

ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE

Date: Wednesday 23 May 2001
Time: 2.00 to 5.00 pm
Venue: Committee Room 2, National Assembly Building

REPORT BY MINISTER FOR ENVIRONMENT

SUSTAINABLE DEVELOPMENT

We are finalising our European 'Innovation Actions' bid, including 3 substantive projects in Wales, an observatory, and an inter-regional Sustainable Development good practice network (at the time of writing, we are very confident of getting enough partner regions formally signed up to make the network eligible for European funding).

ENVIRONMENTAL PROTECTION

Meeting with Flood Defence Chairs

On 15 March I met the chairs of the 6 local flood defence committees in Wales, together with John Hughes, Chair of the Regional Flood Defence Committee, and representatives of the Environment Agency. We had an informal and wide-ranging discussion about how flood responsibilities might be developed in the light of the severe flooding events of last Autumn and the review and development activity under way.

Glas Cymru

It was announced on 11 May that Glas Cymru had completed the acquisition of Dwr Cymru having successfully raised the bond finance it required. In its announcement Glas Cymru adhered to its previous undertakings that its plans would offer the prospect of lower bills for

customers and would secure continued investment in environmental quality in the area of its operation.

Opening of the Goytre Wharf

On 14 May, at the invitation of British Waterways, I officially opened the recently regenerated Goytre Wharf on the Monmouthshire and Brecon Canal. Although the National Assembly has no devolved powers relating to the management of British Waterways, inland waterways in Wales have significant environmental and economic value. They provide attractive leisure and tourism opportunities as well as playing an increasing role in water supply, flood defence and freight transfer activities.

COUNTRYSIDE

Restrictions on lead shot

Draft regulations to restrict the use of lead shot in Wales, which will fulfil an international obligation, have been published this month for consultation. The consultation papers will be available on the Assembly's Internet and Intranet sites.

Environment Development Fund - AONBs

On 11 May I launched the AONB element of the Environment Development Fund at Caswell Bay, within the Gower AONB. The Fund will provide £750,000 in total to Wales's 5 AONBs over the next three years to support local sustainable development projects. I hope the Committee will be able to visit some of the first projects to be supported later this year.

Foot and Mouth - Access to the Countryside

I issued supplementary guidance on 10 May to local authorities encouraging them to set priorities for the re-opening of important public footpaths and other sites - where this can be safely done. Some positive developments are taking place across Wales - but more needs to be done if the hard-pressed tourist industry and other rural businesses are to be assisted. I am following up the guidance by making direct contact with certain local authorities.

PLANNING

Human Rights and the planning system

There have been a number of challenges before the Courts involving the planning system and human rights. Last December the Divisional Court found that certain decision making processes of the Secretary of State for the Environment, Transport and the Regions were incompatible with the European Convention on Human Rights (ECHR). The Secretary of State was given leave to appeal this judgement to the House of Lords. The primary legislation that provides the framework for the planning system in Wales is the same as that for England. The outcome of the appeal therefore has significance for the way in which the Assembly decides planning cases.

The House of Lords decided unanimously on 9 May to uphold the Secretary of State's role under the Planning Acts and found no breach of Article 6 of the ECHR. They found that there is no incompatibility between the Secretary of State being responsible for formulating planning policy as well as for taking decisions in individual cases.

In the light of this judgement planning cases will continue to be handled in the usual way.

National Spatial Planning Framework Comparative Spatial Planning Methodologies Research Project

The Final Report on Comparative Spatial Planning Methodologies has been received from Cardiff University and ECOTEC Research and Consulting.

The Assembly commissioned consultants to provide advice on the form and content of the National Spatial Planning Framework. The Final Report can be viewed on the Assembly's Intranet and Internet sites and copies of the Executive Summary have also been sent to Members.

I hope to arrange a Dissemination Seminar in June, which will also set out the way forward for progressing the Framework.

