

## ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE

Date: Wednesday 17 January 2001

Time: 2:00 pm to 5:30 pm

Venue: Committee Room 3, National Assembly for Wales

### Attendance:

#### ***EPT Committee Members:***

Richard Edwards, Chair	Preseli Pembrokeshire
Mick Bates	Montgomeryshire
David Davies	Monmouth
Geraint Davies	Rhondda
Sue Essex, Minister for Environment	Cardiff North
John Griffiths	Newport East
Helen Mary Jones	Llanelli
Tom Middlehurst	Alyn and Deeside
Karen Sinclair	Clwyd South
Rhodri Glyn Thomas	Carmarthen East and Dinefwr

#### ***In attendance:***

John Lloyd Jones (item 5)	Chair, Countryside Council for Wales
Paul Loveluck (item 5)	Chief Executive, Countryside Council For Wales
Roger Thomas (item 6)	Director, Environment Agency Wales

Andrew Harvey (item 6)	Corporate Planning Manager, Environment Agency Wales
Caerwyn Roberts (item 7)	Chair, Welsh Group of National Park Authorities (Chair, Snowdonia National Park Authority)
Iwan Huws (item 7)	Secretary, Welsh Group of National Park Authorities (Chief Executive, Snowdonia National Park Authority)
Martin Fitton (item 7)	Chief Executive, Brecon Beacons National Park Authority
Nic Wheeler (item 7)	Chief Executive, Pembrokeshire Coast National Park Authority

***Officials:***

Martin Evans	Director of Transport, Planning and Environment Group
Keith Bush	Office of the Counsel General
Denzil Jones (item 2)	Head of Transport Policy Division
Kay Powell (items 3 and 4)	Head of Planning Division
Lindsay Roberts (item 3)	Planning Division
Bob Evans (item 4)	Planning Division

***Secretariat:***

Siwan Davies	Committee Clerk
Vaughan Watkin	Deputy Committee Clerk

**Opening Remarks from Chair**

0.1 The Chair welcomed members, officials, and members of the public to the first meeting of the new year. He informed the committee that Planning Decision Committee 2000/3 had met on 14 December and thanked Sue Essex, Tom Middlehurst and Rhodri Glyn Thomas for

making themselves available.

0.2 Given the need to make progress on implementing the provisions of the Countryside and Rights of Way Act in Wales, this paper would be brought forward to 14 February, with the paper on options for direct elections to the National Parks moving back to 4 April.

0.3 The Shadow Strategic Rail Authority would make an informal presentation on franchising to the committee on 31 January between 12:30 and 1:30 pm. The additional committee slot on 8 February would be used for informal discussions on the policy review of public transport.

### **Item 1: Apologies, substitutions, and declaration of interests**

1.1 Members were invited to declare any interests under Standing Order 4.5 which were as follows:

- Geraint Davies - member of Rhondda Cynon Taf County Borough Council
- Mick Bates - partner in a farming business

### **Item 2: Report from the Minister for the Environment - EPT-01-01 (p 1)**

2.1 In addition to the items in the report, the Minister updated members on progress with air quality issues. A consultation exercise was underway on new ways of reporting air pollution information in an user-friendly format. Provisional monitoring figures showed a ten per cent improvement in air quality last year, however air quality remained low around Port Talbot. Information on Air Quality Management Areas had been available on the internet since 5 January.

2.2 Members raised the following points:

- Waste Management best practice - several authorities in the UK were identified for good practice in waste management. The Minister would invite EPT members to join any visits to look at best practice;
- Telecommunication masts - there was concern about an apparent increase in the number of mast applications being processed before new guidance came into force. Officials advised that fifty responses had been received to the consultation document, these were being analysed and draft proposals were scheduled to be brought to plenary before the summer recess;
- Public Appointments - there was concern about gender balance and the need for this to be monitored. The Cabinet were working on procedures to encourage women and people from a range of diverse backgrounds to apply for public appointments;

