

Agenda – Climate Change, Environment, and Infrastructure Committee

Meeting Venue:	For further information contact:
Committee room 4 Tŷ Hywel and video Conference via Zoom	Marc Wyn Jones Committee Clerk
Meeting date: 20 February 2025	0300 200 6565
Meeting time: 09.30	SeneddClimate@senedd.wales

Hybrid

Private pre-meeting (09.15–09.30)

Public meeting (09.30–13.10)

1 Introductions, apologies, substitutions, and declarations of interest
(09.30)

2 Annual scrutiny of the National Infrastructure Commission for Wales
(09.30–11.00) (Pages 1 – 52)

Dr David Clubb, Chair – National Infrastructure Commission for Wales

Dr Jenifer Baxter, Deputy Chair – National Infrastructure Commission for Wales

Dr Eurgain Powell, Commissioner – National Infrastructure Commission for Wales

Eluned Parrott, Commissioner – National Infrastructure Commission for Wales

[National Infrastructure Commission for Wales – Annual Report 2024](#) (PDF
3.4MB)



[National Infrastructure Commission for Wales – Building resilience to flooding in Wales by 2050](#) (PDF 6.5MB)

Attached Documents:

Research brief – National Infrastructure Commission for Wales: Annual Scrutiny

Annual report 2024 – National Infrastructure Commission for Wales

Storm response paper – National Infrastructure Commission for Wales

Break (11.00–11.15)

3 Storm response inquiry – evidence session with forecasting bodies

(11.15–12.10)

(Pages 53 – 112)

Simon Brown, Director of Services – Met Office

Russell Turner, Head of Centre – Flood Forecasting Centre

Attached Documents:

Research brief – Storm response inquiry

Paper – Met Office

Paper – Flood Forecasting Centre

Post Event Summary: Storm Bert – Flood Forecasting Centre

Flood Guidance Statements – Flood Forecasting Centre

Break (12.10–12.15)

4 Storm response inquiry – evidence session with local authorities

(12.15–13.10)

(Pages 113 – 124)

Cllr Andrew Morgan, Leader – The Welsh Local Government Association (WLGA)

Andrew Stone, Service Director, Highways and Engineering – Rhondda Cynon Taf County Borough Council

Huw Percy, Head of Highways, Property and Waste Services – Isle of Anglesey County Council

Attached Documents:

Paper – Isle of Anglesey County Council

Paper – Rhondda Cynon Taf County Borough Council

5 Papers to note (13.10)

5.1 Well-being of Future Generations (Wales) Act 2015

(Pages 125 – 130)

Attached Documents:

Letter from the Chair to the President of the Catalan Parliament in relation to Wales' Well-being of Future Generations Act

Response from the President of the Catalan Parliament to the Chair in relation to Wales' Well-being of Future Generations Act

5.2 Storm response

(Pages 131 – 132)

Attached Documents:

Letter from the Chair to Heledd Fychan MS in relation to flooding in Wales

Letter from the Chair to Andrew RT Davies MS in relation to flooding in Wales

5.3 HS2 Funding

(Pages 133 – 135)

Attached Documents:

Letter from the Cabinet Secretary for Finance and Welsh Language to the Chair in relation to HS2 Funding

5.4 International agreements

(Pages 136 – 137)

Attached Documents:

Letter from the Chair of the Legislation, Justice and Constitution Committee to the Chair in relation to the Protocol to the Interbus Agreement concerning the international carriage of passengers by coach and bus

5.5 Scrutiny of Natural Resources Wales

(Pages 138 – 144)

Attached Documents:

Letter from the Chair of the Petitions Committee to the Chair in relation to the annual scrutiny of Natural Resources Wales and pollution at Watchtower Bay and Ogmore by Sea

Letter from the Chair of the Petitions Committee to the Chair in relation to the scrutiny of Natural Resources Wales

5.6 Legislative Consent: Data (Use and Access) Bill

(Pages 145 – 148)

Attached Documents:

Letter from the Cabinet Secretary for Economy, Energy and Planning to the Chair of the Culture, Communications, Welsh Language, Sport, and International Relations Committee in relation to the TCA for the (LCM) on the Data (Use and Access) Bill

5.7 Holyhead Port storm damage and closure

(Pages 149 – 150)

Attached Documents:

Letter from the Chair of the Economy, Trade and Rural Affairs Committee to the Chair in relation to the inquiry into Holyhead Port storm damage and closure

5.8 Welsh Government Draft Budget 2025–26

(Pages 151 – 152)

Attached Documents:

Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs to the Chair following the 8 January 2025 scrutiny session in relation to the Welsh Government Draft Budget 2025–26

5.9 Disused Mine and Quarry Tips (Wales) Bill

(Pages 153 – 183)

Attached Documents:

Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs to the Chair in relation to the Disused Mine and Quarry Tips (Wales) Bill – summary guidance

Letter from the Coal Action Network to the Chair in relation to the Disused Mine and Quarry Tips (Wales) Bill

5.10 The UK Emissions Trading Scheme

(Pages 184 – 187)

Attached Documents:

Letter from the Deputy First Minister and Cabinet Secretary for Climate Change & Rural Affairs to the Chair in relation to the UK Emissions Trading Scheme – 10 February 2025

Letter from the Deputy First Minister and Cabinet Secretary for Climate Change & Rural Affairs to the Chair in relation to the UK Emissions Trading Scheme – 12 February 2025

5.11 Legislative Consent: Water (Special Measures) Bill

(Pages 188 – 189)

Attached Documents:

Response from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs to the Chair in relation to the Committee's report: Report on Legislative Consent Memoranda for the Water (Special Measures) Bill

5.12 Inter-Institutional Relations Agreement

(Pages 190 – 191)

Attached Documents:

Letter from the Cabinet Secretary for Transport and North Wales to the Chair of the Legislation, Justice and Constitution Committee in relation to the Inter-Institutional Relations Agreement: Transport Inter-Ministerial Standing Committee

6 Motion under Standing Order 17.42 (vi) and (ix) to resolve to exclude the public from the remainder of this meeting

(13.10)

Private meeting (13.10–13.30)

7 Consideration of evidence received under items 2, 3 and 4

Document is Restricted



Comisiwn **Seilwaith**
Cenedlaethol **Cymru**
National **Infrastructure**
Commission **Wales**

Annual Report 2024



The National Infrastructure Commission for Wales (NICW) was established in 2018 as an independent, non-statutory, advisory body to Welsh Ministers.

Its key purpose is to analyse, advise and make recommendations on Wales' longer term strategic economic and environmental infrastructure needs over a 5–80-year period.

NICW conducts studies into Wales' most pressing infrastructure challenges and will make recommendations to the Welsh Government.

The advice provided by NICW will be impartial, strategic and forward looking in nature.

NICW is accountable to the Welsh Ministers for the quality of its advice and recommendations and its use of public funding.

Contents

Our second year delivering	04
Our aims, objectives, outcomes and values	06
Our aims	06
Our objectives	06
Our outcomes	07
Our values	08
Our strategy	09
NICW year in review: 2024	10
Infrastructure policy context	10
Study tours	13
NICW organisational development	15
Digital systems	15
Engagement and working with others	17
Our profile	17
NICW Review	18
Our Framework	19
Our 2023/24 expenditure and 2024/25 budget	20
Our 2022–2025 work programme	22
Renewable Energy: 2022/23	22
Flooding: 2023/24	23
Climate Communications: 2024/25	24
Year 4 Work: A Futures Infrastructure Assessment	25
Commissioner reflections	26

Our second year delivering:

An introduction from the Chair and Deputy Chair

Welcome to the National Infrastructure Commission for Wales' annual report for 2024.

Our delivery at pace has continued this year, building on significant momentum from previous years, and on the goodwill and support of organisations from across the infrastructure sector.

We have delivered on our remit for the year, including making recommendations to the Welsh Government on how to reduce the impact of flooding in Wales by 2050. The launch of our flooding report was well-attended by

organisations from across the UK, demonstrating our growing influence within and beyond the borders of Wales.

This year has seen climate-driven disasters increase in severity and frequency in all parts of the world, reminding us of the need to maintain a strong commitment to the nature and climate emergencies. Our main project activity for the coming year will focus on how people understand and communicate the climate risks of the distant future, an issue which has seen high polarisation in other countries, and which may come to influence political discourse here in the coming years.



Much of that political and social polarisation is exacerbated by social media platforms that prioritise shareholder return over social good. Our decision in September 2023 to stop using our Twitter account was prescient; numerous public, private and third sector bodies across Wales have since announced their intention to do the same. We will maintain our leadership in this sector by showcasing the power – and the values – of open source social media platforms, contributing to a Wales that communicates differences with tolerance and understanding.

We believe that transparency is a necessary precondition for accountability. As in recent years, our meetings with external parties are listed on our website, and this year we have also published all our formal external correspondence. In 2025 we will continue to seek out and implement good practice in governance and accountability.

This year has seen our Commissioners participate in some of the most challenging areas of infrastructure for Wales, including the changing face of industry in Port Talbot and the need for an accessible and affordable grid across all parts of Wales. We look forward to playing our role in the coming twelve months in helping ensure infrastructure in Wales fit for current and future generations.



Dr David Clubb
Chair



Dr Jenifer Baxter
Deputy Chair

Our aims, objectives, outcomes and values

Our organisational values and ways of working were established in our first year as our guiding principles and to reflect our remit set out by the Welsh Government.

Our aims

1. To provide radical, challenging and evidence-informed advice and guidance to a variety of audiences, but principally Welsh Government, that will inform and future-proof decisions on infrastructure deployment from 2030–2100.
2. To use the frameworks of the Well-being of Future Generations (Wales) Act 2015, the climate and nature emergencies, and the socio-economic duty, to guide our deliberations.
3. To support initiatives, organisations or policies that aim to create and maintain resilient and adaptable infrastructure that delivers well-being until 2100 and beyond.



Artwork: Extract from 'The River' (2024) by Prith B at the NICW Flood Report Launch

Our objectives

Our objectives align with the Welsh Government Programme for Government.

Build an economy based on the principles of fair work, sustainability and the industries and services of the future.

Build a stronger, greener economy as we make maximum progress towards decarbonisation.

Embed our response to the climate and nature emergency in everything we do.

Make our cities, towns and villages even better places in which to live and work.

Celebrate diversity and move to eliminate inequality in all of its forms.

Our outcomes

In the first Annual Report of this current Commission, we defined a range of outcomes that we anticipated being able to deliver from 2022 to 2025. We have assessed below how we have performed against these over the last 12 months.

Desired outcome	Summary performance to date
<p>Future policy that improves the capture of wealth from renewables; that better manages land for various infrastructure uses; and that builds on a better understanding of local community perspectives.</p>	<p>Following delivery of our renewable energy report in October 2023, we have followed up on our recommendations to the Welsh Government through continuous engagement with officials and Ministers. We have also written to the UK Government regarding the issue of the Crown Estate and are continuing our dialogue with stakeholders.</p>
<p>Future policy and practice is better informed about ways to minimise the impact of flooding on Wales' communities and infrastructure.</p>	<p>We delivered our report on our flooding project in collaboration with sector experts, that produced 17 recommendations for the Welsh Government. The report was launched on 17 October 2024. We await a formal response from the Welsh Government but wish to engage on the recommendations in a positive way with officials and Ministers.</p>
<p>NICW and other stakeholders are better informed about how to communicate long-term risks to communities most vulnerable to climate change impacts.</p>	<p>We completed scoping of our Climate Communication project and established 2 research projects, separately focussing on communities and infrastructure providers. Research contracts have been let and Project Reference Groups have been formed to provide feedback.</p>
<p>NICW's activities and recommendations are better informed by a wide and diverse range of stakeholders.</p>	<p>We have engaged with a wide variety of stakeholders, in meetings, events and in the media. These are listed on our website.</p>
<p>An enhanced profile and reputation for NICW.</p>	<p>Whilst it is difficult to objectively assess our reputation, our profile has increased considerably over the last twelve months. We also have good statistics on activity on our website. These statistics are fully transparent and accessible by visitors to the site. The NICW Review (see below) will provide further opportunities for feedback. This year we have also appointed Equinox to support us in our communications and engagement activity.</p>

Our values

During 2023 we agreed upon a set of values that describe how we aspire to deliberate and operate. We wrote a short piece describing them on the [NICW website](#). Our values are:

- **Inclusive:** creating a warm and friendly environment within which people feel supported, and confident to express their views.
- **Transparent:** pushing the boundaries of reporting in near-real-time on our engagement, and demonstrating publicly how we deal with internal disagreements.
- **Radical:** commissioners have committed to working out of their comfort zones; we aim to deliver advice, opinions and recommendations that diverge from 'business as usual' to alleviate the nature and climate emergencies and deliver on our remit.
- **Challenging:** the Commissioners challenge the status quo with the needs of future generations and an aspiration to do better for the future citizens of Wales.
- **Practical:** the Commission's work is focused on actionable recommendations that move us towards a more sustainable infrastructure for the needs of the people of Wales.



The National Infrastructure Commissioners for Wales with colleagues on our 2024 site visit to Newtown

Our strategy

Over the course of 2024 we have developed our broader strategic approach to define what NICW is seeking to do and how it should go about achieving this, always with our remit and operational framework in mind. In June we were fortunate to have a workshop facilitated by Dr Paul Davies of Swansea University to help us explore this in more depth.

We concluded that most organisations benefit from a strategic approach on how they deliver their activity. However, NICW is not a traditional organisation; comprised of 8 part-time Commissioners, supported by two members of the Secretariat. We therefore developed our strategic approach bearing in mind our own limited resource, as well as our remit that is set by Welsh Government.

Our strategic approach is outlined in more detail on [our website](#). In summary we examine our

functions as a Commission which allow us to analyse how we contribute to the debate on Welsh Infrastructure. We then can monitor this contribution using critical success factors. Although we have tried to produce metrics to measure our success, in some cases the evidence is not numeric. We are comfortable with a narrative-based approach to assessing our performance and have included examples of success where relevant.

Listing our success factors (all of which are reported on in this document) will help us focus on collecting data that will provide evidence on the impact of our work. Publishing this first strategic approach will help us understand how others view our success, so that we can continue to refine and adapt our approach to better serve our purpose. We intend to revisit this approach benefitting from feedback from stakeholders, the NICW Review or any significant change in the socio-economic context.



The Commission sitting

NICW year in review: 2024

Infrastructure policy context

Futures Thinking

As reported last year, for us to be able to take a long-term view of policy goals and development, we are also seeking to adopt **Futures thinking** in our work. We plan to hold an event in January 2025 to bring together infrastructure leaders to think spatially about their future plans. This event, which will be facilitated by the School of International Futures, will consider our transportation networks and their future adaptation in a changing world and society. We are really interested to see this in action and hope it will additionally feed into our newly identified 'Year 4 / Final Year' work project.

We have used Futures Thinking and methodologies in our Flooding Project to envisage a **Flooding Framework in Wales for 2050**. Using participatory workshops, colleagues at Arup were able to support us in generating a Vision for a flood resilient Wales. By using creative outputs, it also has helped us engage more widely in our processes, seeking a greater range of views of what a Future Wales could look like.

On this theme, we were delighted to be able to partner with the Institute of Welsh Affairs, to publish a series of essays on Wales in 2100 by a variety of contributors. They examined issues such as food supply, accessibility and the use of AI to help us imagine what life could be like for us in the future. These were published weekly over the summer of 2024 and we have published these together in an anthology, **Imagining Wales in 2100: Stories and Essays**, where they can be viewed in one place.



Our collection of 2100 Essays



Personas at our Flood Visioning Workshops

Steel production at Port Talbot

In February 2024 our Deputy Chair, Jenifer Baxter, wrote a blog post on the [situation in Port Talbot](#). Jenifer commented that the news that Tata Steel will close both blast furnaces at the steelworks and replace them with an electric arc furnace (around 2027) will significantly reduce the UK's ability to be self-sufficient in the supply of critical infrastructure, as we will be dependent on imported steel. Not only that, but as Jenifer continued, Tata Steel's employees and

their local communities will feel the most devastating impact with a narrative from Tata Steel focusing on the need for emissions reduction, and a corresponding move towards a more circular economy.

Jenifer presents different options for the future of steel production in South Wales, focusing on the use of alternative and low carbon fuels and considers the social impacts, including the just transition for communities, and societies, impacted by these changes.



Grid

In May 2024, Commissioner Nick Tune, who was a lead on our renewable energy report, wrote a blog on the [electricity grid system in Wales](#). Nick commented on the National Grid Energy Systems Operator (ESO) publication: [“Beyond 2030: A National Blueprint for a Decarbonized Electricity System in Great Britain”](#).

Nick expressed concerns regarding the absence of plans for grid upgrades spanning north to south Wales. Urgent capacity enhancements are needed in mid Wales to facilitate the development of planned onshore wind energy projects, while south Wales grapples with grid congestion. A potential solution lies in routing the Celtic Sea connector through south west Wales, enabling a comprehensive upgrade of the South Wales grid, thereby liberating capacity for expanded renewable energy generation throughout south Wales.

He pressed the need for the Welsh Government to urgently look at NICW's renewable energy recommendations and take action.

Infrastructure (Wales) Act 2024

Following on from our events and scrutiny last year, we were pleased to see that the [Infrastructure \(Wales\) Act 2024](#) received royal assent in June 2024. Our response to the original consultation on the draft Act spoke of the need for a greater emphasis on community engagement and consultation. In July, we responded to the Welsh Government consultation on the Requirements for Pre-Application Consultation and Methods of Engaging Stakeholders and Local Communities consultation.

[Our response](#) highlighted the need for effective and meaningful engagement which proactively

involves the communities impacted by infrastructure development. We were pleased to draw on our experiences in Borth and our renewable energy project, to highlight good practice. We also used case studies which have been brought to our attention through our flooding project to further exemplify where engagement has had a positive outcome for communities in the development process.

CCEI Committee Report

NICW were pleased to be invited for the annual [scrutiny session](#) by the Climate Change, Environment and Infrastructure Committee in the Senedd. We welcomed [their subsequent report](#) and responded to the [NICW facing recommendations](#) in a positive fashion. We note also that the [Welsh Government response](#) was proactive in setting out arrangements for the NICW review, responding to the renewable energy report and its approach to water issues.

We welcomed the [subsequent debate](#) in the Senedd and noted the positive words from the Julie James, who had ministerial oversight of NICW at the time.

“The commission has... firmly established itself as an authoritative voice in the sector that is respected and whose opinions are actively sought out by stakeholders, and I do believe this is a sign of maturity for the organisation and we are seeing a real difference from its work.”

Julie James MS

Institute of Work and Learning event

In November 2024 we were pleased to sponsor and take part in the Learning and Work Institute annual conference in Cardiff. Time and time again, the issue of skills shortages in the many infrastructure sectors has been raised as a key issue which is hampering progress in Wales. It was a great opportunity to engage with the major stakeholders in the education and skills sector to discuss the changes that our needed, how we attract new people into the industry and how we make the prospect of working in infrastructure appealing to school leavers.



Deputy Chair, Jenifer Baxter, speaking at the Learning and Work Institute Conference

Study tours

The Commission is interested in deepening its existing understanding of infrastructure issues, to hear about the new and exciting responses being developed, right across Wales. We therefore organised several study tours around Wales this year.

Newtown

In February 2024 NICW Commissioners travelled to Newtown to speak with local stakeholders on the challenges facing rural communities such as: economic sustainability, what active travel looks like in a rural context and how strategic initiatives are managed across borders.

Talking to the Growing Mid Wales partnership including local politicians and officials, we received an excellent understanding of some of the issues facing the area. We had a fantastic tour of Newtown Town Centre to witness the regeneration projects currently underway there. We also were taken to the site of the new Newtown Active Bridge to view construction works.

We based ourselves at [Gregynog Hall](#), itself an important local landmark preserving both the natural and historical assets of the area with a community focus.



NICW went on a walking tour of Newtown

Ceredigion Coastal Communities

In June 2024, we journeyed to Ceredigion via the TrawsCymru strategic bus network. Whilst on board, we heard from Transport for Wales about how they are supporting the bus network in Wales and trying to support the move to public transport. Once in Aberystwyth we met with local transport stakeholders to get a first-hand view of the issues faced by people living in this part of Wales to get around without access to a car. The challenges here differ greatly from those experienced in urban parts of the country, and it was refreshing to be reminded of this when considering national transportation priorities.



NICW meeting TfW staff on board at TrawsCymru service Newtown



NICW meeting Mid Wales stakeholders in Newtown



NICW exploring coastal flooding issues with Borth Town Council

On this trip, we were also fortunate to travel along the coast to Borth, to hear from communities directly affected by the impacts of climate change. We were keen to engage with members of Borth Community Council and others on their experiences of living with a changing coastline and increased flooding events. We witnessed an engaging conversation with colleagues from Natural Resources Wales on future proposals for the area which has also helped shape our Year 3 work on engaging with communities on this sensitive issue.

Bannau Brycheiniog

Towards the end of the year, in November, NICW held a [site visit to Bannau Brycheiniog](#). On this visit, which was hosted by the Bannau Brycheiniog National Park authority, we were able to engage with local stakeholders on how life in sensitive areas can grow and thrive in the right conditions.

We also had the opportunity to a visit to a farm to witness natural flood management techniques in practice. This has helped us to contextualise our flooding recommendations in the context of land management and farming. We were also excited to witness and engage with young people in futures thinking about how they wanted their local area to develop in the Authority's Local Development Plan.

NICW organisational development

We are committed to developing ourselves as Commissioners to equip us to undertake our roles effectively, communicate successfully both internally and externally, and ensure we are meeting our remit as set out by the Welsh Government. To this end we have allocated time this year to considering our strategic approach (see above) and thinking about the next steps for NICW in terms of a continued work programme.

Politically, we have had 4 changes of Ministerial oversight in 2024 which has made for an uncertain operating environment. However, with a new First Minister and Cabinet in place from Autumn 2024 we hope this will provide the stability that NICW needs to carry on its work for the rest of this Senedd.

In association with this annual report, we have also undertaken some reflection on our year of work and how we can improve the way we operate to be an even better organisation delivering on our remit.

In 2024 Our Commissioners undertook training in the following areas:

- futures thinking, with training provided by the UK Government Office of Science
- transport and health, provided by Aberystwyth University
- LinkedIn expert training, provided by Equinox.

Digital systems

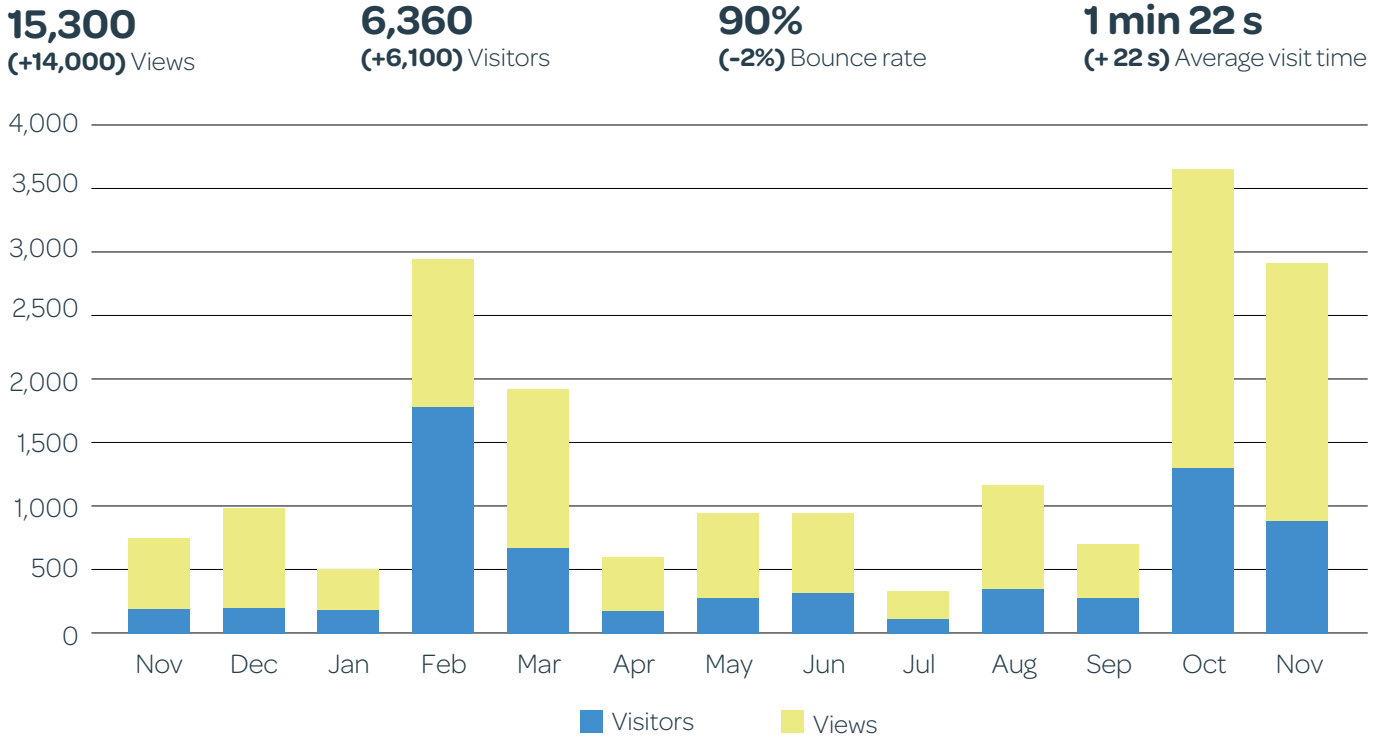
We have continued to develop our digital communication offering, building on a basic website to offer a platform that helps us share our updates and narrative about infrastructure in Wales. We continued to develop our digital offer this year by specifically hosting the **2050 Flooding Vision**, as a subsite of the main website, and by launching our **quarterly newsletter**.

