

ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE

Date: Wednesday 17 October 2001
Time: 2:00 pm to 5:00 pm
Venue: Committee Room 3, National Assembly for Wales

Attendance:

EPT Committee Members:

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

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
Martin Rolph (item 3)	Finance Group
Richard Clarke (item 4)	Financial Planning Division
Ian Thomas (item 4)	Financial Planning Division

In Attendance:

Tom Cassidy (item 3)	Chief Executive, Cadw: Welsh Historic Monuments
Paul Loveluck (item 4)	Chief Executive, Countryside Council for Wales
Malcolm Smith (item 4)	Senior Director, Countryside Council for Wales

Secretariat:

Siwan Davies	Committee Clerk
Vaughan Watkin	Deputy Committee Clerk

Opening Remarks from Chair

1. The Chair welcomed members, officials and members of the public to the meeting, in particular Eleanor Burnham who had been elected to the Committee in place of Mick Bates. The Chair recorded his appreciation for Mick's contribution to the work of the Committee.

Item 1: Apologies, substitutions and declaration of interests

1.1 Apologies had been received from John Griffiths.

1.2 The Chair invited members to declare any interests under Standing Order 4.5. Geraint Davies declared that he was a member of Rhondda Cynon Taf County Borough Council and a pharmacist.

Update on the Nantygwyddon investigation

1.3 The Chair informed Members of developments in the Nantygwyddon Investigation. In order to comply with legal requirements, the Independent Investigator had written to a number of individuals whom he was proposing to criticise in his report to the Committee, enclosing the relevant passages from the draft report, and seeking comments. He had now received representations from the individuals in question, incorporating significant amounts of material not previously presented to the Investigation. In most cases these representations were expressed to be "in confidence".

1.4 It was essential, in order to defend the integrity of the Investigation procedures, that proper consideration be given to these representations. Because of a number of practical issues, not least the volume of material, and desire to lift the "in confidence" restrictions, it did not appear that the Investigator's report could be presented to the Committee on 31 October.

1.5 Members felt strongly that any new evidence should be made public, and that there should be sufficient time available for its consideration. However, it was agreed that, if those individuals were not prepared to make their representations 'on the record', then their comments could not be taken into account, and would not inhibit the publication of the Investigator's report.

1.6 It was agreed that the Investigator's report would now be presented at the meeting on 12 December. The Committee would still meet at the Rhondda Heritage Park on 31 October, and would give an update on the Nantygwyddon Investigation, however the majority of the meeting would be dedicated to its policy review of public transport.

Update on the policy review of public transport

1.7 Forty-five responses had been received to the consultation on public transport (with some to follow), which would be published on the National Assembly website shortly. The Chair had written to the Chairman of the Welsh Affairs Committee (WAC) about its proposed transport inquiry suggesting that, to avoid duplication, the WAC inquiry take account of EPT Committee's policy review. It was agreed that the Chair would also offer to give evidence to the WAC inquiry.

Item 2: Report from the Minister for the Environment - EPT-14-01 (p 1)

2.1 Sue Essex introduced her report, highlighting her visit to Sweden, the re-opening of footpaths in the Brecon Beacons National Park, and Renewable Energy Seminar held the previous week.

2.2 The following points were covered in discussion:

- Waste management – Members shared the Minister's disappointment about the deferment of the plenary debate scheduled for the previous day. It was important the Wales learnt from the best practice seen in Sweden, and other European countries. In particular, Members felt that partnership between local authorities and communities was essential in developing sustainable waste facilities. The Minister was invited to consider the impact of forthcoming EU legislation preventing the export of reconditioned refrigerators from EU Member States, which raised issues about disposal;
- Carcass disposal – the Minister and Minister for Rural Affairs had considered available options for disposal, with landfill the preferred option at present. Members stressed the need for information to be made available locally at an early stage, to allay public concerns;
- Sustainable Development – bids had been submitted to the European Commission to fund networks with partners from other Member States. The Sustainable Development Unit based in the Policy Unit was working closely with other Divisions across the National Assembly to promote sustainable policies, and had recently been looking at procurement;
- Rail – there was a delay in letting the Wales and Borders franchise, but 'shadow' franchises had been created for Wales and the Borders and Wessex by the existing franchisee, and the Strategic Rail Authority (SRA) had discretion to extend the existing franchises to 2006. The Minister outlined developments with Railtrack, and agreed to seek powers for the National Assembly to nominate a representative to the board of a new body following any restructuring of the rail industry affecting Railtrack, SRA and the Regulator. This would require primary legislation;

- Concessionary fares – following representations from local authorities and bus operators, it had been concluded that the earliest date for implementation of concessionary fares for 60+ men would be 2003;
- Flooding – local authorities were directing queries from the public to local contractors, despite no longer being under contract to carry out any work for Dwr Cymru, or being remunerated for this service. The Minister agreed to raise this issue with the Dwr Cymru and OFWAT;
- Air Quality – Members expressed disappointed that the targets had been deferred from 2004 to 2010;
- Children’s Commissioner – concerns raised by the Children’s Commissioner regarding building schools on polluted land were being addressed by local authorities in the first instance.

