buildings procured by or for the Welsh Assembly Government, that the design achieves as a minimum, the BREEAM 'very good' standard, or equivalent, and the BREEAM 'excellent' standard wherever possible. We will work with local authorities to help them to achieve similar standards for new and refurbished public buildings for which they are responsible. • By 2006 we will have established pilot projects that explore the potential of using renewable energy solutions in our policies and programmes aimed at tackling fuel poverty amongst low income vulnerable households, particularly those unable to benefit from traditional improvement solutions. • The Assembly and its agencies will encourage the development of an indigenous microgeneration 'renewables' industry in Wales, with a particular focus on opportunities for SMEs, WDA, Carbon Trust and EST, and where appropriate, other renewables focused organisations, to work together closely to provide a joined up approach. • We will commission a project to investigate the benefits and barriers to promoting the uptake of alternative fuels in Wales, such as biofuels, biogas, natural gas and hydrogen. • By spring 2005, we will also introduce the ECOHomes environmental assessment process and set energy efficiency standards significantly above that currently required by building regulations for all new homes built in Wales by registered social landlords using social housing grant.

		<p>The section on climate change in the plan specifically states that the Welsh Assembly Government will take its work on climate change forward significantly by:</p> <ul style="list-style-type: none"> • implementing the Energy Efficiency Action Plan across all sectors by November 2004; • driving forward our clean energy policies in Wales, by publishing by December 2004 and implementing a clean energy action plan, which will include establishing an increased role for Wales in developing next generation renewables technologies; • developing community renewables and innovative energy projects through stakeholders and agencies with the benefit of European funding support by January 2005; • with Carbon Trust Wales, WDA and others, implementing a step change in the adoption of the latest energy efficiency techniques, and small scale renewable energy generation in buildings of all types in Wales. This will build on the Carbon Trust's study of the profile of energy use and carbon emissions in Wales, due in spring 2005; • with DTI, Carbon Trust and others, strengthening the knowledge/research base in Wales for emerging marine energy and hydrogen economy systems, including participating in a renewables strategic environmental assessment of Welsh waters—by mid 2005; • ensuring that our developing policies on farming, forestry and the countryside help to conserve the carbon stored in Welsh soils; • ensuring that lighting for trunk roads employs renewable technologies to deliver at least 20 per cent energy saving; • commissioning a study to explore the feasibility of offsetting the carbon generated by induced traffic arising from Assembly road schemes.
4.	<p>Making trade fair and ethically-led so that all peoples can lead long, healthy and creative lives using procurement by government to promote such change.</p>	<p>The Welsh Assembly Government will continue to work with partners to develop proposals over the next 2 years to implement the Assembly's commitment to becoming a fair trade country as a specific SD action plan commitment.</p>
5.	<p>Promoting sustainable development in the tourism sector.</p>	<p>The Wales Tourist Board continues to ensure that sustainable development is mainstreamed into all of its activities and is a central consideration in all that it does.</p> <p>The WTB is undertaking a mid term review of 'Achieving our Potential', the national tourism strategy for Wales which focuses on sustainability as one of its key principles. Following the consultation, which closes on 31 January 2005, the WTB will be developing an updated version of 'Achieving our Potential'.</p> <p>The WTB is also drafting a framework for sustainable</p>

		tourism, which directly quotes the definition of sustainable tourism agreed at the nrg4SD conference in Cardiff. The WTB hopes to go to consultation on this in January/February next year. This framework will provide a more detailed look at sustainable tourism and how it can be put into practice.
6.	We commit ourselves to ensuring that through our work young people are able to make their voices heard so that we can meet the expectations they have rightly placed upon us.	The programme for the general assembly in Sumatra in February has an event dedicated to youth societies to which we expect a representative of the Wales Youth Forum on Sustainable Development (WYFSD) to attend. In addition, the WYFSD is an active member of the Education for SD and Global Citizenship Advisory Panel, which was established by the Minister for Education and Lifelong Learning in 2001 and will work with the Assembly Government to produce a Wales-wide strategy for education for SD and global citizenship by spring 2005.

Information further to the Plenary debate on the energy efficiency action plan on 19 October, issued by Andrew Davies, the Minister for Economic Development and Transport, on 9 November 2004

To Sandy Mewies:

Thank you for your response to my statement on the above debate.

'Energy Saving Wales' aims to increase the level of interest in energy efficiency among the people of Wales, in the domestic, business and public sectors. It also aims to highlight the work of the agencies already engaged in promoting energy efficiency in Wales and provide a pragmatic and illustrative approach to energy efficiency practices. Finally, it makes the link between energy use and climate change, which is of increasing interest and concern today.

You raised a question about how evaluation and monitoring will take place. At present, most energy usage and carbon emission data aligns Wales with England. Extrapolation of Wales-only figures would be required for accurate evaluation, and hence monitoring, to be undertaken. The agencies already involved in energy efficiency and renewable energy promotion are numerous and diverse and obviously work to their own remit. The main agency for delivering carbon emission reduction on the non-domestic side is the Carbon Trust, which has commissioned a study to try to identify a Wales baseline. The results are expected in the New Year and will help to direct its future programme of activities in Wales.

The Welsh Assembly Government is required to report on progress one year from the publication of the 'Energy Saving Wales' document when an update on activities in the form of an annual report will be provided.

