



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

Y Pwyllgor Amgylchedd a Chynaliadwyedd **The Environment and Sustainability Committee**

Dydd Mercher, 21 Medi 2011
Wednesday, 21 September 2011

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee. In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Mick Antoniw	Llafur Labour
Yr Arglwydd/Lord Elis-Thomas	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Rebecca Evans	Llafur Labour
Vaughan Gething	Llafur Labour
Russell George	Ceidwadwyr Cymreig Welsh Conservatives
Llyr Huws Gruffydd	Plaid Cymru The Party of Wales
Julie James	Llafur Labour
William Powell	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
David Rees	Llafur Labour
Antoinette Sandbach	Ceidwadwyr Cymreig Welsh Conservatives

Others in attendance

Eraill yn bresennol

Rhodri Asby	Polisi Ynni, Llywodraeth Cymru Energy Policy, Welsh Government
Clive Bates	Cyfarwyddwr Cyffredinol Dyfodol Cynaliadwy, Llywodraeth Cymru Director General for Sustainable Futures, Welsh Government
John Griffiths	Aelod Cynulliad, Llafur (Gweinidog yr Amgylchedd a Datblygu Cynaliadwy) Assembly Member, Labour (The Minister for Environment and Sustainable Development)
Carwyn Jones	Aelod Cynulliad, Llafur (Y Prif Weinidog) Assembly Member, Labour (The First Minister)
Matthew Quinn	Cyfarwyddwr, Amgylchedd a Chynaliadwyedd, Llywodraeth Cymru Director of Environment and Sustainability, Welsh Government

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Dr Virginia Hawkins	Clerc Clerk
Catherine Hunt	Dirprwy Glerc Deputy Clerk

Dechreuodd y cyfarfod am 9.35 a.m.

The meeting began at 9.35 a.m.

Cyflwyniad ac Ymddiheuriadau
Introduction and Apologies

Yr Arglwydd Elis-Thomas: Fe Lord Elis-Thomas: We will start by welcoming the
gychwynnwn drwy groesawu'r Prif First Minister, and thanking him for the paper. I do
Weinidog, a diolch iddo am y papur. Nid not see anyone from the public here, but if the fire

wyf yn gweld neb o'r cyhoedd yma, ond os bydd larwm tân yn seinio, bydd angen dilyn yr arwyddion ar gyfer yr allanfeydd. Diffoddwch eich ffonau symudol. Yn amlwg, mae'r offer cyfieithu yn gweithio. Nid oes rhaid cyffwrdd â'r meicroffonau yn ystod y cyfarfod.

alarm sounds, please follow the signs to the exits. Please switch off your mobile phones. Clearly, the translation equipment is operational. There is no need to touch the microphones during the meeting.

Ymchwiliad i Bolisi Ynni a Chynllunio yng Nghymru—Tystiolaeth gan y Prif Weinidog
Inquiry into Energy Policy and Planning in Wales—Evidence from the First Minister

Yr Arglwydd Elis-Thomas: Diolch yn fawr am y papur, Brif Weinidog. Dechreuaf drwy ofyn y cwestiwn cyntaf, sef pam ydych wedi dewis cadw pwerau penodol strategol dros bolisi ynni o fewn portffolio'r Prif Weinidog?

Lord Elis-Thomas: Thank you for the paper, First Minister. I will begin by asking the first question, which is: why did you decide to keep the specific strategic powers over energy policy within the First Minister's portfolio?

Y Prif Weinidog (Carwyn Jones): Diolch, Gadeirydd. Mae ynni a'r ffordd y mae'n cael ei greu yn ganolog i ddau agenda, sef newid hinsawdd a chynaliadwyedd. Hefyd, mae cyfleoedd anferth i ni yng Nghymru ddatblygu ynni adnewyddadwy a chreu swyddi o ganlyniad, yn enwedig ym maes ynni'r llanw.

The First Minister (Carwyn Jones): Thank you, Chair. Energy, and the way in which it is generated, is central to two agendas, namely climate change and sustainability. Also, there are huge opportunities for us in Wales to develop renewable energy and create jobs as a result, particularly in tidal energy.

Yr Arglwydd Elis-Thomas: Sut mae'r cyfrifoldeb yn cael ei gydgyssylltu rhwng y Prif Weinidog â'r Gweinidogion eraill sydd â chyfrifoldeb ymylol neu ganolog ym maes ynni neu gynllunio cysylltiol?

Lord Elis-Thomas: How is that responsibility linked between the First Minister and the other Ministers who have marginal or central responsibility in the field of energy or associated planning?

Y Prif Weinidog: O ran fy rôl innau, mae hynny'n ymwneud â phrosiectau ynni mawr. Mae rôl Gweinidog yr amgylchedd yn ymwneud â sicrhau bod cynlluniau mewn lle i arbed ynni mewn tai ac yn blaen. Mewn ffordd, felly, rôl y Gweinidog yw trin materion ynni ar lefel ficro. Mae tîm ynni gan y Llywodraeth, ac mae hwnnw'n gweithio ar draws sawl adran. Mae'n gyfarwydd felly â gweithio gyda dau Weinidog a'u briffio.

The First Minister: With regard to my role, that takes in major energy projects. The role of the Minister for environment is more to do with ensuring that domestic energy efficiency schemes and so on are implemented. In a way, therefore, the Minister's role is to deal with micro-level energy issues. The Government has an energy team, and it works across a number of departments. It is therefore used to working with and briefing two Ministers.

Yr Arglwydd Elis-Thomas: Ac mae hyn yn gweithio hefyd ar lefel swyddogion?

Lord Elis-Thomas: And this also operates on the level of officials?

Y Prif Weinidog: Ydyw.

The First Minister: Yes.

Rebecca Evans: What recent discussions have you had with the UK Government about major

energy infrastructures and projects?

The First Minister: Our view has been for many years that Wales should have the same powers as Scotland and Northern Ireland. There is no logical reason why we should be in a different position. During the course of the summer, I wrote again to the Prime Minister asking for those powers to be devolved.

Llyr Huws Gruffydd: Mae polisi ynni 2010 a chynllun mapio adnewyddadwy 2011 wedi gosod amcangyfrifon am y potensial i gynhyrchu ynni adnewyddadwy yng Nghymru hyd at 2025. Pa mor realistig yw'r targedau hynny?

Llyr Huws Gruffydd: The 2010 energy policy and the 2011 mapping of renewable energy gave estimates for Wales's potential to generate renewable energy up to 2025. How realistic are those targets?

Y Prif Weinidog: Maent yn realistig, ond mae'n anodd rhoi gwarant ynglŷn â hynny oherwydd nad yw'r pwerau i gynhyrchu ynni adnewyddadwy i gyd yn nwylo Llywodraeth Cymru.

The First Minister: They are realistic, but it is difficult to give any guarantee about that because the powers over renewable energy generating are not entirely in the hands of the Welsh Government.

Llyr Huws Gruffydd: A ydych yn credu y byddai cael yr hawliau hynny yn ei gwneud hi'n fwy realistig i gyflawni'r targedau?

Llyr Huws Gruffydd: Do you believe that having those powers would make reaching those targets a more realistic prospect?

Y Prif Weinidog: Gallai fod yn rhwyddach. Er enghraifft, yn yr Alban, oherwydd y ffaith eu bod yn rheoli tystysgrifau ar gyfer ynni adnewyddadwy, gallant sicrhau bod mwy o arian ar gael at ynni'r llanw. Nid ydym yn rheoli'r tystysgrifau hynny yng Nghymru. Pe baem yn gallu gwneud hynny, byddai hybu ynni'r llanw, er enghraifft, yn llawer rhwyddach.

The First Minister: It might be easier. For example, in Scotland, the fact that they control the renewable energy certificates means that they are able to ensure that more funding is available for tidal energy. We do not control those certificates here in Wales. If we were able to do that, it would be much easier to promote tidal energy, for example.

Llyr Huws Gruffydd: Mae targed i gael 50 y cant o'n hynni o ynni'r llanw. A yw hynny'n realistig yn y cyd-destun presennol?

Llyr Huws Gruffydd: The target is to have 50 per cent of our energy from tidal. Is that realistic in the present context?

Y Prif Weinidog: Hanner cant y cant o wynt ydyw, os y cofiaf yn iawn. A ydym yn yr un sefyllfa â'r Alban? Yr ateb yw 'nac ydym', oherwydd bod gan yr Alban reolaeth dros dystysgrifau ymrwymo i ynni adnewyddadwy. Pe bai gennym reolaeth dros y rheini, byddai'n llawer rhwyddach rheoli ynni a gynhyrchir ar y môr ac yn y môr nag ydyw ar hyn o bryd.

The First Minister: It is to have 50 per cent from wind power, if I remember rightly. Are we in the same position as Scotland? The answer is 'no', because Scotland has control over the renewables obligation certificates. If we had control over them, it would be much easier to control offshore and tidal energy than it is at present.

Antoinette Sandbach: First Minister, you state in your written submission that electricity generation in Wales is of strategic and national importance to the UK as a whole.

The First Minister: That does not mean that consents have to be centred in London, of course; consents with regard to Scotland and Northern Ireland are centred there.

Antoinette Sandbach: However, much of the land in the strategic search areas identified for onshore windfarm developments is owned, effectively through the Forestry Commission, by the Welsh Government. The Welsh Government would receive substantial funds from those potential projects.

The First Minister: The Welsh Government is not in control of planning applications for projects above 50 MW; that is now a matter for the UK Government. Technical advice note 8 is no longer relevant with regard to planning applications for projects above 50 MW. The approach that has been taken by the UK Government is that planning applications from anywhere in Wales will be entertained, whether they are in or outside the SSAs. We think that that is the wrong approach.

Antoinette Sandbach: That may enable areas that are in fact suitable for development to be developed, and prevent areas that are not suitable from being developed.

The First Minister: Developments will go where the wind is.

Antoinette Sandbach: Exactly.

The First Minister: When TAN 8 was produced, it was a question of either taking the approach of allowing development anywhere, subject to certain criteria, or restricting development to those areas from where the majority of applications would come anyway. Under TAN 8, development would have been restricted to certain areas, such as parts of Powys, for example, whereas the reality now is that windfarm applications can be entertained anywhere in Powys.

Antoinette Sandbach: However, sustainability includes local jobs and the ability of local people to diversify their businesses and so on. In Powys, and in many rural areas of north Wales, tourism is a key driver—it is the biggest generator of business—yet your Government has made no assessment of the impact of the renewable energy projects on tourism, and therefore the sustainability of businesses in those areas.

The First Minister: Developments over 50 MW are a matter for the UK Government, and it has done nothing to assess the impact on tourism.

Antoinette Sandbach: Neither have you, First Minister.

The First Minister: I do not want to be heckled.

The fact remains that large windfarm developments can be entertained anywhere in Wales, and that is a result of a policy being pursued by the UK Government. Our policy would have restricted those developments.

Mick Antoniw: I will change tack a little. There are many targets for reducing the impact of fossil fuel burning, although we still have a residual coal industry in Wales. All the evidence seems to show that, for many years to come, and despite the objectives, a considerable amount of energy will be derived from burning coal. We still have a residual coal industry in Wales, and it looks as though that is going through the early signs of expansion to some extent. Where does the residual coal industry in Wales fit? Will it go into an inevitably quick decline, or does it have a role to play through the use of better burning procedures and so on?

