

Environment and Sustainability Committee

E&S(4)-02-11 : Paper 1

Energy inquiry – scoping paper and terms of reference

1. At its meeting on 6 July 2011, the Committee agreed to undertake an inquiry into issues surrounding the devolution of energy policy in Wales.
2. A paper suggesting the scope and terms of reference for the inquiry is attached at Annex A.
3. The Committee is likely to have a series of time constrained activities to undertake in the autumn term (e.g. budget scrutiny, reforms to the Common Agricultural Policy and possibly Welsh Government legislation to consider, all of which will be time critical). The suggested scope of the inquiry focuses, therefore, on key strategic issues relating to energy policy in Wales and its relationship to UK Government energy policy.
4. Members are invited to discuss the scope of the inquiry and agree terms of reference.

Committee Service

July 2011

Environment and Sustainability Committee

Scoping paper for inquiry into energy policy and planning

Date of paper:

14 July 2011

Introduction

At its meeting on 6 July 2011, the Committee agreed to conduct an inquiry into energy policy and planning in Wales. This paper sets out some draft terms of reference for such an inquiry and identifies some of the issues that Members may wish to consider. It also outlines some possible witnesses and a timescale for the inquiry.

Scoping paper for inquiry into energy policy and planning in Wales

Draft Terms of Reference

What are the implications for Wales if responsibility for consenting major onshore and offshore energy infrastructure projects remains a matter that is reserved by the UK Government?

- How does this affect delivery of the Welsh Government's aspirations for various forms of renewable energy as set out in the Energy Policy Statement?
- How does this affect delivery of the Welsh Government's target for a 3 per cent reduction in Green House Gas emissions per annum from 2011?
- How can the Welsh Government ensure that all consenting decisions on major infrastructure projects and associated development are made in accordance with Welsh planning policy?

Key issues

Issues that the Committee may wish to consider as part of these terms of reference could include:

- The role of the different consenting agencies, how they inter-relate and how the current system could be improved, both with and without further devolution (*Infrastructure Planning Commission, Planning Inspectorate, Local Planning Authorities, Welsh Government, Marine Management Organisation, Environment Agency*).
- The relationship between the UK Government's Energy National Policy Statements and Welsh national and local planning policies (including Planning Policy Wales, Technical Advice Note 8 and Local Development Plans) and whether or not these policies can deliver the required aspirations.
- The arguments for and against an upper limit of 100 Megawatts for devolved consents.
- A comparison with the other devolved legislatures (Scotland has devolved responsibility apart from nuclear, Northern Ireland has devolved responsibility including nuclear)
- The potential contribution and likelihood that different types of renewable energy (*offshore wind, tidal, onshore wind, hydro-power, nuclear, bio-energy/waste, micro-generation, community energy projects*) will be capable of delivering the Welsh Government's aspirations for energy generation as set out in *A Low Carbon Revolution – Energy Policy Statement*.

- The potential contribution of these different types of renewable energy to meeting the Welsh Government's annual target for Green House Gas emission reduction.

Outcome

The Committee could produce a report with recommendations to the Welsh Government that will contribute to meeting the Welsh Government's aspirations for renewable energy generation and targets for Green House Gas reduction.

This could include recommendations about some or all the following:

- The case for and practical implications of the devolution of responsibility for major consents.
- In the absence of further devolution, proposals for how the current consenting regime for major energy projects could be improved.
- Whether further changes to national and local planning policy for renewable energy are needed.
- The realistic potential contribution of different forms of renewable energy.

Such a report would seek to influence the Welsh Government's policies for energy and planning and contribute to the debate with the UK Government about further devolution.

Possible witnesses

- First Minister
- Minister for Environment and Sustainable Development
- Sir Michael Pitt, Chair Infrastructure Planning Commission/Chief Executive Planning Inspectorate
- Renewable UK (formerly British Wind Energy Association)
- National Grid/Scottish Power Energy Networks
- Local Planning Authorities/WLGA/County Planning Officers Society
- Low Carbon Research Institute
- Centre for Alternative Technology
- Marine Energy Research Group (Swansea)
- Marine Energy Task Group for Wales
- Micropower Council
- Royal Town Planning Institute
- Renewable Energy Association

Suggested timescale

The Committee could invite written representations over the summer recess asking for views on the key issues identified above.

Starting in September the Committee could take evidence from the First Minister and the Minister for Environment and Sustainable Development on the key issues and on the written responses received.

The Committee could then take oral evidence from invited witnesses during September/October (using perhaps five or six half-day committee slots) and again from the Ministers towards the end of the inquiry. The aim would be to produce a final report before the start of the Christmas recess.