I hope this response answers your specific concerns.

To Janet Davies:

Thank you for your response to my statement on the above debate.

Your first question concerned the green energy used by Welsh Assembly Government buildings. At present, 100 per cent of electricity used by Cathays park and Cardiff bay is from renewable sources. Overall renewable energy accounts for 70 per cent of energy use across

the whole estate. This renewable or green energy for Cathays park and Cardiff bay is purchased from British Energy. It describes green energy as energy derived from renewable sources, which does not produce, or produces significantly less, carbon dioxide to provide a cleaner sustainable alternative to the burning of fossil fuels. The energy sources that it provides are all British-based and consist of hydro-electric, solar, wind, biomass and landfill gas. For your additional information biomass is something termed brown energy since biomass burning does produce carbon dioxide emissions because an equivalent amount of carbon dioxide is absorbed during biomass growth.

In response to your more general query on the amount of renewable energy produces, this very much depends upon the scale and the deployment of each respective technology.

With regard to nuclear consents, powers under the Electricity Act 1989 would be required—these powers cover actual generation, overhead lines and deemed planning consent. The powers are not vested in the Welsh Assembly Government but in the Department of Trade and Industry. However, they are currently the subject of discussions about a possible transfer of functions. At present, the DTI would decide the power generation applications in Wales although the Welsh Assembly Government would be consulted. However, the Welsh Assembly Government is not a statutory consultee, and an Assembly Government objection would not trigger a local public inquiry, while an objection from a local authority would automatically trigger one.

In addition, there are numerous other consents needed through the local authority, the Environment Agency and the Health and Safety Executive as well as the Nuclear Radiation Board. These latter consents are primarily environmental and safety orientated.

As I stated during the debate, the Welsh Assembly Government does not support the development of any new nuclear new power stations, and we shall continue to actively pursue both energy efficiency and renewable energy options.

I hope this response answers your specific concerns.

**Information further to the debate on the energy efficiency action plan on 19 October,
issued by Edwina Hart, the Minister for Social Justice and Regeneration, on 24
November 2004**

To Mark Isherwood:

You raised a point in Plenary on 19 October 2004 regarding the Home Energy Conservation Act 1995, and as this Act and domestic energy efficiency fall within my portfolio of responsibilities I am writing to respond.

The Home Energy Conservation Act 1995 placed a responsibility on local authorities in Wales to produce strategies to achieve a 30 per cent improvement in the energy efficiency. Authorities are also required to report annually to the Assembly Government on the improvement in the energy efficiency of residential accommodation in their area. I am disappointed at the lack of progress on HECA, and have raised concerns with authorities about the importance they place on domestic energy efficiency on many occasions.

I believe that introducing a domestic energy efficiency target into the policy agreements for 2004-07 between the Assembly Government and authorities is a very positive step. We have asked authorities to put forward targets which at least double current progress on HECA. The policy agreements are mechanism for rewarding authorities on the basis of progress against

agreed targets. I believe that following the negotiation process, energy efficiency now enjoys a much higher profile within authorities.

I am sure you will share with me in calling for all authorities in Wales to make effective use of their own resources, and access to the considerable external resources available to achieve their policy agreement targets. For example, resources are available to landlords and individual households under the Assembly Government's home energy efficiency scheme, and also from energy suppliers who have considerable resources available under their energy efficiency commitment.

Information further to OAQ38464, issued by Rhodri Morgan, the First Minister, on 23 November 2004

To Brynle Williams:

During question time on 19 October you asked, in a supplementary question to OAQ38464, whether money seized due to the conviction of drug dealers should be ring-fenced and used to help out initiatives such as the Dawn Project in Colwyn Bay. My understanding was that the money was indeed ring-fenced but undertook to write to you if I had misunderstood the position.

My original reply was partially correct but you may find the following additional background information helpful. The Assets Recovery Agency, set up under the Proceeds of Crime Act 2002, co-ordinates activity across the UK in recovering unlawfully obtained assets from those with no right to hold them. It aims to deprive criminals of the profits of the crimes while cutting off the financial lifeblood of criminal organisations.

The agency has premises in London and Belfast and there are five regional asset recovery teams. These multi-agency teams are based in the West Midlands, the north-east of England, the north-west of England, London and Wales. The Bridgend office brings together agency staff and personnel from the police, HM Customs and Excise, the National Criminal Intelligence Service, the National Crime Squad, the Crown Prosecution Service and the Inland Revenue. The team is dedicated to confiscating criminal assets, dismantling organised crime groups and tackling money laundering.

The agency has no role in the distribution of receipts recovered from the confiscation of criminal assets. All receipts from recovered assets are transferred to the Treasury. The Home Office gets a share of the receipts to fund its existing commitments on asset recovery, which include community-based crime reduction projects. Such projects include the allocation in 2004-05 of £1.5 million from recovered assets receipts to build capacity in community safety partnerships, of which Wales received £106,000.

Under an incentivisation scheme, police forces will receive a share of the criminal assets they recover locally. Police forces will benefit by receiving a third of all the recovered assets above £40 million to help fund those existing commitments. Therefore, the maximum benefit available to the police will be £43 million in 2004-05, rising to £65 million in 2005-06. There will be no restrictions on how the police should spend this money so there may be scope for them to devote some of the funds to local community-based projects such as the Dawn Project at Colwyn Bay.