

Environment and Sustainability Committee

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Key Issues for the Environment and Sustainability Committee

The Research Service has produced a paper outlining some key issues falling within the remit of the Environment and Sustainability Committee. It is attached as an annex to this covering paper.

Committee Service



Environment and Sustainability Committee

Key Issues For Consideration

Briefing

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This briefing has been produced by the Research Service
for use by Environment and Sustainability Committee

Research
Service

Key Issues for the Environment and Sustainability Committee

Introduction

This paper outlines some key issues falling within the remit of the Environment and Sustainability Committee that Members may wish to consider. It builds upon the issues identified by the Sustainability Committee and the Rural Development Sub-committee in their Third Assembly Legacy Reports and takes account of more recent developments, but is not an exhaustive list. Many of the issues covered are set within a wider context of developments at EU level, both in terms of policy and legislation.

Waste and Recycling

The Welsh Government's *Zero Waste Strategy*¹ commits Wales to being a zero waste nation by 2050 and a high recycling society (recycling 70 per cent of our waste) by 2025. In addition the *Waste (Wales) Measure 2010* set compulsory recycling, re-use and composting target for local authorities in Wales which are 52 per cent by 2012/13, 58 per cent by 2015/16, 64 per cent by 2019/20 and 70 per cent by 2024/25.² *The Single Use Carrier Bags Charge (Wales) 2010* will come into force on 1 October 2011 and will require retailers to charge a 5 pence fee for single use bags.³

Within this context Members may wish to consider:

- Waste infrastructure and markets in Wales;
- Connections to the Green Jobs agenda;
- Implementation of new regulations and European Directives in relation to waste; and
- Implementation of the Single Use Carrier Bags Charge.

Energy

The Welsh Government's *Energy Policy Statement* was published in March 2010, including new targets for renewable energy in Wales.⁴ This led subsequently to an update of *Planning Policy Wales*.⁵ The *Localism Bill 2010-11* currently before Parliament will abolish the Infrastructure Planning Commission but will not change the devolution settlement regarding who consents major energy infrastructure projects in Wales.⁶ The UK Government has recently published 'final' versions of the Energy National Policy Statements, which subject to Parliamentary approval, will be used as the basis for decisions on major energy infrastructure projects in Wales. The *Energy Bill 2010-2011* is also currently being considered at Westminster and all of its provisions will relate to Wales.⁷

Within this context Members may wish to consider:

¹ Welsh Government, [Towards Zero Waste](#), June 2010

² [Waste \(Wales\) Measure 2010](#) NAWM8

³ [The Single Use Carrier Bags Charge \(Wales\) 2010](#) SI 2010/2880 (W.238)

⁴ Welsh Government, [A Low Carbon Revolution: Wales' Energy Policy Statement](#), March 2010

⁵ Welsh Government, [Planning Policy \(Edition 4, February 2011\)](#), February 2011

⁶ [Localism Bill 2010-11](#)

⁷ [Energy Bill 2010-11](#)

- The effectiveness and delivery of the Welsh Government's renewable energy targets;
- The relationship between the UK Government's Energy National Policy Statements and Welsh planning policy; and
- The impact of the *Energy Bill* on Wales and how this will feed-in to the Welsh Government's work on fuel poverty and energy efficiency.

Sustainable Development

The Welsh Government's Sustainable Development Scheme, *One Wales: One Planet* sets out the Government's vision for a sustainable Wales and seeks to establish sustainable development as the central organising principle of Government. The Welsh Government has announced that it will bring forward a Sustainable Development Bill to establish a Sustainable Development Commission for Wales and to place further duties on the Welsh Government with regards to sustainable development. During the Third Assembly the Sustainability Committee conducted two inquiries into how sustainable development was being mainstreamed into the work of different Government Departments.

Within this context Members may wish to consider:

- The policy context for and potential impacts of a Sustainable Development Bill,
- What progress has been made to mainstream sustainable development into the work of Government Departments,
- The review of the Welsh Government's Sustainable Development Scheme in late 2011 or 2012.
- Review of Welsh Government's role in promoting sustainable development on the international stage through the Network of Regional Governments for Sustainable Development Network (nrg4SD).

Planning

The Welsh Government is in the process of implementing changes to the planning system in Wales to make it more responsive to the needs of business, as called for in the Economic Renewal Programme. During the Third Assembly the Sustainability Committee conducted an inquiry into the planning system which concentrated on the effectiveness of national and local planning policy. This included some consideration of policy on renewable energy. Some of the Committee's recommendations have already been agreed by the new Welsh Government, including a partial review of the Local Development Plan process and a Planning Act for Wales.