Website

Our website hosts NICW **meeting notes and other publications**, records of **external engagements and meetings**, project information and videos of our appearances in the **media, Senedd or on fact-finding visits**. It also embeds images from our Pixelfed social media account, and acts as the hub for most of our public activity. Over the course of the year we have made a considerable effort to publish our outputs in web format as well as, sometimes, via pdf. Screen readers often struggle with proprietary formats such as pdfs. This initiative will improve the accessibility of our content. Our 'web-based by default' approach also supports better search engine visibility, as web crawlers can report on all the content we produce.

Our **web statistics** are open for all to explore. In the twelve months since our last report, the website has been accessed more than 13,700 times, with more than 4,700 individual visitors. The UK was the country of origin of the vast majority (85%) of our visitors.

Figure 1: Web statistics from the NICW website. Peaks in the summer months are likely related to our series of Futures essays; the peak in October probably results from publication of the flooding report



Social media

We are active on three social media sites and have grown our presence on these throughout the year:

- 1. LinkedIn.** with currently more than 1,380 followers. This is more than a 10% increase on the previous year.
- 2. Mastodon.** Our most popular post highlighted three Commissioners with an account on toot.wales, the Welsh server for Mastodon. We have over 110 followers on this platform.
- 3. Pixelfed.** An open-source social media platform optimised for image sharing. We have over 140 followers on this platform.

Engagement and working with others

We record our engagement and external meetings on our website in an **open and transparent way**. Commissioner highlights of this year have been our continuous engagement on renewable energy and grid issues, as well as increasing our understanding of the impacts of flooding and the need to adapt to the changing climate. These additional engagements help us to investigate our major project issues in more depth, outside of the main research contracts. We look forward to meeting with more organisations and individuals over the coming year that can enrich our knowledge of issues relating to the built environment and infrastructure more generally.

In keeping with the Future Generations 'Ways of Working', and where resources allow, we work with other bodies in a collaborative way to spread common key messages and explore ideas. As highlighted in our **reporting of meetings**, this year we have worked with numerous organisations.

Working together helps to maximise skill sets, reach and resource availability. We look forward to working with other bodies and organisations in the next 12 months, to fulfil our remit.



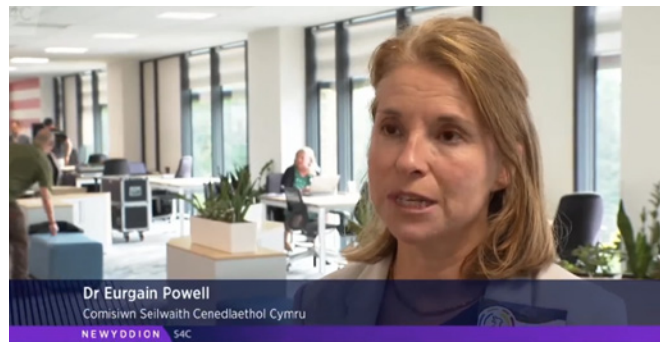
NICW with transport stakeholders in Aberystwyth

Our profile

NICW recognised that its communications and engagement activities needed external expertise and support in 3 major areas:

- developing a communications and engagement strategy
- specific support on engaging the media on the publication of our flooding report
- ongoing monthly support in communicating NICW activity effectively

To this end, we were pleased to engage with Equinox, a communications firm based in Wales, to support NICW with its media and social media activity. This will significantly boost our resource base and our engagement activity over the course of this financial year. Equinox have already enabled us to effectively promote the launch of flooding report which included significant regional activity across Wales as well as a presence on TV and radio interviews. We hope our growing profile will mean NICW will increasingly be asked for its opinion on the infrastructure issues of the day and be able to promote our wider work to the world.



Commissioner Eurgain Powell being interviewed for Newyddion on S4C on the launch of our flooding report

NICW Review

In line with its terms of reference, the [Welsh Government announced](#) in May 2024 that a review of NICW was underway and will be completed by the end of the year. Terms of Reference for the review have been created and work is now ongoing.

The objective of the review is to provide assurance to Welsh Government, NICW Commissioners and the Senedd on the Commission's performance status, remit and objectives.

The review will focus on the effectiveness of the Commission including how it functions and operates. Consideration will also determine whether the current three-year term of

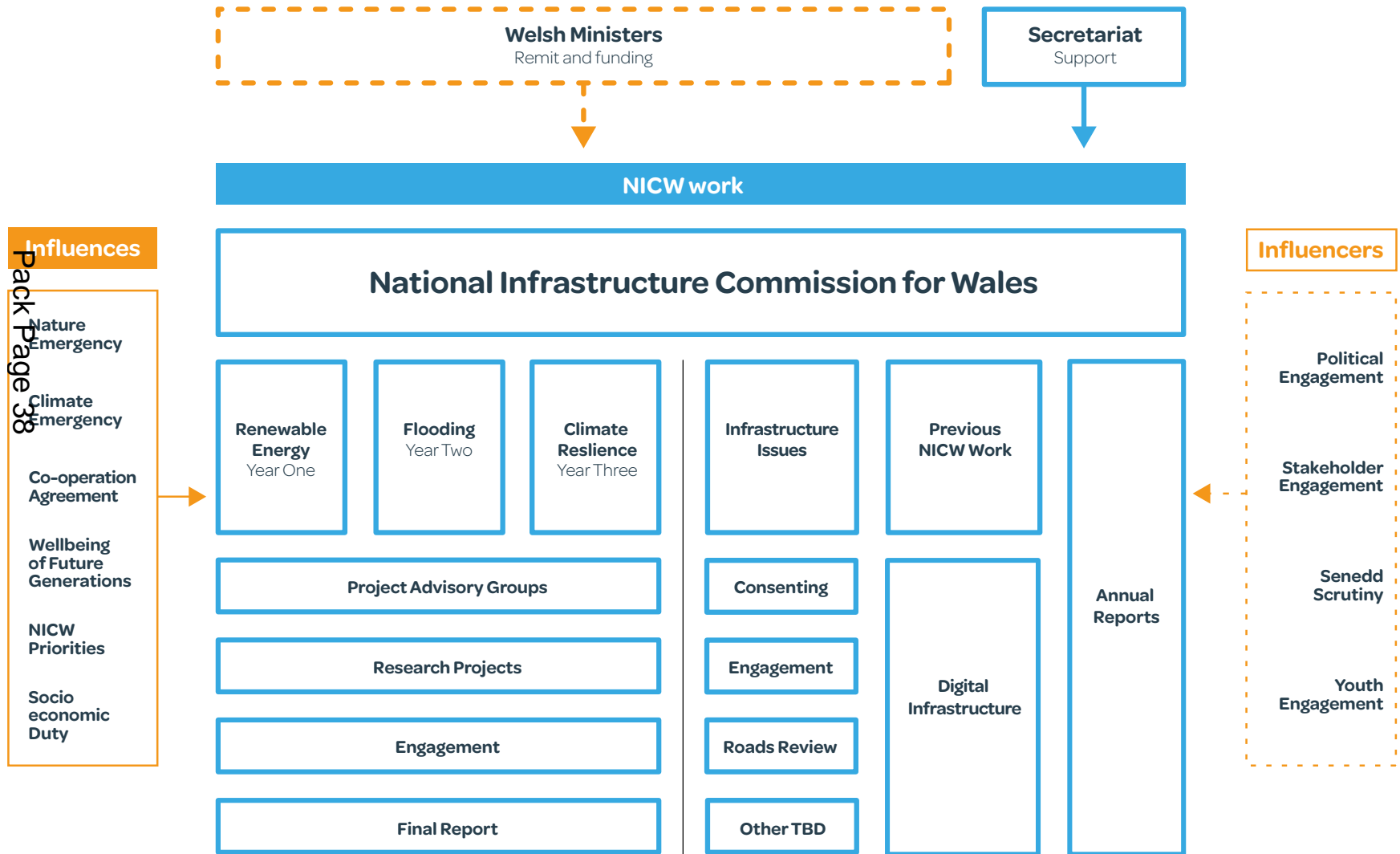
appointment for Commissioners is appropriate; and take a view on the requirement for NICW to undertake a national infrastructure assessment. The review is being undertaken by the Welsh Government's Internal Audit Service who have consulted with external stakeholders as part of this work.

NICW is fully committed to playing its part in the review. All Commissioners have responded to questions from the reviewers on various aspects of the Commission's work.

We look forward to receiving the results of the review and working positively with the Welsh Government to implement any recommendations for change which are put forward.



Our Framework



Pack Page 38

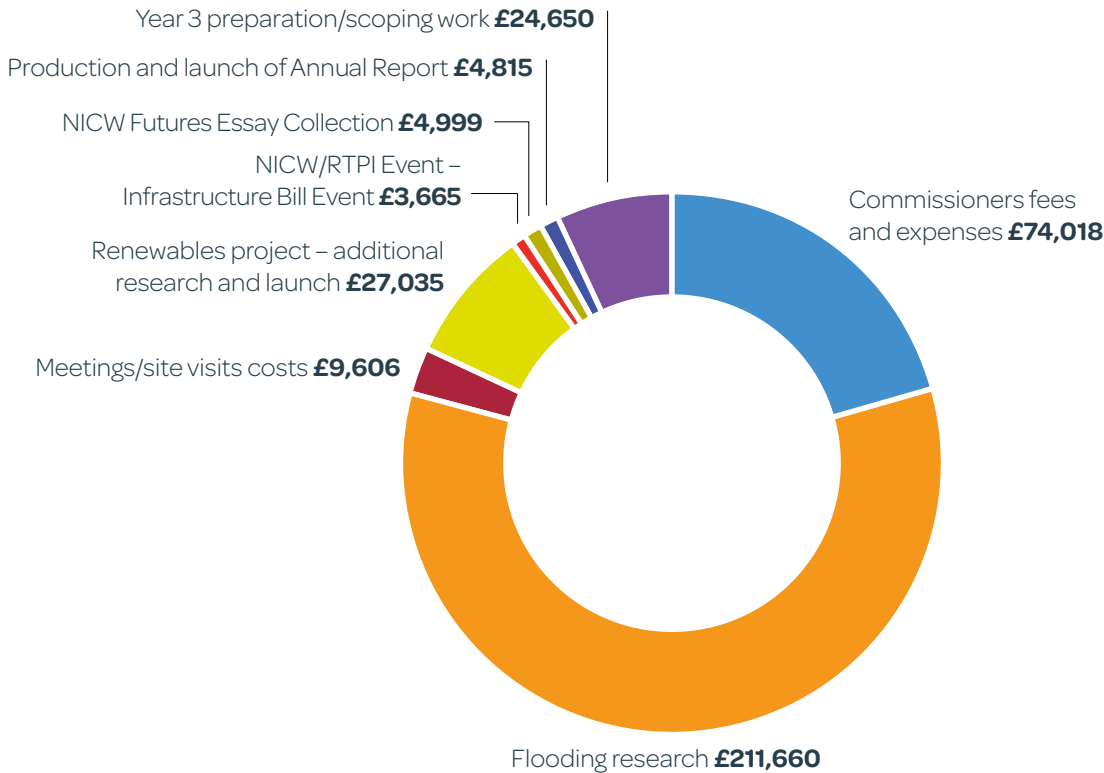
Our 2023/24 expenditure and 2024/25 budget

NICW is allocated a specific budget from the Welsh Government for it to deliver the work programme and to undertake research. We publish our intended areas of spend for transparency.

In 2023/24 of our £400,000 budget allocation, we spent approximately £360,500. The majority

of this was spent undertaking the flooding project research which is outlined in more detail below. This was spent primarily on the four research contracts and the incidentals associated with producing and publishing the report. We also undertook a scoping study to inform our Year 3 work on climate communication.

Figure 2: NICW Expenditure 2023/24

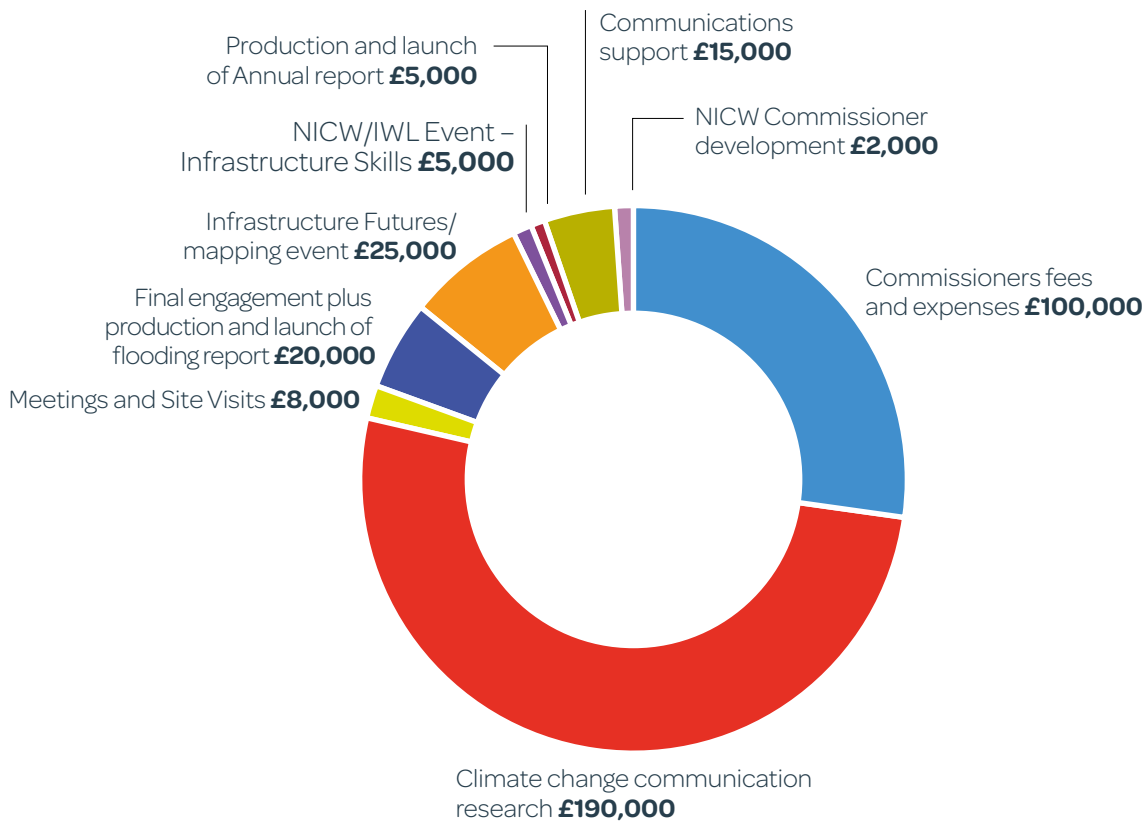


For 2024/25, and in recognition of the challenging state of public finances, we have been allocated a reduced budget of £370,000 by the Welsh Government. We have allocated over half of our budget to the climate communication research projects which are currently underway.

As with last year, we have been given a one-year budget settlement by the Welsh Government, with no guarantee that this will continue. However, we are confident that the delivery

of the renewable energy and flooding reports together with the other activity demonstrated in this report has shown that NICW can be effective with its work and will give us a strong platform for making a case for continued funding in the future. We are already thinking about our Year 4 work (see below) and hope to use this to assess the current key issues within the infrastructures sector to recommend a future work programme for NICW in the next Senedd term.

Figure 3: NICW budget 2024/25



Our 2022–2025 work programme

Renewable Energy: 2022/23

Lead Commissioners:

Aleena Khan and Nick Tune

Project update

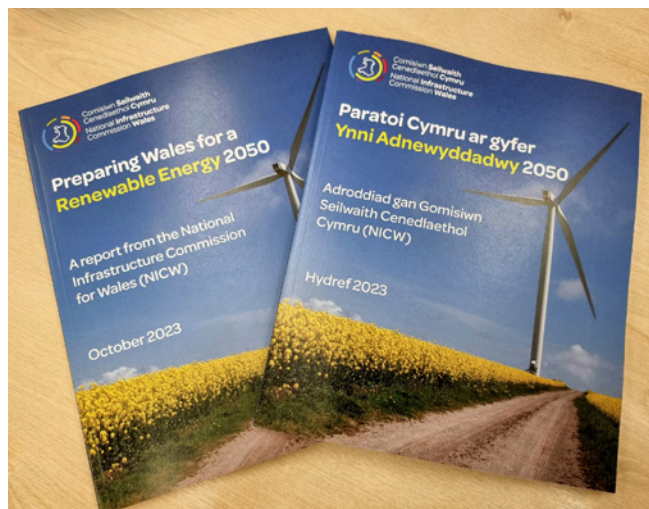
In October 2023 we published our first major report of this Commission, *Preparing Wales for a Renewable Energy 2050* which was the product of a large amount of work undertaken by us, our contractors, our Project Advisory Group and other stakeholders.

NICW made 11 recommendations for the Welsh Government, including:

- rapidly accelerate renewables in Wales by setting a clearer vision and action plan that business and communities can understand
- help communities own and share the benefits of local schemes
- update planning rules and building regulations
- use its influence with UK bodies to help solve problems with insufficient grid infrastructure
- ensure more of the economic benefits stay in Wales and benefit the people of Wales, including pooling of profits in a new sovereign wealth fund.

We continue to urge Welsh Government to seize the opportunity for renewable energy in Wales by:

- having higher expectations on community ownership in particular for all energy developments
- moving much more rapidly to reduce barriers to installing small-scale renewable energy through permitted development



Renewable energy report

- exploring the idea of ‘presumption of consent’ for community renewables
- rolling out pooled expertise to support more timely decision-making and consenting for projects.

Notwithstanding resource constraints within Welsh Government, we still believe that there is much more for Welsh Government to do to ensure that Wales becomes an attractive place to develop projects that deliver far more significant benefits to the people and communities of Wales. As with all our formal correspondence, our engagement with Welsh Government is available to view on our website.

We have written twice to Jo Stevens MP, Secretary of State for Wales, requesting a meeting on the issue of devolving the Crown Estate to Wales. We await the response of the UK Government with interest.

Flooding: 2023/24

Lead Commissioners:

Eurgain Powell and Eluned Parrott

Project update

On 17th October 2024, we published our second major report, this time on the topic of flooding. This was established in our remit by the 2021 Co-operation Agreement to assess how the impacts of flooding to homes, businesses and communities could be minimised by 2050.

Building Resilience to Flooding in Wales by 2050 presents 17 bold but practical recommendations for Welsh Ministers to future-proof Wales against the growing risks of flooding over the next 25 years. The report emphasises natural solutions, placing nature and community at the forefront of increasing Wales' resilience to flooding.

On the governance side, the report calls for the appointment of a Water Commissioner and the creation of a 30-year resilience strategy to drive Wales-wide, innovative flood solutions.

To boost awareness and skills, the report suggests integrating climate adaptation into Wales' school curriculums and providing flood resilience training at a regional level.



Flood report launch event



Our flooding report

We recommend a catchment-based approach that engages local communities directly in flood-related decisions using initiatives such as Citizen Juries and a new Water Resilience Forum.

To enhance funding and capacity, we recommend diversifying funding sources and introducing Welsh Government subsidies to help the homeowners in most need to invest in flood resilience measures.

We have already engaged with the relevant Welsh Minister on the recommendations in this report and have held proactive discussions with officials to help ensure that our report is received in a positive light. We look forward to being able to assist the Welsh Government and other organisations in implementing of our recommendations.

Climate Communications: 2024/25

Lead Commissioners: Helen Armstrong and Steve Brooks

Project overview

Our Year 3 work investigates how we communicate with communities who will be impacted by Climate Change. Last year we commissioned work to help us in scoping out the issues in this area. To aid in this work, we held a call for evidence to collect information and held several sessions as a Commission to identify where specific additional work could be undertaken to provide meaningful recommendations to the Welsh Government.

Project research

Our research programme this year is concentrated on two areas, each with a unique perspective on this issue:

Engaging Communities – School of International Futures

We identified that current Welsh Government policy on climate change issues will require people across all parts of society to be engaged in long-term thinking about climate change adaptation and its implications for infrastructure. We see community participation as a key component of enabling positive climate adaptation and infrastructure development for the long term.

The School of International Futures has been commissioned to co-design and test practical approaches that support diverse place-based communities in Wales to have conversations about climate adaptation and the long-term impacts on infrastructure.

Specific objectives include working within specific groups in the Grangetown area of Cardiff and:

- drawing on what works for participatory and futures methods for engaging diverse place-based communities in long term decision making
- using creative, participatory techniques to engage diverse citizens
- testing and capturing the learning for others
- making recommendations to NICW in line with its remit.

Amongst the outputs of this report, we hope to produce a toolkit for others in engaging with local communities.



Flood Risk Map for Cardiff shows the extent to which Grangetown will be affected in the future

Resilient Infrastructure – Arup

Our scoping led us to the conclusion that infrastructure providers and planners are not fully thinking about the next 60-70 years in terms of climate change impacts on infrastructure networks in Wales and that there is a need for improved future focused planning and delivery of infrastructure going forward.

In this project, we will review how climate change considerations within infrastructure planning and provision are considered from the perspective of both maintaining existing infrastructure (e.g. asset management approaches) and the development of new infrastructure.

Specifically, we will be looking at the following areas of infrastructure:

- health
- housing
- energy
- water and wastewater
- education
- transportation
- construction
- community facilities
- local and regional authorities.



Conwy Valley railway line washed away by Storm Ciara, 2020

After extensive engagement with infrastructure providers on how they take climate projections into account and how, if at all, they currently work together to address climate issues, this project will culminate in an educational workshop for infrastructure bodies, to bring them together to discuss what changes can be made.

In 2025 we plan to produce a report that makes recommendations to Welsh Ministers on how to help public bodies better engage and involve communities and the public in the response to the climate change emergency.

Year 4 work: A Futures Infrastructure Assessment

The Commission is aware that its current work programme and remit is coming to a close. We are working on the assumption that its work will continue in the future and a new remit will be set for it by an incoming Welsh Government in 2026.

In light of this, the Commission is looking to undertake a 'Year 4 / Final Year' piece of work with different infrastructure sectors on what is likely to be the major issues for the industry over the next 80 years. We will present the Welsh Government with these findings and recommend a work programme for NICW for the next Senedd term.

We believe that the use of 'Futures' techniques could play a much larger role in policy in Wales. We aim to use these techniques frequently in our work, including potentially a Futures Infrastructure Assessment to spark the conversation about Wales' needs for infrastructure for existing and future generations.

Commissioner reflections

Our Commissioners reflect on their second year in office and take a forward look at things to come.

Helen Armstrong



At the beginning of 2024 we received a scoping report from Cynnal Cymru which helped us understand the landscape of community engagement in infrastructure and resilience projects across the UK. Throughout the year the Commission's project examining flood resilience has been progressing, and the vision for a Flood Resilient Wales in 2050 was an

inspiration that helped us shape our work in our third year. During our trip to Borth in June we spoke to residents about the sea defences protecting their community; it gave us a real sense of how people are affected by rising sea levels and flooding from rivers, and how keen they are to have a say and take action to protect their communities.

This informed our project specification and following a tender process over the summer we appointed School of International Futures to carry out place-based research into ways of engaging people from underrepresented groups in

meaningful decision making about infrastructure in the light of climate change. Adaptation and resilience are key themes and is apt given the excessive rainfall we have experienced recently. With the oversight of a small project reference group, SOIF will explore creative and innovative ways of engaging communities, and we hope the results will inspire infrastructure providers and decision makers to better engage the public. I'm really excited about this piece of work and believe we will be able to apply the learning more widely, making an important contribution to how we do things in Wales.

Jen Baxter



This year has felt particularly important as the Commission begins to settle into a working

rhythm. We have developed a small but powerful strategy that allows us to deliver for the people of Wales. This year we have used our values and newly formed strategy to produce a radical new approach to managing flooding in Wales and from this co-created a programme of

work to understand existential risk and how local communities live with existential threat. These are all exciting projects that continue to educate us on the best ways to manage, maintain and renew infrastructure across Wales in a way that centred around people and the planet.

Steve Brooks



This year, we have marked 25 years of devolution in Wales. As I reflect on the progress we've made over the past two and a half decades, I am struck by some of the change we have seen. At the same time, I find myself pondering the future change we need, and how we will navigate the next chapter of Wales' evolution. Not so long ago, the impacts of living beyond our environmental limits were understood but felt some way off for many people. Working in international development, I knew that climate change was altering environments and impacting

livelihoods, particularly in the Global South. I was familiar with the long-term projections, but even for me the risk often felt distant, abstract even.

NICW is undertaking work that I am co-leading, which is dedicated to understanding the limitations and opportunities in our consideration of climate projections in infrastructure and spatial planning. This work is focused on engaging with infrastructure planners and providers to explore current practices, information sharing, and collaborative efforts. We are also looking at case studies of best practice from around the world, understanding how different countries are integrating climate projections into their planning processes. Our findings will be crucial in shaping recommendations for the Welsh Government, particularly in advising them on

how they should request climate advice in the future and how to plan strategically for Wales' infrastructure.

The report we are working on will explore the differences between predicted climate impacts and real-world data, and how these differences can influence infrastructure planning and provision. The aim is to better equip decision-makers to respond effectively to future challenges.

Creating that country where we do things differently requires all of us to step up and play our part. It demands that we acknowledge the barriers we face today, yet remain relentless in our efforts to overcome them. We all need to ask ourselves what we can do, both personally and professionally, to shape a more sustainable and resilient future for Wales.

David Clubb



Our efforts in the early years are yielding strong results in Commission activities. NICW is effectively meeting its objectives, adhering to both its official mandate and internal framework, which anchors our

discussions and decisions in the realms of nature, climate, and the commitment to improving conditions for Wales' most disadvantaged communities.

We are continually enhancing our internal capabilities, including through training in futures thinking, ensuring that we can anticipate and address the needs of future Welsh citizens, including those yet to be born, alongside the more immediate concerns of

Our collaboration with representatives across various infrastructure sectors highlights NICW's broader relevance within the industry. I am grateful for the support from these sectors, which has been invaluable in helping us achieve our primary objective: providing recommendations that challenge and guide the Welsh Government in its long-term infrastructure planning for Wales.

Aleena Khan



Today's radical policies are tomorrow's new standards. Year 2 provided an opportunity to reflect on our 'Preparing Wales for a Renewable Energy 2050' report published in 2023.