- Flooding - a letter had been sent to all local authorities with guidance on developments in flood risk areas. Members asked that local planning authorities be requested to identify impending major developments in flood risk areas. There was also a need to ensure that infrastructure was capable of supporting development, the Minister was addressing this issue with partners in local government;
- Transport Grant – the Minister had announced an investment programme on 11 January. Whilst this was a five year programme, further bids would be invited in years two to four. The Committee had not been involved in the allocation process, but had been consulted on the criteria. Members suggested that future announcements be made by way of a formal statement to plenary, as this would give members the opportunity to comment on strategic issues relating to the allocations;
- Landslides - a seminar would take place to look at the stability of tips. Whilst this was primarily aimed at technical officers from local authorities, committee members would be welcome to attend;
- Concessionary travel - nearly all local authorities offer half fares to pensioners and people with disabilities, with tokens available as an alternative in some authorities. From 1 April 2001 bus passes will be free and also travel from 1 April 2002. Local authorities could still offer tokens as an alternative if that would be more appropriate for some people;
- Renewable Energy – any issues which could not be resolved by the Technical Advisory Group would be reported to the committee. Members would have the usual opportunity to comment on the draft Technical Advice Note before it issues for public consultation;
- Special Areas of Conservation - members requested a list of all candidate areas in Wales;
- Planning Decisions and Human Rights - members were concerned that current planning decision procedures contravened Article 6 of the Human Rights Act. It was noted that although the Town and Country Planning Act 1990 had been held in a test case in the High Court to be in conflict with Article 6, the court also decided that UK ministers, and therefore the Assembly, were required to follow these procedures until the law was changed. There was to be an appeal to the House of Lords and the position would be re-assessed when the outcome was known.

### ***Action Points***

- *Sue Essex to circulate list of candidate Special Areas of Conservation in Wales*

### **Item 3: Final Draft Planning Policy Wales - EPT-14-00 (p 2)**

3.1 Sue Essex invited the committee to agree to issue the final draft 'Planning Policy Wales' for public consultation. She thanked the Planning Forum and officials for their hard work. Changes had been made to section 10.1 on "Green Belts", which would be circulated to members after the meeting.

3.2 Members welcomed the document and echoed the appreciation of work undertaken. The committee asked that further consideration to given to the following issues, but that they should not delay the start of the consultation process:

- health impact of development;
- reinforcing equality commitments;
- housing issues, particularly relating to second homes;
- re-use of agricultural buildings;
- a more positive approach to renewable energy;
- status of Environment Agency's advice on flood risk;
- open spaces.

3.3 Members suggested that the Assembly work with local planning authorities to ensure that the new guidelines, when in place, were implemented. This might include training for local planning officers and members of planning committees.

3.4 The committee agreed that, with changes to section 10.1 and some further amendments and re-ordering, draft 'Planning Policy Wales' should issue for public consultation.

### **Action Points**

- *Sue Essex to circulate planned revisions on section 10.1 "Green Belts" in draft consultation document to EPT Members*

### **Item 4: Review of Planning Decision Procedures - EPT-01-01 (p 3)**

4.1 The Minister sought the committee's views on the proposed changes to planning decision procedures, including the introduction of targets. The changes would introduce greater flexibility and make it possible for decisions to be taken in a reasonable time-scale.

4.2 Members welcomed the proposals, but had some concerns about revising the pool of members eligible to sit on Planning Decision Committees. It was agreed that officials would draft proposed revisions to standing orders as set out in the paper. In the meantime, members would consult their respective party groups before the proposals were submitted to the Business Committee.

### **Item 5: Countryside Council for Wales (CCW) - Performance Monitoring**

- EPT-01-01 (p 4)

5.1 John Lloyd Jones and Paul Loveluck introduced the paper, setting out a number of issues faced over the reporting period. John Lloyd Jones placed on record his admiration and

gratitude for the work of CCW's staff.