The First Minister: The coal industry is expanding; there is no question about that. I know that a lot of coal is made available for local manufacturing. Fossil fuel power stations tend to be over 50

MW and are therefore outside the scope of Welsh planning guidance. However, new combustion plants of above 300 MW have to be carbon-capture ready, with a designated carbon storage area. So, there is the facility to build more fossil fuel power stations, as long as the proper carbon capture facilities are in place.

Mick Antoniw: Given the jobs that are tied into that industry and the overlap with economic issues, such as the maintenance and propagation of jobs and so on, where does the Government's policy lie with regard to support for the industry? How can we co-ordinate it and ensure that we get the maximum benefit out of that production for as long as it is part of our energy provision?

9.45 a.m.

The First Minister: The difficulty with coal and steel is that they fall into a particular category when it comes to European support. It has proven difficult in years gone by to provide the right level of support, particularly with regard to training, because of European rules that are particular to coal and steel. Nevertheless, where we have steelworks, such as in Port Talbot, we want to see as much of the coke being sourced as locally as possible. I know that this is something that Tata Steel, which owns the Port Talbot works, is very much aware of, and it is looking to see how it can best secure a supply of local coal, rather than having to bring it into Port Talbot at what is currently a great cost.

Mick Antoniw: Is this an area in which we are proactively involved at the moment?

The First Minister: Yes, I have had several meetings with Tata Steel. I have also met with owners of mines in Wales in the past, and it is something on which we have been very proactive.

Vaughan Gething: Going back to the comments that you made earlier about tidal power, and the Severn tidal power study in particular, that was ended in October last year, but my understanding is that the study was ended prematurely. Is that right—that it had not gone to the end of the full feasibility study?

The First Minister: There does not seem to be a great deal of commitment on the part of the UK Government to wave and tidal power. For example, we funded schemes such as the delta stream project, which we believe can yield great results for Wales. For this reason, if you have wave and tidal power, the maintenance and manufacturing plants need to be near ports, and those ports need to be near the places where the energy is generated. That means that there is great potential for job creation in Welsh ports.

Scotland controls its own renewables obligation certificates, so it has made wave and tidal energy far more attractive to invest in because of the way in which it has banded wave and tidal power. We do not control those certificates in Wales, so wave and tidal power is far less attractive in England and Wales than it is in Scotland. To put it bluntly, there is less money available for it through the renewables obligation certificates. We have put capital moneys in through projects such as the delta stream project, but it will never be as attractive to develop wave and tidal energy in Wales as it is in Scotland without rethinking the banding of those certificates.

Vaughan Gething: Has there been any discussion with any part of the UK Government about the future of Severn tidal power? The report said that the UK Government did not want to go any further at this point, which appeared premature, particularly as it said that there would be no completion before 2020—however, I hope that we will still be living here after 2020.

The First Minister: There is interest from private organisations in developing a tidal power station in the Severn, but there is very little UK Government interest at the moment.

Vaughan Gething: I want to clarify something that you said earlier. It is clear that the policy is to

have parity with Scotland and Northern Ireland in terms of control over renewables, so there is no limit of, say, 100 MW. It is about having the same control as Northern Ireland and Scotland.

The First Minister: That is right. The figure of 100 MW comes from marine consents. At the moment, we have powers for below 1 MW, which is virtually nothing—something that could fit in this room would generate more than that. In England and Wales, anything over 100 MW goes to the Infrastructure Planning Commission, so that is where that figure has come from. However, when it comes to developing on land, there is no reason why that figure of 100 MW should be set in stone.

Vaughan Gething: I am interested in the Ramsay sound delta stream project. At what point do you expect to know how viable those projects are around the rest of the coast, because, as we know, we have over 1,000 km of coastline?

The First Minister: The technology is being developed rapidly. It needs capital investment, and that investment is being made in Scotland. This is being done partially through Government investment, but because of the way that certificates operate in Scotland, it is far more attractive to put money into wave and tidal energy generation in Scotland than it is in England and Wales. That should change, in my view, and that is the Government's view. We would preferably control our own ROCs in Wales so that we could make wave and tidal power more attractive and make more money available for wave and tidal research in Wales. Failing that, we would like to see the UK Government change the system so that we can get more interest in wave and tidal power than is currently the case.

Russell George: TAN 8 states that

‘the construction of new high voltage distribution and transmission lines is vital to the realisation of any significant additional generating capacity’

in north and mid Wales. However John Griffiths's letter of July 2011 states:

‘we do not believe that there is a need for the large, visually intrusive, high voltage grid network infrastructure and associated sub station of the kind proposed within Mid Wales.’

Why does the Welsh Government now believe that there is no need for the high-voltage grid network infrastructure in mid Wales to link the windfarms to the grid?

The First Minister: In February, there was no limit to the SSA capacity in the technical advice note. Since then, we have taken the view that there should be a limit. As a result of the imposition of that limit, as far as power stations under 50 MW are concerned, we do not then see the need for the construction of new pylons. The UK Government, however, through the national policy statement, has made it clear that it does not feel bound by the limits in TAN 8. As a result, if it ignores those limits, which it is entitled to do, there is a danger that there will be a need for more cables.

Russell George: How will the need for new high-voltage infrastructure be affected by the proposed new nuclear plant at Wylfa?

The First Minister: The discussions that we have had with the National Grid suggest that the existing structures will be able to take the high-voltage cables from Wylfa itself. There is a suggestion from the National Grid that there will need to be a new line across Anglesey, but it tells us that the existing pylons will be able to take the cables. It is a matter for the National Grid to explain whether that is correct or not, but that is what it told us.

Russell George: How will the need for new high-voltage infrastructure be affected by potential

offshore windfarm developments in Welsh waters?

The First Minister: The Atlantic Array, for example, will come ashore in Devon, so that will not affect Wales. There are issues that the National Grid will have to deal with, particularly with regard to Barkby, but that is a matter for it. Our hope is that the existing cabling network will be able to take whatever comes onshore, but the Atlantic Array, being possibly the biggest development that will take place over the next few years, will come ashore in Devon.

Julie James: I want to develop a point that is slightly different on the Atlantic Array situation. We understand that the energy will go ashore in Devon, but I have had several meetings with the Atlantic Array company to discuss where, for example, the jobs to keep the Atlantic Array running would go—the jobs to replace the blades, service the generation and all the rest of it. Have you had any discussions with companies such as that which will run Atlantic Array and the many energy-from-waste companies that are building small renewable plants in Wales about the jobs and the small industries that might grow up around that sort of power generation?

The First Minister: There have been a number of discussions, not just with small companies. There is potential for Holyhead in particular as a port, which is connected with the announcement this week. There is great potential for Holyhead to be developed as a port that would provide facilities for maintenance and, hopefully, for the manufacturing of the turbines, thus providing many jobs in the area.

Julie James: Have you had any specific discussions around offshore wind arrangements—we have had quite a lot of discussions with them, and I know that my colleague David Rees has as well—and the possibilities there with some of the renewables? I know that the wording used is different, because what they call renewables are the renewables on the actual turbines and islands that are built in the Bristol channel, and there are technicians who service those and so on, but there is the manufacturing of the bits and pieces—and it is bits and pieces rather than the big bits—that must be done somewhere, and my understanding is that they do not have a place for that yet. So, are there any ongoing discussions about that?

The First Minister: Yes, there are. Forgive me that I cannot give you any detail at this stage, but there are discussions that have been ongoing for some time with regard to bringing manufacturers and maintenance facilities to Welsh ports. We are very much aware of the need, if we see wave and tidal and offshore wind power developed, for there to be an economic gain for Wales, rather than jobs being created elsewhere.

Antoinette Sandbach: In terms of the national grid, you mentioned Wylfa in particular and it is quite clear from the energy network strategy group, the meetings of which your officials attended, and the report produced in 2009, that, in fact, there was a need for additional transmission capability and that has caused a great deal of concern. Snowdonia national park already has more power lines running across it than do all the other national parks put together. What efforts did you make to reserve the capacity at Deeside? I understand that a power line runs from Scotland into Deeside, so Scottish electricity will be coming into Wales, requiring onward transmission into England. The electricity generated from Wylfa, which will be 3.3 GW, plus from the two proposed offshore developments in the Irish sea, will mean that that capacity is not available at Deeside and that further infrastructure will have to be built.

The First Minister: It is a matter for the National Grid to ensure that the infrastructure is in place. I suspect that the reason why Snowdonia national park has so many power lines is because it has an old nuclear power station in it. That is why the power lines are there. We hope that the Wylfa power station will be built and, as a result, it is for the National Grid to ensure that the right cabling is in place to ensure that the energy can be taken out.

Antoinette Sandbach: Yes, First Minister, but the Scottish Government specifically made

representations that were noted in the minutes of the ENSG. No such formal representations were made by your officials at those meetings of the likely knock-on effects for sustainability in terms of local jobs, damage to the environment and so on in north Wales and to ensure that Deeside was reserved as a transmission route for power generated in Wales. In effect, that means that Wales now has to build additional infrastructure unnecessarily.

The First Minister: Wales does not control the infrastructure, but Scotland does. That is the simple answer. As far as Scotland is concerned—

Antoinette Sandbach: No, First Minister, I am sorry—

Lord Elis-Thomas: Please do not interrupt the First Minister. This is a committee, not the bawling that goes on in Westminster.

The First Minister: The reality is that Scotland has control over many issues with regard to energy that we do not. The question for us is whether Wales should have the same powers in this regard as Scotland. Should we control larger energy projects? Should we have more control over the way that the National Grid operates? What would your view be on that?

Antoinette Sandbach: First Minister, I fear that you may have misunderstood my question, so I will put it more simply. Why did your officials not make written representations to the ENSG, specifically highlighting the Welsh Government's view in relation to the energy transmission network in Wales? You are seeking responsibility for those areas. The Scottish Government put its concerns on record, why did the Welsh Government not do so?

The First Minister: Our officials have been talking to the National Grid and discussing the issue of transmission, even though it is not a devolved matter. It is right to say that the National Grid is not as far down the line as it might be in identifying routes. The impression given to my officials is that the existing structure will be able to take most of the energy generated at Wylfa, but there will be a need to look again at the transmission of electricity across the island. That is what it has said to us. So, we have made many representations to the National Grid and it is very much aware of our views. Clive, do you want to come in on that?

Mr Bates: There is not much to add. We find that the National Grid is responsive. It wants to talk to us and it is interested in our views, and we share those sorts of concerns with it. We have had good engagement with it about the mid Wales high-voltage issues. It came back with a changed perspective on that quite recently. The chief executive of the National Grid wrote to us with a quite thoughtful response. It is listening. We do not control it or pull its strings, but it is listening and it is mindful that none of this will work if it cannot win a degree of public acceptance of it and it is picking up the concerns about public acceptance from the Welsh Government.

10.00 a.m.

Antoinette Sandbach: Mr Bates, I am grateful for that information. Forgive the intervention, but, in 2009, National Grid highlighted to the Welsh Government in its ENSG report the consequences of the strategic search areas and that there would need to be large-scale developments with substations. It was all outlined in the report, and what I find of concern—

Lord Elis-Thomas: I am going to stop you there, Antoinette. We are not in 2009, we are in 2011. I call David Rees.

David Rees: I take you back, First Minister, to the issues that you discussed around steel and coal, and the Tata works in particular. We have discussed electricity generation, but we also have to talk about energy efficiency, because the more efficient we are, the less energy we will require. Is the Government looking at ways in which it can support businesses that are improving the

efficiency of their energy usage and, in relation to the steel industry in particular, the impact that carbon tax is having on that industry and the impact it would have on jobs? Are you making representations to the UK Government about these issues?