The report was forward thinking in its approach, highlighting the urgency of embracing radical actions now so that we can create a world where addressing climate change isn't extraordinary.

An experience which was particularly impactful this year was our Site Visit to Borth, where we were given the opportunity to hear from community members directly impacted by climate change.

It reinforced the importance of engaging with the local community to foster stronger & more resilient outcomes that truly reflect their, and future generations priorities & well-being. In the coming year, I look forward to contributing towards the Climate Communication – Engaging Communities project, which focuses on the interconnection between community engagement and futureproofing infrastructure.

Eluned Parrott



As one of the lead commissioners on this year's major project on Flood Resilience, this has been a year of discovery and reflection, but also gratitude to the many stakeholders and communities who have supported us on our journey.

The data is stark. 1 in 7 homes in Wales are already at risk of flooding, and this will increase rapidly as the effects of climate change become increasingly apparent. When you visit communities who are already living with this risk, the sense of anxiety is palpable. Flooding devastates lives. It removes that sense of security we all need to feel safe in our homes, and leaves people watching over their shoulders every time it rains. It takes a toll on mental and physical health for years to come, not just when the immediate danger of a flooding event is present.

On a personal level, I feel a deep sense of responsibility to these communities, to make sure their voices are heard and help to drive forward meaningful change. It has been deeply humbling to hear stories of personal anguish, but also to hear how people want to be active participants in building the resilience of their communities for the future. They are not content to wait passively for the next crisis, and neither must we be. As a society, we must be impatient to build a better future. The time to start is now.

Eurgain Powell



During our second year, Eluned and I have been busy working on our Flooding project. Working with a range of sector experts and stakeholders to deliver four research workstreams, exploring the challenges and opportunities identified in terms of a future vision, catchment

working, funding, resources and the role of land use planning. We are hugely grateful to all of those who have contributed to our work and were very pleased with our final report that we published in October, with 17 bold but practical solutions. We've had such a positive response to the report from the Deputy First Minister, NRW Flood Committee and the Flood and Coastal Erosion Committee, it does feel that our work sets out the path that we need to take to develop long-term resilience to our

changing climate with people and nature at the heart of our approach.

I've really enjoyed working with my fellow Commissioner to explore a variety of infrastructure issues, also visiting other areas of Wales and talking to a range of stakeholders about local challenges and opportunities. I've benefited from training on the UK Government's Futures Toolkit this year, and was pleased that we were able to apply futures methodologies in our Flooding work to develop a positive Vision of a resilient Wales in 2050.

Nick Tune



Having delivered our report 'Preparing Wales for a Renewable Energy 2050' in 2023, it's heartening to see some of recommendations

coming to fruition, such as the development of a national energy plan based on the work of the Local Energy Action Plans, and with the creation of the National Energy Systems Operator it is pleasing to see the drive for electricity grid that Wales needs, delivered at pace. With the implementation of the Infrastructure Bill, I very much hope that the consenting of renewable energy schemes in Wales will become streamlined,

however there is still an issue with the lack of skilled professionals to consent renewable energy schemes within the public sector.

Finally, I am very proud of my fellow commissioners' work on the flooding report, as it is so very timely and needed. We need to stop building in high-risk flooding zones and we need to prioritise green infrastructure solutions to manage flood risk into 2100.

Engagement/resources



You can email us at NationalInfrastructureCommissionforWales@gov.wales



You can telephone the Secretariat on **0300 025 5200/5040**.



You can check out our [LinkedIn](#) Page.

We maintain a register of our engagements online:

<https://nationalinfrastructurecommission.wales/about/>

Our new Remit Letter can be viewed here:

<https://nationalinfrastructurecommission.wales/wp-content/uploads/2022/04/NICW-remit-letter-2022.pdf>

Our updated Terms of Reference can be viewed here:

<https://nationalinfrastructurecommission.wales/wp-content/uploads/2022/04/NICW-Terms-of-Reference-2022-English.pdf>

Our register of interests can be viewed here:

<https://nationalinfrastructurecommission.wales/wp-content/uploads/2023/11/NICW-Register-of-Interests-v5.0-2nd-NICW.pdf>

Our meeting notes can be found here at:

<https://nationalinfrastructurecommission.wales/publications/>



Comisiwn **Seilwaith**
Cenedlaethol **Cymru**
National **Infrastructure**
Commission **Wales**

National Infrastructure Commission for Wales
Written Submission to CCEI Committee Inquiry on Flooding
January 2025

About

The National Infrastructure Commission for Wales (NICW) was established in 2018 as an independent, non-statutory, advisory body to Welsh Ministers. Its key purpose is to analyse, advise and make recommendations on Wales' longer term strategic economic and environmental infrastructure needs over a 5–80-year period. NICW conducts studies into Wales' most pressing infrastructure challenges and makes recommendations to the Welsh Government. The advice provided by NICW is impartial, strategic and forward looking in nature. NICW is accountable to the Welsh Ministers for the quality of its advice and recommendations and its use of public funding.

Building Resilience to Flooding in Wales by 2050 Report

The 2021 Co-operation Agreement states – “we will also ask the National Infrastructure Commission for Wales to conduct an assessment of how the nationwide likelihood of flooding of homes, businesses and infrastructure can be minimised by 2050”.

Scoping for the report began in December 2022. This highlighted gaps in existing research and thinking where NICW could make a useful contribution to current and future thinking. In Autumn 2023 research on four workstreams commenced. These included: developing a vision for flood management in Wales; examining strategic and spatial approaches to flood risk; investigating current resource levels and sources; and a review of the current land-use planning practices (including the collation of data).

This research was delivered by April 2024 and our final report was published in October 2024. This made 17 recommendations across four themes of: governance, structures and policy; collaboration, partnerships and community; funding and capacity; and awareness, skills and data.

We are awaiting the Welsh Government's formal response to our recommendations.

Our report and research did not specifically look at the response to specific storm events, as we were aware that other bodies have responsibilities to assess these and make improvements. However, NICW can provide the following information for the CCEI Committee's lines of inquiry.

Forecasting, Warning, and Alert Systems

Our report emphasises the importance of predictive data and early-warning systems as part of the vision for a flood-resilient Wales by 2050.

Our Vision highlights a future where today's emerging technology is used to support open and transparent access to data. This includes data-driven weather prediction models that provide real-time, hyper-localized forecasts of flood risks. Autonomous

machines are used to monitor water levels, the structural integrity of flood defences, and the performance of nature-based solutions.

Our recommendations on data include:

- enabling technological changes and early-warning systems to alert communities and businesses in areas of potential risk,
- setting up open data repositories for all public data, unless there are overriding reasons why this is not in the public interest.
- undertaking a review to identify how river health, biodiversity, and water quality information can be hosted in a central space and communicated/shared with communities and organisations across Wales.

Resilience of Infrastructure

Our report addresses the resilience of infrastructure to storm-related impacts, emphasizing the need for a comprehensive and integrated approach to enhance the resilience of various infrastructure systems, including water and sewerage systems, electricity distribution infrastructure, and transport networks.

The report emphasizes the need for long-term, sustained, and aligned planning to enhance the resilience of infrastructure. This involves developing strategic frameworks and policies for resilient land use planning and infrastructure development. Recommendations include extending and aligning the current Flood and Coastal Erosion Risk Management (FCERM) investment program, scaling up investment in natural flood management schemes, and exploring diverse funding sources to support infrastructure resilience.

Our 'Year 3' work on climate change communications is looking in more detail at infrastructure resilience, and our researchers are engaging with infrastructure organisations to ascertain the level of impact on the different infrastructure sectors.

Water and Sewerage Systems

The resilience of water and sewerage systems is a major concern. The report notes that these systems are often overwhelmed during severe storms, leading to significant disruptions and environmental hazards. Investment in upgrading and maintaining these systems is deemed essential.

The report highlights the RainScape initiative by Dŵr Cymru Welsh Water (DCWW) as an example of managing surface water and reducing sewer flooding. This involves separating rainwater from the existing system, slowing down its entry into the network, and redirecting it to local rivers and watercourses. It also emphasises nature-based solutions, such as swales, porous paving, and underground storage, to manage stormwater and reduce the burden on sewer systems.

Electricity Distribution Infrastructure

Electricity distribution infrastructure is vulnerable to storm impacts. We call for more robust and resilient infrastructure to withstand extreme weather events, including the reinforcement of power lines and the development of decentralized energy systems. The report envisions the use of emerging technology and predictive data to enhance the resilience of electricity distribution infrastructure.

The establishment of a Water Commissioner and a national flood resilience strategy aims to provide centralized leadership and coordination, ensuring that electricity distribution infrastructure is integrated into broader flood resilience planning.

Transport Networks

Transport networks, including roads and railways, are frequently disrupted by flooding and landslides. The report recommends strategic planning and investment in resilient infrastructure to ensure continuity of transport services during and after storm events.

Our specific research on strategic and spatial responses recommends developing a national flood and coastal erosion resilience strategy that includes transport networks. This strategy would prioritise investment in the most at-risk areas and ensure that transport infrastructure is resilient to storm-related impacts. Integrated catchment and coastal management approaches are highlighted as crucial for protecting transport networks from flooding and storm-related impacts. This includes collaboration between various stakeholders, such as government agencies, technical experts, and communities.

Impact on Communities and Role of Community and Third Sector Organisations

The report underscores the profound impact of flooding on communities, particularly in terms of displacement, economic loss, and mental health. Community and third sector organizations play a critical role in response and recovery efforts. Their involvement in planning and decision-making processes is highlighted as vital for building local resilience and ensuring effective response strategies.

We stress the need to involve communities in decision-making processes related to flooding. This includes promoting engagement through citizen assemblies or juries, fostering mutual engagement with clear communication, and empowering communities to actively contribute to resilience efforts.

Establishing community resilience groups by 2028 is recommended. These groups would focus on building capacity, raising awareness, and developing local-scale community flood resilience plans. They would be supported by a designated funding pot and a pool of technical engineers and flood specialists.

The report also highlights the importance of collaboration between various stakeholders, including third sector organizations, to enhance flood resilience. This includes leveraging the expertise and resources of non-governmental organizations to support community-led resilience initiatives.

Response of Public and Private Authorities

Our report recognises public and private for their efforts in managing flood risks and responding to storm events. However, the report identifies a need for better coordination and collaboration between these entities. It suggests that a unified approach, supported by clear communication and shared responsibilities, is essential for effective flood management, with the whole framework overseen by a Water Commissioner for Wales.

Document is Restricted



Climate Change, Environment, and Infrastructure Committee, Welsh Parliament: Inquiry on the impact of Storms Bert and Darragh

Met Office submission, 05 February 2025

Introduction

The Met Office is the UK's National Meteorological Service, operating as a Public Sector Research Establishment and an Executive Agency of the Department for Science, Innovation and Technology (DSIT). Through the Public Weather Service (PWS), we provide weather forecasts and warnings to help people stay safe and thrive.

During severe weather, we issue National Severe Weather Warnings, alerting the public to potential impacts from severe weather conditions. These warnings can be issued up to seven days in advance for rain, thunderstorms, wind, snow, lightning, ice, extreme heat, and fog.

Beyond short term weather, the Met Office Hadley Centre provides authoritative scientific advice to governments on climate variability and change. We also deliver a range of wider services and scientific research in key areas such as defence and security, international development, and transport.

Clarification of the role of the Met Office

- **What are its responsibilities?**

As the UK's National Meteorological Service, the Met Office has several key responsibilities. Through the Public Weather Service, we deliver weather forecasts and warnings to help people stay safe and thrive.

The Met Office is responsible for issuing weather warnings, which warn of impacts caused by severe weather through the National Severe Weather Warning Service ([NSWWS](#)). These warnings can be issued up to seven days in advance for various conditions, including rain, thunderstorms, wind, snow, lightning, ice, extreme heat, and fog, and are designed to let people, businesses, emergency responders and governments know what weather is in store and what the impacts of that weather may be.

In February 2023, we also became a Category 2 responder under the Civil Contingencies Act, formally recognising our well-established role in supporting the resilience community,

particularly in response to weather hazards. This work is undertaken by a team of Civil Contingency Advisors (CCAs) based across the UK – including in Wales – supporting local resilience forums (LRFs), emergency responders, and local governments. They provide detailed weather briefings based on local knowledge, participate in coordinating groups, and are often embedded in multi-agency resilience command centres. They also contribute to high-level government meetings during emergencies.

Our work requires close collaboration with partners such as Natural Resources Wales and the Environment Agency, including through our joint Flood Forecasting Centre, which serves England and Wales. We also work with various UK government departments, including Defra and the Cabinet Office.

- **How does the Met Office interact with Flood Forecasting Centre and Natural Resources Wales (NRW)**

The Flood Forecasting Centre was established in 2009 and is a strategic partnership between the Met Office and the Environment Agency. This collaboration combines meteorological and hydrological expertise to forecast river, tidal, and coastal flooding, as well as extreme rainfall that may lead to surface water flooding. The Flood Forecasting Centre operates from the Met Office's Services Operations Centre at Exeter Headquarters, allowing for seamless real-time collaboration. The Centre provides national flood forecasting and guidance services, supporting governments and emergency responders with accurate and timely flood risk assessments. In addition, both the FFC and the Met Office sit on the Defra led Flood Taskforce which includes participating in exercises to improve their collaborative response to weather-related challenges.

The Met Office works closely with Natural Resources Wales, supporting their work managing flood risks and taking action based on severe weather warnings. We provide automated feeds of weather data directly into Natural Resources Wales local models, ensuring accurate and timely information for decision-making. Daily communication between Natural Resources Wales and the Met Office, including a 24/7 direct line for urgent queries, ensures continuous coordination, especially during severe weather events. The Met Office also offers guidance and scenarios, adding human insights to complement model outputs, which helps Natural Resources Wales in planning and response activities.

Both organisations engage in joint training on products and services and engage through a Stakeholder User Group and a Joint Steering Group, providing seasonal briefings and support for LRF exercises. This continuous collaboration ensures that Natural Resources Wales and the Met Office can effectively manage and respond to weather-related issues, benefiting the communities they serve.

- **Is the current multi-level forecasting approach working for Wales?**

The Met Office operates a consistent UK-wide approach to weather forecasting but has different arrangements in place with different flooding partners. While it would not be appropriate for us to comment on the efficacy of the multi-level approach in Wales, we do work closely with partners including Natural Resources Wales and responder groups to ensure the Welsh Public can make the right decisions to stay safe and thrive.

We are dedicated to continuously assessing and improving services across the UK. One example of this is an ongoing project seeking to introduce a Common Warnings Framework in order to reduce any confusion and ambiguity in warnings. This initial phase covers weather and flood and aims to maintain a clear authoritative voice of government agencies. Actions to date include:

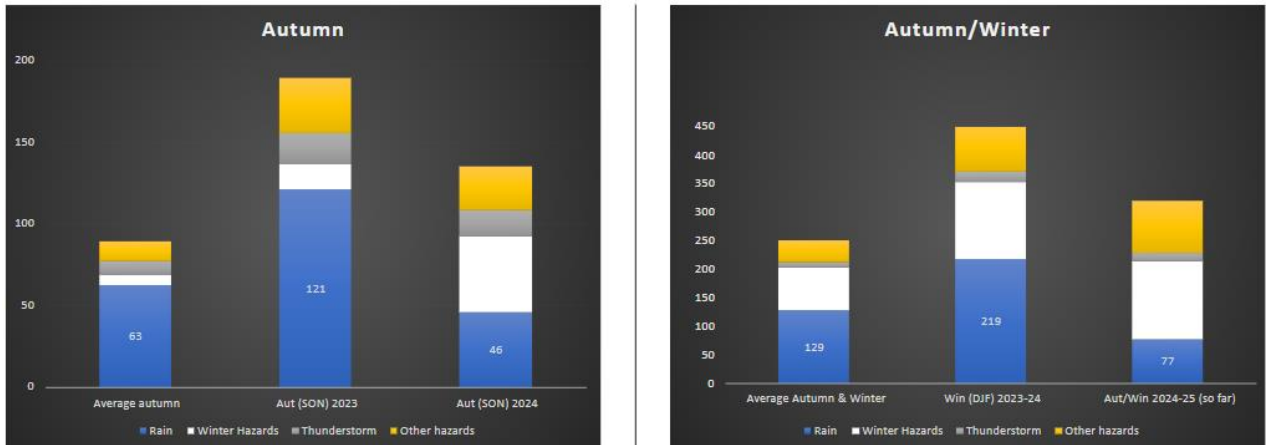
- Flood agency partners have agreed to work together to review and agree a standardised approach to risk assessment. There is evidence that unnecessary historical differences between applications of the 'risk matrix' used across services cause confusion and reduce their overall effectiveness.
- Flood agency partners have agreed to work together to review and agree a standardised language for existing products and agree standards for the future. Language used to describe impacts, likelihoods and risks are inconsistent across the services.
- Flood agency partners have agreed to identify and implement opportunities for standardised approaches to technical standards across our services with a focus on the Common Alerting Protocol (CAP), the recognised international standard for warnings information.

Methodology for weather warnings

- **What is the basis for weather warnings?**

The Met Office issues weather warnings based on a combination of the potential impact of the weather and the likelihood of those impacts occurring. These warnings are designed to inform the public, businesses, emergency responders, and governments about expected severe weather and its possible effects. We provide warnings up to seven days in advance for various weather conditions, including rain, thunderstorms, wind, snow, lightning, ice, extreme heat, and fog.

In any given year the total number of warnings issued will be dependent on the severity of the weather. On average, we issue around 500 warnings a year. Of this, around 60% are low impact, 38% medium impact and 2% high impact. While the total number of warnings may change, the number of days on which warnings are issued shows less variability.



Total number of warnings in Autumn and Autumn/Winter as an average and over the last two years

In addition to the NSWWS, the Met Office, in collaboration with Met Éireann and the Royal Netherlands Meteorological Institute (KNMI), also names storms that are expected to have significant impacts on the UK, Ireland, or the Netherlands. This initiative, known as "Name our Storms," it began in 2015 to improve communication and public awareness of severe weather events. The latest information about storms in the UK as they are named can be found: [UK Storm Centre - Met Office](#).

• **What relative weighting is given to likelihood and severity of impacts?**

The Met Office uses a matrix to determine the level of weather warnings based on two main factors: the severity of impacts and the likelihood of those impacts occurring. This matrix helps us systematically assess and communicate the potential risks associated with different weather events:

➤ **Severity of Impacts:**

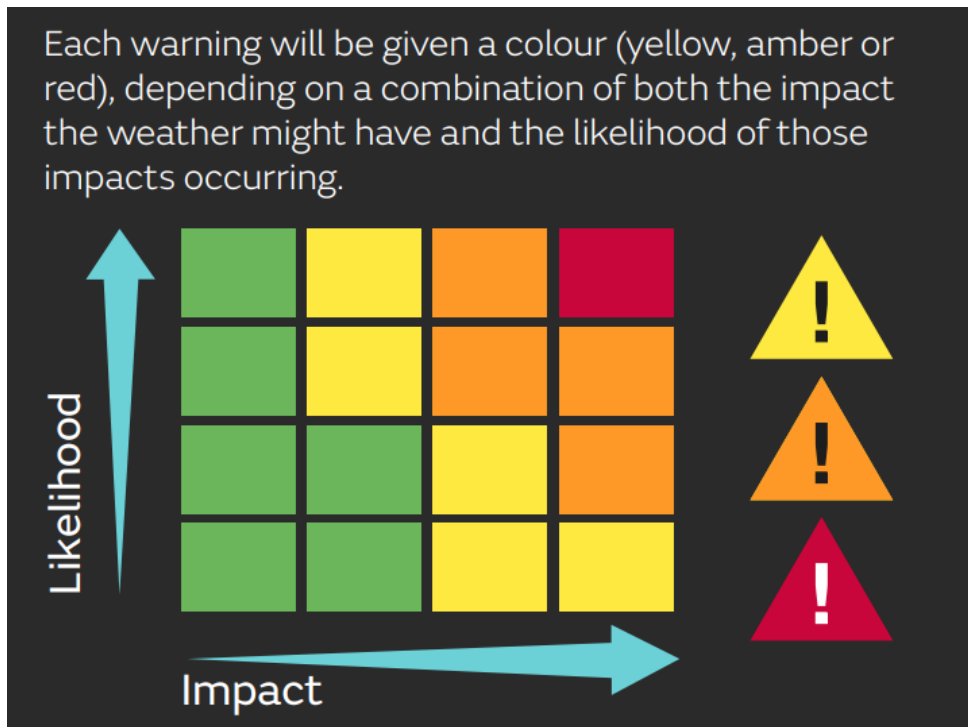
- **Low Impact:** Minor disruptions to daily life, such as light rain causing wet roads or mild winds that might affect outdoor activities.
- **Medium Impact:** More noticeable disruptions, such as moderate rainfall leading to localised flooding, or stronger winds causing minor damage to property and trees.
- **High Impact:** Significant disruptions, such as heavy rainfall causing widespread flooding, or very strong winds leading to extensive damage, power outages, and risks to life.

➤ **Likelihood of Impacts:**

- **Very Low Likelihood:** The event is unlikely to occur, but there is still a small chance.
- **Low Likelihood:** The event is possible but not expected to happen frequently.
- **Medium Likelihood:** The event has a fair chance of occurring.
- **High Likelihood:** The event is expected to occur with a high degree of certainty.

By combining these two factors in a matrix, we can determine the appropriate level of warning:

- **Yellow Warning:** Issued when the impacts are expected to be low to medium, with varying likelihoods. This means that while the weather may cause some disruptions, it is generally manageable, and people should be aware and prepared. High impact yellow warnings can also be issued when the weather could bring much more severe impacts to the majority of people but the certainty of those impacts occurring is much lower.
- **Amber Warning:** Issued when the impacts are expected to be medium to high. This indicates a more significant risk, and people should take action to protect themselves and their property.
- **Red Warning:** Issued when the impacts are expected to be high, with a high likelihood of occurring. This is the most severe level of warning, indicating a substantial risk to life and property, and requiring immediate action to ensure safety.



For example, if we expect a storm with heavy rainfall and strong winds, together with our partners we will assess the potential impacts (e.g. flooding, damage to buildings) and the likelihood of these impacts occurring. If the impacts are expected to be severe and the likelihood is high, we would issue a red warning. Conversely, if the impacts are moderate and the likelihood is medium, we might issue an amber warning.

This matrix approach ensures that our weather warnings are clear, consistent, and based on a thorough assessment of both the potential impacts and their likelihood, helping people and organisations to prepare and respond appropriately.

Met Office warnings are independently verified and verification meetings are routinely held to assess whether the Met Office's warning strategy and individual warnings provided 'Good Guidance'. Internally, we review what was known at the time, decision-making processes, and impacts from the event. Representatives include the Expert Weather Hub (those creating warnings), Civil Contingencies Advisors (those communicating with responders), and key internal stakeholders involved in the event. The outcome of the discussion is presented to the PWS Customer Group for a final decision on whether the warning strategy provided good guidance.

- **How was this methodology applied specifically for Storms Bert and Darragh in Wales?**

For Storm Bert, the methodology indicated a yellow warning due to the expected impacts and their likelihood. Ahead of the storm had been a relatively long dry spell for the time of year, which gave an opportunity for the ground to begin to dry, therefore despite the forecast indicating potential for heavy rainfall in some areas, the overall impacts were assessed as moderate.

In contrast, ahead of Storm Darragh the forecasts indicated extremely high winds and heavy rain, which posed a significant risk to life and property. The impacts were deemed severe, and the likelihood of these impacts occurring was very high. Wind was a significant concern, and so a red warning was issued for high winds across parts of Wales and southwest England during the morning of 6 December, alongside more widespread amber warnings for wind.

- **Why was a yellow warning given for Bert, and a red warning given for Darragh? Was a more precautionary approach taken following the impact of Storm Bert?**

A yellow warning was issued for Storm Bert due to the expected impacts and the available evidence at the time. The forecast indicated significant rainfall and strong winds, but the flood modelling did not support an upgrade to an amber or red warning. The yellow warning was deemed appropriate to indicate the potential for disruptive weather while maintaining

consistency with the impact assessments. Strong messaging and storm naming were used to highlight possible impacts and encourage precautionary actions.

In contrast, a red warning was issued for Storm Darragh due to the forecast extreme wind speeds and high likelihood of for life-threatening conditions and severe impacts. Wind gusts of 90 mph (144 km/h) or more were forecast for parts of Wales and southwest England, leading to significant disruption and potential danger to life. The red warning was necessary to ensure that the public and responders were adequately prepared for the severe impacts.

While both storms were complex multi-hazard events, the forecast impacts and likelihood of these occurring were different. We followed our best practices and assessed each event independently and the warnings reflected these differences.

- **How are these warnings and their basis communicated to relevant stakeholders in Wales?**

The Met Office has a UK-wide remit, and our services cover all the nations and regions of the UK. In terms of our services to the resilience community, we work with the UK Government, with the Devolved Governments and with local resilience groups, as is our role under the Civil Contingencies Act. For flooding we work closely with the responsible agencies in each nation, and have a key role in the structures, agreements and shared aims by which we all collaborate, such as the UK Flood Incident Leadership Group and the Common Warnings Framework.

Our warnings are communicated in a number of ways in order to ensure that members of the public, emergency responders and LRFs have access to vital information to make decisions and stay safe:

- **Public** – Warnings are communicated through our media partners (broadcast and print), across all of our social media channels, and through notifications on the Met Office app, by email, and through other devices such as Amazon Alexa and through European collaborations which allows warnings to reach Apple and android phones.
- **Responders and LRFs**– The Met Office has a network of Civil Contingency Advisors across the UK who engage at all levels of Government (UK / Devolved / Local) as well as with relevant agencies, local resilience forums and emergency responders ahead of and during severe weather events. Actions include but are not limited to:
 - Proactive advisory emails to LRFs in every region, and attending telecons in advance and during severe weather, including Pre-Event Assessment Telecons, Flood Advisory Service telecons, Tactical Co-ordination Groups, Strategic Co-ordination Groups and occasionally comms groups. In Wales, the advisory emails

are also sent to Welsh Government, and in Scotland they will include Scottish Government. Representatives from these Governments may also be in the telecons.

