

## **ENVIRONMENT, PLANNING AND COUNTRYSIDE COMMITTEE**

### **REPORT TO PLENARY UNDER STANDING ORDER 9.9: JUNE 2003 TO MARCH 2004**

#### **1. INTRODUCTION**

1.1 The Environment, Planning and Countryside Committee is one of the Assembly's seven subject committees. This report is made under Standing Order 9.9, which requires subject committees to report to the Assembly from time to time on their progress in fulfilling their work programme. It summarises the Committee's work since its establishment in June 2003 to March 2004.

#### **2. MEMBERSHIP**

2.1 Our current membership is: Alun Ffred Jones (Chair), Mick Bates, Glyn Davies, Jeff Cuthbert<sup>1</sup>, Tamsin Dunwoody-Kneafsey, Irene James, Carwyn Jones (Minister), Helen Mary Jones<sup>2</sup>, Carl Sargeant and Brynle Williams.

#### **3. REMIT AND RESPONSIBILITIES**

3.1 The Committee's remit mirrors the portfolio of the Minister for Environment, Planning and Countryside, Carwyn Jones, which covers: the environment and sustainable development; town and country planning; countryside and conservation issues; agriculture and rural development including forestry and food production.

3.2 The responsibilities of subject committees are set out in Standing Orders 9.7 and 9.8. The remainder of this report details significant aspects of Committee work under each of these headings.

#### **4. WORK AND ACHIEVEMENTS TO DATE**

4.1 During the reporting period the Committee held ten formal meetings.

##### ***Policy development (SO 9.7 (i))***

##### **Inquiry into planning aspects of affordable housing and sustainable communities in the countryside**

4.2 In June 2003 the Committee began an inquiry into the effectiveness of current planning policies in supporting the provision of affordable housing and sustainable communities in the countryside. Evidence was taken from the Minister and his officials, representatives of local planning and housing authorities and the academic community. The debate was widened through information presented to regional committees from representatives of local

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<sup>1</sup> Jeff Cuthbert was elected to the Committee in place of Catherine Thomas on 2 March 2004.

<sup>2</sup> Helen Mary Jones was elected to the Committee in place of Rhodri Glyn Thomas on 19 November 2003.

planning and housing authorities, housing associations, surveyors and estate agents, community groups and members of the public.

4.3 The Committee reported to plenary in February 2004 making recommendations to the Welsh Assembly Government in the areas of roles and responsibilities, planning mechanisms, information and data, the Welsh language, sustainable development, availability of land, and resources<sup>3</sup>. The Minister accepted all but one of the Committee's recommendations.

### **Inquiry into Bovine tuberculosis**

4.4 In November 2003 the Committee began an inquiry into the containment of Bovine TB and the long term management and reduction of Bovine TB by utilising best farming practice in animal health and welfare.

4.5 The Committee invited written submissions from a wide range of interested parties and received 24 responses. Oral evidence was taken from a number of key bodies and Members undertook a farm visit. The inquiry is ongoing and the Committee intends to reach its conclusions during the summer term 2004.

### **Reform of the Common Agricultural Policy**

4.6 The Committee received regular reports on the reform of the European Common Agricultural Policy and the implications for Wales<sup>4</sup>.

#### ***Review of Expenditure and Administration (SO 9.7 (ii))***

4.7 The Committee received a report from the Minister at each meeting allowing regular scrutiny of policies and decisions for which he is accountable.

#### ***Review of Assembly Sponsored Public Bodies (ASPBs) (SO 9.7 (iii))***

4.8 Consideration was given to the Agri-Food Partnership strategic review<sup>5</sup> and to the review of the National Park Authorities in Wales<sup>6</sup>.

#### ***Legislation (SO 9.8(i))***

4.9 The Committee reported to plenary on the following items of legislation<sup>7</sup>:

#### **Secondary legislation**

- The Litter (Fixed Penalty) Wales Order 2003;

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<sup>3</sup> The report is available on the Assembly website at <http://www.wales.gov.uk/keypubassemenvplancou/content/reports-e.htm>

<sup>4</sup> 16 July 2003 see paper EPC(2)-03-03(p2) and 24 March 2004 see paper EPC(2)-04-04 (p3). Also updates in various Minister's reports.

<sup>5</sup> 4 February 2004, paper EPC (2)- 02-04(p 2) and EPC(2)-02-04(mins).

<sup>6</sup> 24 March 2004, paper EPC (2)-04-04(p 1) and EPC(2)-04-04(mins).

<sup>7</sup> Copies of the reports are available on the internet at <http://www.wales.gov.uk/keypubassemenvplancou/content/reports-e.htm>

- The Dog Fouling (Fixed Penalty) (Wales) Order 2003;
- Countryside Rights of Way Act 2000 (Commencement Order No.4 Wales 2004)
- The Landfill Allowance Scheme (Wales) Regulations 2004;
- The Conservation (Natural Habitats etc) (Amendment) (Wales) Regulations 2004.