The First Minister: We have made representations about the proposed new carbon tax. Concerns were expressed to us by Tata, and we have passed on those concerns to the UK Government. Tata has invested heavily in this over the past few years, for example in the capture of waste gas, as you will know, from the basic oxygen steelmaking casting plant and the reuse of that gas. Nevertheless, it will always have a large carbon footprint as an industry and that must be balanced against the many thousands of jobs that are reliant on the plant, which we are concerned about if the UK Government's proposals go ahead.

David Rees: You also mentioned the European controls or rules that were put in place. In my view, those rules are now out-dated. Are you making representations to the European Commission to look again at those rules to support industries such as steel, particularly in areas such as this, with regard to the efficiency of energy usage?

The First Minister: In years gone by, I believe that that has been done by previous Ministers, particularly in response to some of the concerns that have been expressed. If representations were to be made to me by the steel and coal industries again, I would certainly be prepared to renew those pleas to the Commission.

William Powell: There is an increasing understanding of the importance of microgeneration as part of meeting wider energy needs. As long ago as 2007, the microgeneration action plan was produced, with some quite challenging targets. What progress has been made against those targets for microgeneration? I believe that 20,000 heating systems and 10,000 electricity systems were to be installed by 2012.

The First Minister: The targets have changed because of new schemes that have come into place. However, Arbed phase 1 installed over 1,800 solar photovoltaic panels in social housing. It provided solar-heated hot water in 1,000 households, including several sheltered housing schemes, and provided heat pumps to 121 off-gas properties. Ynni'r Fro is currently working with 174 community groups to develop renewable energy projects and recent Ofgem statistics on the feed-in tariffs confirm that there have been over 2,700 installations in Wales.

Llyr Huws Gruffydd: Yr wyf am barhau â'r drafodaeth am brosiectau seilwaith ynni. Yr ydych yn dweud yn eich papur nad oes gennych yr offer i gyflawni eich dyheadau polisi mewn modd integredig a syml. Yn absenoldeb rhagor o bwerau yn y maes seilwaith ynni, beth yr ydych yn ei wneud i sicrhau y gellir gwneud penderfyniadau sy'n ymwneud â seilwaith ynni mewn modd sydd mor integredig a syml â phosibl?

Llyr Huws Gruffydd: I want to continue the discussion on energy infrastructure projects. You note in your paper that you do not have the tools to achieve your policy aspirations in an integrated and simple way. In the absence of further powers in the field of energy infrastructure, what are you doing to ensure that decisions relating to energy infrastructure can be made in a way that is as integrated and simple as possible?

Y Prif Weinidog: Yr ydym yn gweithio gyda chyrff eraill er mwyn sicrhau bod hynny'n digwydd. Fodd bynnag, mae agwedd gan y diwydiant bod Cymru yn lle anoddach i wneud busnes, oherwydd bod cymysgedd o gyfrifoldebau. Nid yw hynny'n wir yn Lloegr, yr Alban na Gogledd Iwerddon. O ran prosiectau ynni

The First Minister: We are working with other bodies to ensure that that happens. However, the attitude of the industry is that it is more difficult to do business in Wales, due to the mix of responsibilities. That is not true in England, Scotland or Northern Ireland. In terms of offshore energy projects, the marine consents unit is working with the Marine Management Organisation in England

yn y môr, mae'r uned caniatadau morol yn gweithio gyda'r Sefydliad Rheoli Morol yn Lloegr ac asiantaethau fel Asiantaeth yr Amgylchedd er mwyn sicrhau nad yw'r system yn rhy gymhleth. Fodd bynnag, mae'n wir i ddweud bod y system o ganiatáu prosiectau ynni yng Nghymru yn fwy cymhleth—nid yw'n llawer mwy cymhleth, ond mae'n fwy cymhleth—nac ydyw yng ngweddill y Deyrnas Unedig.

and agencies such as the Environment Agency to ensure that the system is not too complicated. However, it is true to say that the consents system for energy projects in Wales is more complex—it is not much more complicated, but it is more complex—than it is elsewhere in the United Kingdom.

Rebecca Evans: Moving on from William Powell's interest in microgeneration, I wonder what progress has been made towards increasing wind energy generation from local community and microgeneration projects, because that could be tremendously popular and it does have the educational value of making people think more about their energy consumption.

The First Minister: We have removed the requirement for planning permission for most types of domestic microgeneration equipment. The Ynni'r Fro scheme has also put in place the means to facilitate community windfarm development. I referred earlier to the figures that are available on that. Our target is for about 300 MW of onshore wind power to be generated by sites that generate under 25 MW, which will therefore be community and local schemes and microgeneration. However, those will not be able to provide the majority of the electricity generation, as the economics do not add up. However, 300 MW is a realistic target.

Rebecca Evans: What is the date for that target to be met?

The First Minister: We are looking at the moment to develop the target, as I mentioned. We have 174 groups that are developing those projects, and I believe that 2025 is the date by which the target needs to be met.

Mick Antoniw: Returning to the jobs dividend from renewables, and the recent announcement about enterprise zones and the designation of Anglesey as an energy enterprise zone, how do you see the development of the enterprise zone in Anglesey with regard to renewable energy? Is it to be developed as a specialist base? Germany, Scotland and the north-east seem to be making considerable advances in obtaining economic benefits from renewable energy. Our position still seems to be somewhat unclear. Are you able to give any more information about how you see that developing? Will there be a specific renewable energy enterprise zone?

The First Minister: 'Yes' is the simple answer.

When it comes to onshore wind power, other countries are way ahead of us. Spain and Denmark have more or less cornered the market in terms of manufacturing facilities. There are some manufacturers in Wales. For example, there is one in Pembroke Dock, which I have visited, and a large number of people are employed in Machynlleth at Dulas, an engineering company that is involved with that technology. However, onshore wind does not offer the potential for a large number of jobs to be developed in the way that offshore wind and wave and tidal power do. The reason why offshore wind is different is because of the need for the wind turbines to be located in the proximity of ports.

When it comes to wave and tidal technology, no country has taken a strong lead. Scotland has used its control of renewable obligation certificates to move ahead. However, again, maintenance and manufacturing facilities are best placed next to where the electricity generation is taking place. That means that the same opportunities arise for Welsh ports from wave and tidal energy as arise from offshore wind.

Mick Antoniw: How do you see the research element in this area developing? We have centres of excellence that are developing a lot of knowledge and information within this field. How do you see that being tied into the economic development strategy?

The First Minister: We have the Low Carbon Research Institute, which is very important to creating a low carbon economy. The fact that the word 'economy' is used indicates how important it is to reduce our carbon footprint and also to ensure that the jobs that are created as a result are created in Wales. Wave and tidal energy and offshore wind in particular are two areas where there is great potential, in the right circumstances, with the right tools, to create those jobs in Wales.

Mick Antoniw: Where do you think that the enterprise zone for that will be located? Are we talking about Anglesey, or is it too early to say?

The First Minister: It does not need to be in only one place. Anglesey is well placed, but there are other parts of Wales near the sea where there are substantial port facilities and where such an enterprise zone may well be of value. As was mentioned yesterday, the announcement about the enterprise zones was an initial announcement; there are other parts of Wales that are still being looked at with a view to establishing more enterprise zones.

Antoinette Sandbach: Yesterday, you indicated that you had made a bid for the green bank to come to Wales. There will be a UK strategy that will provide loans to householders to install microgeneration equipment. Given the figures that you outlined in response to the question from Llyr Gruffydd, does the Welsh Government have plans to incentivise microgeneration, for example by using the income from potential windfarm projects to encourage householders to take it up? It seems that we are falling some way short of the targets that have been set for microgeneration previously.

The First Minister: That is what Ynni'r Fro is about: ensuring that community groups are in a position to develop renewable energy projects. So, support is in place already to help people to get us to our target of 300 MW.

Mr Bates: Also, the feed-in tariff has been designed not just for household-scale projects; it goes up to 5 MW for some technologies. So, that is a generous subsidy system in which the money gets recycled and goes back to the household or the community. So, there is a strong economic incentive there already.

Antoinette Sandbach: Given the low take-up, do you think that there is more that the Welsh Government can do to improve those figures and to encourage more microgeneration?

The First Minister: Your point about community benefit is valid. The message must go to the large developers that there is a need to consider community benefit seriously. That is the case in some parts of Wales. Carno is a prime example of a community that has benefited greatly from a windfarm project. I believe that there is scope for substantial community benefits to be generated from renewable energy projects, and one area where the money could be used is for micro renewable projects. It is for the Infrastructure Planning Commission to decide what the acceptable level of community benefit should be, but it is for the generating companies to come forward and offer what would be regarded as an acceptable community benefit in the first place. The money could then be used to assist microgeneration.

Julie James: I want to change the topic slightly. We have already discussed the issues with regard to new coal-fired stations and the possible growth of the coal industry in Wales again. What is the Government's view on the potential exploitation of shale gas in Wales?

The First Minister: We take a precautionary approach to it. The licensing system is a matter for the Department of Energy and Climate Change and the local planning authorities. However, it is right to take a precautionary approach to a new technology, and we are working closely with the UK Government and agencies such as the Environment Agency, the Health and Safety Executive and the Coal Authority to develop a better understanding of the impact of fracking, as it is called, and to look at whether the current regulatory framework is appropriate.

Julie James: To develop that a little further, we know that some exploratory planning applications are going in already. Do you intend to issue any planning guidance or to work with the planning authorities involved, or will you leave that to the local planning authority?

The First Minister: There is planning guidance already as part of the minerals planning guidance. The next question for us to ponder is whether it needs to be expanded upon. Licensing is a matter for DECC, and it has taken what appears to be a precautionary approach anyway. So, there is no great difference between our approach and DECC's approach on this matter. Clearly, given the fact that the technology is now upon us, rather than being something that is occurring in other countries, which it has for many years, there needs to be an examination of whether planning guidance needs to be strengthened, and that is a matter for the Minister for planning.

Julie James: Could we have assurances that you are also exploring the jobs dividend that might come out of any such exploitation? There is a fear that it will turn into a major infrastructure project and be exported from Wales, and that we will have all the usual conversations about benefits for the local communities and so on.

The First Minister: For me, the precautionary approach means that there has to be a close examination of the technology and its potential impact on the environment. An economic question then arises, which we would then look at: if it is felt that the technology is appropriate and does not adversely affect the environment, what would be the jobs dividend for Wales? However, the precautionary approach implies that the first matter that must be looked at is whether this is a technology that we should look to develop, and how it should be controlled.

Russell George: What is your position on the total capacity for onshore wind that should be permitted in the strategic search areas? Would it be the indicative capacities in TAN 8 or the maximum capacities that are given in the energy policy statement and the revised version of 'Planning Policy Wales'?

10.15 a.m.

The First Minister: There is no maximum capacity set for windfarm development in the national policy statement. So, it is the case that any part of Wales could now get a planning application approved for a large windfarm, including all parts of Powys, and there is nothing that the Welsh Government, or, indeed, the local planning authority, could do about it. The UK Government has decided that there should not be a ceiling on windfarm development in any part of Wales, which is something that I regret.

Russell George: How realistic is it that 300 MW of onshore wind will come forward from sites under 25 MW, that is, community and local schemes and microgeneration?

The First Minister: I think that I dealt with that question earlier on. The target is for 2025, and we have schemes such as Ynni'r Fro working, as I said, with 174 community groups to reach that target. Nevertheless, there is a limit as to how much microgeneration can achieve.