- Senior CCAs send advisory emails to COBR Unit normally when we reach medium impact YELLOW warnings or when we can see something potentially more severe on the horizon. These advisory emails can also be accompanied by a phone conversation. If there is a likelihood of escalation to AMBER warnings then we will also message across Government which reaches many Lead Government Departments (LGDs) including MHCLG, DSIT, DCMS, DEFRA, DfT, UKHSA, DHSC and DESNZ.
- In response to severe weather, there may be national telecons set up and the Senior CCAs will brief into these. These telecons include the Winter Resilience Network, Scottish Government Resilience Room, National Flood Advisory Service (Wales), Wales Civil Contingencies Committee, DEFRA LGD or National Flood Response Centre, and COBR, all of which have representatives from most LGDs.

- **The First Minister of Wales said that conversations took place between the Met Office/ Natural Resources Wales and the Welsh Government after Storm Bert to discuss the warning framework. What were the outcomes of this meeting?**

A short roundtable meeting was held immediately after Storm Bert between the Met Office, Welsh Government and NRW. The discussions were centred around the immediate impacts of the storm, including an overview of the forecast, observed impacts and how the different agencies worked together both ahead of, and during the event. A similar meeting was also held shortly after Storm Darragh. We welcomed both discussions and would welcome the opportunity for further post-event discussions with the Welsh Government in the future.

Wider climate perspective

- **Are the models used for forecasting still fit for purpose in a changing climate?**

Yes. From a weather modelling perspective, our current systems integrate real-time observation data with an understanding of the physical processes of the atmosphere to generate forecasts. This integration allows us to create accurate and reliable weather predictions. The Met Office uses advanced Numerical Weather Prediction (NWP) models, such as the Unified Model, which is highly configurable for meteorological prediction across various timescales, from short-term weather forecasts to long-term climate projections. This model is regularly updated to incorporate the latest scientific research and technological advancements.

The Met Office employs high-resolution models that provide detailed forecasts. For example, the UKV model has a high-resolution inner domain with 1.5 km grid boxes, allowing for precise predictions of localised weather.

Ensemble forecasting techniques are used to address uncertainties in weather predictions. By running multiple simulations with slightly varied initial conditions, the Met Office can provide a range of possible outcomes and their probabilities, enhancing the reliability of forecasts. This approach helps in understanding the range of potential weather scenarios and their likelihoods. The models integrate real-time observation data from various sources, including satellites, weather stations, and radar systems. This continuous data feed ensures that the models reflect the most current atmospheric conditions. The integration of real-time data is essential for maintaining the accuracy and relevance of weather forecasts. The models account for climate change by incorporating the physical laws that govern the atmosphere. As global temperatures rise and weather patterns shift, the models are adjusted to reflect these changes, ensuring that weather forecasts remain accurate and relevant.

This adaptation is crucial for predicting weather in the context of a changing climate. For example, in July 2022 Met Office models were able to accurately forecast a record-breaking UK heatwave – which saw UK temperatures breach 40°C for the first time – two weeks in advance. This allowed us to rapidly engage across governments, the wider public sector, LRFs and industry to drive pre-emptive action ahead of the heatwave.

In the context of flood forecasting, the introduction of ensemble forecasting could provide real value. There could be an opportunity for the Met Office to work with our partners to ensure the value of ensemble modelling flows all the way through the chain to better quantify uncertainty in meteorological, hydrological and impact forecasting, then ultimately warnings and alerts.

The Met Office continuously validates and improves its models based on real-world observations and feedback. This iterative process helps maintain the accuracy and reliability of weather forecasts. By regularly updating and refining the models, the Met Office ensures that they remain robust and adaptable to new challenges.

- **How has frequency and intensity of extreme weather events changed over time, and what are the predictions for how this will change in future?**

Although rainfall observations show large variability in annual, seasonal and decadal rainfall, it has generally become wetter, particularly during winter.

Climate projections indicate that on average, winters will become wetter and summers drier, though natural variability will mean we will continue to see individual years that don't follow this trend.

As our atmosphere warms it can hold more moisture, roughly 7% more per 1°C of warming. This can lead to more intense and frequent downpours. In autumn, the UK will likely see more days with rainfall totals over 50mm, particularly for western areas of the UK. For summer, despite an overall drying trend, there will likely be future increases in the intensity of heavy summer rainfall events (see 'Intense rainfall from thunderstorms' section).

In the UK, a recent [attribution study](#) has shown that climate change has made rainfall during storms more intense through the autumn and winter. The report found that the UK rainfall in the winter season of 2023-24 was 20% more intense due to human-caused climate change. A Met Office [review](#) of the UK's climate in 2024 also found that last year was relatively wet, with 7% more rainfall than average, making it the UK's 17th wettest in a series going back to 1836. The review also highlighted that the winter half-year from October 2023 to March 2024 was the wettest on record for both England and Wales, including in the long-running [England and Wales Precipitation series \(EWP\)](#), which dates back to 1766.

This trend is expected to increase further in a warming climate, however it is important to note that there are other factors that contribute to flooding, such as land use, local hydrology and preceding conditions.

Further reading/ references

[Weather warnings guide - Met Office](#)

[Flood Forecasting - Met Office](#)

[Advances in flood forecasting – The Environment Agency / Met Office ...](#)

[Natural Resources Wales / Flood risk management annual report 2023 to 2024](#)

[Met Office: Rain Gauge \(3rd Party Data\) - metadata.naturalresources.wales](#)

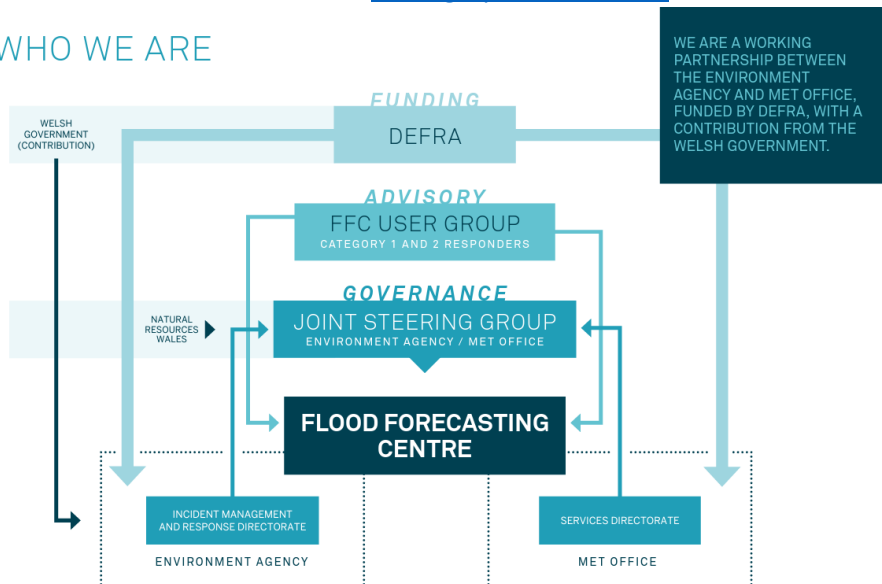
Overview of the Flood Forecasting Centre (FFC) January 2025

Introduction

- The FFC is a long-term strategic partnership between the Environment Agency and the Met Office supporting national flood resilience in a changing climate
- The FFC brings together the meteorological expertise of the MO and the hydrological expertise of the EA, creating a team of specialist hydrometeorologists working 24/7
- With this experienced and professional team in one national centre, the FFC provides flood guidance and outlooks to the Category 1 and 2 emergency response community in England and Wales
- The FFC is largely funded by Defra with a funding contribution from Welsh Government via funding to NRW
- The FFC helps maintain and improve national flood models and systems, working closely with institutions across the country and promoting and sharing best practice around the world
- As an established centre of 15 years, we are working hard to develop career paths into and through the FFC for a more diverse group of individuals, in an increasingly global marketplace

Who we are and our Governance [Strategic plan 2021-2024](#)

WHO WE ARE



Our Goal and Purpose [FFC Website](#)

Our goal is to ensure that the FFC clearly contributes to National Resilience. We do this by undertaking flood forecasting and sharing our risk assessments in the form of flood guidance and flood outlooks. We operate under the Flood and Water Management Act 2010 and the Civil Contingencies Act 2004. We need to continually evolve our services to maximise their value to responders as flood risk continues to increase across the country.



Operational working

- The FFC produces a daily Flood Guidance Statement (FGS) which provides a summary of flood risk from all natural sources out to five days for emergency responders; this is a collaborative service with the Met Office, Environment Agency and Natural Resources Wales (NRW) Local Forecast Centres
- We provide scenarios each day to inform planning for Flood Alerts and Warnings to the public in England and Wales by the Environment Agency and Natural Resources Wales, and work closely with the Met Office to co-ordinate information with National Weather Warnings
- We issue two public 5-day forecasts each day, based on Open Data from the Flood Guidance Statement, available via the EA's webpages on [.GOV.UK](https://www.gov.uk) and on [NRW's website](#) (in Welsh and English)
- The Flood Outlook provides a flood forecast for the coming month in England and Wales. It is issued twice a month and is now available widely on the Cabinet Office's Resilience Direct and the Met Office's Hazard Manager Systems

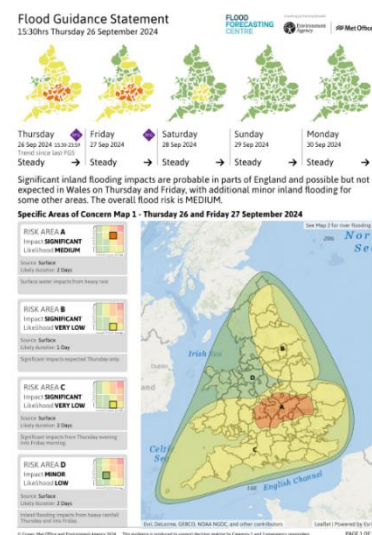
The FFC also provide the following to Wales

- Business Reporting – annual and quarterly reporting including FFC scorecard and monthly stats
- Post Event Reporting Summaries
- FFC User Group which includes Wales representatives
- Business Planning including finance and Shared Service Schedule co-ordination
- Strategic Delivery Plan
- Whole Centre Planning framework
- Improvements programme

These services are underpinned by the EA-Met Office Memorandum of Agreement (MoA).

Improvement, Training and Engagement Work

- Between May and September 2024, the FFC ran a trial Rapid Flood Guidance service with the aim of providing short notice flooding updates to the responder community in England and Wales
- Early results from the trial are incredibly positive. Further research will inform future of the service for 2025 and beyond
- The RFG trial is part of the Surface Water Flood Forecasting Improvement Project, a 3-year SR21 funded initiative, completing in March 2025
- Outside of flood incidents the team support seasonal readiness campaigns, wider training and flood exercises, visits to the FFC and Open Days
- As part of our mission to continually evolve our services, we are undertaking a project to make more use of our forecasts in the digital world, opening up services and offering more value (the Digital FGS project).



Standing and Impact

- The FFC is regarded as a world-leading in its field of expertise sharing learning and experiences worldwide
- The FFC has helped transform flooding response from reactive to proactive benefiting at-risk communities
- Recent research (2024) reported almost 85% of FFC service users were satisfied with the services they had received from the FFC over the previous two years
- Infrastructure providers (e.g. Utilities companies and National Highways) use our flood forecasts to deploy their own mitigation measures, increasing resilience of their networks
- This balance of operational and improvement work brings proven benefits in service provision, customer satisfaction, staff retention and development

22-25 November 2024

FFC Post Event Summary: Storm Bert

Introduction

The aims of this report are as follows:

- summarise flood risk from Storm Bert
- describe the conditions and flood guidance issued and verification of the events
- highlight learning points from an England and Wales flood forecasting perspective
- utilise contextual information from parent organisations

The language and definitions used (e.g. for flood impacts) follows those in the Flood Guidance Statement ([FGS User Guide](#) (FFC 2022)).

Summary

Storm Bert, the second named storm of the season, brought widespread heavy rainfall, strong winds and snowfall across England and Wales. Parts of South Wales and Dartmoor received over 150mm of rainfall. The 23 November was the wettest calendar day in the UK since 3 October 2020 and 12th wettest day in the UK series from 1891. Storm Bert followed a marked cold spell, with snow accumulations remaining up to the arrival of the storm. Prior to Storm Bert, river flows were normal or above normal for the time of year in South Wales and were notably to exceptionally high in most parts of the South of England and the Midlands, despite a dry October and second half of September. Parts of the South of England, the Midlands, West Yorkshire and South East Wales experienced significant inland flooding following a combination of snowmelt and heavy rainfall.

Whilst the Flood Outlook did not indicate an increased likelihood of flooding for this period, the text did state “Local river and surface water flooding impacts are possible across south and central England and Wales should persistent rainfall occur in mid to late November”. The Flood Guidance Statement first identified the risk of significant flooding on Wednesday 20 November, providing 4 days lead time for much of Wales and parts of the North and West of England. The overall flood risk moved up to MEDIUM (Significant Impacts, Amber) for parts of South Wales and the West Midlands on the day of the flooding, following an increase in the likelihood of the significant impacts, largely based on observations. However, for parts of the East Midlands, only minor river flooding impacts were forecast until the day of the flooding, when a change in the flood risk assessment led to a short notice escalation to significant flooding impacts and a MEDIUM (Significant Impacts, Amber) overall flood risk. A number of learning points have been identified and will be progressed. These are described at the end of this report.

Weather Forecast

Storm Bert, a deep Atlantic low pressure system (Figure 1), was a multi-hazard storm which brought heavy rainfall, strong winds and snowfall across England and Wales between the 22 and 25 November.

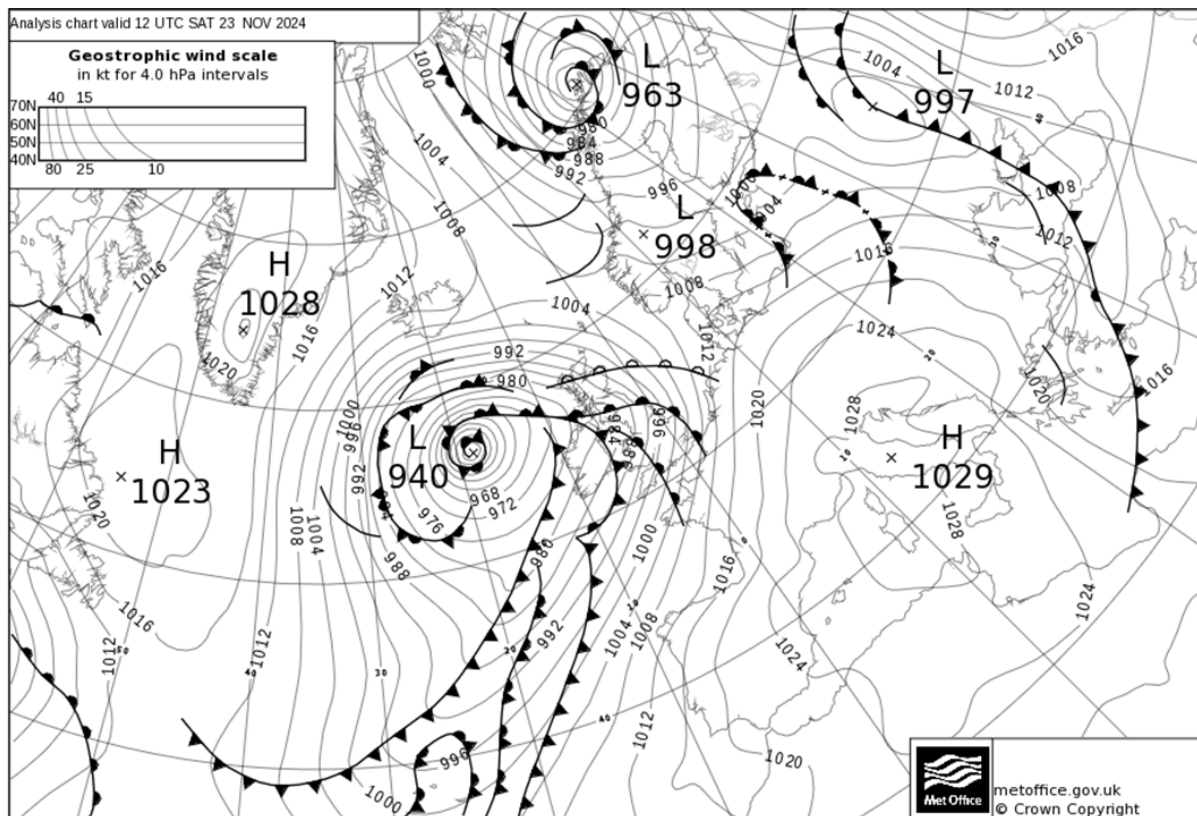


Figure 1: Met Office Analysis Chart at 1200 GMT Saturday 23 November 2024

Some lying snow was present ahead of Storm Bert, with further transient snow on the leading edge of the storm across Wales and the North of England. This initial snow soon transitioned to rain with any lying snow soon melting.

Widespread 40-60 mm of rainfall was observed over a 3 day period across most of England and Wales. Upland areas in England and Wales received over 100 mm of rainfall, with parts of South Wales and Dartmoor receiving well over 150 mm (Figure 2).

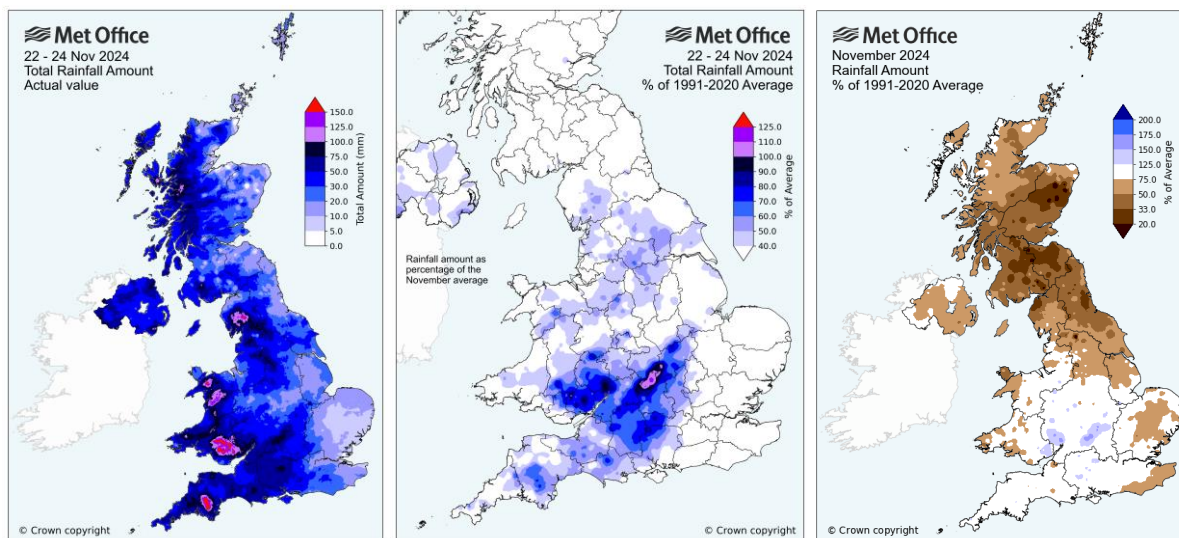


Figure 2: 3 day total rainfall accumulations from Storm Bert (left), 3 day total rainfall amount as a percentage of 1991-2020 average (middle), and November 2024 rainfall amount as percentage of 1991-2020 Average (right), (Met Office data).

The potential for widespread impactful weather over the weekend of the 23 and 24 November was communicated well in advance through the provision of Best Estimate (BE) and Reasonable Worst Case (RWC) rainfall scenarios to Natural Resources Wales and the Environment Agency. The RWC scenario for South Wales issued on Wednesday 20 November, catered for accumulations above 100mm across the high ground, with isolated maximums of more than 150mm (Figure 3). This initial RWC forecast turned out to be very close to the total observed rainfall, even at 4 days lead time.

The Hydromet Guidance issued to NRW alongside the BE and RWC rainfall scenarios signalled the uncertainties in rainfall intensities and amounts due to the timing of the cold front clearance during Sunday 24th November, with this uncertainty signalled in the guidance issued on Friday 22nd and Saturday 23rd November. For example, the morning issue of Hydromet Guidance on 23rd November stated, "The main uncertainty is the detail of the embedded convection on the cold front tonight and Sunday morning and any potential wave development which could act to slow the clearance somewhat".

Within this overall forecast, rainfall intensities towards the end of the forecast period were observed as high (circa 22mm-32mm/hr). This highlights the potential importance of understanding the rainfall profile and may account for the rapid rate of river rise reported in some catchments. Improved rainfall forecasting capabilities capturing such details would likely highlight potential tipping points in flood forecasting. These rainfall profiles are not uncommon, with an example being prolonged frontal rainfall followed by a period of intense 'line convection'. Broad subjective interpretations of rainfall are unable to resolve this sort of detail which can make the difference between minor, and significant or even severe flooding.

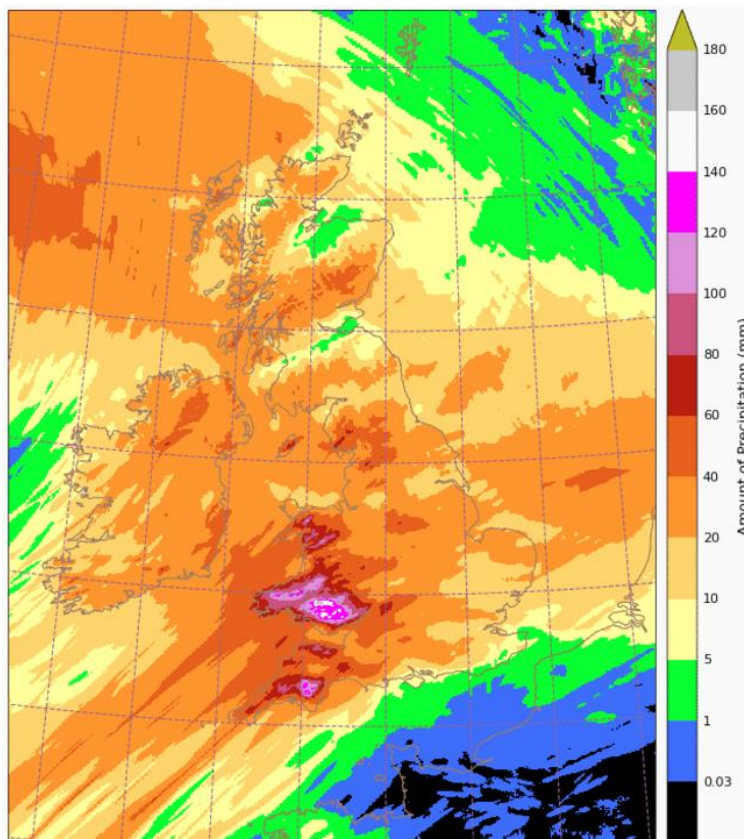


Figure 3: RWC rainfall for Wales issued on Wednesday 20 November (24hr accumulation at 0600GMT Sunday 24 November, from the UKV 1500GMT 19 November).

In the period between the 20 November and the 23 November there was considerable variation in the spatial and temporal detail in the model, as is typical when considering a county scale forecast. However, the RWC rainfall scenario was broadly consistent for South Wales throughout this period, maintaining the raised awareness of the potential for impactful rain and supporting the assessment for significant flooding impacts under the RWC. Further escalation of the flood risk to medium or high likelihood of significant impacts (Amber) was not deemed possible until 24 November, when it was escalated based on rapid rate of river rise and observed impacts, the RWC scenario was effective in maintaining a steady assessment for the potential for significant impacts, which was communicated to the responder community with good lead time through the FGS.

Flood Guidance Statement (FGS)

Significant flooding impacts were first identified on the FGS on Wednesday 20 November, providing 4 days lead time for much of Wales and parts of the north and west of England (Figure 4).

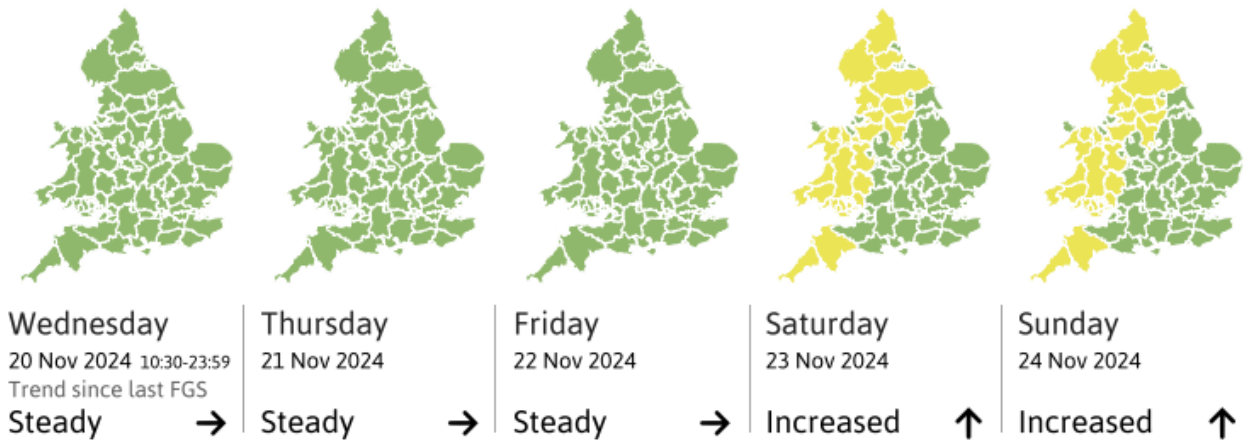
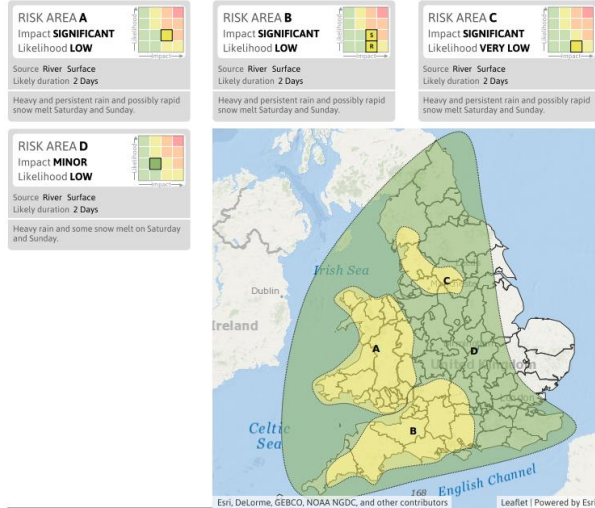


Figure 4: FGS headline maps from Wednesday 20 November

A consistent narrative around the LOW (Significant Impact, Yellow) overall flood risk was maintained as the flood event drew closer, with significant impacts forecast under the RWC scenario. Some geographical changes were made to the areas at risk in the FGS issued on Friday 22 November and Saturday 23 November, including an eastward extension of the risk in the South West of England and a refinement of the risk in the North of England to parts of Lancashire, Greater Manchester, South Yorkshire and southern parts of Cumbria (Figure 5). For many central parts of England, including the East Midlands, flooding impacts were assessed as minor at low likelihood, giving an overall VERY LOW (Green) flood risk. The following sections detail the local escalations to MEDIUM (Significant Impacts, Amber) flood risk.