Within this context Members may wish to consider:

- Follow up on the recommendations of the Sustainability Committee's planning inquiry;
- Follow up on the effectiveness of the Welsh Government's actions to improve planning's role in delivering economic development;

- The scope and content of a Planning Bill for Wales (depending on when it is likely to be brought forward by the Welsh Government);
- Community Infrastructure Levy- its implementation in Wales and the impact on the future funding of infrastructure and the use of Section 106 agreements;
- Building regulations- the implications of the regulations being devolved from 2012.

Common Agricultural Policy

The Common Agricultural Policy (CAP) is currently going through a reform process that will lead to the adoption of a new policy by 2013, which takes place in the context of wider discussions over the future multi-annual financial framework for the EU budget, proposals for which were published on 30 June. Farmers and rural communities in Wales are heavily dependent on the funding they receive through the CAP. The European Commission is due to publish a Communication on the future of the CAP in October or November 2011 which will have significant implications for Wales. Current discussion on how less favoured areas will be defined for the purposes of distributing funds through the CAP may also have significant impact on Wales

Within this context Members may wish to consider:

- The potential impact of any Commission proposals on Wales;
- To extent to which the proposals reflect Welsh priorities for the CAP and what issues the Welsh Government should make a priority for its negotiations;
- The impact of any new definitions of less favoured areas on Wales;
- What transitional arrangements may need to be put in place as a result of the proposals; and
- How stakeholders views are being taken into account by the Welsh Government.

Glastir

In the context of the reform to the CAP a new agri-environment scheme for Wales, Glastir has been introduced. Following a low number of applications to the first round of the scheme, the previous Rural Affairs Minister set up an independent review of the All-Wales Element of Glastir which reported back in March 2011.⁸ A number of recommendations made in the report were accepted by the previous Rural Affairs Minister.

Within this context Members may wish to consider:

- What approach the new Minister will take to the implementation of Glastir;
- What progress has been made on implementing the changes recommended by the review group; and
- What concerns, if any remain amongst stakeholders about the scheme.

⁸ Welsh Government, [Glastir: Independent Review](#), March 2011

Marine, Fisheries and Water Quality

The *Marine and Coastal Access Act 2009* gave Welsh Minister wide-ranging powers over the Welsh marine environment and its fisheries. The Welsh Government is now in the process of implementing this Act including giving consideration to marine planning, nature conservation, marine licensing and sustainable fisheries. Water Quality in Wales is governed by a number of European Directives including the Bathing Water Directive, the Water Framework Directive and the Nitrates Directive. The targets within these Directives are either shortly to be revised or are required to be met within the next few years.

In addition, the European Commission will shortly published proposals for reform of the Common Fisheries Policy that will have a significant impact on the way in which the Welsh fisheries industry is governed.

Within this context Members may wish to consider:

- Development of marine plans and implications for stakeholders;
- Development and establishment of highly protected marine reserves under the *Marine and Coastal Access Act 2009*;
- The transfer of fisheries powers to the Welsh Government and how these will be effected by the reform of the Common Fisheries Policy (proposals to be published in July 2011);
- Whether Wales can and will deliver on its water quality targets and whether present water infrastructure will be able to ensure high standards of water quality in future; and
- How will the transfer of private sewers to public ownership be managed and implemented.

Coastal Erosion and Flooding

The previous Sustainability Committee conducted an inquiry into flooding Wales but this did not predominantly focus on coastal erosion. In addition, The *Flood and Water Management Act 2010* place new obligations on the Welsh Government and local authorities in Wales with regards to flood and coastal erosion risks.⁹

Within the context of coastal erosion and flooding Members may wish to consider:

- The National Flood and Coastal Erosion Risk Strategy that the Welsh Government is required to produce under the *Flood and Water Management Act 2010* but is yet to finalise;
- The effectiveness of Technical Advice Note 15 on Development and Flooding;
- The adoption of Shoreline Management Plans for Wales and the subsequent production of local flood risk strategies.