TRANSPORT

Road Safety Strategy

A very successful consultative conference was held in Llandrindod Wells on 15 May. Over a hundred delegates attended. The draft strategy is now being revised to take account of the comments made at the conference. I hope to issue it for full public consultation in the summer and I will give an update on progress at the Committee meeting on 11 July.

The Transport Act 2000

The Transport Act 2000 commencement is progressing. At present all sections of the Act in

Parts 2 and 3 that give the Assembly powers and some sections that give Local Authorities powers are being commenced. The Commencement Order No 1 has staggered dates for coming into force, the majority being 1st August 2001 and the remainder on 1st April 2002.

Changes to Transport Directorates SEGs and BELs

In accordance with Standing Order 19.6 I have recently approved, and the Finance Minister has agreed, several revisions to the structure, titles and funding of the Transport Directorate's Sub Expenditure Groups and Budget Expenditure Lines. The new structure is designed to indicate clearly the activities being undertaken within each Budget Expenditure Line and to improve clarity and transparency of what the budget is being spent on.

The revisions are:

- Changing the title of the existing 'Preliminary Investigation' BEL to 'Studies' to take account not only of preliminary investigation work on trunk roads but also the number of feasibility studies and monitoring and evaluation studies now being carried out by the Transport Directorate as part of its wider transport agenda.
- Creating a new 'Repair and Upgrade' BEL to identify clearly where capital expenditure is being made to repair or replace failed sections of trunk road or to bring existing lengths of road up to current standards i.e. work which is neither 'new build' nor normal maintenance. This new BEL will include the following categories of work:
 - noise reduction measures
 - skidding resistance measures
 - 40 tonne lorry bridge programme
 - local safety and small schemes
 - making better use schemes
 - repair of side support failures

Creating this new BEL will permit the existing 'New construction and improvement' BEL to be limited to genuine new construction and capacity improvements i.e. 'new build', whilst the existing 'Renewals' BEL is now limited to true replacement or reconstruction of worn out and time expired parts of the network i.e. normal structural maintenance.

- A slight name change of the 'Maintenance' BEL to 'Routine Maintenance' to distinguish this from renewals.
- Streamlining the existing 'Freight Facilities Grants' BEL and 'IDA Grants' BEL into a single BEL entitled 'Capital Grants'

- Drawing together all the measures which support public transport by amalgamating the existing 'Bus Fuel Duty Rebate' BEL and 'Community Transport' BEL to create a new BEL entitled 'Public Transport – Direct Support'. Also by amalgamating the Bus Partnership Fund and Welsh Rural Transport Grants to form a revised scheme called Local Transport Services Grant.
- Ear marking about £1m in order to complete the provision of crossing points and interfaces between the trunk road network and the National Cycle Network.

No additional funding is involved but the revisions necessarily require some redistribution of the funding of individual SEGs and BELs. The revisions amend the budgets adopted by the Assembly on 29 March 2001 and the Assembly will be advised about them when the Finance Minister next arranges to formally update the 2001-2002 budgets on the Management Information System.

Meeting with Railtrack – 11th May 2001

I met Railtrack's Chief Executive Steve Marshall and their Great Western Zone Director Derek Holmes last week, and pressed them for commitments to infrastructure projects in Wales which are funded by the Assembly - to ensure that they are delivered on time enabling new services to be delivered as early as possible.

I received reassurance that for Queen Street, Taff Vale, Rhymney Valley and Vale of Glamorgan projects, resources would be protected to ensure timely delivery. I also raised the question of reopening the Ebbw Vale line.

I took the opportunity of expressing my concerns on rail safety, particularly at level crossings. I asked what lessons could be learned to aid the design of new railway infrastructure to improve safety at crossings, such as better signage, provision of barriers on currently unguarded crossings and larger warning lights.

Civil Engineer's Integrated Transport Conference – 17th May 2001

I gave a speech at the Institute of Civil Engineer's Integrated Transport Conference on the 17th of May at Cardiff County Hall. I also took part later in a brief question and answer session.

Sue Essex

Minister for Environment