Specific Areas of Concern Map 1 - Saturday 23 and Sunday 24 November 2024



Specific Areas of Concern Map 1 - Saturday 23 and Sunday 24 November 2024

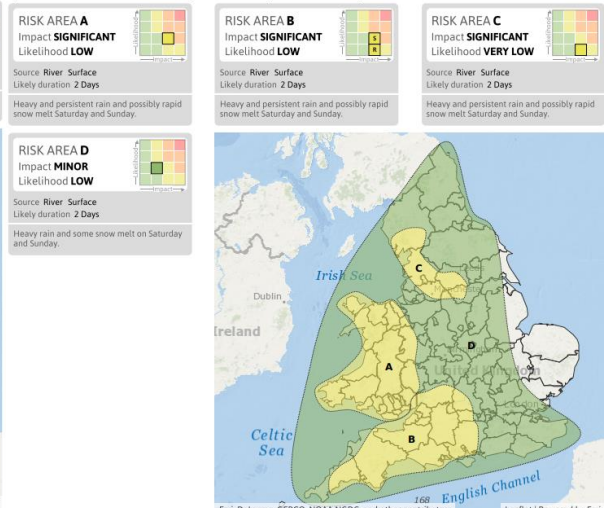


Figure 5: Specific Areas of Concern Map from FGS issued on Friday 22 November (left) and Saturday 23 November (right)

South Wales

Following rising river levels in parts of South East Wales, observed impacts and the potential for further significant impacts, the overall flood risk was escalated to MEDIUM (Significant

Impacts, Amber) on Sunday 24 November (Figure 6 left image). This was a change on the Flood Risk Matrix from low likelihood of significant impacts to a high likelihood of significant impacts for parts of South East Wales. This is shown on a Flood Risk Matrix in Figure 7.

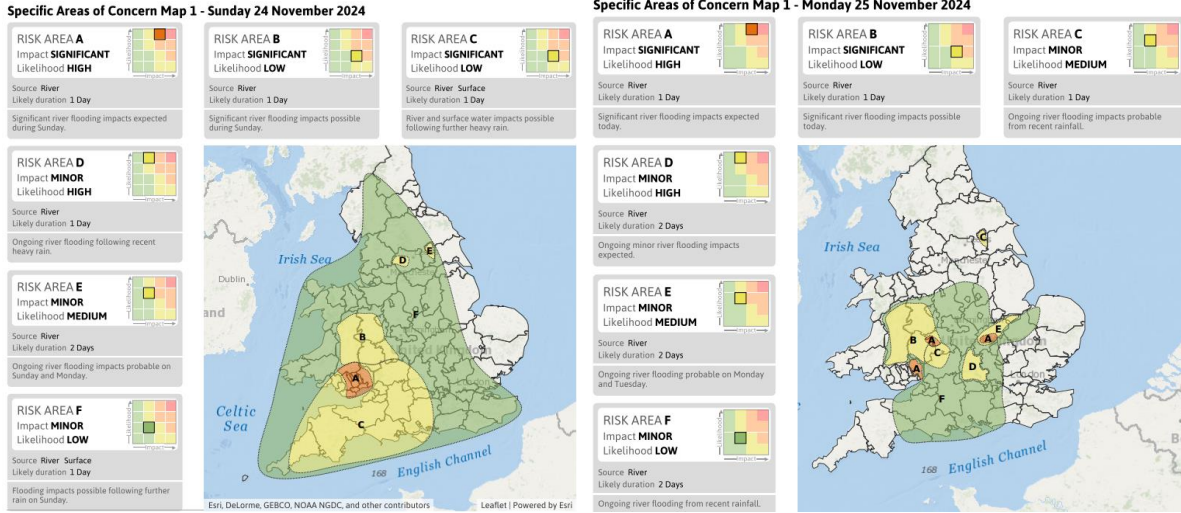


Figure 6: Specific Areas of Concern Map from the FGS issued on Sunday 24 November (left) and from the FGS on Monday 25 November (right)

The potential for severe flooding impacts was first considered on the 20 November, and reviewed routinely after that, with agreement across the forecasting partner organisations for significant flooding impacts under the RWC Scenario.

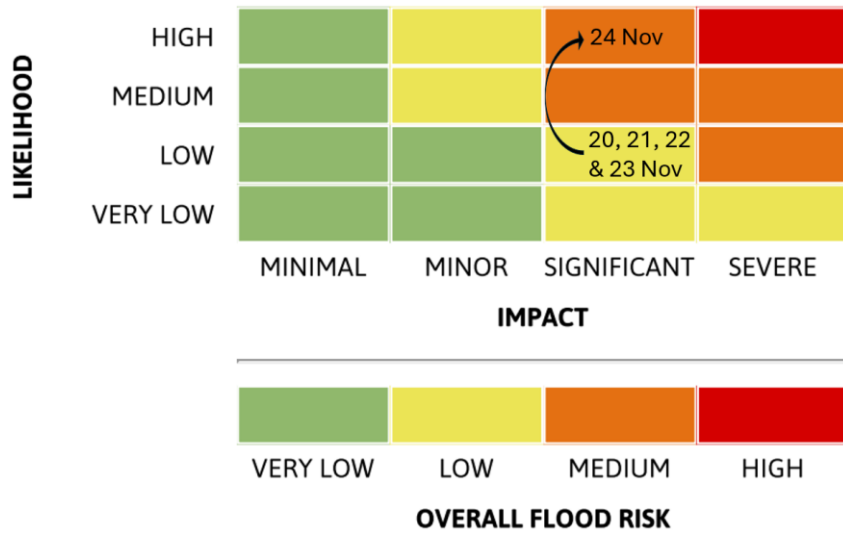


Figure 7: Flood Risk Matrix showing the consistency in flood risk assessment for South East Wales in the lead up to Storm Bert and the escalation on 24 November.

West Midlands

On the afternoon of Sunday 24 November the overall flood risk for the River Teme through parts of Herefordshire, Shropshire and Gloucestershire was increased from LOW (Significant Impacts, Yellow) to MEDIUM (Significant Impacts, Amber) with an increase in the likelihood of significant flooding impacts from low to high. Significant impacts were forecast for this area with 4 days lead time.

East Midlands

A short notice escalation in the flood risk assessment was seen in Northamptonshire for flooding from the River Nene. Ahead of the flooding, the overall flood risk was assessed as VERY LOW (Minor Impacts, Green), with a low likelihood of minor river flooding impacts consistently messaged from Wednesday 20 November onwards. Local forecasts suggested the Northampton Washland reservoir would be close to full under the RWC rainfall scenario, however, any flooding impacts were expected to be isolated. In reality the washland reservoir exceeded capacity and a Severe Flood Warning was then issued by the Environment Agency on 25 November for the Billings Aquadrome Residential Caravan Park. This was reflected on the FGS with a high likelihood of significant river flooding impacts for Northamptonshire on 25 November (Figure 6 right image).

Flooding Impacts and FGS Verification

Significant river and surface water flooding impacts were reported across Wales and England between 23 and 25 November. These are provided at a county scale in Figure 8. Impacts included flooding of properties (including caravan sites) and businesses as well as major disruption to the transport network, with flooding of inter-city rail links and the motorway network.

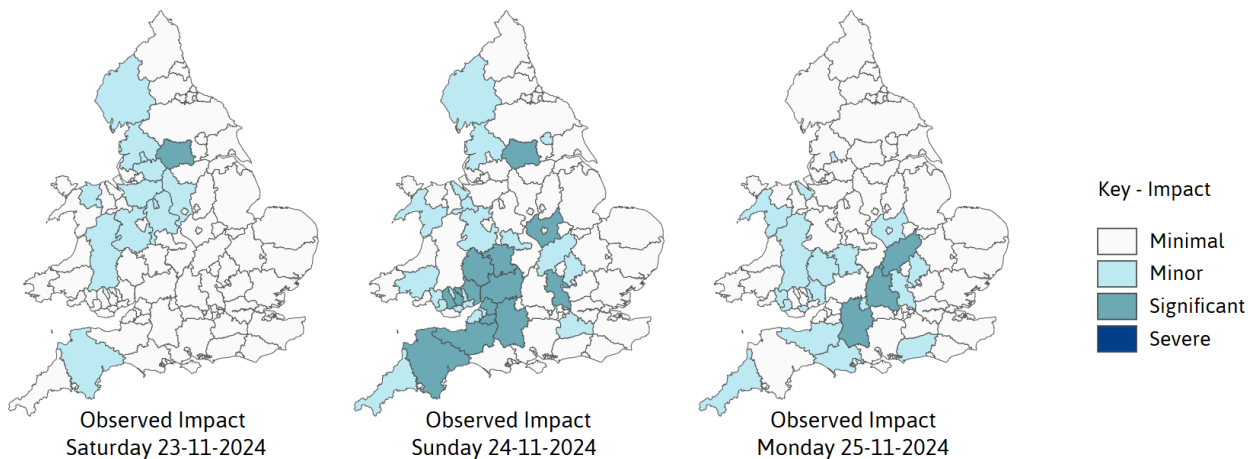


Figure 8: Observed flooding impacts by county between 23-25 November 2024

Flooded property numbers for the worst affected communities are listed below (note numbers are the best available at the time of writing):

- 600 at Billing Aquadrome, Northamptonshire (pictured in Figure 11)
- 311 in Pontypridd, Rhondda Cynon Taf (pictured in Figure 9)
- 114 in Chippenham, Wiltshire
- 100 in Yate, Gloucestershire

FLOOD FORECASTING CENTRE

A working partnership between



- 105 in Blaenau Gwent
- 89 in Monmouthshire
- 50 in Calderdale (14 of which in Todmorden), West Yorkshire
- 28 in Tenbury Wells, Worcestershire (pictured in Figure 10)
- 28 across Devon



Figure 9: Flooding in Pontypridd, Rhondda Cynon Taf ⁱⁱ

28 properties flooded at Tenbury Wells, Worcestershire, due to a wall collapsing as the Kyre Brook levels rose (Figure 10).



Figure 10: Flooding at Tenbury Wells ⁱⁱⁱ

Approximately 600 hundred properties flooded at Billing Aquadrome, Northamptonshire (Figure 11), with around 1,000 people evacuated.



Figure 11: River flooding at Billing Aquadrome ^{iv}

Learning Points Identified

The following learning points have been identified:

1. **Best Rainfall Forecasts** – Whilst the full rainfall forecast is available at the FFC, neither NRW nor the EA are making best and full use of the information available in the local assessment of risk. BE and RWC rainfall scenarios are provided manually to NRW. EA services have moved to a data-led approach, meaning FFC rainfall scenarios are directly uploaded to EA river models through the EA's Incident Management Forecasting System (IMFS). Services to NRW remain the same as those provided to the EA prior to IMFS, requiring more subjective human interpretation to translate static rainfall numbers into suitable inputs for river models. Improvements would provide significant time efficiencies for forecasters and more confidence that the RWC rainfall inputs to local river models were more realistically representing the spatial and temporal detail of the forecast rain. More specifically, the most skilful rainfall forecasts should be used to drive flood forecasting models, capturing the details and the uncertainties (ensembles), and we should look to collectively identify how these can be applied to operational models quickly. This event provides a good operational case study to investigate the benefits and help make the case for the necessary investment.
2. **Flood Risk Communications** - Whilst observed flooding impacts matched forecast RWC impacts in many of the worst affected areas, the forecast likelihood of those impacts meant the overall risk remained LOW/Yellow. Whilst well practiced incident management processes and briefings meant the responder community was aware of the impact assessment, further work is required on the Flood Risk Matrix to address the tendency for some users to act primarily on the FGS colour/overall flood risk (rather than the full risk assessment and position in the matrix which overlooks that a 'yellow FGS' can represent three distinctly risk scenarios (medium or minimum, low of sig, to very low severe impacts)).



3. **Improve shared understanding of operational forecasting and warning services and ways of working** related to FGS feedback, by re-establishing training and shadowing opportunities for Hydrometeorologists and Monitoring and Forecasting Duty Officers. Shared understanding will improve consistency and awareness of decisions feeding into the operational calls with MFDOs. This should be two way and highlights that all FFC Hydrometeorologists should have the opportunity to shadow MFDOs and spend a period of time with Area teams during the first 12-24 months in the FFC.

4. **Caravan Parks** – There was some confusion in terms of the risk assessment process for the different types of caravan parks at risk of flooding, whether permanent/temporary and how best to communicate risks clearly and consistently across forecasting teams and to responders would be a good development of the service as these areas often appear prone to frequent flooding.

Notes and Contacts:

This report was produced with contributions from the Environment Agency, Met Office and Natural Resources Wales from information available at the time and is subject to change. Much of the data contained is from live observation systems and has not been quality controlled. More detailed local information may emerge post event which may update that currently available nationally.

For more information on this national overview contact the FFC.

FFC contact: Duty Hydrometeorologist

Telephone: 0330 125 4400 (24 hours)

Flood Forecasting Centre ffcenquiries@environment-agency.gov.uk

References

FFC, 2022, [FGS User Guide](#)

ⁱ Met Office Summary of Storm Bert.

https://www.metoffice.gov.uk/binaries/content/assets/metofficegovuk/pdf/weather/learn-about/uk-past-events/interesting/2024/2024_09_storm_bert.pdf

ⁱⁱ Photograph of flooding in Pontypridd <https://www.itv.com/news/wales/2024-11-25/storm-bert-flooding-devastates-parts-of-wales-as-pontypridd-suffers-again>

ⁱⁱⁱ Photograph of flooding in Tenbury Wells

<https://www.bbc.co.uk/news/articles/cp3ngzq250wo>

^{iv} Photograph of flooding in Billing Aquadrome in Northampton

<https://www.bbc.co.uk/news/articles/c245jv3086yo>

By virtue of paragraph(s) vi, vii of Standing Order 17.42

Document is Restricted

Evidence from: Isle of Anglesey County Council

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Ymateb i stormydd | Storm response

1. Whether preparation forecasting, warning, and alert systems were adequate.

Very good and accurate warnings in terms of the timing and direction of wind for storm Darragh. This helped to keep the workforce safe and advise when it was safe to work. Warnings for storm Bert were not as good. National safety alerts received by most people during storm Darragh, and most people seem to have listened and stayed at home during the red weather warning.

A general tendency across the country - agencies, the press and public - not to provide sufficient warning for storm Bert. Bert was worse than expected, possibly because warning for previous storms proved to be overstated in comparison to the weather experienced.

Following Bert, more attention was paid to warnings for Darragh and the response was greater.

Weather updates from the Met Office are very useful. Collaboration and sharing important internal messages between departments was effective. Yes, the warning system was effective in terms of the Destination function. However, we need to develop a more robust strong winds policy and related action plan.

Forecasting for both Weather events was very good. Met Office engagement with the PEAT Meetings, and TCGs and providing regular emails are well received.

The prior forecasting and warning enabled effective preparation planning:

- * decision making
- * clear understanding
- * prioritisation

2. The resilience of infrastructure to storm-related impacts, including water and sewerage systems, electricity distribution infrastructure, and transport networks to storm impacts, including flooding, landslips, culvert damage, and sinkhole formation.

Storm Darragh demonstrated the lack of resilience of the Menai crossings and Britannia Bridge had to close. Fortunately this didn't happen at peak times. Better stacking arrangements are required for HGVs and the resilience of the Menai Suspension Bridge needs to be safeguarded. A number of residents, including vulnerable residents and care homes were affected by power cuts.

Echo the weaknesses highlighted in relation to the electricity network, the Anglesey network appears to be weak. There was no clarity regarding repair timescales, with supplies being cut off without warning to undertake repairs, including supplies to schools and care homes. Communication between SPEN and key users needs to be improved.

The electricity supply to Holyhead Leisure Centre was affected and the centre had to close for the day. This was a problem with the network in the local area. Woodland along the river bank at the Dingle need to be managed to avoid the risk of flooding.

Storm Darragh highlighted problems with the resilience of the bridges, electricity supply, the port of Holyhead and mobile phone signal in some areas.

Although the Menai Bridge remained open to all vehicles, there were concerns that a HGV could get stuck in the arches of the Menai Suspension bridge or damage it. This would result in the loss of the only link between Ynys Mon and the mainland.

3. The impact on communities, and the response role of landowners, community and third sector organisations.

Closing Britannia Bride has a significant impact on communities and services. A substantial number of trees fell during / as a result of storm Darragh, leading to road closures. A number of communities and landowners helped to clear some of the trees.

Comments about the electricity network are also relevant here.

Closure of the bridge had a real impact on communities (including businesses and individuals) as did the port closure.

There was a delay in SPEN assisting with sharing details of Vulnerable People in Storm Darragh. This led to lists being shared late on a Sunday night with the expectation the Local Authority would contact people on the vulnerable list to ensure their safety. This is not an appropriate time to be calling people in a power cut. Restoration of services and the provision of generators was much slower than required. The Data is also aging and people are on the list who have passed away.

4. The response of public and private authorities.

Timely response and much good joint working through NWCREPS and ITC.

Effective collaboration with key partners was effective. Co-locating in the multi-agency silver room provided additional benefits to the coordination of the response by being able to have conversations in real time outside of TCG meetings. However, key agencies were absent.

5. Whether relevant organisations have learnt lessons following previous winter storms, particularly Storm Dennis in 2020, and how these lessons inform the current approach.

Better communication during preparations and NWCREPS input.

The decision to close leisure centres was made 24 hours before the storm in December. In 2020 we only received a few hours notice. Giving 24 hours notice allow us to inform customers

The LRF have learnt lessons and introduced PEAT meetings (Pre Event Assessment Telecoms) to ensure we have a shared situational awareness of partners. Debriefs following incidents and ensure that any lessons learned are adopted and embedded. Ensure staff are in the Silver room when this is established so comms with multi-agency partners are effective and we are better placed to respond to issues as they arise.

6. Using the case studies of Storms Bert and Daragh to gain an overarching view of the current storm preparation and response framework in Wales, and identifying any gaps.

Storm Darragh demonstrated the lack of resilience of infrastructure in the Port of Holyhead and the Menai crossings. In addition, power cuts highlighted the lack of an up-to-date register of vulnerable individuals.

A proactive approach was followed in terms of closing rural parks and maritime assets - this decision making process needs to be underpinned by better strong winds/flood risk policies and action plans for Countryside and Maritime sites.

Managing the requirements of legislation and also the health and safety of the workforce. There also needs to be wider consideration to Vulnerable data specifically the criteria that is used by all agencies as this is not consistent.

Climate Change, Environment, and Infrastructure Committee’s invitation to give both written and oral evidence in relation to the Inquiry on the impact of Storms Bert and Darragh – **Rhondda Cynon Taff County Borough Council’s Written Response**

Considerations	Storm Bert	Storm Darragh
<p>Weather preparation, forecasting, warning, and alert systems were adequate</p>	<ul style="list-style-type: none"> • The Council were regularly informed of the predicted weather forecast via Met Office weather warnings, Met Desk forecasting analysis tools, NRW Flood Guidance Statements prior to the onset of Storm Bert. • Following consideration of advance “yellow” metoffice weather warnings, the Council’s Leadership Team, along with relevant colleagues, met at regular intervals to consider necessary actions to be taken forward to allow the Council to take forward proactive and precautionary approach to any issues caused by the forecasted weather warning. • The Council continued to take forward a precautionary approach to ensure the safety of local communities and stood up their resources to an “Amber” protocol despite the Metoffice warnings remaining a “yellow.” • The Council ensured all available resources were available in anticipation of Storm Bert becoming a major weather event. This included cleaning and inspecting priority drains and culverts, ensuring the Council’s monitoring equipment was charged, tested and working and responding to reports from residents. Crews also worked throughout to support residents, with many staff working double shifts or cancelling leave to help support. • This precautionary approach was indeed required when the impacts Storm Bert escalated on Sunday. Below is a basic timeline 	<ul style="list-style-type: none"> • Normal amber weather warning for rain protocol was initiated ahead of the storm event. • A ‘Red Warning’ SLT meeting was held in the week leading up to Storm Darragh to increase resources and improve preparedness. • An SCG Meeting was held on 6th December. • The Council’s Corporate Estates department increased the number of available resources to respond over the storm and also contacted contractors/sites to warn them of the red wind warning to make sure loose items were secured and to ensure they had suitable resources over the weekend. • Following the events of Storm Bert only two weeks prior, the Council undertook sandbag deployment and pre-emptive flood gate distribution ahead of Storm Darragh to those areas worst affected during Storm Bert, including Mill Street, Berw Road, Sion Street and Abertonllwyd Road. • Additional resources in place throughout the storm period to provide with assistance with the clearance after the event.

Pack Page 117

Climate Change, Environment, and Infrastructure Committee’s invitation to give both written and oral evidence in relation to the Inquiry on the impact of Storms Bert and Darragh – **Rhondda Cynon Taff County Borough Council’s Written Response**

<p>Pack Page 118</p>	<ul style="list-style-type: none"> a) 04:37 Met Office Yellow warning of rain 6.00 to 13.00 medium impact of low likelihood. 25 – 40mm widely, 70 – 90mm over hills. b) 6.09 and 6.27 images available of flooding to bottom of Fernhill, Mt Ash; not main river. c) 7.41 Flood Warning Issued for Taff at Pontypridd (several others across Borough at similar times). Immediately after warning residents were observed moving vehicles in Street, but by then some vehicles were already damaged. d) 7.42 Image of Main River water on road in Sion Street, Pontypridd taken by RCT officer. Sent to NRW. e) 8.30 South Wales Flood Advisory Teleconference f) 9.10 Fire declared Operation Willowbrook (mutual aid) and declared Major Incident g) 9.40 RCT Declared Major Incident. h) 9.41 Met Office Advisor update of yellow warning from 13.00 low likelihood of medium impacts. i) 10.00 RCT TCG Called to coordinate local response. j) 10.24 Flood Guidance Statement issues an Amber Warning of significant impact and high likelihood for Sunday, but nothing for Monday. k) 11.20 TCG called by Police invite received by RCT 11.23 which resulted in 10 minute delay starting meeting. l) 12.37 Invite to 14.00 TCG received from Police. TCG stood down as incident already in recovery already 	<ul style="list-style-type: none"> • Several Tactical Co-ordinating Group (TCG) meetings were carried out during the storm event
----------------------	--	---

Climate Change, Environment, and Infrastructure Committee’s invitation to give both written and oral evidence in relation to the Inquiry on the impact of Storms Bert and Darragh – **Rhondda Cynon Taff County Borough Council’s Written Response**

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Pack Page 119</p>	<p>m) 16.16 Flood Guidance Statement shows an Amber Warning of significant impact and high likelihood for Sunday and Yellow for significant impact and low likelihood for Monday.</p> <p>n) 17.30 Elected Member Briefing</p> <ul style="list-style-type: none"> • Key public messages were shared through the Council’s social media channels and Elected Members were encouraged to share these important messages. This included links to the councils dedicated webpages Flood Preparedness and Awareness Rhondda Cynon Taf County Borough Council. This received over 7,500 hits (normally 500-600 per week) • Prior to and over the week following Storm Bert, an additional 50 inspections on disused colliery spoil tips were carried out in addition to routine inspections. No colliery spoil tip slips were identified following the storm event. 	
<p>The resilience of infrastructure such as water and sewerage systems, electricity distribution infrastructure, and transport network to storm impacts including flooding, landslips, culvert damage and sinkhole formation</p>	<ul style="list-style-type: none"> • Approximately 15% of all Council-owned assets which have received investment since Storm Dennis were impacted during Storm Bert, with only 9% causing internal flooding to properties. The impact from these assets accounted for approximately 5% of the total number of impacted receptors. • It is estimated that of the total number of known culvert assets which were impacted during Storm Bert, 64% were privately owned and accounted for 	<ul style="list-style-type: none"> • Approximately 50 built assets were affected by Storm Darragh, mostly from the high winds requiring repairs in the region of £50,000. • An electrical outage in the Tonyrefail/Gilfach area left approximately 3,500 properties without power during the event. • A sink hole on private land in the Gilfach area appeared during Storm Darragh. The resident where the sink hole appeared was

Climate Change, Environment, and Infrastructure Committee’s invitation to give both written and oral evidence in relation to the Inquiry on the impact of Storms Bert and Darragh – **Rhondda Cynon Taff County Borough Council’s Written Response**

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Pack Page 120</p>	<p>approximately 20% of the total number of properties impacted.</p> <ul style="list-style-type: none"> • The total estimated cost of damages to infrastructure is over £8 million with £3m of immediate repairs. • Emergency highway works were carried out at A4059 Mountain Ash/Troed y Rhiw Rd on 25th November. • Due to damage at Tynywaun water treatment works DCWW issued a boil water notice for the Rhondda Valley. • The Bwlch Mountain Road to Nantymoel, Bridgend became blocked due to a landslide during the storm. • Two minor landslips occurred in both the Rhondda Fach and Fawr valleys, the latter of which resulted in the emergency closure of a right of way. • The ongoing construction works to replace Feeder Pipe Footbridge following Storm Dennis was washed away during Storm Bert. 	<p>evacuated safely. The Council utilised their own drainage pump to manage the flow of water assisted by a back up from Natural Resources Wales, avoiding any internal flooding to properties. The Council also worked with the insurance company and landowner following the event.</p> <ul style="list-style-type: none"> • The total cost of the Council’s response and recovery effort during Storm Darragh is an estimated +£100,000.
<p>The impact on communities and the role of landowners, community and third sector organisations</p>	<ul style="list-style-type: none"> • Storm Bert resulted in approximately 438 properties (334 residential and 104 non-residential) being internally impacted by flooding. • Areas worst impacted by flooding include Treherbert, Porth, Aberdare, Pontypridd and Nantgarw. • British Red Cross (BRC) were requested to deploy on the 25th November by the Council, particularly to the worst affected areas in Pontypridd and Treherbert. BRC volunteers deployed units to these affected areas every day for the following 	<ul style="list-style-type: none"> • No properties were impacted by flooding during Storm Darragh. • 4 care homes and 15 school were impacted by loss of power/heating and/or fallen trees during Storm Darragh. • The Council’s operational teams and sub-contractors mainly were deployed for gully cleansing and dealing with fallen trees.