⁹ [Flood and Water Management Act 2010](#) c.29

The Food Supply Chain

In a number of its reports during the Third Assembly the Rural Development Sub-committee advocated that a supermarkets ombudsman should be developed on a UK basis to ensure that Welsh producers and farmers are treated fairly. On the 24 May 2011 the UK Government published a *Draft Groceries Code Adjudicator Bill* which seeks to establish an independent adjudicator for the Groceries Code.¹⁰ In December 2010 the Welsh Government published a food strategy for Wales and implementation plans for the strategy are currently being developed by the Welsh Government in partnership with the Food and Drink Advisory Partnership.

At a European level consideration is being given to two packages that relate to the food industry in Wales. These are the Dairy Package and the Quality Package. Both will have implications for producers in Wales including potentially providing the opportunity for the introduction of compulsory contracts between milk suppliers and processors and the introduction of mandatory country of origin labelling.

Within this context Members may wish to consider:

- Whether the proposals contained in the *Draft Groceries Code Adjudicator Bill 2010-2011* take sufficient account of the views of stakeholders in Wales;
- What progress has been made in developing implementation plans for the Welsh Government's food strategy;
- What impact the Dairy Package and Quality Package will have on Wales and whether Welsh priorities are adequately reflected within them.

Genetically Modified Organisms (GMOs)

At present GMOs are authorised at a European level and once authorised may be grown and/or sold anywhere within the European Union. Member States are only able to prevent the production of GMO crops within their territory if they can provide substantial new scientific evidence that they are a threat to human health or the environment. This has meant that some Member States have been reluctant to authorise GMOs as they are not easily able to control their use once authorised. In response to this issue the European Commission has published proposals to modify the control of GMOs within the EU so that it could be possible for Member States to ban GMOs on the grounds of wider social and environmental reasons. To date several Member States and key stakeholder have expressed concern that this could create legal uncertainty and it is not yet clear whether regional Governments will be able to ban GMOs within their region even if the Member State as a whole does not.

Within this context Members may wish to consider:

- The potential impact of the proposed EU legislation on Wales;
- Whether the Welsh Government will be able to make its own decision on the production of GMOs in Wales; and

¹⁰ [Draft Groceries Code Adjudicator Bill](#), May 2011

- The wider policy implications of the proposal.

Nature Conservation

During the Third Assembly the Sustainability Committee completed a review into the failure to meet the 2010 target to halt biodiversity loss. The Welsh Government is currently developing a new 'Natural Environment Framework' for Wales entitled 'A Living Wales'. In the context of this new framework the institutional arrangements of the three environmental delivery bodies (the Countryside Council for Wales, Environment Agency Wales and the Forestry Commission Wales) is being considered. In addition the EU Biodiversity Strategy adopted in May 2011 will influence actions by the Welsh Government in this field.

Within this context Members may wish to consider:

- Whether the new Natural Environment Framework will implement the recommendations made by the Sustainability Committee;
- The institutional arrangements of the environmental delivery bodies and the impacts of any future changes;
- Whether as suggested by the Sustainability Committee the biodiversity duty currently contained in the *Natural Environment and Rural Communities Act 2006* should be strengthened?

Climate Change and Carbon Reduction

In October 2010, the Welsh Government published a Climate Change Strategy and Delivery plans for emission reductions and adaptation.¹¹ The Strategy and accompanying Delivery plans set out how the Welsh Government intends to meet its carbon reduction commitment of 3 per cent a year from 2011 in areas of devolved competence. During the Third Assembly the Sustainability Committee completed a wide-ranging review into carbon reduction across a number of sectors in Wales. The Committee made a number of recommendations on actions the Welsh Government could take to help meet the carbon reduction targets.

Within this context Members may wish to consider:

- Progress made by the Welsh Government and Welsh public sector more generally toward the carbon reduction commitments;
- Wales' contribution to international, European and UK targets on climate change; and
- The extent to which progress has been made on the recommendations made by the Sustainability Committee in their reports on carbon reduction in Wales.

Meat Control Charges

The Food Standards Agency (FSA) has announced that it intends in future to pursue a policy of full cost recovery from producers and processors for meat hygiene and animal welfare controls. At present the cost of these controls are partly subsidised by the FSA. In

¹¹ Welsh Government, [Climate Change Strategy](#) (Website), [accessed 29 June]

its inquiry into Meat Hygiene and Animal Welfare the Rural Development Sub-committee concluded that implementation of this policy could have a significant impact on the survival of small and medium sized abattoirs in Wales and consequently on Welsh producers.

Within this context Members may wish to consider:

- The implications of this decision for producers and processors in Wales;
- What mechanisms could be put in place to mitigate any negative effects; and
- What action the Welsh Government has taken in light of this decision.