

## **ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE**

**Date:** Wednesday 17 October 2001  
**Time:** 2.00 to 4.30 pm  
**Venue:** Committee Room 3, National Assembly Building

### **REPORT BY MINISTER FOR ENVIRONMENT**

#### **ENVIRONMENTAL PROTECTION**

##### **Waste Management - Visit to Sweden**

On 18 September I visited the Stockholm region of Sweden for two days to look at how waste is managed. I was delighted Richard Edwards was able to accompany for part of the visit while also visiting the Swedish Parliament. Our main base was the County of Vastmanland who had arranged a gruelling but productive programme. Vastmanland is a potential partner in our Sustainable Development network.

We visited a wide range of facilities - a district heating incinerator running largely on waste, a variety of industrial recycling businesses, civic amenity sites and a landfill site where there was much composting and waste segregation activity rather than just landfilling. The discussions we had with the range of people involved were very useful.

In Sweden over 25% of municipal waste is recycled and nearly 40% used for energy generation, mainly in district heating schemes. Among the main messages I brought back are:

- the need for education and awareness to be a key part of our strategy. In Vastmanland, a county of some 300,000 people, there are 10 people working on education and awareness, and this is felt to be essential in ensuring high levels of participation. This "soft" support must proceed in parallel with the development of facilities;

- the key importance of source segregation of waste, as emphasised in our draft strategy, was underlined;
- the lack of concern at emissions from energy-from-waste facilities contrasted sharply with the high levels of suspicion such facilities raise here. Emission levels from such facilities have dropped sharply over the last decade or so and most facilities in Sweden are now meeting the new standards of the EC's Waste Incineration Directive. Separation of materials is seen as important in helping to reduce potentially hazardous emissions;
- the strong similarity between the situation in Sweden and here in Wales.

While they are well ahead of us in sustainable waste management they have faced the same problems as we now face and are meeting the challenge.

## **Environment Agency**

### **Financial, Management and Policy Review – Stage 1 Report**

The Department for Environment, Food and Rural Affairs has published its Stage 1 report of the first Review of the Environment Agency in England and Wales. The report has been produced following extensive consultation with the National Assembly and raises issues of strategic importance about how the Agency has developed since its creation in 1996 and what shape it should take in the future. In particular, the report recommends new Government guidance setting out objectives for the Agency, plans to modernise environmental regulation and improvements in the funding and sponsorship of the Agency.

In relation to Wales, the report recommends that the Environment Agency in Wales should retain its current status as an integrated part of the Environment Agency as a whole, and that there should be new, specific and separate objectives for Wales within the revised general guidance.

Stage 2 of the review is under way and will take the form of a more detailed efficiency study of the Agency's systems. It is anticipated that the outcome of Stage 2 will be published later this year.

Copies of the Stage 1 report have been circulated to EPT members and placed in the library. The document can also be found at [www.defra.gov.uk/environment/index.htm](http://www.defra.gov.uk/environment/index.htm)

## **Consultation on Drinking Water Regulations**

A consultation paper seeking views on draft Assembly regulations implementing EC Directive (98/83/EC) on the quality of water intended for human consumption, in respect of public water supplies from Welsh water undertakers, was issued on 22 August. Replies should be received by 26 October.

The standards proposed will, in some ways, be more stringent than the European standards, thus providing greater safeguards for public health. Transposing regulations were made in England last December and, in Scotland, in June of this year.

## **Carcass Disposal**

Environmental Protection Division has consulted on regulations that would allow the National Assembly to issue directions requiring the holders of waste management licenses for specified landfill sites to accept and dispose of specified kinds of agricultural waste. The Minister for Rural Affairs has written to all AMs with a copy of the consultation letter and a copy of the draft regulations.

The consultation letter explains that the restrictions on export and the movement of animals due to foot and mouth disease have meant that around one million light lambs and perhaps 500,000 adult sheep may need to be culled for animal welfare purposes this autumn. It is not intended that these regulations will be used for animals culled as a result of FMD infection or as dangerous contacts. The regulations are necessary to ensure that all the options for the disposal of carcasses in ways which ensure protection for the environment and human health are available.

The consultation on these proposed regulations will close on 19 October. They will only come into force if they are approved in a plenary debate to be held on 1 November.