5.2 Members focused their questioning on CCW's failure to meet targets in relation to:

- Take-up of Tir Gofal agreements – the National Assembly Agriculture Department had announced a review of the scheme. CCW had changes to recommend in the light of experience which would improve delivery. It was noted that although the number of farms was lower than expected, the hectares of land taken into the scheme was higher than anticipated. CCW would provide further detailed information of the take up of the scheme to the committee;
- Sites of Special Scientific Interest (SSSIs) – failure to meet some of the targets had been due to the need to switch staff into higher priority work for the Assembly on the European Union's Nature 2000 scheme, but CCW expected to meet the target of 40 notifications this year. The additional resources the National Assembly had announced for CCW for the next 3 years would enable the organisation to become fit for the purpose of dealing with the greatly expanded work programme;
- Public Rights of Way (PROW) – CCW had consulted local authorities and there was a change of emphasis this year to promote public usage of PROW. CCW were focussing on assisting improvements to rights of way in the vicinity of centres of population or of tourist attractions, to help maximise the numbers benefiting from the improvements made. This change of emphasis could reduce the length of PROW improved, but good progress was being made.

### **Action Points**

- *CCW to provide detailed information on the take up of the Tir Gofal Scheme to EPT Members*

### **Item 6: Environment Agency - Performance Monitoring - EPT-01-01 (p 5)**

6.1 Roger Thomas introduced the paper and highlighted the Agency's performance during the reporting period, including the recent flood activities.

6.2 Members focused their questioning on the following areas:

- Enforcement Action – the committee asked for further information on enforcement actions, in particular the percentage of complaints that the Agency had acted upon;
- Licensing - resources had transferred to the Agency on its creation from previous authorities. This enabled a more organised and effective resource allocation to address the backlog, but further funds were needed;
- Pollution Incidents – the committee asked for copies of the criteria used in assessing priority given to reported pollution incidents;

- Education – a major project was underway and the Agency was working with the CCW to increase awareness;
- Bathing water – the fall in standards was being investigated. Diffuse pollution and adverse weather conditions were likely factors;
- Planning and Flood Risk – the Agency was working closely with local planning officers, and attitudes were beginning to change. However, the authorities on the North Wales coast continued to approve developments in flood risk areas, against the Agency's advice.

### **Action Points**

- *Environment Agency to provide further figures on enforcement cases, in particular % of complaints where enforcement action was taken*
- *Environment Agency to provide criteria used in assessing priority given to reported pollution incidents*

### **Item 7: National Parks - Performance Monitoring - EPT-01-01 (p 6)**

7.1 Caerwyn Roberts and Iwan Huws introduced the paper on behalf of the National Parks Authorities, and each National Park Officer highlighted issues and achievements in their Park over the reporting period.

7.2 The committee congratulated Martin Fitton on his forthcoming move to lead the GB Association of National Parks Authorities from Cardiff.

7.3 As time was limited, members focussed on the following areas:

- Rolled forward targets - the committee asked Brecon Beacons National Park to provide details of those 1999-2000 activities rolled forward to 2000-01 that did not appear in the paper;
- Planning applications - only Pembrokeshire National Park had reported against the target of processing planning applications within 8 weeks;
- Environmentally friendly vehicles – the Parks were using LPG vehicles, but there were currently limited suppliers of LPG in Wales, which prevented a move the LPG vehicles only;
- Integrating policies and programmes – the National Parks were currently delivering a number of the Minister's key priorities, but felt they could offer more to the Assembly.

7.4 Discussions were ongoing with the Minister and her officials about setting targets for the National Parks that were consistent across the three Parks, and should provide a more objective and improved basis for future reporting on performance to the Assembly.

## **Action Points**

- *Brecon Beacons National Park to provide details of 1999-2000 activities rolled forward to 2000-01*

### **Item 8: Minutes of meeting 13 December - EPT-14-00(min)**

8.1 The committee adopted the minutes of the meeting held on 13 December 2000.

### **Date of Next Meeting**

9.1 The next meeting of the committee would be at 2.00 pm on Wednesday 31 January 2001 at the National Assembly for Wales.

### **Committee Secretariat January 2001**