Climate Change, Environment, and Infrastructure Committee’s invitation to give both written and oral evidence in relation to the Inquiry on the impact of Storms Bert and Darragh – **Rhondda Cynon Taff County Borough Council’s Written Response**

	<p>week to offer emotional and practical support to over 300 people in 46 households.</p> <ul style="list-style-type: none"> • Two BCG corporate partnership were activated in order to provide bottled water (through the Tesco agreement) and cleaning supplies (through the Kingfisher agreement) to affected communities. • BCG volunteers continued to support people affected with emotional support and cash-based assistance via a support line from the date of the storm until 6th December. • REACT charity volunteers offered their support during the storm event and provided a sense of security to a residential home overnight by remaining on site. 	
<p>Public response of public and private authorities</p> <p>Page 121</p>	<ul style="list-style-type: none"> • The Council received nearly 600 calls from residents reporting issues of flooding across RCT during this period. • An estimated 7,000 sandbags were deployed during the storm event. • Working with colleagues in South Wales Fire and Rescue, South Wales Police and Natural Resources Wales the Council assisted with the evacuation of residents in flood affected areas. • A Major Incident was initially declared by the South Wales Fire and Rescue 9:10 and subsequently by the Council at 9:40 on 24th November. A multi-agency meeting was called to co-ordinate the response with partner agencies and a communication cell as convened to disseminate key public information., 	<p>Several points made above.</p> <ul style="list-style-type: none"> • The Council received over 200 calls from residents reporting issues during Storm Darragh. Only 11 issues required investigation by the FRM team however non evidence of internal flooding.

Climate Change, Environment, and Infrastructure Committee’s invitation to give both written and oral evidence in relation to the Inquiry on the impact of Storms Bert and Darragh – **Rhondda Cynon Taff County Borough Council’s Written Response**

<p>Pack Page 122</p>	<ul style="list-style-type: none"> • A Tactical Recovery Group was convened by the Council for the recover phase following the storm event. • Rest Centres were created in the following areas for those impacted by flooding: <ul style="list-style-type: none"> - Ystrad Sports Centre - Pontypridd Library - Sobell Leisure Centre • The Leader of the Council convened a meeting of the Major Incident Recovery Board with partners to establish the current position and the action and responses needed to be taken forward. • Further discussions with NRW led to NRW agreeing to review current processes in place for warning and informing. To address concerns of the local authority, high level meetings have taken place between the Leader and Chief Executive and senior representatives of NRW and the Met Office. • The Council’s Flood Risk Management team carried out 289 post event inspections to areas affected to investigate the source(s), cause(s) and impact(s) of flooding. • Officers undertook inspection of highways and infrastructure, with emergency highway works undertaken on the 25th November, such as on the A4059 in Mountain Ash. • Staff from the Council’s community resilience team along with colleagues from the citizens advice bureau were deployed following the event to speak with residents and understand their needs. 	
----------------------	--	--

Climate Change, Environment, and Infrastructure Committee’s invitation to give both written and oral evidence in relation to the Inquiry on the impact of Storms Bert and Darragh – **Rhondda Cynon Taff County Borough Council’s Written Response**

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Pack Page 123</p>	<ul style="list-style-type: none"> • Skips were deployed to areas which had experienced flooding, allowing residents to dispose of damaged items which the Council then collected. • A Community Flood Recovery Grant was announced by the Leader of the Council in response to Storm Bert. This financial assistance was made available for impacted households and local businesses to support repair costs. • The Council has also made available funding support to ensure businesses can continue to prepare for and reduce the impact of flooding on commercial property. • Several surface water drainage systems and culvert networks were cleansed by the Council’s Highway Depot and sub-contractors following Storm Bert. Approximately 80 tonnes of debris was removed from the surface water drainage system and a further 1500 tonnes removed from culvert assets post-storm. • Community Information Buses were located in areas known to be affected by flooding until 29th November with members of the Community Development Team, Citizen’s Advice and BRC. 	
<p>Whether relevant organisations have learnt lessons following previous winter storms, particularly Storm Dennis in 2020, and how these lessons inform the current approach</p>	<ul style="list-style-type: none"> • The Council have invested over £100 million on improvements to repair, upgrade and improve culverts and other assets since Storm Dennis in February 2020. As a result, the majority of this infrastructure operated well and succeeded in reducing the risk of flooding to an estimated 2269 properties during Storm Bert. • Approximately 15% of all Council-owned assets which have received investment since Storm Dennis were impacted during Storm Bert, with only 9% causing internal flooding to properties. The impact from these assets accounted for approximately 5% of the total number of impacted receptors. 	

Climate Change, Environment, and Infrastructure Committee’s invitation to give both written and oral evidence in relation to the Inquiry on the impact of Storms Bert and Darragh – **Rhondda Cynon Taff County Borough Council’s Written Response**

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Pack Page 12</p>	<ul style="list-style-type: none"> • Since Storm Dennis, the Council have upgraded their telemetry network of flood monitoring equipment and alert systems. RCT now have 60 CCTV cameras (+57), 32 level sensors (+16) and 7 rain gauges (+4) across the borough. • The Council have established an Emergency Command Room which is used by officers during yellow/amber/red weather warnings for rain. This enables relevant strategic, tactical and operational decisions to be made quickly and efficiently, and on review of all the available information in one place. • The Council have established a dedicated Highway Drainage team since Storm Dennis which focus entirely on the refurbishment and maintenance of the Council’s highway and surface water drainage systems. • The Council have improved our dedicated Flood Risk Management webpage since Storm Dennis, to provide residents with online information and resources to improve their flood preparedness and awareness. The ‘Weather Warnings and Flood Alerts’ webpage received approximately 1131 views from the public during Storm Bert and 815 during Storm Darragh. That’s over a 90% increase in the number of view compared with the two first weeks of November. • The Council’s Corporate Estate team have commenced a project to identify all vulnerable built assets and undertake inspections/surveys to undertake flood resilience works.
<p>Using the case studies of Storms Bert and Darragh to gain an overarching view of the current storm preparation and response framework in Wales, and identifying any gaps</p>	<ul style="list-style-type: none"> • The Council are still learning lessons following Storm Bert and Darragh. These include: <ul style="list-style-type: none"> - Investigating what additional remote monitoring equipment the Council can purchase and deploy quickly to high risk areas/assets at short notice. - Looking at how we can refine the Council’s own internal warning systems and relevant protocols following what was considered to be late warnings from the Met Office and NRW. - Future annual funding for upstream ordinary watercourse clearance during Autumn period where erosion is high. - Ensuring we have an increased supply of equipment within the Depot and strategically across RCTCBC buildings, such as mobile flood barriers, flood sax and sandbags. - Ensure plant/crews are stations strategically throughout RCT to respond quickly and cleanse assets. - Specialist training for on call surveyors/engineers needs to be considered if they are expected to attend site during high risk conditions such as flooding, high winds, power outages.

M. H. Sr. Josep Rull
President of the Catalan Parliament

3 February 2025

Follow-up on Wales' Well-being of Future Generations Act

Thank you for the productive meeting on 4 December 2024 with you and the delegation from the Catalan Parliament. It was a pleasure to explore our shared interests and priorities as parliamentarians.

During our discussions, members of the delegation expressed an interest in Wales' Well-being of Future Generations (Wales) Act 2015. The Act aims to ensure that decisions taken today do not adversely impact the needs of future generations by enshrining in law commitments to improving Wales's social, economic, environmental, and cultural well-being. The Act seeks to do this by placing a well-being duty on public bodies (including local authorities and the Welsh Government) to set and publish objectives to show how they will achieve the vision for Wales set out in the Act.

I have attached an annexe with details about the Act, which has been prepared by the Senedd's Research Service. This includes information about the Act's aims, the role of the Future Generations Commissioner, and the challenges faced during its implementation.

I hope there will be further opportunities for continued dialogue and cooperation regarding our mutual interests.

Yours sincerely,



Llyr Gruffydd MS,
Chair, Climate Change, Environment, and Infrastructure Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.

Well-being of Future Generations Act

January 2025

Overview of the Act

The [Well-being of Future Generations \(Wales\) Act 2015](#) received Royal Assent in April 2015, with most of its provisions coming into force from 1 April 2016. The Act is concerned with improving the social, economic, environmental and cultural well-being of Wales. It aims to put sustainable development at the centre of decision-making, and is designed to ensure actions meet the needs of the present, without compromising the ability of future generations to meet their own needs.

Senedd Research published an [overview of the Act](#), which outlines its key aspects.

The Act introduced seven well-being goals for Wales:

A prosperous Wales	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
A resilient Wales	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
A healthier Wales	A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
A more equal Wales	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).
A Wales of cohesive communities	Attractive, viable, safe and well-connected communities.
A Wales of vibrant culture and thriving Welsh language	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
A globally responsible Wales	A globally responsible Wales. A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being, and the capacity to adapt to change (for example climate change).

The Act places a well-being duty on public bodies (including local authorities and the Welsh Government) to set and publish objectives to show how they will achieve the vision for Wales set out in the well-being goals. The bodies are required to maximise their contribution to delivering each of the well-being goals. Public bodies must take action to make sure they meet the objectives they set. The cost of delivering the Act's requirements need to be met by public bodies.

Since the briefing was published, **eight new bodies** have been added to the list of public bodies subject to the well-being duty. These include Transport for Wales and the Welsh Revenue Authority.

The Act puts in place a 'sustainable development principle' that sets out how public bodies should go about meeting their duties under the Act. Acting in accordance with the sustainable development principle means that the body must act in a manner that seeks to ensure that the

needs of the present are met without compromising the ability of future generations to meet their own needs. There are five things that public bodies need to take into account to show they have applied the sustainable development principle. These are known as the ‘five ways of working’:

- Long-term: The importance of balancing short-term needs with the need to safeguard the ability to also meet long term needs;
- Prevention: How acting to prevent problems occurring or getting worse may help public bodies meet their objectives;
- Integration: Considering how the public body’s well-being objectives may impact upon each of the well-being goals, on its other objectives, or on the objectives of other public bodies;
- Collaboration: Considering how acting in collaboration with any other person (or different parts of the body itself) could help the body meet its well-being objectives; and
- Involvement: The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.

Barriers to implementation

In 2020, the [Senedd’s Public Accounts Committee \(PAC\)](#) embarked upon a piece of work exploring the barriers to implementing the Act, and looking at whether it has delivered the transformative change it heralded when it was introduced over five years ago.

This work coincided with, and was shaped by, the publication of the Future Generations Commissioner’s [first Future Generations Report](#) and the Auditor General for Wales’ [examination of public bodies under the Act](#). Set against the context of the coronavirus pandemic, the Committee’s inquiry explored the levels of understanding and awareness about the Act; the resources available to public bodies for implementation; the support and leadership provided by the Welsh Government and the Future Generations Commissioner; and what needs to be done to ensure the Act is implemented successfully in the future.

The Committee’s report can be found [here](#).

Future Generations Commissioner

Derek Walker was appointed as the second [Future Generations Commissioner for Wales](#) in 2023. The Commissioner’s role is to promote the sustainable development principle, act as a guardian for the interests of future generations in Wales, and to support the public bodies listed in the Act to work towards achieving the wellbeing goals. The Commissioner holds office for a 7-year period.

The Commissioner has a number of roles and can undertake a number of actions:

- Advise, encourage and promote: The Commissioner can provide advice to public bodies and PSBs and promote and encourage them to work to meet their well-being objectives;
- Research: The Commissioner may carry out research, including into the well-being goals, the national indicators and milestones, and the application of the sustainable development principle;
- Carry out reviews: The Commissioner may conduct a review of how public bodies are taking account of the long-term impact of their decisions, and make recommendations based on the findings;
- Make recommendations: The Commissioner can make recommendations to a public body about the steps it has taken or proposes to take to set and then meet its well-being objectives. Public bodies must take all reasonable steps to follow the recommendations made by the Commissioner;
- Future Generations Report: The Commissioner must publish, a year before a Senedd election, a report containing her assessment of the improvements public bodies should make to achieve the well-being goals; and
- Advisory Panel: The Commissioner will be supported by an advisory panel. The Panel includes the other Welsh Commissioners, the Chief Medical Officer for Wales, a representative of Natural Resources Wales, 10 Research Briefing: The Well-being of Future Generations Act Wales TUC and Welsh business. The Commissioner may invite others to attend and Welsh Ministers can appoint new members.

The Commissioner is scrutinised annually by the Senedd's Equality and Social Justice Committee.

Useful links

Welsh Government website – [Future Generations Act](#)

[Future Trends Report](#)

[Wales and the Sustainable Development Goals](#) report

[Well-being of Wales 2024](#): measuring progress towards well-being goals

[Future Generations Commissioner for Wales](#) (website)

Future Generations Commissioner for Wales – [vision and focus](#)



PARLAMENT DE CATALUNYA

Josep Rull i Andreu
President

Mr Llyr Gruffydd
Chair of the Climate Change, Environment and Infrastructure Committee
Welsh Parliament (Senedd Cymru)

Senyor,

Vull agrair-vos la tramesa amb la documentació detallada sobre els objectius i els reptes que va assumir amb l'aplicació de la Llei del benestar de les generacions futures, en vigor des de l'any 2015, que heu tingut l'amabilitat de fer-me arribar.

Sens dubte, una proposta pionera i imprescindible perquè les institucions i els poders públics vetllin per l'impacte a llarg termini de les seves decisions i perquè les seves actuacions garanteixin el benestar ecològic, econòmic i social de les generacions presents i futures.

Atentament,

Annwyl Mr Gruffydd,

I would like to thank you for sending detailed documentation on the aims and challenges faced by you following application of the Well-being of Future Generations Act in force since 2015, which you were kind enough to provide.

Without a doubt, a ground-breaking and essential proposal for institutions and public authorities to ensure the long-term impact of their decisions and to ensure their actions guarantee the environmental, economic and social well-being of present and future generations.

Yn gywir,

Palau del Parlament, 7 de febrer de 2025

Heledd Fychan MS

3 February 2025

Dear Heledd,

Thank you for your letter regarding the recent flooding caused by Storm Bert and the Welsh Government and relevant agencies' responses.

The Committee shares your concern about the impact of these events on communities across Wales, including in Rhondda Cynon Taf. The Committee has agreed to conduct an inquiry this term into the impact of recent flooding events, including the response of various public authorities. In undertaking this work, the Committee will consider how the lessons learned from previous storms, including Storm Dennis, have been applied.

Thank you for raising this matter with the Committee. I will ensure you are kept informed of the Committee's progress.

Regards,



Llyr Gruffydd MS,

Chair, Climate Change, Environment and Infrastructure Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.

Andrew RT Davies MS

3 February 2025

Dear Andrew,

Thank you for your letter regarding the recent flooding caused by Storm Bert and the Welsh Government and relevant agencies' responses.

The Committee shares your concern about the impact of these events on communities across Wales, including in Rhondda Cynon Taf. The Committee has agreed to conduct an inquiry this term into the impact of recent flooding events, including the response of various public authorities. In undertaking this work, the Committee will consider how the lessons learned from previous storms, including Storm Dennis, have been applied.

Thank you for raising this matter with the Committee. I will ensure you are kept informed of the Committee's progress.

Regards,



Llyr Gruffydd MS,

Chair, Climate Change, Environment and Infrastructure Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.

Ein cyf/Our ref: MD/PO/43/25

Finance Committee and Climate Change, Environment and Infrastructure Committee
Senedd
Cardiff Bay
Cardiff
CF99 1SN

4 February 2025

Dear Chair,

There is considerable interest in HS2 and how much additional funding would have been available to the Welsh Government if there had been comparability with HS2 in the Barnett formula. In line with our commitment to transparency on this issue, I attach a technical note setting out the underlying calculations behind the Welsh Government's estimates.

As set out in the note, it is estimated that the Welsh Government would have received an additional £431m between 2016-17 and 2025-26 if it had comparability with HS2 in the Barnett formula. This is higher than the previous estimate of £350m because it is now possible to include 2025-26 in the calculations, following the UK Government's October Budget. It is highly likely that the estimate will increase again once settlements are announced for the next few years in the UK Government's Spending review on 11 June this year.

We remain in discussions with the UK Government on the issue of fair rail funding and investment. This will form part of the UK Government's considerations as part of the Spending Review.

Yours sincerely,



Mark Drakeford AS/MS
Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg
Cabinet Secretary for Finance and Welsh Language

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Correspondence.Mark.Drakeford@gov.wales
Gohebiaeth.Mark.Drakeford@llyw.cymru

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Funding implications for the Welsh Government if HS2 was classified as comparable in the Barnett formula

1. It is possible to calculate the additional funding Welsh Government would have received since 2015 if it had comparability with HS2 in the Barnett formula. (HS2 was not separately identified at the time of the 2010 spending review or 2013 spending round, so there were no Barnett formula comparability issues.)
2. In aggregate the additional funding would have totalled £431m for years up to 2025-26, including changes up to and including the October 2024 Budget. The calculations are shown in the table below. The inclusion of 2025-26 explains the increase from the previous figure of £350m. It is not possible to say with any precision what the figure would be for years beyond 2025-26 but is very likely to increase over time.
3. The additions arise because the Welsh Government would have had a higher comparability factor with the Department for Transport (DfT) at spending reviews, and DfT has generally seen increases to its budget over the period. (The Welsh Government would also have received consequentials from changes outside spending reviews, including individual HS2-related allocations.)
4. The Welsh Government receives additional funding from increases to UK Government spending within Departmental Expenditure Limits (DEL) on programmes that are devolved to Wales. It receives the same change per head of the population, with an additional 5% needs factor.
5. At the time of a UK spending review there is some approximation in this process. The percentage split between devolved and non-devolved spending from a base year is applied. It is calculated by assessing whether each departmental spending programme is devolved or not. The spending in a base year on those programmes which are deemed to be devolved is added up and divided by the department's overall budget.
6. The table shows how different the comparability factor with DfT would have been at each spending review and the impact this would have had on the Welsh Government's Barnett formula consequentials. The difference in the final year of each spending review period is carried forward to future years.
7. The table also includes additional funding the Welsh Government would have received in relation to in-year changes to HS programmes.

Funding implications if HS2 was classified as comparable in the Barnett formula (£ million)

	16-17	17-18	18-19	19-20	20-21	21-22	22-23	23-24	24-25	2025-26	Cumulative total
Capital											
1 DfT baseline	6,050	6,050	6,050	6,050	6,050	18,068	18,764	18,764	18,764	19,949	
2 DfT settlement	6,256	7,639	8,941	11,419	12,406	18,764	20,522	20,943	21,522	21,784	
3 Changes to baseline (2-1)	206	1,589	2,891	5,369	6,356	696	1,758	2,179	2,758	1,835	
4 Population % (including 5% needs factor where relevant)	5.69%	5.69%	5.69%	5.69%	5.69%	5.88%	5.89%	5.89%	5.89%	5.76%	
5 Department for Transport comparability factor	80.9%	80.9%	80.9%	80.9%	80.9%	36.6%	36.6%	36.6%	36.6%	33.5%	
6 Department for Transport comparability factor if HS2 100% comparable	88.7%	88.7%	88.7%	88.7%	88.7%	53.7%	53.7%	53.7%	53.7%	52.3%	
7 Difference in comparability if HS2 100% comparable (6-5)	7.80%	7.80%	7.80%	7.80%	7.80%	17.13%	17.13%	17.13%	17.13%	18.80%	
Difference to funding if HS2 comparable (3*4*7)											
Spending Review 2015	1	7	13	24	28	28	28	28	28	28	
Spending Review 2020						7	7	7	7	7	
Spending Review 2021							18	22	28	28	
Spending Review 2024 phase 1										20	
Capital Total	1	7	13	24	28	35	53	57	63	83	364
Resource											
1 DfT baseline	2,608	2,608	2,608	2,608	2,602	4,155	4,418	4,418	4,418	8,286	
2 DfT settlement	2,022	2,064	2,161	1,765	3,145	4,719	4,739	4,703	3,936	8,194	
3 Changes to baseline (2-1)	-586	-544	-447	-843	543	564	321	285	-482	-92	
4 Population % (including 5% needs factor where relevant)	5.69%	5.69%	5.69%	5.69%	5.89%	5.88%	5.89%	5.89%	5.89%	5.76%	
5 Department for Transport comparability factor	80.9%	80.9%	80.9%	80.9%	80.9%	36.6%	36.6%	36.6%	36.6%	33.5%	
6 Department for Transport comparability factor if HS2 100% comparable	88.7%	88.7%	88.7%	88.7%	88.7%	53.7%	53.7%	53.7%	53.7%	52.3%	
7 Difference in comparability if HS2 100% comparable (6-5)	7.80%	7.80%	7.80%	7.80%	7.80%	17.13%	17.13%	17.13%	17.13%	18.80%	
Difference to funding if HS2 comparable (3*4*7)											
Spending Review 2015	-3	-2	-2	-4	-4	-4	-4	-4	-4	-4	
Spending Review 2019					2	2	2	2	2	2	
Spending Review 2020						6	6	6	6	6	
Spending Review 2021							3	3	-5	-5	
Spending Review 2024 phase 1										-1	
Resource Total	-3	-2	-2	-4	-1	4	8	7	0	-1	6
Consequentials from in-year changes if HS2 comparable				15	-5			52			61
Grand total	-2	5	11	35	22	40	61	116	63	81	431

**Legislation, Justice and
Constitution Committee**

Welsh Parliament
Cardiff Bay, Cardiff, CF99 1SN
SeneddLJC@senedd.wales
senedd.wales/SeneddLJC
0300 200 6565

Llyr Gruffydd MS
Chair, Climate Change, Environment and Infrastructure Committee

3 February 2025

Dear Llyr,

Protocol to the Interbus Agreement concerning the international carriage of passengers by coach and bus

As you are aware, the Legislation, Justice and Constitution Committee is responsible for monitoring the implementation of non-trade international agreements in the Sixth Senedd.

During our meeting on 6 January 2025, we considered the Protocol to the Interbus Agreement concerning the international carriage of passengers by coach and bus. The purpose of this Protocol is to extend the Interbus Agreement from covering international 'occasional services' to also include market access provisions for international 'regular and special regular' services by bus and coach.

As the UK Government's ratification of this agreement is an international obligation under the UK-EU Trade and Cooperation Agreement ("TCA"), and the agreement may impact on bus/coach operators in Wales, we agreed to notify your Committee of the agreement and its implementing legislation, particularly in light of its participation in the cross-committee consultation on the TCA implementation review.

Our latest report, which was laid on 21 January 2025, is available [here](#).

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges

Chair

Y Pwyllgor Deisebau Agenda Item 5.5

Petitions Committee

Senedd Cymru
Bae Caerdydd, Caerdydd, CF99 1SN
Deisebau@senedd.cymru
senedd.cymru/SeneddDeisebau
0300 200 6565

Welsh Parliament
Cardiff Bay, Cardiff, CF99 1SN
Petitions@senedd.wales
senedd.wales/SeneddPetitions
0300 200 6565

Llyr Gruffydd MS, Chair, Climate Change,
Environment and Infrastructure Committee (CCEI)

4 February 2025

Dear Llyr,

Petition P-06-1478 Comprehensively review NRW and its failure to deliver its statutory obligations to protect Wales and Petition P-06-1448 Stop pollution at Watchtower Bay and Ogmore by Sea

The Committee considered the above petitions, submitted by Alun Phillips and Robert Curtis respectively, at its 3 February meeting.

In light of CCEI Committee's remit to scrutinise the work of NRW, the Committee agreed to close both petitions but to write to you to highlight the contents and petitioners' views, ahead of planned scrutiny of NRW in March.

The full details of the Committee's consideration of the petitions, including the correspondence and the actions agreed by the Committee can be found here:

[P-06-1478 Comprehensively review NRW and its failure to deliver its statutory obligations to protect Wales](#)

[P-05-1448 Stop pollution at Watchtower Bay and Ogmore by Sea](#)

I would be grateful if you could send any response by e-mail to the clerking team at petitions@senedd.wales.

Yours sincerely



Carolyn Thomas MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Dear Huw Irranca-Davies AS/MS,

Thank you for your detailed response to Petition P-06-1478 and for reaffirming the Welsh Government's commitment to monitoring Natural Resources Wales (NRW) in its role as the environmental regulator for Wales.

I would like to raise several points of concern:

1. Investigations into Dŵr Cymru Welsh Water (DCWW)

What is the Welsh Government doing to ensure that the 254 investigations considered by NRW into Dŵr Cymru Welsh Water result in appropriate prosecutions for environmental harm?