Antoinette Sandbach: Looking over the border to England, the Localism Bill will give local communities a far greater say in planning processes in their area, which, too, impacts on Infrastructure Planning Commission procedures in terms of the way that consultations are carried

out. I am aware that your Government is planning on bringing forward a planning Bill. What aspects of that process will you incorporate into the planning Bill to give local communities that are facing big windfarm developments, for example, a voice? You said that there is nothing that the Welsh Government can do, but you could give local people a voice and an input into that process through the planning Bill.

The First Minister: The Localism Bill will not mean anything as far as the IPC is concerned. The IPC is well able to overrule any local objection; it has already overruled TAN 8 through the NPS, and has already decided that the SSAs are, effectively, of no consequence and that there should be no ceiling on the number of windfarm developments in Wales. Having said that, the planning Bill has the capacity to look at improving local engagement. One issue that often gets raised with me as a constituency Member is that people feel that they do not get enough notice of quite small planning applications that are near to them. There may have been notices posted on lamp posts, but people sometimes feel that they were not made properly aware and were not given a proper chance to respond to quite small planning applications. So, that is one area that we will consider. The intention of the planning Bill is to improve the planning system in Wales, although it would not make a great deal of sense to have a system that was wholly different from that of the rest of the UK, because that could act as a disincentive to investment. So, it is a question of getting the planning system right without making it so different that it becomes difficult for people to invest in Wales.

Yr Arglwydd Elis-Thomas: I gloi, wrth ddiolch i chi, hoffwn ofyn un cwestiwn terfynol sydd wedi bod yn thema drwy'r sesiwn holi ac ateb hwn, sef beth yw'ch esboniad chi pam bod Llywodraeth y Deyrnas Unedig mor anfoddog i gytuno i'r cais sydd wedi'i wneud gan Lywodraethau Cymru, bron o'r dechrau—dros 10 mlynedd—i ddatganoli pŵer dros ddatblygiadau ynni dros 50 MW? Yn gysylltiedig â hynny, beth arall y gallech ei wneud i'w pherswadio?

Lord Elis-Thomas: To close, in thanking you, I would like to ask you one final question that has been a theme throughout this question and answer session, namely what is your explanation as to why the United Kingdom Government is so unwilling to agree to the request made by the Governments of Wales, almost from the outset—over 10 years—to devolve powers over energy developments greater than 50 MW? Linked to that, what else could you do to persuade it?

Y Prif Weinidog: Yn gyntaf, cyfaddefaf nad rhywbeth diweddar yw hyn; mae wedi bod yn ddadl ers blynnyddoedd. Nid yw'n gwneud synnwyr, yn fy marn i, fod gan yr Alban a Gogledd Iwerddon y pwerau hynny ond nid oes gennym y pwerau hynny yng Nghymru. O ran y ddadl ddiweddar, yr unig beth y gallaf ei gynnig fel esboniad yw bod gan Lywodraeth y Deyrnas Unedig deimlad bod TAN 8 yn rhy gul, ac felly ei bod hi eisiau creu mwy o ddatblygiadau ynni, megis datblygiadau ynni gwynt, nag y byddem yn caniatáu o dan TAN 8. Ni allaf gynnig esboniad arall i chi. Fy ngobaith yw y bydd hyn yn rhan o'r broses a gytunwyd rhwng y pleidiau yma, a hefyd Llywodraeth y Deyrnas Unedig, ynglŷn ag ailedrych ar y setliad cyfansoddiadol, a gytunwyd ar ddechrau'r haf. Wrth gwrs, yr wyf yn siŵr y bydd

The First Minister: First, I admit that this is not something recent; it has been a discussion that we have had for years. It does not make sense, in my opinion, that Scotland and Northern Ireland have those powers but we in Wales do not. On the recent debate, the only explanation that I can offer is that the UK Government feels that TAN 8 is too narrow, and that it therefore wants to create more energy developments, such as wind energy developments, than we would allow under TAN 8. I cannot give you another explanation. My hope is that this will be part of the process that has been agreed between the parties here, and also the UK Government, in relation to looking again at the constitutional settlement, which was agreed at the beginning of the summer. Of course, I am sure that this committee's opinion will carry a lot of weight with regard to whether these powers should be devolved.

barn y pwyllgor hwn yn cario llawer o bwysau ynglŷn ag a ddylid datganoli'r pwerau hyn.

Yr Arglwydd Elis-Thomas: Diolch yn fawr, ac ymddiheuriadau eto am yr anawsterau technegol.

Lord Elis-Thomas: Thank you, and apologies again for the technical difficulties.

We will now break for five minutes.

*Gohiriwyd y cyfarfod rhwng 10.20 a.m. a 10.25 a.m.
The meeting adjourned between 10.20 a.m. and 10.25 a.m.*

Ymchwiliad i Bolisi Ynni a Chynllunio yng Nghymru—Tystiolaeth gan Weinidog yr Amgylchedd a Datblygu Cynaliadwy
Inquiry into Energy Policy and Planning in Wales—Evidence from the Minister for Environment and Sustainable Development

Yr Arglwydd Elis-Thomas: Diolch i Weinidog yr Amgylchedd a Datblygu Cynaliadwy am ymuno â ni. Yr ydym wedi cael sesiwn ar y cyfrifoldebau strategol gyda'r Prif Weinidog. Yn eich tyb chi, fel Gweinidog, beth yw'r gwahaniaeth rhwng eich cyfrifoldebau chi am bolisi ynni a rhai'r Prif Weinidog, heb anghofio am gyfrifoldebau'r Gweinidog Busnes, Menter, Technoleg a Gwyddoniaeth—ni fyddwn am anghofio amdani hi, ar unrhyw gyfrif?

Lord Elis-Thomas: I thank the Minister for Environment and Sustainable Development for joining us. We have had a session on strategic responsibilities with the First Minister. In your opinion, as Minister, what is the difference between your responsibilities for energy policy and those of the First Minister, without forgetting the responsibilities of the Minister for Business, Enterprise, Technology and Science—I definitely would not want to forget about her?

The Minister for Environment and Sustainable Development (John Griffiths): Bore da, bawb. The First Minister has high-level strategic responsibility for energy policy, inter-governmental links and relationships, and large-scale projects. Beneath that, the generality of energy policy is a matter for me. The Minister for business also has a vital interest, in terms of economic development, job creation and all aspects of the green jobs agenda that we hear so much about. It is important that the three of us work closely together, and that extends to other Ministers as well.

Yr Arglwydd Elis-Thomas: A ydych yn hapus bod y cyswllt gyda Gweinidogion sydd â chyfrifoldebau eraill, a'r cyswllt rhwng gwaith adrannau a swyddogion eraill, yn digwydd yn effeithiol ar draws y Llywodraeth? Bydd y cwestiwn hwn yn cael ei ofyn sawl tro yn ystod yr ymchwiliad hwn. A ydych yn fodlon bod y patrymau cydweithio yn rhai effeithiol?

Lord Elis-Thomas: Are you happy that liaison with Ministers who have other responsibilities, and liaison between the work of different departments and officials, is effective across Government? This question will be asked many times during this inquiry. Are you content that the patterns of collaboration are effective?

John Griffiths: Yes, I am. We have a dedicated energy team that ensures good liaison across Government. We are joined up—as we need to be—at an official and ministerial level. Our overarching commitment to sustainable development overrides this all. It is about making sustainable development our central organising principle as a Government. Energy is an important part of that.

Antoinette Sandbach: Minister, I have read much on sustainable development. I wonder whether you could define it in the way that you see it.

John Griffiths: Yes. We have been clear for a long time, and remain so, that sustainable development is, for us, about having a top quality environment in Wales. However, it is also about economic and social factors. Sustainable development has three strands that feed into an overall sense of wellbeing in Wales. This will be achieved if we continue to pursue it as planned. It is a broad concept, but that is necessary if we are going to have the cross-governmental approach that we need.

Antoinette Sandbach: I am grateful to hear you say that. You will be aware of the concerns voiced by communities in north and mid Wales that technical advice note 8 was a top-down imposition from the Welsh Government, and that it did not represent sustainable development for the people in those communities. That is quite different to the way in which you have just described it.

10.30 p.m.

John Griffiths: We do not accept that. Obviously, we face major challenges with regard to climate change and the security of energy supply. In that context, and in the context of European and UK targets, as well as our own, we obviously have to make major progress on renewable energy. Onshore wind power is a very important part of that. It is the most commercially ready technology, so it has a major part to play in the short term and beyond. When we worked up TAN 8 we were very careful to consult properly and to do a variety of background work to ensure that economic and social factors, as well as environmental factors, were properly considered. More recently, where there has been a great deal of concern in mid Wales, I believe that we have responded effectively, looking at the matters that people had expressed concerns about and clarifying the maximum outputs from the strategic search areas under TAN 8. So, I believe that we have considered social and community factors and responded accordingly.

Antoinette Sandbach: I want to come back on one aspect of that. You mentioned the climate change targets. Clearly, the development of Wylfa B will contribute substantially to those targets, with a potential reduction of 3.3 to 5.3 per cent, as one of the technologies that does not generate carbon in the way that coal and other industries do. Of course, Wales is a net exporter of electricity to England. Therefore, do you agree that Wales is taking on a far greater percentage of the UK's contribution? In other words, are you setting much higher targets for renewable energy with a knock-on effect on consumers?

John Griffiths: No, I do not accept that at all. Wales is determined to play its proper role in responding to climate change challenges, which are global. They are not just about Wales as some sort of isolated entity; this is a global challenge. We know that there are major advantages in taking forward a low-carbon economy and energy sector and the renewable energy sector in Wales. The green jobs agenda is very important to us. As I mentioned earlier to the Chair of the committee, we work closely with economic development colleagues in taking forward energy policy. There are many advantages for Wales in putting our country in a prominent position when it comes to meeting these challenges, and that is the agenda that we have set out and which is contained in our strategies and policies.

Antoinette Sandbach: I understand that, but there seems to be no assessment of local impacts on, for example, tourism, which is a huge job provider and income generator in many parts of Wales, particularly in rural and coastal communities. I am surprised that the impacts of your policies have not been considered in terms of the cost to local communities of effectively exporting electricity to England.

John Griffiths: No, we very much factor in social, economic and environmental factors in

working up all our energy policies. That is the case with all of our strategies and with TAN 8 itself. So, all of these factors are, and will be, considered. Of course, the major issue for us is not having the power that we feel we need in Wales in terms of responsibility for generation over 50 MW—for consents and projects. Without that ability and further devolution on that, we will be unable to address those factors, be they environmental, economic or social, in the integrated way that we would like. That is a major issue for us if we are to properly address the factors you mention. It is an issue that we will have to return to until it is resolved.

Antoinette Sandbach: Some people have suggested—certainly some of the providers or potential energy companies—that they prefer to make applications above 50 MW, because of the difficulties that they have had in dealing with the Welsh Government and because there has not been a clear lead on this. For that reason, they would rather make an application that is above 50 MW than deal with an application that is below that.

John Griffiths: What I hear from energy companies and others is that they would like an integrated, streamlined system for energy consents in Wales. To achieve that, we need further devolution so that we have power beyond the 50 MW limit that currently applies.

Mick Antoniw: Taking you on to the issue of planning and the long-awaited planning Bill, which the Government is committed to, could you outline why we need a Bill and what you aim to achieve by it?

John Griffiths: Planning is an important aspect of energy policy in Wales and important generally. There are many issues to do with having a more simplified and streamlined process that we would seek to address through planning legislation and the revision of ‘Planning Policy Wales’. It is about having a more efficient, effective system and how we can ensure that decisions are taken at the most appropriate level in moving to that more streamlined and effective system. So, we are very committed to planning legislation so that we have a more effective system here in Wales.