### **Primary legislation**

- The Planning and Compulsory Purchase Bill.

### **European legislation**

4.10 In February 2004 the Committee introduced a system for more proactive scrutiny of European legislation. European Commission documents related to the EPC portfolio deposited in the UK Parliament are considered at alternate meetings.

### ***Budget (SO 9.8 (ii))***

4.11 The Committee set out its budget preferences during the summer term<sup>8</sup>, and commented on the draft budget in the autumn term<sup>9</sup>.

### ***Complaints (SO 9.8(iii))***

4.12 No complaints were referred to the Committee during the reporting period.

### ***Public Appointments (SO 9.8(iv))***

4.13 The Committee's public appointments nominees were consulted on numerous appointments to public bodies during the reporting period.

### **Matters referred by the Assembly (SO 9.8(v))**

4.14 In December 2003, the Planning and Compulsory Purchase Bill was referred to the Committee (see paragraph 4.9).

### ***Planning Decision Committee (SO 17)***

4.15 Three committees met during the reporting period to consider ten cases. An annual report for the period June 2003 to March 2004 is attached at **Annex 1**.

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<sup>8</sup> 25 June 2003, see EPC(2)-02-03(mins).

<sup>9</sup> 5 November 2003, see EPC(2)-05-03(mins).

## **5. CROSS-CUTTING ISSUES**

### **Equality of Opportunity**

5.1 On behalf of the Committee, the Chair contributed factual information to reviews of mainstreaming equality in the Assembly undertaken by the Equality of Opportunity Committee.

### **Sustainable development**

5.2 The Committee considered the draft Sustainable Development Scheme of the Assembly<sup>10</sup>.

## **6. FORWARD PROGRAMME**

6.1 The Committee's strategic work programme, which was agreed at the start of the period covered by this report, is attached at **Annex 2**.

**Environment, Planning and Countryside Committee  
May 2004**

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<sup>10</sup> 3 March 2003, see EPC(2)-03-04 (p 1) and EPC(2)-03-04(mins)

## PLANNING DECISION COMMITTEES

### REPORT TO PLENARY UNDER STANDING ORDER 9.9: JUNE 2003 TO MARCH 2004

#### 1 Introduction

1.1 This report summarises the activities of the Planning Decision Committees (PDC) from June 2003 to March 2004.

#### 2 Membership

2.1 Each PDC is elected anew for each appeal or application (or group of appeals/applications). Members are selected from the Planning Decision Panel comprising Members of the Environment, Planning and Countryside Committee who have been trained for the purpose.

#### 3 Remit and Responsibilities

3.1 The responsibilities of Planning Decision Committees are set out in Standing Order 17.

#### 4 Meetings

4.1 The following cases were considered during the reporting period:

##### PDC 2003-1

- Planning appeal, and application for stopping up of highways order, by Tarmac Central Ltd for the proposed extension of Burley Hill Quarry, Pant Du, Nercwys, Mold. **Decision: The Members agreed to accept the Planning Inspector's Recommendation that the planning appeal should be refused and the Stopping Up of Highways Order be refused.**
- Called in planning application by Magnox Electric PLC for construction of a new intermediate level waste store to replace existing stores; the reduction in height of the former reactor buildings from 55metres to 35 metres and their re-roofing and re-cladding at Trawsfynydd Nuclear Power Station, Trawsfynydd, Gwynedd. **Decision: The Members agreed that planning permission be granted subject to conditions as suggested by the Planning Inspector.**
- Called in planning application by Mr P Collins and Mrs B D Collins for proposed agricultural dwelling on land south-east of Pont Rhys Powell Farm, Cwmyoy, Abergavenny - holding no. 60 152 44. **Decision: The Members agreed to accept the Planning Inspector's recommendation that planning permission should be refused.**

## **PDC 2004-1**

- Planning appeal by Community Power Ltd for the proposed erection of wind turbines at land at Ton Mawr and Castell Farms, near Margam, Port Talbot. **Decision: Agreed that the appeal should be refused.**
- Planning appeals by Bellway Homes for residential development and associated public open space, to include the provision of a link road at land between the A48 road and Llantwit Major Road, Cowbridge (application nos. 01/00826/out and 02/01617/out). **Decision: Agreed that both the appeals should be refused.**
- Planning appeal by Gryphon Corporation for a new external entrance door and listed building consent appeal for a new external entrance door and a new internal party wall at Central Wing, Trawsgoed Mansion, Aberystwyth. **Decision: Both appeals agreed subject to conditions and recommendations set down in the Inspector's Report.**