According to data provided by NRW, Dŵr Cymru Welsh Water appears to be the single largest polluter of the Welsh environment over the last three years. What is the Welsh Government doing to ensure this shocking number of investigations delivers results for the public who fund NRW? Currently, the successful prosecution rate is 1.6%. This clearly does not represent a good use of public funds.

Given the volume of sewage being discharged from DCWW assets in the Bridgend area, is the Cabinet Secretary aware that the recent failure of the bathing water status at Ogmores-by-Sea beach can be attributed to ongoing discharges from the Pen-y-Bont treatment works? Additionally, are you aware that Welsh Water is discharging billions of litres of untreated raw sewage directly onto a designated bathing water during the bathing season and in clear breach of their environmental permit issued by NRW?

By comparing the available EDM discharge data from DCWW with NRW's sampling data at Ogmores-by-Sea beach, there is a clear pattern of correlation. Furthermore, recent independent testing of water samples from the area surrounding the Pen-y-Bont treatment plant and pump assets closest to the bathing water has confirmed extremely high levels of *E. coli* bacteria. The findings indicate a significant public health risk, with contamination levels so severe that it is recommended environmental health authorities be made urgently aware of the situation. This constitutes a serious danger to public health and reinforces the need for immediate intervention.

Would the Cabinet Secretary agree to write to DCWW requesting an official response as to why two primary settlement tanks located at the Pen-y-Bont Waste Water Treatment Works have remained unused for decades? DCWW is fully aware of the volume of untreated raw sewage leaving the plant, as this information is publicly accessible. Alarming trends show an increase in discharges of over 300% in the last two years, raising grave concerns about the likelihood of a third year of poor bathing water at Ogmores-by-Sea beach.

Additionally, will you include in your letter to DCWW a request for detailed information on what is being done specifically to reduce the amount of raw sewage entering the Ogmores river and catchment?

I make these requests in light of the apparent lack of urgency or action from NRW on this matter, and in the hope that Welsh Government and NRW scrutiny will lead to positive change for the community and environment. The evidence highlights severe breaches of permitted activity and clear instances of environmental pollution.

2. NRW's Culture and Handling of Evidence

There are ongoing concerns about NRW's internal culture and its handling of environmental issues. Specifically, NRW has stated—contrary to a global body of evidence—that the tyres in the Ogmere River pose minimal environmental impact, and it is not in the public interest to pursue further action against those responsible for depositing these tyres. When asked to provide evidence to support this position, NRW admitted none exists. Instead, they dismissed concerns, advising that “colleagues know best through experience.”

Do you agree that such an approach undermines public trust, fails to build constructive relationships with communities, and stands in stark opposition to evidence-based decision making? Will you please reassure the public that NRW does, and should use, all available scientific data and will you agree to contact NRW on this specific matter?

3. Leadership and Transparency at NRW

Would you please confirm why Claire Pillman is no longer serving as CEO of NRW and why Ceri Davies has been appointed as interim CEO? Will this leadership change, along with any other potential board-level changes, be publicly announced?

4. Moving Forward

As you have kindly confirmed that there are no plans to alter the framework of NRW, could you please outline what specific plans the Welsh Government has to ensure NRW remains fit for purpose into the future? Does this include potential changes to management or increased funding to enable the regulator to effectively carry out its duties? Lastly, could you confirm the Welsh Government's plans to retain funds from successful environmental prosecutions within Wales, rather than having them redirected to the UK Treasury?

Thank you for your time and attention to these important issues.

Yours sincerely,
Alun Phillips

Hello Petitions committee,

Barry Action for Nature would like to make the following comments:

"We welcome the improved test results for Watch House bay but are very disappointed that Ogmore remains classed as "poor".

We would also express our frustration that all the beaches are tested only between May and September especially with the growth of cold water swimming.

We also believe that the test regime is very human dominated and makes no consideration of the effects of pollution on the wider marine wildlife.

We strongly believe that water quality tests should be carried out throughout the year with a consideration for the wider marine environment."

Thanks

Rob Curtis

Chairman

Barry Action for Nature

Llyr Gruffydd MS, Chair, Climate Change,
Environment and Infrastructure Committee

7 February 2025

Dear Llyr,

Petition P-06-1474 Stop Natural Resources Wales closing Bwlch Nant yr Arian, Coed y Brenin & Ynyslas visitor centres and P-06-1447 Stop Natural Resources Wales closing the visitor centre at Ynyslas National Nature Reserve

As you may be aware, the Petitions Committee considered the above petitions, submitted by Gareth Jones and Kim Williams respectively, at its 20 January meeting.

As agreed in Committee, I raised the concerns of the petitioners in the [22 January 2025 debate](#) on Natural Resources Wales (NRW) 'Case for Change', and I am writing to NRW concerning the future of key roles at the visitor centres, in particular at Ynyslas.

The Committee also agreed that I would write to you to highlight the petitions and their contents ahead of scrutiny of NRW in March. Further response from NRW will be shared with you to inform that work. The Committee has decided to then close these two petitions on the basis that the issues raised are being taken forward by Senedd Members in other ways, including as part of CCEI Committee's scrutiny remit.

The full details of the Committee's consideration of the petitions, including the correspondence and the actions agreed by the Committee can be found here:

[P-06-1474 Stop Natural Resources Wales closing Bwlch Nant yr Arian, Coed y Brenin & Ynyslas visitor centres](#)

[P-05-1447 Stop Natural Resources Wales closing the visitor centre at Ynyslas National Nature Reserve](#)

Yours sincerely

Carolyn

Carolyn Thomas MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.





Eich cyf/Your ref
Ein cyf/Our ref

Llywodraeth Cymru
Welsh Government

Delyth Jewell MS
Chair Culture, Communication, Welsh Language, Sport
and International Relations Committee
Senedd Cymru

05 February 2025

Dear Delyth,

Further to the laying of a Legislative Consent Memorandum (LCM) on the Data (Use and Access) Bill ('the Bill') on 2 January, I attach a copy of our updated assessment in relation to any potential impact of the Bill on the Trade and Co-operation Agreement (TCA). I am copying this letter to each of the Committees to which the LCM has been referred.

The previous First Minister made a commitment regarding the sharing of assessments of the impact of UK Government Bills on the TCA in January 2024, when responding to the Committee's recommendations relating to the International Relations Annual Report 2022-23. The commitment stated that *'the Welsh Government LCMs on Bills that impact on the UK-EU Trade and Cooperation Agreement should set out our assessment of such an impact'*.

I would like to clarify how I intend to fulfil the commitment. The TCA is the UK's most important trade deal and as such, the Welsh Government always considers how draft legislation could impact on our existing international obligations. Many UK Government Bills will have no identifiable impact on the TCA, or on any of our international obligations. In these cases, we would not provide an assessment to the Senedd. Where a Bill has a clear impact on the obligations made in the TCA, an assessment will be provided to the Committee only in relation to the provisions which the Senedd is asked to consent to. Including the provisions that do not engage devolved matters within technical assessments of Bills would place an unreasonable burden on Welsh Government teams and duplicate work that the UK Government will have already carried out. Assessments will continue to be provided in writing, as a separate document to the LCM itself.

In cases where my officials are concerned that UK government policy is incompatible with the TCA, we will continue to raise these concerns directly with the UK government.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Correspondence.Rebecca.Evans@gov.wales
Gohebiaeth.Rebecca.Evans@llyw.cymru

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

However, it is ultimately for the UK government to ensure it has carried out its own due diligence and is compliant with any international obligations.

I trust that this approach will provide the Committee with the information required.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive style with a clear, legible font.

Rebecca Evans AS/MS

Cabinet Secretary for Economy, Energy and Planning
Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio

cc. Chair, Economy, Trade and Rural Affairs Committee
Chair, Climate Change, Environment and Infrastructure Committee
Chair, Equality and Social Justice Committee
Chair, Legislation, Justice and Constitution Committee

Annex 1 - Trade and Co-Operation Agreement and the Data (Use and Access) Bill – Analysis

Will the Bill impact the UK's compliance with data protection provisions in the TCA?

1. Our view is that the UK Data (Use and Access) Bill ('the Bill'), will not have a direct or immediate impact on the UK's compliance with the Trade and Co-Operation Agreement (TCA), which is a Free Trade Agreement (FTA) between the UK and the EU.
2. Our view is that the changes to the UK data protection framework proposed by the Bill as drafted are unlikely to impact on the UK's compliance with the TCA, as its data protection provisions are generally broad and high level, except rules on data transfer relating to law and enforcement matters, which are more specific.
3. However, as with the previous UK Government's Data Protection and Digital Information (DPDI) Bill (which fell following the dissolution of Parliament), we are concerned that this Bill could signal the beginning of the UK's divergence from the data protection regime currently in place across the EU by diluting the protections provided by UK legislation set out in the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA). Regulatory divergence over the medium-to-long-term has the potential to undermine the data protection provisions in the TCA across a broad range of policy areas, including digital trade which is essential for public services and private businesses, and law and enforcement.

Why could the UK's divergence from the EU's data protection regime undermine the TCA?

4. Data adequacy decisions¹ made by the EU about the UK confirm that the UK is recognised as having an equivalent level of protection for personal data as the EU, enabling personal data to flow freely between the EU and the UK, supporting public services and private businesses. The UK adequacy decisions also help to facilitate implementation of the TCA which includes a commitment by the EU and UK to uphold high levels of data protection standards.
5. Our view is that there a number of provisions within this Bill that potentially undermine the current data protection framework, and therefore may threaten relevant adequacy decisions.
6. The key concerns relate to:
 - provisions which will dilute a data subjects' rights, such as the dilution of protections around automated decision-making;
 - the addition of duties for the Information Commissioner which may impact upon the requirement for the Commissioner's complete independence, free of direct or indirect external influence;
 - the different standard of treatment of international data transfers compared to the EU, which may be an impediment to adequacy should this matter be litigated; and,
 - The totality of the Secretary of State's regulation-making powers result in a high degree of control around data protection with limited safeguards.

7. The potential loss of EU data adequacy is a key concern from a trade perspective. This would be a major threat for Welsh exporting businesses whose main overseas market continues to be the EU, and which rely on smooth data transfers with the EU, particularly multinationals with parent or sister companies based in EU countries. If the UK were to lose its data adequacy status, implementation of the safeguards required by the EU would mean additional administrative and reporting requirements for businesses, as they would be required to undertake additional, potentially costly, compliance activities.
8. From a broader perspective, the loss of data adequacy could also impact the delivery of those public services which rely on the flow of personal data from the EU, for example in education and local government. From a Health perspective the risks are even more significant, with the loss of data adequacy potentially affecting the Welsh NHS and impacting aspects of our cooperation with the EU on health.
9. The UK government has provided assurances that it sees no threat to the adequacy agreement by the Bill. However, we have no evidence to prove or disprove this. Welsh Ministers have requested that the UK government shares a copy of its risk assessment on this matter, but we have not had it. Officials also will continue to seek assurances from the UK government on this matter.
10. Officials will continue to monitor the potential impact of the Bill on EU data adequacy and the TCA as it continues its passage through Parliament.

Llyr Gruffydd MS

Chair

Climate Change, Environment, and Infrastructure Committee

5 February 2025

Dear Llyr,

Holyhead Port Storm Damage and Closure

The Senedd's Economy, Trade and Rural Affairs Committee has decided to undertake a short inquiry into the recent storm damage and related closure of Holyhead Port. The Committee has agreed the inquiry should focus on:

- **Causes:** the factors contributing to the severity of the damage;
- **Communication:** the approach to communication during and after the storm, including communication with port users, communities and businesses affected by the closure as well as between Governments;
- **Remediation:** the speed of response in assessing and repairing the damage, including the support provided by Government; and
- **Impact:** the impact of the closure, as well as the extent and effectiveness of the steps being taken to mitigate the impact.

We intend to hold a one-day evidence session on 6 March and are hoping to hold four panels covering:

- Ports;
- Trade and Logistics;

- Business and Local Government; and
- The Welsh Government position.

As the Committee intends this to be a short, focused inquiry, we will not be opening a public consultation. However, we have decided to write to key interested parties for their views. This will include the Irish Government, business representatives specifically including freight, representatives of tourism providers in north Wales and workers' representatives.

As this is a cross-cutting issue which covers policy within both our Committees' remits, I would like to invite members of the Climate Change, Environment and Infrastructure Committee to participate in this inquiry and attend our session on 6 March. I have asked our Clerk to discuss the practicalities of this with your Clerk.

I look forward to working with you and your committee on this important issue.

Kind regards,



Andrew RT Davies MS

Chair: Economy, Trade and Rural Affairs Committee

We welcome correspondence in Welsh or English

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
Change and Rural Affairs

Ein cyf/Our ref: PO/HIDCC/0041/25

Llŷr Gruffydd MS
Chair
Climate Change, Environment and Infrastructure Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

5 February 2025

Dear Llŷr,

I am writing to follow up a couple of matters raised during my evidence session as part of the Climate Change, Energy and Infrastructure Committee's budget scrutiny.

During the session, the Committee asked whether Local Authorities were still required to produce Rights of Way Improvement Plans and I promised to write with further information.

I can confirm that, under the Countryside and Rights of Way (CROW) Act 2000, each local highway authority is required to publish a Rights of Way Improvement Plan for all of their area. Where parts of an authority's area are within a National Park, the local highway authority may make arrangements to carry out their Rights of Way Improvement Plan functions jointly with that National Park authority.

Authorities are required to make a new assessment, review their ROWIP and decide whether or not to amend it, not more than ten years after publishing their previous plan.

As an incentive to ensure compliance with the production of Rights of Way Improvement Plans, we have attached a funding condition to the award of Welsh Government's Access Improvement Grant to Local Authorities which has helped boost compliance. There are currently 14 completed Rights of Way Improvement Plan and eight which are still in progress but nearing completion.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Huw.Irranca-Davies@llyw.cymru
Correspondence.Huw.Irranca-Davies@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

During the session, we also discussed our ambition that the public sector in Wales should reach net zero by 2030. This is an ambition, not a target, but we do expect every public sector organisation to strive to meet it. I am pleased to report, as I outlined in Committee, there is clear commitment from public bodies to work towards it.

We track carbon emissions from the public sector through an annual reporting exercise: [Welsh public sector carbon emissions 2023: net zero report | GOV.WALES](#). This demonstrates good progress in many areas. For example, local government is investing £20m each year in upgrading local authority heating systems to low carbon alternatives. Each year we also provide £11,25m capital to fund public sector decarbonisation activity such as solar PV, wind turbines and better insulation.

While there is much improvement, differences in the makeup and remit of public sector organisations influences how easily they can reduce carbon emissions. For example, a local authority in an area with heavy industry will face different challenges compared to a rural authority. There are also other challenges, such as those relating to carbon emissions from the procurement of goods and services. The ambition to be net zero by 2030 will be a significant challenge, but it is a collective ambition across the whole of the public sector and we want organisations to continue to aim towards it.

Yours sincerely,



Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd
a Materion Gwledig

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
Change and Rural Affairs

Ein cyf/Our ref: PO/HIDCC/0046/25

Llŷr Gruffydd MS
Chair
Climate Change, Environment and Infrastructure Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

6 February 2025

Dear Llŷr,

During the evidence session on 12 December 2024, I offered to share summary guidance to assist the Committee with its scrutiny of the Disused Mine and Quarry Tips (Wales) Bill. Attached are the following summaries for the Committee's consideration:

- Annex A: Monitoring;
- Annex B: Appeals against Demands for Costs;
- Annex C: Compensation Claims;
- Annex D: Cost Recovery;
- Annex E: Management Plans.

The documents provide a broad outline of the key areas which will be covered in guidance together with an indication of policy direction.

Management plans have an important role in the regime being established under the Bill. I have, therefore, included summary guidance about management plans at Annex E to assist the Committee with its scrutiny of the Bill.

At this stage, it is not possible to provide detailed, definitive draft guidance because the development of draft guidance will be informed by engagement and consultation with stakeholders, in particular Planning and Environment Decisions Wales (PEDW), the Coal Remediation Authority, Natural Resources Wales and The Disused Tips Authority for Wales (the Authority), to ensure the guidance works for the Authority, other bodies and the owners of land who will have responsibility for disused tips.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Huw.Irranca-Davies@llyw.cymru
Correspondence.Huw.Irranca-Davies@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Well in advance of the Authority becoming operational, key staff will have been appointed, including the Chief Executive Officer, the Chief Operations Officer and the Chief Finance Officer who will take part, along with other key stakeholders, in the advisory groups established to inform the development of the suite of draft guidance which will support the implementation and effective operation of the disused tip safety regime.

The draft guidance will also need to reflect draft regulations which will include the procedure for appeals and procedures for claims for reimbursement of owner's expenses on cancellation of a notice (issued under section 33) requiring a landowner to undertake operations.

In addition, the draft regulations and draft guidance will be subject to public consultation and amendments made as a result of the consultation responses.

A full suite of guidance will be published prior to the Authority becoming operational in April 2027.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Huw Irranca-Davies', written in a cursive style.

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd
a Materion Gwledig

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

Disused Mine and Quarry Tips (Wales) Bill – Indicative Guidance in respect of the Authority’s duty to monitor registered tips

Introduction

The Bill establishes a regime of proactive monitoring to safeguard communities from the risk of tip instability. This document provides an outline of the guidance that will be given to the Authority by the Welsh Ministers in respect of its duty to monitor registered tips.

The Bill requires the Authority to monitor the stability, and threats to the stability, of each disused tip in the register. To do this, the Authority may carry out any inspections or other monitoring activities that it considers appropriate. Monitoring activities could include inspections, instrumentation, data capture and reporting activities.

Following registration, the Authority must monitor disused tips in the register. What monitoring is carried out will depend on the specific disused tip but could include gathering evidence on and considering the condition and stability of the tip and associated assets and infrastructure. The conclusion of these activities will assist the Authority in determining the shape of any maintenance works or one-off operations that are required to prevent or deal with threats to the stability of a disused tip or stabilise a disused tip or prevent it from becoming more unstable.

This document sets out an outline of the areas we expect guidance in relation to monitoring to cover. Further technical guidance will be issued by the Authority to cover operational matters.

In exercising its functions, the Authority must have regard to guidance given to it by the Welsh Ministers.

Aim of the guidance

This section will note that the guidance will have been developed in partnership with relevant stakeholders, experts etc to ensure that it has been informed by relevant good/best practice and ongoing operational experiences/learning.

It will also explain the aims and purpose of the guidance on monitoring. It will include detail on, but not be limited to:

- how, in practice, the Authority will be expected to fulfil its duty to monitor disused tips in the register.

Frequency and timing of inspections

The Authority will conduct inspections and other monitoring activities as appropriate, in the performance of its duty to monitor registered tips and in pursuance of its main objective. The guidance will set out the minimum recommended frequency of inspection - this will vary depending on the tip’s category.

It is likely that the guidance will recommend that the current monitoring regime overseen by the Mining Remediation Authority should continue. It is possible that this may need to change depending on the impact of climate change and frequency of major weather events.

The guidance will include advice on the timelines of inspections, assessment and monitoring (for example, in relation to rural land, grazing and other farming activities should be considered) and when planning routine works, certain activities that are

seasonal, such as lambing should be considered.

Providing guidance on monitoring will enable flexibility to update and amend the guidance as needed and at pace if required. This will ensure a robust and future proofed regime that can adapt and change to take account of the impact of climate change, the development and availability of new technologies and give the Authority flexibility to adapt its approach to monitoring and inspection processes.

Category 1 and 2 registered disused tips

The guidance will set out the expectation that the Authority should carry out the first inspection of a category 1 or 2 disused tip within 6 months, beginning with the day on which the tip is added to the register. The Authority will be expected to carry out subsequent inspections at the intervals specified in the table below.

Table 1 - Intervals of inspections

Category of registered tip	Recommended frequency of inspection
Category 1	Twice annually
Category 2	Annually

Category 3 and 4

The guidance will set out that it will be considered good practice for the Authority to carry out inspections on category 3 and 4 disused tips at the recommended frequency shown in the table below:

Table 2 - Intervals of inspections

Category of registered tip	Recommended frequency of inspection
Category 3	3 to 5 years
Category 4	5 to 10 years

The guidance will also outline the expectation that the Authority should inspect high risk tips on an ad hoc basis when there has been a major event (such as a storm or prolonged period of heavy rainfall) in an area or when technology indicates that thresholds for intervention have been met.

Non-coal disused tips

The guidance will outline that the Authority intends to prioritise the assessment of disused coal tips, however if has reason to believe that a non-coal tip poses a threat to human welfare the Authority is able to assess that tip. It is estimated that the Authority will begin to assess disused non-coal tips six years after the Authority is established(2032-2033). Once registered, all tips (coal and non-coal) will be inspected according to their categorisation.

Reporting

The guidance will set out the expectation that when the Authority carries out an inspection it should:

- set out the conclusions of the inspection in a report (an “inspection report”)
- add the date of the most recent inspection to the register of disused tips

The guidance will set out the expectation that, as a minimum, an inspection report should include:

- **Administrative information:**
 1. unique identifier of the tip
 2. the tip's category
 3. location of the tip
 4. name of Inspector
 5. date of current and last inspection.
- **Technical Information**

Table 3 – Examples of the type of technical information

1. Geotechnical	Tension cracking, hummocking, subsidence, erosion
2. Drainage	Channels, culverts, headwalls, trash screens
3. Engineering Infrastructure	Retaining structures, retention systems
4. Instrumentation & Monitoring	Rain Gauge, flow meter, survey points
5. Contamination & Geo-environmental	Pollution, hazardous materials, invasive species

The guidance will set out the expectation that, in the production of an inspection report, the Authority should include any recommendations for activities or operations to improve or secure the stability of a disused tip.

Competency

An inspection should only be conducted by a “competent person”. A competent person means an individual who has sufficient training, knowledge and experience to carry out the activity. The guidance will recommend that the Authority prescribes the necessary skills and qualifications needed in this regard and the expectation that the Authority will take the lead in skills development and build the necessary resource capacity and capability in Wales.

Future Review and Consultations

Welsh Ministers will periodically review the guidance to ensure it remains fit for purpose.

This section could also include information about how the guidance will be reviewed and updated. This will be done following discussion and engagement with relevant stakeholders.

FAQs

This section would set out an expectation that the Authority will publish an FAQ document.

Welsh Language

The Authority will be added to Schedule 6 of the Welsh Language (Wales) Measure 2011. The intention is for it to be added to Schedule 6 to the Welsh Language Standards (No. 2) Regulations 2016, and for the Authority to be subject to Welsh language standards. The Authority will be expected to promote and encourages the use of Welsh throughout all of its work in Wales. It will welcome correspondence in Welsh, bi-lingual or English format and will correspond in the stated language preference.

Disused Mine and Quarry Tips (Wales) Bill – Indicative Guidance in respect of appeals to be determined by PEDW

The information contained within this guidance relates to procedures in Wales only.

Guidance

This document sets out an outline of guidance that will be issued by the Welsh Ministers in respect of appeals made under the Disused Mine and Quarry Tips (Wales) Bill (the “Bill”).

The guidance will set out when appeals can be made, and which appeals will be determined by a person appointed by the Welsh Ministers and which will be determined by the courts.

The guidance will focus on appeals to be determined by a person appointed by the Welsh Ministers. The intention is that the Welsh Ministers will appoint Planning and Environment Decisions Wales (PEDW) to be that appointed person to determine such appeals. PEDW already carries out a similar role on behalf of Welsh Ministers in relation to (but not limited to) planning and environmental appeals.

The guidance will be aimed at PEDW, for the purposes of its role as “appointed person” under the Bill. PEDW must have regard to the guidance given by the Welsh Ministers when determining relevant appeals under the Bill.

The guidance will set out that PEDW will determine appeals against a section 33 notice and applications for reimbursement of an owner’s expenses when a section 33 notice has been cancelled.

The Welsh Ministers will make regulations about the procedure to be followed by PEDW when determining such appeals/applications. This guidance will sit alongside those regulations and provide clarification on the practical application of those provisions.

Aim of the Guidance

This section will note that the guidance will be developed in partnership with relevant stakeholders, experts etc to ensure that it has been informed by relevant good/best practice and ongoing operational experiences/learning. The aim of the guidance is to provide clarification on how the appeals to be determined by PEDW will operate in practice.

By way of example, the text below provides an indication of the type of information that the guidance will include:

- clarification that the expectation is that, in the main, appeals will be determined by way of written representations. In most cases, this is likely to be - the quickest, simplest and most cost-effective way of deciding an appeal
- the factors that PEDW might consider when deciding whether an oral hearing is warranted
- clarification that the expectation is that there may be circumstances where PEDW may want to visit the relevant site as part of the appeal determination
- information about when it might be appropriate for parties or witnesses to attend a hearing, and about the examination of those parties or witnesses

- reflecting what will be included in regulations (referred to above), the guidance will contain additional information explaining relevant powers to enter land and the creation of offences for failure to comply with requirements imposed under the regulations.

Appeals

Once the Authority is established one of the key responsibilities will be to build relationships with stakeholders and, in particular, with owners of disused tips. The guidance will explain that it is expected that a focus on building relationships will help to reduce the need for notices and subsequent appeals, as the Authority will have established routes for dialogue and engagement with stakeholders.

The guidance will explain that PEDW will determine appeals against notices issued by the Authority requiring an owner to carry out operations on their land. These appeals may be from the landowner(s) or anyone who receives a copy of the notice as a person with an interest in the notice. The guidance will clarify the grounds on which an appeal against such a notice can be made to Welsh Ministers.

One such ground relates to hardship i.e. an owner of land who is given a notice under section 33 may appeal on the ground that the owner is unable to meet the costs of the operations required by the notice. In the guidance, we intend to provide details of the circumstances when this ground may be relied upon. Failure to comply with a section 33 notice, without reasonable excuse, is an offence. The guidance will set out that part of the motivation for allowing an appeal on the basis of financial hardship is to avoid a person committing a criminal offence because they could not afford to comply with the notice. The guidance will also explain and provide example scenarios illustrating how these provisions will work in practice where there is more than one owner of a disused tip.