## **Hazardous waste regulations**

Regulations amending the arrangements for special (hazardous) waste management are being introduced via the executive procedure to come into force on 1 November. The timing has meant that we have been unable to follow normal Assembly procedures. Regulations covering hazardous waste need to be the same on both sides of the Wales/England border to avoid anomalies affecting both operators and the Environment Agency and potentially working against Wales' interests should there be, even temporarily, an "easier" regulatory framework in Wales. We have had to follow the timing proposed by DEFRA to introduce the matching regulations in England.

The Business Manager's Private Secretary wrote to the business managers of the other parties in July explaining the need for the use of the executive procedure and proposing the

introduction of the Regulations by August. DEFRA has taken a little longer to finalise arrangements in England.

These regulations follow earlier consultation by the then DETR and the Welsh Office in 1998. They make technical changes to the regulatory framework for hazardous waste mainly over consignment notes and procedures.

A more fundamental reform of hazardous waste regulation is planned for next year to reflect the requirements of the EU Hazardous Waste Directive. The Assembly will be consulting on this in parallel with DEFRA later this year with a view to introducing new regulations around the middle of next year. Normal Assembly procedures will be used for these regulations.

### **Packaging waste**

In September, the Assembly issued, together with DEFRA and the Scottish Executive a consultation paper setting out options for increasing the levels of business recovery and recycling targets for 2002 contained in the Producer Responsibility (Packaging Waste) Regulations 1997. The paper is available on the DEFRA website at [www.defra.gov.uk](http://www.defra.gov.uk) and consultation closes on 7 November 2001.

### **The Air Quality Strategy**

Together with DEFRA, the Scottish Executive and the Department of the Environment for Northern Ireland we went out to consultation during the summer on proposals for new objectives for particles, benzene, carbon monoxide and polycyclic aromatic hydrocarbons. This is in line with our policy of keeping under review the standards and objectives contained in the Air Quality Strategy for England, Scotland, Wales and Northern Ireland. Copies of the document have been sent to all Assembly Members.

The proposed objectives are in line with forthcoming EU legislation and new scientific information from Government Health Groups though the Scottish Executive is seeking views on the introduction of tighter limits than the rest of the UK for particle emissions. I have commissioned advice on the implications of introducing in Wales similar arrangements to those proposed for Scotland. Comments on the proposals are required by 12 December.

### **Meetings**

- I delivered the keynote speech at the Environment Agency Wales' Annual General Meeting held at the North East Wales Institute, Wrexham on 14 September 2001.

- I also opened the Chepstow Flood Alleviation Scheme on 9 October.

## **COUNTRYSIDE**

### **Improved Protection for European Protected Species**

In July I issued a circular to local authorities on "New guidance for local planning authorities on European protected species and changes in licensing procedures". The circular explained my intention to alter the arrangements for the implementation of the Habitats Directive (EC Directive 92/43/EEC) in respect of European protected species and the land-use planning regime.

Proposed legislation will require local planning authorities to take decisions about provisions in the Directive concerning species as part of the planning process. Public consultation on the legislation is planned later this year.

### **Special Protection Areas (SPAs) Review**

In September I welcomed the publication of the UK's Joint Nature Conservation Committee's (JNCC) first full account of Britain's Best Bird Sites. The 'Special Protection Areas Review' represents the most detailed account of bird habitat and site information ever produced within Europe and sets the framework for the further development of the SPA network in Wales. The Review recommends 18 sites in Wales, three are proposed new sites while the remainder are already classified.

### **Countryside and Rights of Way Act 2000**

The consultation on the regulations for the draft maps and the Local Access Forums was undertaken over the summer period. The outcome of both consultations has recently been reported to the Committee. The aim is for both sets of regulations to be debated at plenary in December.

### **Access to the Countryside – Foot and Mouth**

Further significant progress has been made over the summer in restoring access to the countryside. The bulk of the rights of way network across Wales has now been re-opened. From 19 October Powys County Council and the Brecon Beacons National Park plan to restore access to a substantial area in the Brecon Beacons (land west of the A470 and around Talybont reservoir). Footpath closures will then largely be confined to the central Brecon Beacons area and the Black Mountains and close to infected premises.

## **Environment Compact**

A number of public sector environmental organisations, including CCW and the Environment Agency, have developed a sector wide compact – setting out they will engage with and support the voluntary sector. I was pleased to launch consultation on this at the National Eisteddfod on 6 August.

## **Visit to National Eisteddfod – 6 August**

As part of my visit to this year's Eisteddfod, I formally opened the Snowdonia National Park's 50<sup>th</sup> Anniversary Exhibition. This presents a very clear summary of the valuable work the Park has undertaken since 1951.