Mick Antoniw: When he gave evidence earlier, the First Minister said it was important that our planning system is not completely different from England’s. There are planning proposals going through in England at the moment that are controversial because of the potential impact on green areas, with the presumption in favour of developers and so on. When it comes to not being completely different from England, how do you envisage the legislation dealing with the sort of proposals arising there? Is there an attempt to emulate that area of planning change? Have you given any thought to that?

John Griffiths: We never want to be different for the sake of it. There is always the matter of addressing the distinctive needs of Wales. That is why, as we take the planning legislation forward, it is important that we have a comprehensive system of engagement with people and organisations in Wales. So, that will be very much the approach that we take.

As I mentioned earlier, sustainable development is at the heart of everything we do under our statutory duty in the Government of Wales Act 2006. It is our central organising principle. So, everything we do around planning will have sustainable development at its heart. We have a strong system of local planning authorities here in Wales as the primary decision makers in planning matters. We would like to see local development plans in place across Wales and for them to properly recognise our Welsh Government commitment to sustainable development. In the absence of those plans, our national planning policy is of greater significance and weight, and that has sustainable development at its heart. In common with England, we are putting sustainable development and a local approach at the heart of what we intend to do, but there may be differences as we move forward and they will be reflected in our engagement with the people of Wales and fed into the legislation.

Mick Antoniw: Do you have a view as to how that might be reflected in the planning appeals system and whether we should be moving towards a system that gives far greater flexibility to the Welsh Government in how it manages appeals, as opposed to, perhaps, the technical straitjacket that currently restricts Ministers when they consider appeals?

John Griffiths: I think planning will remain a highly technical and potentially litigious area, which it has always been, and that is why we need to have that comprehensive engagement and consultation as we take the legislation forward. Any change that we make will have to reflect the views of primary stakeholders, and that would apply in that area as well.

Mick Antoniw: So, there might be some scope for a planning appeals system that gives a broader interest input and greater flexibility into ultimate decisions?

John Griffiths: We certainly would not want to pre-empt anything before the pre-legislative phase.

Lord Elis-Thomas: So we are having a pre-legislative scrutiny phase.

John Griffiths: Absolutely.

Russell George: TAN 8 states that the construction of new high-voltage distribution lines is vital to the realisation of any significant additional generation capacity in north and mid Wales. However, in your letter in July, you stated that you do not believe that there is any need for large high-voltage grid infrastructure of any kind in mid Wales. Why does the Welsh Government now believe that there is no need for high-voltage grid infrastructure in mid Wales to link the wind farms to the grid?

John Griffiths: We have set the maximum figures for the strategic search areas within TAN 8 and clarified that at 1,700 MW. Looking at those figures, it is our clear view that there would not be a need for the sort of large pylons that were being discussed at one stage. Of course, undergrounding is a possible solution to deal with some of these concerns and issues. So, looking at that figure that we have set for the maximum output from the strategic search areas, and considering the issues in mid Wales, it is our clear view that there would not be a need for the large infrastructure that was proposed at one stage. Of course, we now discuss these matters with National Grid and the energy companies to try to ensure that solutions are found to address the concerns of communities in those areas. I believe that that is a responsible approach. I must come back to the limits on our powers and consents at the current time. If it was within our power to have greater control over these matters, which would come with further devolution, we would be in a much stronger position to ensure that we address the concerns of communities in Wales.

Russell George: I am pleased to hear the first part of your answer, particularly with regard to the infrastructure in the mid Wales connection project. However, you said in the first part of your answer that things have moved on and that there are big differences between TAN 8 and where we are now. Is there now a need for a full public review of TAN 8? I know that you do not accept that, but why do you not accept it? Surely there is a call from communities, and even from the wind farm industry itself, for a full review of TAN 8. I say that on that back of your answer. You said yourself that there are now big gaps between where we were some years ago when TAN 8 was developed and where we are now.

John Griffiths: I mentioned earlier the drivers of climate change and security of supply in taking renewable energy forward. I also said that wind is in many ways the most commercially ready and viable of the renewable energies at the current time. So, onshore wind has a major role to play in renewable energy generation in Wales to meet those challenges. In that context, TAN 8 was developed to be strategic about developing onshore wind in Wales, to look at the most appropriate areas for development of large-scale onshore wind projects. Without that, there could

easily be proliferation of large-scale onshore wind projects anywhere in Wales. So, we felt that it was necessary to be strategic, and TAN 8 did a lot of background work to identify the appropriate areas. We would not in any way wish to undermine the strategic approach of TAN 8, because we believe that it is necessary. It is necessary for our renewable energy targets; it is necessary for climate change; it is necessary for security of supply; and it is far better to be strategic than to have that possible proliferation.

10.45 a.m.

Russell George: When the First Minister was speaking earlier, it was implied that TAN 8 would be overridden by national Government, so I would say that that contradicts what you are saying now.

John Griffiths: I do not think that there is any contradiction there, because I have said a number of times already that we need further devolution so that we can take the approach that we believe is appropriate here in Wales. However, in the absence of that further devolution, then matters are clearly out of our hands to some extent. We know that the UK Government's national statement notes that it will 'have regard to' Welsh Government policies such as TAN 8, but it is no more than that. If it wishes, the Infrastructure Planning Commission, and indeed the UK Government, could disregard policies such as TAN 8 and not respect the strategic approach that has been developed over a number of years here in Wales. That is a disadvantageous position for the Welsh Government and the people of Wales.

Russell George: I am grateful for that clarification, because the First Minister suggested something different earlier on.

Lord Elis-Thomas: We are not sure about that yet. We will check the Record and come to a decision. There might be two ways of interpreting it.

John Griffiths: Only two, Chair?

Julie James: I would like to point out that there are four lawyers in the room, so there are at least four ways of interpreting it. [*Laughter.*]

Lord Elis-Thomas: As the most distinguished of our environmental lawyers, Julie, could you please ask your question?

Julie James: Minister, I would like to turn to the complexities with regard to Welsh waters, and the problems and difficulties of navigating a way through the various legislative provisions for planning and consent. What is your view of those complexities? Will we be able to get the best for Wales out of the proposed Atlantic Array, for example, in the light of the current arrangements—or are you covering that in the planning legislation?

John Griffiths: When it comes to water, the picture is complex, even more than the situation on land. Although we seek to work closely with the Marine Management Organisation, the UK Government and the agencies involved, it is a complicated picture when it comes to energy projects, perhaps particularly so. We will be developing marine plans, which are important for the marine environment in general, and again, we are working closely with stakeholders in doing that. However, there is a great deal of complexity. When it comes to the Atlantic Array, for example, we are keen to maximise the benefits for Wales. We know that the energy transmission route will be into Devon rather than Wales, but there are many issues for us. Again, this partly goes back to what the Chair said about working with the Minister for business, because there could be considerable economic advantages to Wales if some of the technical, supply and manufacturing work is based in Wales. So, there is a great deal of joining up to be done around those issues, and we will have to work at that as we move forward. It is a complex picture.

I hope that the planning legislation will look at the issues affecting the marine environment in Wales, as well as those on land, and that we will have effective means for stakeholders to feed in, because that is the only way that Government ever gets it right, in my view, when we have very effective engagement. We have a new approach to legislation, which I was partly involved with in my previous post as Counsel General; hopefully, it will be effective in terms of better engagement feeding in to the legislative process. There will be ample opportunity for engagement that will address all of the issues involved.

Julie James: I am delighted to hear you say that, Minister. I was particularly concerned on two fronts, really—first, to get the planning and consent regime lined up with marine protection regimes, navigation issues and so on, in the Bristol Channel; and secondly, the issues around maximising energy production from having the second-highest tidal range, and so on. We heard something from the First Minister this morning about that, which I was pleased to hear. I wonder whether you wanted to add anything about Wales’s view on tidal and other wave-type energies. The third issue that I want to raise is the jobs dividend, which we have also discussed. Do you think that the Welsh Government will end up being the consenting authority for schemes such as the Atlantic Array, or do you think that the complexities of the Infrastructure Planning Commission and so on will take over? I have struggled to find my way through all of the legislation, despite having practiced in this area for some years.

John Griffiths: Our consenting powers with regard to marine energy are minimal, given the 1 MW figure involved. Obviously, we would like to increase our powers in that regard. The only way that you can really cut through the complexity is to have more of a one-stop-shop approach. We want to work towards that, so we need further devolution if we are to do the job that we want to achieve for Wales. Having a more streamlined, simplified and integrated approach through further devolution is a big part of our ongoing policy in this area. That would address the economic issues, as well as the environment and social issues.

Tidal and wave power has a big part to play in future renewable energy generation, and we want to foster that marine energy through research and development and prototypes, such as the delta stream prototype, which we will be deploying in the near future. The Severn estuary also has tremendous potential that is yet to be realised. The UK Government feasibility study—which was halted—did a considerable amount of work, but we would like to see ongoing work to explore and realise that tremendous potential in the Severn estuary from a range of possibilities, factoring in environmental issues as well as the potential generation of power.

Llyr Huws Gruffydd: Yr ydych wedi cyfeirio’n gyson at y rhwystredigaeth bod y broses o gael caniatâd ar gyfer prosiectau ynni mawr yng Nghymru yn fwy cymhleth nag mewn rhannau eraill o’r Deyrnas Unedig—yn sicr, yr oedd hynny’n bwynt a wnaeth y Prif Weinidog yn gynharach. Yr ydych wedi dweud bod angen cael system symlach a mwy integredig. Pe bai’r holl gyfrifoldeb ym maes ynni yn cael ei ddatganoli, oni fyddai modd wedyn sicrhau system symlach a mwy integredig?

Llyr Huws Gruffydd: You have referred repeatedly to the frustration that the consent process for major energy schemes in Wales is more complex than in other parts of the United Kingdom—that is certainly a point that the First Minister made earlier. You have said that there is need for a more streamlined and integrated system. If full responsibility for energy was devolved, would it then be possible to secure a more streamlined and integrated system?

John Griffiths: It would, indeed. Nuclear is a different matter, in terms of appropriate levels of power and consent, but that is a matter of commonality across the UK. Leaving nuclear out of the equation, it would be much better if Wales had the ability to shape the energy agenda in our country, in line with the situation in Scotland and Northern Ireland. We have made the case, and

it is a very strong case. Unfortunately, it has not, yet, met a receptive enough ear at a UK Government level, but we will continue to make the case. I hope that we will see progress in the short term.

Llyr Huws Gruffydd: Pam, felly, eich bod yn cyfyngu ar y gofyniad i godi'r ffigur o 50 MW i 100 MW?

Llyr Huws Gruffydd: Why, therefore, do you restrict the requirement to increase the figure from 50 MW to 100 MW?

John Griffiths: The 100 MW figure came into the equation because that is the limit of the powers of the Marine Management Organisation with regard to marine energy. When we were making a case for further devolution on energy consents, it was felt that there might be some degree of consistency in terms of seeking an increase in our consenting powers from 50 MW to 100 MW. We are looking at that figure again. In many ways, it makes sense to talk about our having powers involving projects that generate above 50 MW, and, indeed, that has been the gist of some of our negotiations with the UK Government.