2.3 The Committee confirmed that it was content with the draft regulations under the Countryside and Rights of Way Act 2000, for mapping and access forums, which had been circulated for comment during recess.

Item 3: Quinquennial Review of Cadw: draft terms of reference –

EPT-14-01 (p 2)

3.1 The Minister sought the Committee’s views on the draft terms of reference. The review would adopt a holistic approach and address issues common to the Environment and Culture portfolios.

3.2 Discussion focused on the following areas:

- Related reviews – Cadw is an executive agency that receives advice from other bodies. This review would also link to the current and forthcoming reviews of Cadw’s advisors: the Ancient Monuments Board for Wales, the Historic Buildings Council and the Royal Commission for Ancient and Historical Monuments in Wales;
- Cross-portfolio issues – the review would pick up issues applicable to both the Environment and Culture portfolios, such as the differing charging policies for admission to museums and historic monuments in Wales. A paper picking up common issues would be prepared for the EPT and Culture Committees;
- Listing of historic buildings – this topic was anticipated to attract much correspondence.

3.3 There was broad agreement of the terms of reference for the review. It was anticipated that the draft interim report would be presented to the Committee in spring 2002, with the draft final report following in the summer.

Item 4: Quinquennial Review of the Countryside Council for Wales: draft final report – EPT-14-01 (p 3)

1. Richard Clarke set out the review process, and Ian Thomas summarised the key draft recommendations from the report, grouped under the following headings: the general direction of the Countryside Council for Wales (CCW); communications with the CCW and with external organisations; the relationship between the CCW and the National Assembly; and implications for the CCW in the longer term. This was the opportunity for the Committee to comment on the draft final report before it was submitted to Ministers.

4.2 The Chair invited comments on recommendations under the four main headings, which were as follows:

- General Direction of CCW – the vision for CCW should be consistent with the National Assembly’s vision, particularly that for sustainable development;
- Communication within CCW and externally – Members agreed that internal communications should be addressed, and a more inclusive management ethos developed. CCW should publicise its work among local communities, to whom it should also be accountable (recommendation 28);
- Relationships with the National Assembly – there was a need for CCW to be more proactive in supporting policy development, without compromising its status as an independent statutory advisor (recommendation 37). Whilst benchmarking with similar UK bodies was important, there should not be a requirement for common performance targets (recommendation 9). Members felt strongly that all Assembly Sponsored Public Bodies should have common terms and conditions for staff, in particular equal opportunities policies (recommendation 41).
- Implications for the longer term - the Committee had previously agreed that the recommendations would be considered alongside emerging findings from similar reviews of other relevant bodies, and welcomed the Minister’s commitment to a wider consideration of the medium to long term need for some form of Environment/ Countryside Agency for Wales. A copy of the stage 1 report on the review of the Environment Agency, which recommended the continuation of the England and Wales body, had been circulated during recess. The Committee would write to the Minister with comments on the stage 1 report following the publication of the final report on the review

of CCW.

4.2 The Committee endorsed the draft recommendations, subject to the following amendment:

- Recommendation 9 to be redrafted to highlight the need for benchmarking, rather than the setting of common performance targets for UK countryside bodies.

4.3 Paul Loveluck informed the Committee that the final report would be presented to CCW's Council on 31 October. He was confident that there would be a general welcome for the recommendations, some of which were already being implemented.

Item 5: Forward Work Programme: autumn term 2001 - EPT-14-01 (p 4)

1. The Committee agreed its work programme for the term, subject to the following amendments arising from changes to the timetable for the Nantygwyddon Investigation:

- 31 October - 8 November agenda to be moved forward. The meeting would still take place at the Rhondda Heritage Park;
- 8 November - additional meeting no longer required;
- 12 December - presentation of Nantygwyddon Investigator's final report. The Committee discussion would now take place in the spring term 2002.

5.2 The following items would be included in the work programme at a suitable date: introduction of 20 mph speed limits outside schools; impact of EU Regulations.

Item 6: Minutes of the meeting 11 July - EPT-13-01 (min)

6.1 The committee adopted the minutes of the meetings held on 11 July.

Election to Public Appointment Panel

7.1 The Committee elected Eleanor Burnham to its public appointments panel, replacing Mick Bates.

Date of next meeting

8.1 The next meeting of the committee would be at 2.00 pm on Wednesday 31 October 2001, at the Rhondda Heritage Park, Trehafod.