## **PLANNING**

### **Town and Country Planning Summer School, Exeter University**

I was invited to give the keynote speech to the Councillors' School, and used the opportunity to raise the question of the need for the UK Government to give a commitment to developing a spatial framework.

### **Meeting with the Confederation of British Industry**

The First Minister and I met with Digby Jones, Director General of the CBI and David Rosser on 7th September to discuss transport and planning matters.

On Transport Digby Jones re-iterated the points David Rosser has made to this Committee and the Transport Forum on the need for further investment in all modes of transport if we are to ensure Wales retains its status as a place the business community wishes to do business in. He placed particular emphasis on the need for further development of services from and to Cardiff Airport and improvements to access, particularly with the city centre. He confirmed he fully supported the proposed Wales and Borders rail franchise and undertook to make this point at his next meeting with DTLR Secretary of State Stephen Byers.

I also emphasized that we are aware of CBIs concerns, but noted that performance of Welsh Local Planning Authorities (LPAs) for development control was on average better than LPAs in England, and that we are addressing the need to speed up development plan preparation.

## **Planning Green Paper**

The UK Government is intending to introduce a Green Paper (in November/ December) proposing changes to the planning system. I intend to ensure that the Green Paper takes full account of the needs of the planning system in Wales, and the role of the Assembly in addressing them.

## **Meeting of officials from Environmental Protection and Planning with the Children's Commissioner**

Officials will be meeting with Peter Clarke, Children's Commissioner for Wales, on 16<sup>th</sup> of October to outline the policy framework and responsibilities for dealing with development on former landfill sites.

## **TRANSPORT**

### **EPT Committee Review of Public Transport**

The EPT Committee has consulted specifically on options to establish alternative organisational structures. Responses were due by 12 October and there will be an opportunity to consider them on 8 November. In the meantime officials have discussed three key recommendations with local authority consortia and others with an interest, namely

- Recommendation 1: that a Quality Kite Mark be developed as part of the work being undertaken on Quality Partnerships and contracts, initially covering bus services and extended to include community transport, rail and other modes.
- Recommendation 4: that local authorities prepare regional public transport strategies by April 2002 reflecting bus strategies (which are a statutory requirement) and including developments on rail and community transport. These should be prepared on a regional basis to reflect travel patterns in so far as possible.
- Recommendation 5: that regional transport strategies should guide decisions on funding made by the National Assembly and such investment should be targeted alongside local authorities' own investment to achieve maximum effect and that investment on buses provided by the National Assembly should be linked to the introduction of Quality Bus Partnerships. Additional expenditure on transport would be justified only on this basis and where results can be monitored and evaluated.

### Recommendations 1 and 4

Local authority consortia support the recommendations to improve quality and the development of a kite mark as part of the work being undertaken to develop quality bus partnerships initially. They have pointed out the resource implications of taking this forward and also the limitations due to the existence of a de-regulated market. Bus operators have also welcomed the opportunity to participate. The Welsh Consumer Council have taken a keen interest in public transport issues. All have agreed to participate in a Working Group which will meet for the first time shortly. Local authorities are also supporting regional public transport strategies and have agreed to produce documents in draft by June 2002 and final ones by April 2003; the latter coincides with the requirement to produce bus strategies for incorporation in local transport plans.

### Recommendation 5

Local authorities are generally supportive of linking Assembly investment to quality bus partnerships but there are significant issues which will need to be considered in detail with local authorities if the Committee's recommendations are going to be implemented. Local authorities do not have the staff in place to deliver the step change in quality and their capital and revenue commitment and that of the Assembly will need to be more closely aligned. These and other issues can be discussed in the Committee's meeting on 8 November.

### **Lord Cullen Report**

I am aware that the UK Government has already pledged to bring within the 10-Year Plan the measures arising from Lord Cullen's inquiry into Ladbroke Grove and the joint inquiry with Professor Uff into train protection systems.

The UK Government will publish in this Parliamentary session their proposals to take forward those of Lord Cullen's recommendations which require primary legislation. These include the establishment of an independent accident investigator and a fully independent industry safety body.

Lord Cullen underlines the importance of the Health and Safety Executive (HSE) having adequate resources for rail safety regulation. Action has already been taken. HSE have doubled the number of railway inspectors that they had at the time of the Ladbroke Grove crash and further expansion is planned. The UK Government will ensure that HSE has adequate resources for rail safety regulation.

The Health & Safety Commission (HSC) have been asked to ensure that the recommendations are acted upon and to report back to the UK Government within six months.