Mr Bates: For clarification, the First Minister wrote to the Prime Minister in July to make a case for further devolution, but not for a prescriptive outcome. He suggested a series of options, including some of the things that we were discussing earlier, such as our having the same consenting arrangements as Scotland and Northern Ireland. Another was that we should go to 100 MW for all types of projects, and another was that we should have consenting responsibility for particular subsets of low-carbon technologies such as renewables, but maybe not for large coal-fired power stations, for example. In the letter he was trying to open up a discussion rather than laying down a position. I think that the First Minister and the Minister would say that the response was a little disappointing; we had hoped for a little more engagement. However, the UK Government has come back to say that it will consider those issues in the context of the Calman-like discussion on the further devolution of budgets, borrowing and so on.

Llyr Huws Gruffydd: Er mwyn bod yn glir, felly, bydd y drafodaeth ar y posibiladau o ran datganoli yn dipyn ehangach na'r un flaenorol.

Llyr Huws Gruffydd: Just to be clear, therefore, the discussion on the possibilities regarding devolution will be broader than was previously the case.

John Griffiths: Yes, I think so, and the figure of 100 MW is not sacrosanct in any way.

Llyr Huws Gruffydd: Yn y cyfamser, ac yn absenoldeb y pwerau hynny ar gymeradwyo prosiectau ac yn y blaen, beth yr ydych yn ei wneud yn y cyddestun sydd ohoni i sicrhau bod y system mor integredig a syml ag y bo modd?

Llyr Huws Gruffydd: In the meantime, and in the absence of those powers to approve projects and so on, what are you doing, given the current context, to ensure that the system is as integrated and straightforward as possible?

John Griffiths: We work as closely as we can with the IPC, the UK Government, the MMO and other agencies in Wales in order to make sure that we have as integrated an approach as possible. However, it is difficult without further devolution. Until there is further devolution, it will be an unsatisfactory, complex and, in many ways, difficult system. However, we are working through a business case at the moment for a single environment body in Wales, encompassing the Environment Agency, the Countryside Council for Wales and the Forestry Commission. If that business case is favourable to having a single environment body, such a body would, in general, be of benefit in simplifying the system to some extent. However, further devolution is absolutely necessary.

Vaughan Gething: I was pleased to hear about the response to the First Minister's letter in July—or that there has been a response, even if it states that the matter is tied up with the Calman-type process. My understanding was that the First Minister indicated a preference for parity with Scotland and Northern Ireland. Is that the preferred position of the Government, or is that me misunderstanding what the First Minister said?

John Griffiths: Clive Bates mentioned a letter that was very open in setting out a range of possibilities, such as the need for progress on further devolution and wishing to have a dialogue, which showed a constructive approach. Our view is that we would not wish Wales to be disadvantaged in any way compared with Scotland and Northern Ireland in our ability to shape and take forward energy policy.

Vaughan Gething: I do not want to rush to conclusions, given the conversation that we keep on having about the complexity of the situation. Energy projects that generate over 50 MW are not that large anyway, but we are still responsible for all the other planning aspects, such as getting things on and off the site. If consent is given to a project, and the other planning aspects have not been dealt with, does that in any way prejudice or affect those planning decisions? If a company already has consent to work on a site, wherever it is, does that affect what the planning authority may say about permitting highways and other infrastructure changes that the company may apply for?

John Griffiths: Each part of the process has its own validity and standing, and you have to go through the proper process for each part. Sometimes, there are issues regarding the order in which the process takes place, and we are looking at some of those issues at the moment. Often, some parts of the process have statutory status, which must be respected and observed. No part of the process can be taken for granted, nor can it be assumed that approval will be given because some other part of the process has already taken place.

11.00 p.m.

Vaughan Gething: The de-linking of the whole process appears to be a problem and a cause of obvious conflict.

Mr Bates: That argument formed part of the case in the First Minister's letter to the Prime Minister: the more mixed competence that you have around a single development, the more complex it is for the consultation process with businesses and the community. Therefore, a much cleaner approach, as they have in Scotland and Northern Ireland, where they are basically responsible for all of it, gets over those sorts of boundaries. In Wales, various parts of the planning system are responsible for ancillary consents and associated development, but the big projects are consented to overall by the IPC. You can see in the way that I describe it that the boundaries do not really help for coherence in getting a singular approach to planning.

Vaughan Gething: I did not see anything in the paper on alternative technologies, alternative energy sources or hydrogen. I know that there has been discussion in the past about developing greater hydrogen-related technology and investing in production along the M4 corridor. I know that the University of Glamorgan has an interest in this as well. Can you give us an update on the current position on that? What support is the Assembly Government giving, or what interest is it taking in that?

John Griffiths: I do not know if any of the officials would have the up to date position on that.

Mr Quinn: It was part of the Low Carbon Research Institute package, and hydrogen may well still have a role to play. Part of the work with Glamorgan university involves continuing to explore the role that a hydrogen economy might have, particularly along the M4 corridor where the work is focused and where they have trial vehicles and supply. The whole energy picture, in terms of road transport, is complex, because we have competing technologies, such as electric vehicles, coming through. We want to make sure that we have a part of that potential market.

Mr Bates: I would say that hydrogen is more of a hedging strategy for us, and that we are more convinced, as officials, by the electrification strategy. Electric vehicle technology is far more

advanced and commercial; there are already products on the market. We have great relations with Toyota in Deeside, which has a very good vision for how it sees the electrification of the vehicle fleet moving from hybrids to plug-in hybrids to a diversity of electric vehicles. That side of it seems to be moving ahead. Combined with decarbonisation of electricity generation, that seems to be the most promising strategy at the moment. However, we would never lock out something like hydrogen, for those types of hedging reasons.

Vaughan Gething: There are obviously infrastructure questions if you have wider options than cars.

Mr Bates: At some point you have to choose; that is right.

Lord Elis-Thomas: I think that the patience of William Powell, like all good people, will now be rewarded.

William Powell: Minister, you referred earlier to the proposals for a single environmental body to safeguard biodiversity and the natural environment in Wales. Can you give us an update as to how things stand with that? Will you also give an assurance that the consultation process has extended beyond the immediate environmental sector to other areas, such as the business sector and the health sector?

John Griffiths: We have had an initial feasibility study for a single environmental body that was positive and which foresaw many advantages. In terms of the integration that I mentioned earlier, and the devolution of those bodies—we would be creating an all-Wales single body whereas some of the bodies under consideration are of a UK nature—we see advantages in terms of integration, outcomes, efficiency and effectiveness. The initial feasibility study supported that view. We are now moving through a more detailed business case, which should be completed later this year and come to me for a decision on whether to proceed. We have done a lot of engagement work, and officials have been working with a variety of stakeholders—there are the three current bodies, obviously, but it has gone beyond that as well. We have recently established a reference group, which has the wider involvement you mention, including health and economic development interests. In fact, I chaired the first meeting of that group just the other week. So, we are very committed to wider engagement and involvement as we move forward. We are conscious that, very often, the devil is in the detail with these matters, so we have to ensure that the business case is robust and that we get it right.

William Powell: It is also important to note that, if we get it right, it will pay major dividends with regard to issues around development, the planning system and the rationalisation that you referred to earlier. This is something that we need to watch very carefully.

John Griffiths: It would be very useful with regard to streamlining and simplifying the system, absolutely.

William Powell: Yes, it will make it more transparent.

David Rees: Just to follow on from that point, currently, two of the agencies are regulatory and monitoring bodies, while the Forestry Commission is very much a managing organisation. Will you ensure that the same body is not going to manage and oversee itself? There needs to be separation of the two.

John Griffiths: The business case will deal with these issues. Of primary importance is that we do not lose any of the current strengths or advantages of any of the three bodies in moving to a single body. There may be a need for some internal processes—Chinese walls or whatever they might be termed—to deal with some of the issues relating to different aspects of the functions of a single body. However, all of that is being dealt with in the working up of the business case.

Mr Bates: I think it is worth saying that we already have that situation with flood risk management. The Environment Agency is a sort of developer for flood risk management, but it also regulates some of the consequences of flooding. So far, that has not caused any trouble. The point you make is a good one from a regulator's point of view, but it works quite well already in the Environment Agency for that particular activity.

David Rees: To go back to energy for a moment, you have mentioned offshore wind and tidal power an awful lot, but we have not yet mentioned biomass or energy from waste. What is the Government's position on both of those areas at the moment?

John Griffiths: We see both as having a major role to play. Large-scale biomass has a very significant part to play in our overall mix of energy generation. Obviously, we have to ensure that it is in line with our sustainability principles in terms of being a sustainable source. Yes, it has a significant role to play. There are some major plants coming forward, as I know you are aware, David. There are also some in the pipeline, as it were. So, biomass is certainly a major consideration and a major part of the future energy mix for us. Energy from waste has a role to play, and we have been very clear with regard to the European-based approach and hierarchy, which places energy from waste above landfill. That is very much part of our overall waste policy, so we see a role for energy from waste in terms of waste policy and energy policy.

Antoinette Sandbach: How many applications have been made since devolution for projects below 50 MW and for projects above 50 MW?

John Griffiths: I do not know whether either of my officials have that information with them. I suspect we may need to write to you with the information, Chair.

Antoinette Sandbach: Lovely. Obviously, your energy team is co-ordinating within the Government with Welsh Ministers, who are presumably therefore able to co-ordinate with UK Ministers. What I am concerned about is that, as a net exporter of electricity, there has been no mention of the importance to the UK as a whole of strategic generation in Wales. Could you perhaps give us some information on that?

John Griffiths: Absolutely. Obviously, the UK Government has an energy policy for the whole of the UK. Wales is an important part of that, as are Scotland, England and Northern Ireland. There is a general UK approach, and as Ministers and officials here in Wales, we feed in to UK policy and make our views known. It is a UK-wide effort, and obviously the UK Government recognises that Wales has its own important policies and strategies in place. We have to ensure that, together with the other component parts of UK, we link up and meet the targets and the overall UK strategy.

Antoinette Sandbach: You described earlier in your evidence some difficulty that you had in working across departments. Could you give us some specific examples, particularly regarding the IPC, of where there have been problems?

John Griffiths: What I said was that, for the reasons we have mentioned several times this morning, it would be far better if we had further devolution on energy consents to Wales, because we would then have a simplified, streamlined, integrated system that would allow the Welsh Government to ensure that energy policy in Wales is in line with what the Welsh people want, as expressed through elections to the National Assembly.

Antoinette Sandbach: I heard that, but it seems to me that that streamlined process is not actually in place for projects up to 50 MW, even though you have the competence.

John Griffiths: If it is below 50 MW, the IPC does not come into the picture.

Antoinette Sandbach: Quite. There are questions about local authorities, for example, dealing with this, which is why I wanted the information about how many consents had been applied for that are under 50 MW.

John Griffiths: I will bring Clive in in a moment, but as I said earlier, in terms of planning in general, we have a local authority planning approach here in Wales, which rightly puts local people and local authorities at the heart of the process. There is also a call-in and appeals system, and we have 'Planning Policy Wales' in place, and important statements around energy such as TAN 8. So, the system is quite clear. As I mentioned earlier, if we do move to a single environment body, that will simplify some aspects of the planning process, in that there will be one body providing the permits, advice or information. We believe that the planning system is working reasonably well when it comes to projects below 50 MW, but that is not to say that there cannot be improvements, and that is why we will take forward planning legislation and revise 'Planning Policy Wales' in due course.

Antoinette Sandbach: What I want to clarify is this: if responsibility for energy projects up to 100 MW is devolved, for example, would you keep in place the existing local planning applications approach? Would you still be feeding the planning application process through local authorities? Would you continue to stand by TAN 8 in terms of that process?

John Griffiths: If we did have further devolution of energy consents, we would then have to consider as a Welsh Government our approach to planning permissions over 50 MW. We would address those issues at that stage.