## **PDC 2004-2**

- Called in planning application and scheduled monument consent application by Cardiff County Council for the proposed development of a new visitor centre at Cardiff Castle. **Decision: Agreed with the Inspectors Report to refuse permission.**
- called in planning application and scheduled monument consent application by Cardiff County Council for the proposed development of a new restaurant and shop at Cardiff Castle. **Decision: Agreed with Inspectors Report to refuse permission.**
- Crown Development: proposed development by the Court Service for the use of Columbus House, Langstone, Newport, Gwent as a hearing centre for immigration appeals authority tribunals and pensions appeals tribunals. **Decision: Planning permission agreed subject to compliance with the conditions relating to the mini bus service , transport plan and barriers and road signing being expanded in the decision letter.**
- Crown Development: proposed development by the Maritime and Coastguard Agency of a Coastguard Auxillary Station (incorporating Sector Manager's Office) at Llwyn Passat, Penarth Marina, Penarth. **Decision: To agree with the Inspectors Report and to refuse permission.**

## ENVIRONMENT, PLANNING & COUNTRYSIDE COMMITTEE STRATEGIC FORWARD WORK PROGRAMME 2003-04

### Introduction

1. This work programme sets out the strategic priorities of the Committee for the next twelve to eighteen months.

### Remit and responsibilities

2. The Committee's remit is based on the portfolio of the Minister for Environment, Planning and Countryside, which covers: the environment and sustainable development; town and country planning; countryside and conservation issues; agriculture and rural development including forestry and food production.

3. The responsibilities of subject committees as set out in Standing Order 9 are principally: policy development; scrutiny of Ministers and relevant bodies; and scrutiny of legislation.

### Aims

4. With such a broad remit, the Committee will develop a strategic approach to its work and aim to balance consideration of subjects across the portfolio and its range of responsibilities.

### Priorities

5. Priorities for the coming period will be:

- *Policy development (SO 9.7(i))* – the Committee will focus on those areas of policy development where it can make the greatest impact. In the coming period the Committee proposes to review topics from the following policy areas:
  - planning aspects of affordable housing and sustainable communities in the countryside;
  - progress towards meeting the 2003-04 targets of the waste strategy *Wise About Waste*;
  - the marine environment.
- *Scrutiny of the Minister (SO 9.7(ii))* - the Minister will report to the Committee every three weeks on current developments within the portfolio. The Committee will keep developments in the following areas under review, and may also undertake inquiries into one or more topics in greater depth:
  - bovine tuberculosis;

- disposal of fallen stock;
  - fisheries strategy;
  - flood defence arrangements;
  - forest re-design project;
  - planning issues associated with siting of mobile phone masts;
  - policy on Genetically Modified Organisms;
  - restriction of animal movements and impact on viability of livestock markets.
- *Scrutiny of relevant bodies (SO 9.7 (iii))* – the Committee will scrutinise the work of the Countryside Council for Wales, Forestry Commission Wales, Environment Agency, Welsh National Parks, Welsh Development Agency and other relevant bodies undertaking activities within the EPC portfolio. Rather than undertake scrutiny of performance against the full range of targets, the Committee will concentrate on scrutinising particular aspects of relevant bodies' work, or joint delivery of services. The Committee will also advise on any quinquennial or other reviews of the public bodies.
  - *Scrutiny of proposed legislation affecting Wales (SO 9.8(i) and 22)* – the Minister will regularly outline forthcoming secondary legislation and the Committee will be informed of relevant proposed primary legislation. The Committee will identify for scrutiny those items of legislation where there is scope to influence content, and will also consider draft secondary legislation referred by the Deputy Presiding Officer, as appropriate.
  - *Other items (SO 9.8)* – the Committee will consider the following items as they arise:
    - *proposals for the Assembly's budget (SO 9.8(ii))* – the Committee will indicate its budget priorities in the summer term and comment on the draft budget in the autumn term;
    - *complaints (SO 9.8(iii) and 21)* – the Committee will consider any complaints referred to it under Standing Order 21;
    - *public appointments (SO 9.8(iv) and 20)* – the Committee's two public appointment nominees will take part in the process of appointments to public bodies as vacancies arise;
    - *other matters referred by the Assembly (SO 9.8 (v))* – the Committee will consider other matters referred to it by the National Assembly, but would ask Assembly Members to consult the Committee Chair before tabling motions inviting plenary to remit work to the Committee.

### **The Assembly's Statutory Duties**

6. The Government of Wales Act 1998 places certain duties on the National Assembly, the Committee's work will be guided by the following:

- *Equality of Opportunity (s.48 and s.120)* – Committee meetings will be held in public and on occasion away from the National Assembly building to increase the accessibility of its business to people across Wales. Over the range of issues within its portfolio, the Committee will have regard to equality of opportunity;
- *Sustainable Development (s.121)* – throughout its deliberations the Committee will focus on the need to balance economic and social growth with the conservation of the environment, through sustainable development. Its own policy review recommendations will reflect this principle. As co-ordination for sustainable development forms part of the Minister's responsibilities, the Committee will undertake detailed policy development and scrutiny work in this area.

**Environment, Planning and Countryside Committee**

12 June 2003