### **Opening of the A485 North Carmarthenshire/Ceredigion Link**



I was delighted to be invited to officially open the North Carmarthenshire-Ceredigion link road Phase 1/1 on 15th August. I was very impressed with the scheme which has been funded through Transport Grant, it has been carefully designed to fit sympathetically into the landscape while providing very worthwhile safety and journey time improvements for all road users. It includes a continuous footway which is already encouraging more pedestrian usage and hence reducing the community severance the busy unimproved road had created.

### **Official Opening of New Execair Premises 25 September 2001**

I attended the official opening of a new Execair executive aircraft facility at Cardiff International Airport on 25 September.

Execair is one of the UK's leading executive aircraft handling service providers. Opening a branch in Cardiff is an indication of their confidence in the airport's future.

### **A487 Llanwnda to South of Llanllyfni**

I officially opened the £12m, 10km new road to traffic on Friday 14 September 2001. This single carriageway improvement south of Caernarfon bypasses the villages of Groeslon, Penygroes and Llanllyfni and will bring environmental relief to local residents.

The scheme was originally due to be officially opened on 21 August but was deferred in order to ensure that bat mitigation measures in place were working effectively.

The Lesser Horseshoe Bat is a European protected species under the Habitats Directive. This new road is adjacent to the Coleg Glynllifon SSSI/cSAC and the bats are the reasons for these designations. The Countryside Council for Wales, the statutory advisor to the Assembly on nature conservation, could not recommend opening of the road unless the mitigation measures (which included fencing installation) were in place, monitored and the results made available.

### **Wales and Borders Rail Franchise**

The Department for Transport, Local Government and the Regions (DTLR) have issued for consultation their draft Franchising Policy Statement, which emphasises the importance of delivering short term rail benefits for passengers, as well as longer term improvements.

They appreciate the importance of the Wales and the Borders franchise to its stakeholders and recognise that the re-franchising process is appropriate, if it can be afforded and delivers the benefits set out in their Policy Statement.

The SRA will consider all the options for delivering benefits to passengers on Welsh routes, in

the light of guidance from Ministers.

As part of the re-franchising process, the Wales and West rail franchise has been split into two managerial units, broadly covering its Welsh and English operations respectively, following agreement between the Strategic Rail Authority and the National Express Group.

Passengers will have begun to notice the new branding of services as Wales and Borders following the introduction of the Winter timetable on 30 September 2001.

Services within Mid Wales (from Central Trains) will also transfer to the new Wales and Borders management unit. Services in North Wales will continue to be operated by First North Western.

## **Road Safety**

I made the keynote speech at the Wales Road Safety Conference at Aberystwyth on 12 September and officially launched the Assembly's Consultation document "Safe Roads, Safe Communities". Prior to the start of the Conference I joined in Ceredigion County Council's launch of their new Road Safety Trailer (purchased with Assembly Road Safety Grant money) which will be used to promote road safety messages throughout the County.

## **Concessionary Travel**

The Business Committee will consider draft regulations that will implement the Assembly's policy that bus travel by pensioners and disabled people shall be free from April 2002 on 23 October, and by the Legislation Committee on 6 November. This will be extended to cover men between 60 and 65 from April 2003 and this is included in the regulations. Plenary approval to proceed will be sought on 22 November.

## **Service Subsidy Agreements**

I am currently consulting on proposals to revise the limit above which local authorities are required to invite tenders for subsidised local bus services. Subject to that exercise, I would hope that Regulations specifying a new limit of 40% of an authority's total budget for that purpose would effect the change from April 2002. The current limits are £12,000 per contract and £70,000 per operator.

## **EU Common Transport Policy White Paper**

This was published on the 12<sup>th</sup> September. It is divided into 4 parts: Shifting the balance between modes of transport, eliminating bottlenecks, putting users at the heart of transport policy and managing the globalisation of transport.

It recognises in particular the increasing problems of congestion on the road and rail routes, in towns and at airports and the harmful effects of transport on the environment and public health and the heavy toll of road accidents.

The document's remit is relatively confined to strategic main routes and European wide issues for example sea links providing a way around bottlenecks, such as the Alps or Pyrenees routes and does not address the problems connected with rural transport.

The Commission is arranging a seminar in Cardiff with Hugh Rees, who was instrumental in writing this document, on Friday 16<sup>th</sup> November. Invitations will be issued in due course.

**Sue Essex**

**Minister for Environment**