Antoinette Sandbach: It is clear from your evidence that you have been asking for devolution of energy projects above 50 MW since 2003, but there are no plans in place, and no structure in your team, for looking at how those projects will be dealt with by the Welsh Government if they were to be devolved.

John Griffiths: We have strategies and policies in place around energy and planning that set out our views and principles as an administration, and they would continue to apply. If we did have further devolution, it is at that stage that we would have to address the best system to implement those further powers.

11.15 p.m.

Antoinette Sandbach: How would you incorporate your strategic responsibility, with regard to Wales's importance in the UK as a whole, into that process?

John Griffiths: Wales would continue to have an important part to play in overall UK energy policy. Wales is an important part of UK energy policy and its implementation, as it is in the generation of power, and that would not change with further devolution. What would change is the ability of the people of Wales and, through them, the Welsh Government to shape what happens on the ground in Wales, which is crucial to our communities.

Antoinette Sandbach: There have been votes in the past on TAN 8, through the democratic process, certainly in the previous Assembly, calling for a review of TAN 8, and that has not happened. So, some might suggest that devolution does not necessarily guarantee that approach here in Wales. There are many people in local authorities who feel that TAN 8 requires them to pass windfarm developments below 50 MW in the SSAs, and that has been of huge concern.

John Griffiths: I set out earlier why we remain committed to TAN 8 for very good strategic energy, climate change and security of supply issues. It is right that we have a strategic approach and that we avoid the proliferation of large-scale windfarms right across Wales. A lot of work

went into developing TAN 8, so the strategic approach was arrived at on the basis of sound evidence, and we remain very committed to it. There is always a balance to be struck between national policy and local policy when it comes to planning issues, and that is a familiar—

Antoinette Sandbach: However—

Lord Elis-Thomas: You have already had six questions.

Antoinette Sandbach: I just want to ask one final question. Minister, that strategic approach cannot take into account now the electricity provision that will be provided by Wylfa—

Lord Elis-Thomas: That issue does not arise from this question.

Antoinette Sandbach: Yes, it does, because it relates to the strategic issue—

Lord Elis-Thomas: I know where Wylfa is.

Rebecca Evans: Minister, you referred earlier to the development of marine plans for Welsh waters. Could you update us on the progress of those plans and on how the Welsh Government is striking a balance between those plans and the pressures posed by the economic, recreational and conservation-related demands of the waters? There are different layers of use of the waters—they are very much in demand—so how are you striking a balance?

John Griffiths: We are still at an early stage in developing marine plans, but we expect to develop them over the next two or three years. However, there are, as ever, competing users and interest groups and we must therefore develop those plans to strike what we consider to be an appropriate balance between those different interests. That is why that two or three-year period is most useful in having a strong engagement with all of the major stakeholders in Wales. So, as I said earlier with regard to other matters, that is very much the approach that we will be taking.

Rebecca Evans: The highly protected marine reserves have the potential to be exciting, but will it be two or three years before you are able to identify those areas as well?

John Griffiths: We are having a lot of engagement with interest groups and stakeholders at the moment, and I hope to say a little bit more about the timelines of the marine plans later this year.

Rebecca Evans: Okay. What discussions have you had with the Deputy Minister for Agriculture, Food, Fisheries and European Programmes on your marine plans?

John Griffiths: I regularly meet with Alun Davies, because there is a considerable overlap between our respective portfolios, and our officials meet regularly, too. So, we would discuss those overlapping areas with regard to our respective portfolios, which include the marine plans, and I am keen to engage with Alun on those plans, given his responsibilities, in the next few months. As I say, I will likely be saying more about the timelines regarding marine plans later this year.

Russell George: With regard to the devolution of energy consents, when he spoke this morning, the First Minister seemed to imply—I will have to check the record—that the UK Government had given a firm ‘no’ with regard to that request. Maybe I have misunderstood, but Mr Bates was talking about there being an ongoing discussion. I suspect that I have misunderstood somewhere along the line, but what is the position?

John Griffiths: You have probably not misunderstood, Russell. The two things are not contradictory. The UK Government gave a negative response to the First Minister’s request for further devolution, but that is not to say that there cannot be an ongoing dialogue, because we are

not content to let matters rest there; we very much want to continue to press the case.

Mr Bates: It is my role to introduce confusion; I apologise. That is exactly right: the door is slightly ajar. We have had a strong message back from the UK Government to say that it is not minded to do that at present, and there was a strong press statement at the beginning of September. However, it said that it would be considered as part of the wider review, which I think is fair enough.

Russell George: That is good, and what you are asking for would certainly have my support. If the UK Government did agree to devolve those powers, would you then think it sensible for there to be a full review of TAN 8?

John Griffiths: No. As I said earlier, TAN 8 is in place for very good strategic reasons and we are very much committed to it.

Mick Antoniw: Moving away from TAN 8 and going back to planning issues, what is the current position with regard to the local development plans? What progress has been made to ensure that they are completed throughout Wales?

John Griffiths: We are always urging local authorities to get their local development plans in place, not least because if they are not in place the local authority's ability to shape what happens in its area is lessened, because national planning policy then has greater weight. From time to time, I meet local authorities and make the point that it is very much in their interests for them to get their local development plans in place and that it provides certainty—or a greater degree of certainty—for local people, communities, and, indeed, developers. So, we are keen to see more local development plans in place throughout Wales. Some authorities have them in place, some do not, and some are further ahead with the work that is necessary to put them in place. We would very much like to see a degree of urgency involved.

Mick Antoniw: You said that local people and local plans are at the heart of our planning process, and it seems to me that there has been a major failing on the part of local authorities with regard to making progress in completing their plans. Do you envisage a scenario whereby they are made part of the new planning legislation, either in respect of powers going to the Minister with regard to local development plans, or in there being the flexibility to assume responsibility in the appeals process for what seem to be the failings in local authorities?

John Griffiths: We remain committed to the local approach when it comes to planning and to local planning authorities as being, in many ways, the prime decision makers. However, we want to see local development plans being put in place in a timely fashion, and we need to look at ways of ensuring that that happens with greater consistency throughout Wales.

Llyr Huws Gruffydd: Gan ein bod yn sôn am gynlluniau datblygu lleol, byddwch yn gwybod, yr wyf yn siŵr, am yr ymateb mewn nifer o gymunedau ledled Cymru i faint rhai o'r datblygiadau arfaethedig a sut y cyrhaeddwyd at y ffigurau o ran yr angen am dai. Y teimlad yw bod rhai o'r rhagamcanion yn rhy uchel ac nad ydynt yn cyfateb i'r angen lleol mewn gwirionedd. Wrth fwrw ymlaen â hynny, mae goblygiadau helaeth iawn—goblygiadau cymdeithasol, diwylliannol, ac, mewn rhai ardaloedd, ieithyddol, yn ogystal â goblygiadau

Llyr Huws Gruffydd: As we are discussing local development plans, I am sure that you will be aware of the reaction in many communities in Wales to the size of some of the proposed developments and to the way in which the figures on the need for homes were arrived at. The feeling is that some of the forecasts are too high and that they do not in fact correspond to local need. In driving that forward, there are significant implications—social, cultural, and, in some areas, linguistic, as well as environmental. We know that new legislation is on the way. Will the new planning legislation deal with issues such as the forecasts of the number of houses that local development plans have to deliver?

amgylcheddol. Gwyddom fod deddfwriaeth newydd ar ddod. A fydd y deddfwriaeth cynllunio newydd yn ymdrin â materion megis y rhagamcanion ynghylch y tai y mae'n rhaid i'r cynlluniau datblygu lleol eu ddarparu?

John Griffiths: Housing is an important part of the local planning function. The housing figures are not arrived at without considerable input from the local authorities, and that needs to be borne in mind. It is an important area and it is one that we would want to consider in taking forward planning policy and legislation. As I said earlier, it would be wrong to pre-empt any of the necessary work that will decide the eventual composition of guidance and legislation at this stage. There are many important matters involved and housing, and how housing figures are arrived at, are among those matters.

Llyr Huws Gruffydd: Os yw'r cynlluniau datblygu lleol hyn yn cael eu mabwysiadu ar draws Cymru fel y maent ar hyn o bryd, y gofid sydd gennyf yw y byddai hynny'n cloi i mewn rhai o'r gwendidau y mae nifer ohonom yn teimlo sydd yn y system gynllunio presennol. Mae'r Llywodraeth ar fin dod â deddfwriaeth gynllunio newydd gerbron, felly oni fyddai'n gwneud fwy o synnwyr i aros tan fod y deddfwriaeth honno yn ei lle yn hytrach na chloi rhai o'r gwendidau hynny i mewn?

Llyr Huws Gruffydd: If the local development plans are adopted across Wales as they are at the moment, I am concerned that that would lock in some of the weaknesses that many of us feel exist in the current planning system. The Government is about to bring forward new planning legislation, so would it not make more sense to wait until that legislation is in place rather than locking in some of those weaknesses?

John Griffiths: We have a strong process for legislation in Wales. As I mentioned earlier, that is very much about an extended lead-in approach to new legislation—Green Papers, White Papers, and draft Bills. That is a necessary and important part of engagement with the people of Wales, given that we have increased legislative powers following the referendum. That allows time for engagement and feeding in views, and for consideration of the issues that you raise and many more, but it takes some time to get the legislation in place. Prior to that, we intend to look at what is currently happening on the ground in Wales and to perhaps have some shorter-term revision of planning policy and guidance if that is considered appropriate.

David Rees: I want to go back to energy for a second. You mentioned that you would report back on the projects under 50 MW. Could you also indicate the types of projects and the areas of energy production that they are in? That would be interesting; technology has advanced in the past 10 years and I am sure that we have seen applications that would previously have been under 50 MW that are now well over 50 MW as a consequence.

John Griffiths: It is a fast-developing and fast-changing scene, and we would be happy to provide that information, Chair.

David Rees: On the issue of the Marine and Coastal Access Act 2009, which gives responsibility back to Wales, will you also be looking at coastal access and access to beaches in particular? We have large areas of coast and of beaches, which are very useful to tourism and so on. Will you also be looking at planning applications and permissions relating to access to beaches?

John Griffiths: Very much so. One of the issues that we face is linking up land-use planning with marine planning effectively. That will produce a number of challenges. In May next year we will be opening the all-Wales coastal path, which, as you say, brings many advantages in terms of

tourism. Not only that, it brings health and leisure benefits for people who live in Wales. So, these aspects of planning around our coast will come centre stage and we will be giving them the degree of attention that they definitely deserve.

Lord Elis-Thomas: William is next, then Vaughan, and then Russell. Then we are out of time.

William Powell: I want to revert to the issue of the local development plan process, which I am glad has been brought up. In all 22 local authorities in Wales there is a huge emphasis on consultation in the development of these plans, but I want to flag up a particular concern in relation to the three special-purpose planning authorities, the national park authorities. Pembrokeshire Coast National Park Authority works with a single local authority, Snowdonia works with two, and the Brecon Beacons National Park Authority works with eight.

Lord Elis-Thomas: At least.

11.30 p.m.

William Powell: Absolutely. Will you ensure that, when the soundness of local development plans is being assessed, the issue of consultation with all of those local authorities is particularly scrutinised? If you have local authorities charged with the delivery of education, housing and all the other important functions, there is a real danger that things could slip between the cracks if there is not robust engagement. I know that there is concern about this in some of the national park areas in Wales, and I think that we need to be very sure that there has been effective and robust engagement on all the priorities of local authorities. I would welcome your comments on that.

John Griffiths: I would be very happy to work to ensure the best possible engagement and working together between the local authorities and the national parks within which they operate. Local authorities are crucial deliverers on the ground across a range of services in Wales, and I know that the national park authorities understand that. I met the national park authorities several weeks ago and we discussed some of these issues, among many others. I know that they are very conscious of the need to work effectively with local authorities in their areas. With regard to taking forward planning policy, I am very keen to look at how that joint working is best brought into effect.

Vaughan Gething: On energy efficiency and micro-production, I have taken the view, looking at the feed-in tariff and the way it has worked, that it has been good for people with some money to invest, but that necessarily means that, if you come from a lower income background—regardless of whether you are a homeowner—it really is not for you. This is about access to money to invest in creating microgeneration. We know that there are lots of poorer owner-occupiers in Wales, so I am particularly interested in what work is or is not ongoing to help those lower income groups to access some of those opportunities and to increase the level of microgeneration, to start off with at least.

John Griffiths: Ynni'r Fro is a very important part of our microgeneration effort here in Wales, because it is an organisation that works with communities and community groups and that can address those issues of disadvantage you mention. It provides technical expertise, information and grants, so, in many ways, it can do virtually everything necessary to get community microgeneration projects off the ground and into production. We are very much committed to Ynni'r Fro in moving forward for the very reasons you mention, namely that many communities in Wales will benefit from the expertise and assistance, financial and technical. It should not be left up to individuals, as you say, to take advantage of some of the incentives provided through the feed-in tariffs or other UK Government policies.

Vaughan Gething: What is the scope of the grant programme you mention? Again, I am thinking

about those lower income owner-occupiers. That is where most of the problems are with regard to housing stock and poor energy efficiency.

John Griffiths: It is a community approach, and the grants go up to a few hundred thousand pounds. However, a great deal of it is on a smaller scale than that. We also have our Arbed 2 programme, which will be rolled out as a three-year programme from about now. That will very much address energy inefficiency in homes. Allied to that, our Nest project provides advice and the actual work to ensure greater energy efficiency. It is very much targeted at low-income homes and homes that are very energy inefficient. So, we come at it from a range of projects and policies, but these are vital areas that we are very committed to addressing.

Vaughan Gething: I have one final point, which is on the devolution of building regulations and what you are and are not looking at in terms of improving and requiring improved energy efficiency and new homes. We know that many new homes will not just be owned by private owner-occupiers; this will affect social housing as well. How far down the line are we looking at energy efficiency, and how much does that relate to whether there will be any sort of requirement for microgeneration, depending on the size of the scheme?

John Griffiths: We are a few months away from the devolution of the building regulations, and one of our priorities when we have that power will be to improve energy efficiency requirements through building regulations. They will be a useful tool, and will be part of the overall picture that I have described regarding microgeneration, Ynni'r Fro and other energy efficiency schemes. They are an important part of the picture and a useful tool for us to have.

Lord Elis-Thomas: The last word, as ever, goes to my neighbour in Powys.

Russell George: I wanted to ask about the single-use carrier bag regulations coming into force on 1 October, requiring businesses to charge 5p per bag. I fully support the principle of that, but what information has been provided to businesses—particularly small businesses—with regard to the charge? I know that there is a public website, but businesses need to know that it is there. What information has been sent out in the post? Has point-of-sale information been sent to them? I am thinking of small businesses.

John Griffiths: It has. We sent out over 40,000 information packs last month, I think. We have made a big effort to reach small businesses. That is just part of it; there have been a number of direct mail packs, TV and other media adverts and, as you say, there is also the website. I recently attended a local market in Newport and handed out some free, hessian reusable bags to try to get the message across, and there was media coverage of that. I was encouraged by the reaction that I got from shoppers in Newport market, because they were very supportive of the 5p charge. They perfectly understood the reasons for the introduction of the charge, and they were confident that it would lead to the benefits that we wish to see.

Russell George: I own a small shop myself, but I never have much time to run it, so I instructed the staff months ago that, when they got information about the carrier bags, they should put it on my desk, because I wanted to see it—but nothing has appeared. When I go up the high street in my own town, I find that other shops are unaware of the charge. That is my experience. A local sandwich bar put a sandwich in a small paper bag, and I said, 'You will be charging me 5p for this the week after next', and they said, 'No, it does not apply'. Well, they had got that wrong, and I corrected them.

Lord Elis-Thomas: If it were fresh fish, they would have been all right.

Mr Quinn: If it is not wrapped, then the bag is okay.

Russell George: There was a plastic outer bag, which came with the food, and then another,

small bag to take it away. The owner was unaware that there would soon be a 5p charge for that bag. Even when I went to a large supermarket, the cashiers were aware of the charge, but they said that it would not apply to home deliveries, and I suspect that that was incorrect. All of the evidence that I have had from speaking to people in 15 shops, large and small, in my own area, is that there is a lot of confusion, and they are unaware of what is going on. Those businesses have not received the pack that you mentioned, Minister.

John Griffiths: I can only say that there has been a major effort in terms of dissemination of information around the charge, and considerable coverage in the media as well, of course. I guess inevitably, no matter what effort you make, there will always be some businesses that, for whatever reason, are unaware of the imposition of the charge, or the date of imposition, or some of the detail around it. However, a major effort has been made, and will be ongoing. Once the charge comes into play on 1 October, businesses will very quickly become aware, if they are not already—I hope that they are. We will be available for ongoing communication to answer any questions that any businesses might have.

Russell George: I understand that there will initially be a light-touch approach to enforcement, which would be quite right, given that a lot of businesses are still unaware. However, after that time has passed, how will the charge be enforced?

John Griffiths: It is a legal requirement, and there are penalty fines if businesses are in contravention of the charge in the normal legal manner. As you rightly say, that is not our type of approach, which is very much about working with businesses so that they can gain an understanding of the rationale and the benefits of the charge in order to ensure that there is support for it. We have been very encouraged by the response that we have had up to now. Previous experience on issues such as the smoking ban show that, once you have something in place, it is very quickly accepted. The types of problems that people feared beforehand very often do not materialise.

Russell George: Will it be local trading standards officers who enforce the charge? If so, has any extra funding been made available to them? When the smoking ban came into force, there was funding to help its enforcement. Has any funding been made available to local authorities to enforce the charge?

John Griffiths: It will be enforced in the normal way, as I said earlier, and in the appropriate legal manner. However, we do not expect any great workload to be placed on local authorities or their trading standards departments as a result of this charge.

Mr Bates: It has been very smoothly introduced in other countries, where there has been a high level of compliance. As the Minister said, there was a lot of concern, but once it is introduced it beds down quite quickly.

Russell George: On my last point, I like McDonald's and when I go to McDonald's I seem to have lots of bags. I have fries put in a small bag and then there is an outer bag. Can you talk me through how much I will be charged extra in a McDonald's?

Lord Elis-Thomas: He will tell you outside.

John Griffiths: I think that I will refer Russell to the Minister for Health and Social Services. [*Laughter.*]

William Powell: In the last of his six questions, Russell touched on something that I wanted to raise. There is a great deal of public support for the principle of this, and it is also good to note that this is the outcome of a petition submitted in the previous Assembly; that must also be flagged-up. However, a particular concern has been expressed to me by the hot food takeaway

sector. A number of approaches were made to me during the summer, and I agreed to meet a fairly large business in Aberystwyth on this matter. There are concerns around the implementation and possible public health implications of people reusing bags and turning up with bags that might introduce a danger of E. coli and so on. These may be unfounded concerns, but I would appreciate any reassurances regarding exemptions or the protection of public health in relation to reusing bags that might not be appropriate for the particular circumstance.

John Griffiths: There are agencies that are entrusted to safeguard public health in Wales. If there were any risks of the nature that you mentioned, they would be picked up by those bodies and the Welsh Government would consider those matters. However, we have no reason to believe that there are any issues of that nature.

Yr Arglwydd Elis-Thomas: Diolch yn fawr i'r Gweinidog, Clive a Matthew ac i'r Aelodau am eu cydweithrediad.
11.43 a.m.

Lord Elis-Thomas: I thank the Minister, Clive and Matthew and Members for their co-operation.

Sefydlu Grŵp Gorchwyl a Gorffen ar y Polisi Amaethyddol Cyffredin ac ar y Polisi Pysgodfeydd Cyffredin

Establishment of Task and Finish Group on the Common Agriculture Policy and on the Common Fisheries Policy

Yr Arglwydd Elis-Thomas: Y cynnig yw bod y grŵp gorchwyl a gorffen ar y polisi pysgodfeydd cyffredin yn cynnwys Dafydd Elis-Thomas, Llyr Huws Gruffydd, Julie James yn Gadeirydd, William Powell, David Rees ac Antoinette Sandbach. A yw pawb yn cytuno? Gwelaf eich bod.

Lord Elis-Thomas: The proposal is that the task and finish group on the common fisheries policy includes Dafydd Elis-Thomas, Llyr Huws Gruffydd, Julie James as Chair, William Powell, David Rees and Antoinette Sandbach. Is everyone in agreement? I see that you are.

Y cynnig yw bod y grŵp gorchwyl a gorffen ar y polisi amaethyddol cyffredin yn cynnwys fy enw i, Rebecca Evans, Vaughan Gething yn Gadeirydd, Llyr Huws Gruffydd, William Powell ac Antoinette Sandbach. A yw pawb yn cytuno? Gwelaf eich bod.

The proposal is that the task and finish group on the common agriculture policy includes my name, Rebecca Evans, Vaughan Gething as Chair, Llyr Huws Gruffydd, William Powell and Antoinette Sandbach. Is everyone in agreement? I see that you are.

11.45 p.m.

Y cynnig yw bod y pwyllgor yn penderfynu sefydlu grŵp gorchwyl a gorffen ar y polisi amaethyddol cyffredin, o dan Reol Sefydlog Rhif 17.7. Cylch gwaith y grŵp gorchwyl a gorffen yw ystyried effaith cynigion y Comisiwn Ewropeaidd ar gyfer diwygio'r polisi amaethyddol cyffredin yng Nghymru. Bydd yn gwneud argymhellion i Lywodraeth Cymru ar y blaenoriaethau negodi ac yn dylanwadu ar y drafodaeth ehangach ar y polisi. Bydd y pwyllgor yn cael ei ddiddymu heb fod yn hwyrach na

The proposal is that the committee resolves to establish a task and finish group on the common agriculture policy, under Standing Order No. 17.7. The remit of that task and finish group is to consider the impact of the European Commission's proposals for the reform of the common agriculture policy on Wales. It will make recommendations to the Welsh Government on priorities in negotiations and influence the wider CAP reform debate. The committee will dissolve no later than the end of 2012, or once the negotiations on the legislative proposals for the CAP are completed, whichever is the earliest.

diwedd 2012, neu unwaith y bydd y negodiadau ar y cynigion deddfu ar gyfer y polisi wedi'u cwblhau, pa un bynnag a ddaw yn gyntaf.

Mae'r un fath yn berthnasol i'r grŵp gorchwyl a gorffen ar y polisi pysgodfeydd cyffredin. The same applies to the task and force group on the common fisheries policy.

Do I need to read that out again?

Dr Hawkins: No, I do not think so.

Yr Arglwydd Elis-Thomas: A oes unrhyw fusnes arall? Gwelaf nad Diolch yn fawr. **Lord Elis-Thomas:** Is there any other business? I see that there is not. Thank you.

*Daeth y cyfarfod i ben am 11.46 a.m.
The meeting ended at 11.46 a.m.*