The guidance will explain that the other application to be determined by PEDW under the Bill is where an owner applies to the Welsh Ministers for reimbursement of expenses from the Authority, if those expenses were incurred in complying with a notice that the Authority has cancelled.

The guidance will note that when making such determinations, PEDW can consider evidence, for example, documents, quotes, notes of research, correspondence between the owner and the Authority which will help PEDW to form a view as to whether a section 33 notice should be varied or cancelled or whether the expenses claimed are reasonable.

The guidance will provide examples of the types of evidence that might be considered, such as (but not limited to):

- evidence from experts
- photographic evidence of damage or how enjoyment of land has been interfered.

Timescales

The guidance will reflect what is contained in the regulations in terms of the timescale for making an appeal to Welsh Ministers.

The guidance will set out that there will be an expectation that PEDW will take all practical and reasonable steps to ensure that applications are to be determined as expeditiously as possible and in accordance with the regulations made by the Welsh

Ministers. The guidance will encourage the Authority to provide information on its website for landowners regarding the appeals process.

The guidance will explain that the varied nature of the grounds of appeal and the likely differing complexity of the factual circumstances surrounding each appeal – for example some land may have multiple owners – means that it is not considered appropriate to set a time limit within which PEDW must determine every appeal. Some appeals will be determined on the basis of written representations, whilst others may involve PEDW entering and inspecting land or the examination of expert witnesses. What is considered to be a reasonable timeframe for the determination of one appeal will therefore be different to what is considered reasonable in another appeal.

The guidance will also note that, in determining an appeal some of the tasks that PEDW will need to undertake could include, but will not be limited to:

- preparation for any site visit
- carrying out any site visit- and
- writing the decision.

The guidance will set out the expectation that PEDW will deal with the administration of relevant appeals from receipt and validation of the application to the issue of the appeal decision. Appeals will be administered in line with the procedures set out in regulations.

Should a hearing be considered appropriate, PEDW will be responsible for organising it.

Making an appeal to the courts

The guidance will refer to the appeals, applications and disputes arising under the Bill that will be determined by the court. For example, a person who is given a demand by the Authority for expenses incurred by the Authority in carrying out operations, may apply to the court for an order varying or cancelling that demand. Welsh Ministers do not propose to issue guidance to the courts in respect of applications/disputes to be determined by the court under the Bill.

Responsibilities

The guidance will clarify the responsibilities of the Welsh Ministers in respect of appeals to be determined by PEDW, and the responsibilities of PEDW when determining such an appeal on behalf of the Welsh Ministers. For example, the guidance will explain that, under the Bill, Welsh Ministers must notify the Authority and each person who was given a copy of the relevant section 33 notice, when an application under section 36 is received.

The guidance will also make clear that all parties are expected to behave reasonably during the appeals process.

Costs

The guidance will clarify that there will be no charge to make an application to the Welsh Ministers under the Bill; however, all parties to an appeal are responsible for meeting their own appeal expenses.

Future Review and Consultations

Welsh Ministers will periodically review the guidance to ensure it remains fit for purpose.

This section could also include information about how the guidance will be reviewed and updated. This will be done following discussion and engagement with relevant stakeholders

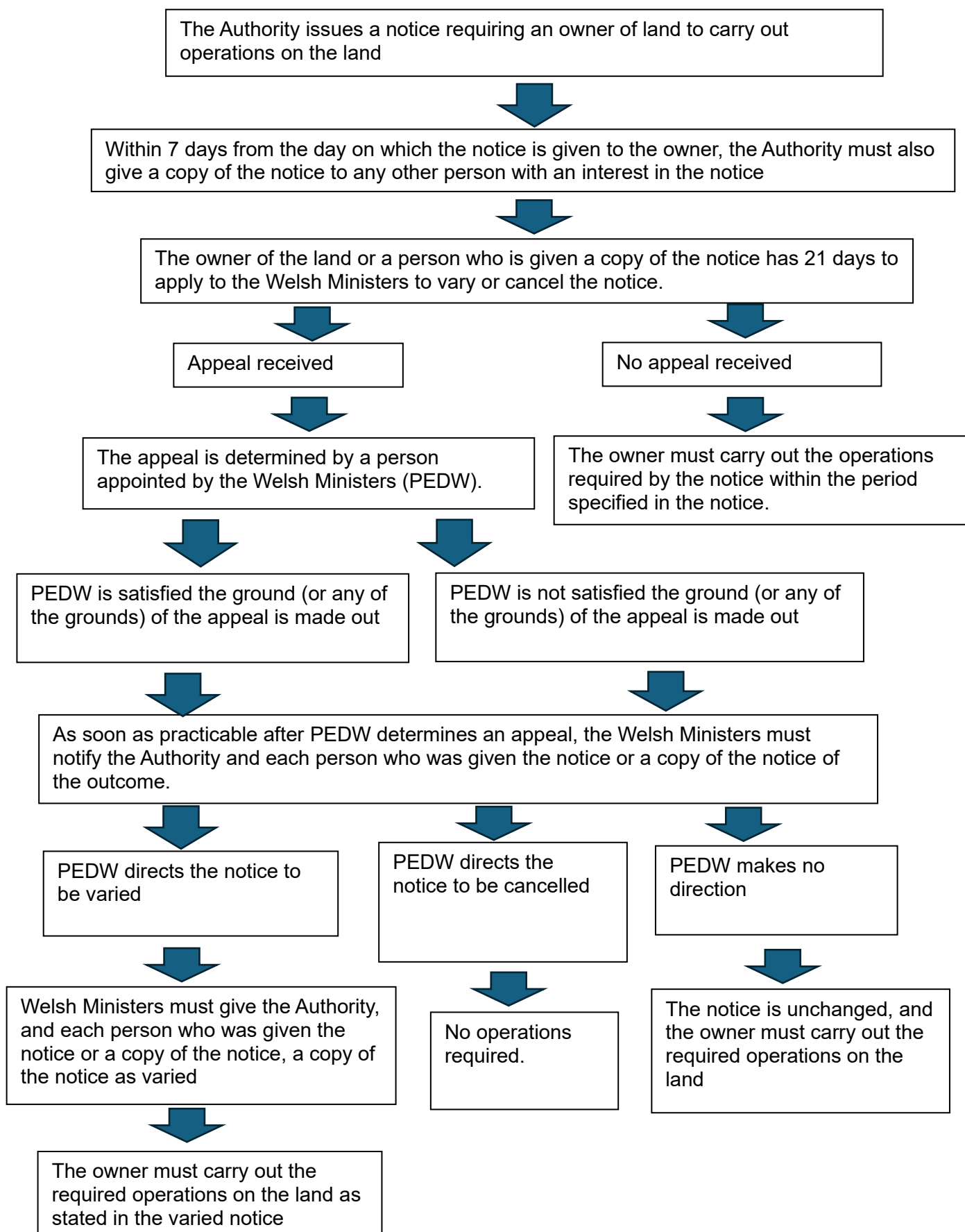
FAQs

This section would set out an expectation that the Authority will publish an FAQ document about how someone might make an appeal.

Welsh Language

The Authority will be added to Schedule 6 of the Welsh Language (Wales) Measure 2011. The intention is for it to be added to Schedule 6 to the Welsh Language Standards (No. 2) Regulations 2016, and for the Authority to be subject to Welsh language standards. The Authority will be expected to promote and encourages the use of Welsh throughout all of its work in Wales. It will welcome correspondence in Welsh, bi-lingual or English format and will correspond in the stated language preference.

Annex 1: Appeals by owners and interested parties against a notice to carry out operations



Disused Mine and Quarry Tips (Wales) Bill - Indicative Guidance in respect of Compensation

Introduction

This document provides an outline of guidance that will be given to the Authority by the Welsh Ministers in respect of compensation provisions in the Bill (sections 31 and 48). The guidance will set out in a straightforward way an explanation of the provisions in the Bill on compensation and provide details about how the provisions work, and expectations in respect of compensation.

In exercising its functions, the Authority must have regard to guidance given to it by the Welsh Ministers.

Aim of the guidance

This section will note that the guidance has been developed in collaboration with key stakeholders, such as the Mining Remediation Authority, Natural Resources Wales and other public bodies.

It will also explain the aims and purpose of the guidance on compensation, including detail on (but will not be limited to) the following:

- when and who may be entitled to claim compensation under the Bill;
- an explanation of how compensation fits in the wider context of the management regime;
- an overview of potential scenarios illustrating how the entitlement to compensation will work;
- details on the procedure to follow when there is an entitlement to compensation; and
- information about dispute resolution.

The right to compensation

The Bill includes provisions for compensation and allows for claims if operations or investigations have damaged any land, property, or the enjoyment of land has been disturbed. There is also an entitlement to compensation if property is removed or disposed of because of operations carried out.

Eligible individuals will have the right to seek compensation from the responsible parties:

- the landowner carrying out the operations to in compliance with a notice (section 33),
- the Authority carrying out an inspection or other monitoring activity, a preliminary or a full assessment (section 31), and
- the Authority carrying out operations or any consequential works of reinstatement (section 42) and/or investigation (section 53) to determine whether operations must be carried out by the owner or by the Authority.

Landowners and others can seek compensation from the Authority, except when damage is due to their own or prior owners' operations.

The right to compensation in the wider context of the management regime.

The guidance will set out different factors which may be considered in respect of a claim for compensation, for instance:

- the type of land (e.g. urban, rural, residential, agricultural)
- the nature of damage to property and/or estate (e.g. structural repair, subsidence, waterlogging)

- the nature of disturbance to land (e.g. noise, dust and vibrations from heavy machinery)
- proportion of relevant land owned.

Given the complexity of ownership, the guidance will provide advice to the Authority in respect of the Welsh Ministers' expectations as to how to determine compensation when multiple owners are involved. The guidance will set out the factors that the Welsh Ministers expect the Authority to consider so that compensation is equitable.

Potential scenarios illustrating how the right to compensation will work.

This section of the guidance will set out the context in respect of the right to compensation in the Bill:

a) Compensation for damage, loss or disturbance following inspection, monitoring activity or assessment

The guidance will make clear that there is an entitlement to compensation from the Authority if the Authority carried out:

- an inspection, or other monitoring activity, a preliminary or a full assessment (section 31)
- or any consequential works of reinstatement (section 42)
- and/or investigation (section 53) to determine whether operations must be carried out by the owner or by the Authority.

b) Compensation for damage, loss or disturbance following operations carried out in compliance with a notice.

The guidance will also make clear that there is an entitlement to compensation from the landowner if the landowner carried out operations in compliance with a notice (section 33).

The guidance will clarify those persons with an entitlement to claim compensation as outlined below:

- If the landowner carried out the operation (section 33)
- If the Authority carried out assessment, inspections, monitoring activity (section 48) any consequential works of reinstatement (section 42) and/or investigation (section 53) to determine whether operations must be carried out by the owner or by the Authority.

- Damage to land** – Any person with an estate or interest in the land
- Damage to other property** – The owner of the property
- Removal or disposal of other property** – The owner of the property
- Disturbance to a person's enjoyment of land** – The person whose enjoyment is disturbed

An overview of the claims for compensation is attached **at Annex 1**.

Examples of possible damage, loss or disturbance

a) Damage to land

Access routes across agricultural land used to undertake investigatory works, sustain damage due to the higher ground pressures experienced during the mobilisation and demobilisation of specialist plant to support works.

b) Damage to other property

A gate securing access to land adjacent to a disused tip is damaged in the mobilisation of equipment to undertake operations at a disused tip.

c) Removal or disposal of other property

A landowner had a shed that is used to shelter sheep during lambing season, however the shed had to be removed (and during the course of removal, was damaged to such an extent so that it could not be returned) to allow operations to be carried out on the land.

d) Disturbance to a person's enjoyment of land

A campsite needs to be temporarily closed whilst operations are being carried out and the landowner suffers a drop in income as a result, or where a farmer is not able to farm on a particular piece of land during operations.

Indicative process to follow when seeking compensation.

This section of the guidance will explain the procedure to follow when seeking compensation from the Authority or from an owner of land.

The guidance will explain that the Authority intends to put in place a digitally enabled service to receive compensation claims, with a pre-defined approval process (based on the type of compensation claim) behind it to progress the claim as quickly as possible. When submitting a claim for compensation to the Authority, claimants would be required to complete a form within a set deadline and to enclose supporting documentation.

By way of explanation, the information required to complete the claim form would cover personal information (e.g. name, postal and digital address) and administrative data (e.g. Tip ID and/or notice number, type of claim and financial claim value) and claimants would be required to provide relevant evidence, for instance copies of all paperwork that will help to assess the claim, including photographic evidence of damages.

The claim form will be available in an accessible and bilingual digital and paper format and the claim could be submitted online and by post to the Authority.

The Authority will issue a compensation policy detailing the process and the timeframes for responding. The policy will be published on the Authority's website

Dispute Resolution

The guidance will explain that any dispute arising from a claim for compensation sought from the Authority or an owner of land for damage of land and/or property and for disturbance to the enjoyment of land will be determined by the court.

Future Review and Consultations

Welsh Ministers will periodically review the guidance to ensure it remains fit for purpose.

This section could also include information about how guidance will be reviewed and updated. This will be done in discussion and engagement with relevant stakeholders.

Frequency asked questions (FAQs)

This section would set out an expectation that the Authority will publish an FAQ document on compensation.

Welsh Language

The Authority will be added to Schedule 6 of the Welsh Language (Wales) Measure 2011. The intention is for it to be added to Schedule 6 to the Welsh Language Standards (No. 2) Regulations 2016, and for the Authority to be subject to Welsh language standards. The Authority will be expected to promote and encourages the use of Welsh throughout all of

its work in Wales. It will welcome correspondence in Welsh, bi-lingual or English format and will correspond in the stated language preference.

Annex 1

Table 1: Claims for compensation

Section	Activity which can give rise to a claim	Compensation which can be claimed	Claim can be made by	Claim made to	Body who determines disputes
Section 31	Compensation for damage or disturbance as a result of inspections, monitoring activity or assessments undertaken by the Authority	damage to land	Any person with an estate or interest in the land	The Authority	the Courts
Section 31	Compensation for damage or disturbance as a result of inspection, monitoring activity, or assessments undertaken by the Authority	damage to other property	The owner of the property	The Authority	the Courts
Section 31	Compensation for disturbance or damage as a result of inspection, monitoring activity or assessments undertaken by the Authority	disturbance to person's enjoyment of land	The person whose enjoyment of the land is disturbed	The Authority	the Courts
Section 48(1)(a)	Compensation for damage as a result of operations carried out by an owner of land to comply with the requirements of a notice issued by the Authority (under section 33) or any consequential works of reinstatement	damage to land	Any person with an estate or interest in the land	The owner of the land	the Courts
Section 48(1)(a)	Compensation for damage as a result of operations carried out by an owner of land to comply with the requirements of a notice	other property, which is damaged, removed or disposed of	The owner of the property	The owner of the land	the Courts

	issued by the Authority (under section 33) or any consequential works of reinstatement				
Section 48(1)(a)	Compensation for disturbance as a result of operations carried out by an owner of land to comply with the requirements of a notice issued by the Authority (under section 33) or any consequential works of reinstatement	disturbance to person's enjoyment of land	The person whose enjoyment of the land is disturbed	The owner of the land	the Courts
Section 48(1)(b)	Compensation for damage to land as a result of operations, or any consequential works of reinstatement, carried out by the Authority (under section 42)	damage to land	Any person with an estate or interest in the land	The Authority	the Courts
Section 48(1)(b)	Compensation for damage to property as a result of operations, or any consequential works of reinstatement, carried out by the Authority (under section 42)	other property, which is damaged, removed or disposed of	The owner of the property	The Authority	the Courts
Section 48(1)(b)	Compensation for disturbance as a result of operations, or any consequential works of reinstatement, carried out by the Authority (under section 42)	disturbance to person's enjoyment of land	The person whose enjoyment of the land is disturbed	The Authority	the Courts
Section 48(1)(c)	Compensation for damage to land as a result of investigations carried out by the Authority (under section 53) to determine whether operations are required.	damage to land	Any person with an estate or interest in the land	The Authority	the Courts
Section 48(1)(c)	Compensation for damage to other property as a result of investigations carried out by the	other property is damaged,	The owner of the property	The Authority	the Courts

	Authority (under section 53) to determine whether operations are required				
Section 48(1)(c)	Compensation for disturbance as a result of investigations carried out by the Authority (under section 53) to determine whether operations need are required.	disturbance to person's enjoyment of land	The person whose enjoyment of the land is disturbed	The Authority	the Courts

Disused Mine and Quarry Tips (Wales) Bill Indicative Guidance - Powers of the Authority to Recover Costs

Introduction

This section of the guidance will provide a description of the powers of the Authority to recover costs and the approach and procedures which must be followed when these powers are exercised by the Authority.

In exercising its functions, the Authority must have regard to guidance given to it by the Welsh Ministers.

The guidance will set out the sections of the Bill which relate to cost recovery, explain their meaning and provide examples, where appropriate, of how costs recovery will work in practice.

Relevant provisions

Necessary operations

Under section 33 of the Bill, the Authority may issue a notice requiring an owner of land to carry out operations on the land if the Authority considers it necessary to achieve the objective of:

- preventing, or dealing with, threats to the stability of a disused tip or
- stabilising a disused tip or preventing a disused tip from becoming more unstable

so as to avoid or reduce threats to human welfare.

In addition, under section 42 of the Bill the Authority may carry out operations on any land it considers necessary to do so to achieve the objective set out above (subject to relevant notice provisions in section 44). This power is intended to be used in circumstances such as those where the Authority believes that owners are unable or unwilling to undertake the work themselves or following a successful appeal against a section 33 notice.

Where the Authority carries out operations, it may also carry out any consequential works of reinstatement that it considers are reasonably necessary.

Recovering Costs

Under section 51(1) of the Bill, where the Authority has carried out operations, it may issue a demand to the landowner (the person who was the owner when the Authority started to carry out the operations) to recover reasonable costs associated with:

- investigations which resulted in the Authority carrying out operations on the land
- operations and any works of reinstatement undertaken by the Authority
- any compensation that is recoverable from the Authority under section 48.

Under section 51(2), where the Authority has carried out investigations that resulted in a notice requiring the landowner to carry out operations, the Authority is entitled to recover,

from the landowner (the person given the section 33 notice), reasonable costs associated with:

- the carrying out of those investigations
- any compensation that is recoverable from the Authority under section 48.

Where a contribution order has been made, the Authority may recover costs from a contributory.

Right to appeal against the recovery of costs

Under section 52 landowners and contributories may apply to the court to vary or cancel a demand for the recovery of costs issued by the Authority.

Guidance will set out when owners may make an appeal against the recovery of costs.

Charging fees

The guidance will explain the provisions of the Bill which give the Authority the power to charge a fee.

Under section 3, the Authority may charge a fee for the provision of information, advice or assistance.

In addition, under section 68 the Authority may charge a fee for administrative, professional or technical services to any devolved Welsh authority.

Cost recovery

Public law principles

As a public body, the Authority will be subject to the principles of public law, meaning it will need to be reasonable and proportionate in its activities to recover costs and charging for advice and services and the guidance will iterate this.

Avoiding the need for the Authority to undertake works under section 42

The Bill is preventative in nature – it establishes a new regime for managing tips to ensure disused tips and are properly maintained to address tip instability. The guidance will provide advice on establishing an effective management regime which, through earlier intervention to prevent tip instability, will reduce the need for the Authority to undertake operations under section 42, particularly those operations which need to be carried out immediately.

The guidance will also provide advice on providing information, advice and assistance to landowners with little, or no, knowledge about managing disused tip instability to reduce the need for the Authority to undertake operations under section 42.

Providing information, advice and assistance will enable landowners to become familiar with, understand and engage in the inspection and monitoring regime and will support the ability and willingness of private landowners to maintain disused tips and, where required, to undertake operations required under a section 33 notice.

Guidance will set out the expectation that the Authority should provide information, advice and assistance to landowners to support them to undertake general maintenance to ensure disused tips remain stable and to understand:

- how any operations recommended or required by the Authority will address tip instability or threats to tip instability;
- how to undertake certain operations to maintain tips or to undertake operations recommended or required by the Authority;
- the potential costs involved in maintaining a tip to ensure stability or to undertake certain operations recommended or required by the Authority
- how the costs to the landowner could be offset through contributions from others
- how applications to the Coal Tip Safety Grant can be made.

Charging fees for information, advice and assistance

The Authority has discretionary powers to charge fees for the information, advice and assistance it provides.

The guidance will align with HM Treasury guidance Managing Public Money¹ and will set out the expectation that the Authority will develop a full cost recovery model to the information, advice and assistance it provides to landowners, where appropriate. The guidance will provide advice, and examples, about the circumstances which should be considered when deciding what forms of information, advice and assistance will incur a fee, factors that should be taken into account when setting fee levels and the circumstances in which it may be appropriate to waive certain fees, in full or in part.

The guidance will clarify that the Authority must not charge for a service where the Welsh Government has provided the Authority funding for the provision of that service, this includes, for example:

- general information provided to owners, interested parties and the public
- advice to landowners about routine maintenance and operations required to be undertaken on a particular tip
- tip inspections
advice and assistance to develop a management plan.

Informing landowners about the cost of carrying out investigations and operations

The guidance will clarify that, other than where operations need to be undertaken immediately, the Authority must provide the owner of the land and interested parties with 21 clear days' notice of its intention to carry out operations. The notice must specify:

- the disused tip in connection with which the notice is given,
- the nature and extent of the proposed operations and of any proposed consequential works of reinstatement, and
- the threat to human welfare that the operations are intended to avoid or reduce.

In addition, the guidance will set out the expectation that the Authority will generally provide additional information to all landowners well in advance of operations being undertaken, so they are fully informed about:

- the reason why any investigations are/were necessary to inform the operations which are necessary and the costs of those investigations;
- why the operations are required, the estimated costs and whether the owner can seek to reduce the costs incurred to them through, for example, seeking a contribution order or securing funding via the Coal Tip Safety Grant Scheme towards the costs;
- when the costs are likely to become payable;
- details about arrangements which could be put in place should the landowner not be in a position to pay the costs when due; and
- information about how to appeal against the costs.

In exceptional circumstances, it may not be possible for the Authority to provide the additional information to all landowners in advance of investigations and operations being undertaken under section 42. This could include where the Authority has not had the opportunity to engage with the owner because operations needed to be undertaken by the Authority immediately (section 44(3)(a)) or in cases where the owners of the land could not be traced.

In such cases, the guidance will set out an expectation that the Authority should provide the landowner with the additional information as soon as reasonably practicable.

Invoicing the landowner for investigations and operations undertaken

The guidance will clarify that where the Authority is seeking to recover costs from a landowner for investigations or operations, the Authority must send a demand to the owner setting out:

- the sum claimed by the Authority from the person;
- if the demand is given to a contributory, the total amount in respect of which the contribution is claimed;
- if the demand is given to the owner of the land, the sums (if any) that the Authority is entitled to recover from any contributory or contributories; and
- the separate amounts which comprise the total amount recoverable by the Authority, broken down by reference to the relevant investigations, operations and compensation (section 51(5)).

As well as the information which must be included in a demand, the guidance will set out the expectations that the following additional information should be included with the demand:

- what the landowner can do if they are unable to pay the costs
- information about the right to appeal against the costs, including the timeframe in which an appeal must be made and contact information for who an appeal can be made to
- information about how the Authority might be able to support dispute resolution and contact information for other organisations which can support owners in making appeals about costs.

The guidance will set out the recommended timeframe within which demands should be sent following the completion of investigations and operations and set out that the Bill allows six weeks for landowners and contributors to lodge an appeal against the demand.

Proportionate costs for investigations and operations

The guidance will set out expectations that the costs being recovered must be reasonable and proportionate.

To support the Authority to demonstrate it is complying with public law, the guidance will include advice about ways that the Authority can demonstrate to the owner that the costs it is seeking to recover are proportionate and reasonable. This will include providing information about:

- ways in which the Authority can demonstrate the specific investigations and/or operations were necessary to investigate and/or address tip instability and/or a threat to tip instability
- how the operations were proportionate – for example, where the approach taken avoids the need to undertake unnecessary work or larger scale work
- due diligence undertaken when commissioning and appointing contractors involved in the work, ensuring the contractors were competent to undertake the work and that the procurement process was competitive.

Approach to recovering costs for operations under section 42 where agreement can not be reached

In most instances, it is expected that the approach taken by the Authority, including engagement with the landowner and the use of management plans, will reduce instances of disagreement between the landowner and the Authority regarding the costs being recovered.

It is recognised, however, that there will be situations where the landowner does not agree with the cost and, on that basis, is unwilling to reimburse the Authority for the operations undertaken under section 42.

The guidance will provide advice on approaches the Authority could use to avoid court action.

The guidance will set out advice to the Authority about resolving disagreements. This will include providing information and examples of actions the Authority can take to engage and reach agreement with landowners in relation to costs. The guidance will provide information about using independent services such as the use of dispute resolution or mediation services, that might be able to assist with this.

Approach to recovering costs where the landowner is unable to pay

As set out in the regulatory impact assessment, it has been assumed (based on the experience of the reservoir policy) that 75% of costs incurred by the Authority in undertaking operations which are required immediately, will not be recoverable.

The guidance will, however, set out the expectation that the Authority will recover costs in situations where pursuing the costs would be cost-effective and fair. The guidance will also provide examples of situations where it would not be cost-effective or reasonable for the Authority to pursue payment. This would include, for example, where a landowner is unable to work due to age or long-term illness and does not have significant savings or liquid investments.

In addition, the guidance will set out that, where appropriate, the Authority may suggest a repayment plan and provide examples of the financial circumstances which should be considered when deciding whether it would be appropriate to implement a repayment plan.

The guidance will also include advice on charging interest on outstanding sums, including matters the Authority should consider when determining the rate of interest and whether it would be appropriate to charge interest in cases where a repayment plan has been agreed or where an appeal is being pursued.

Recovering costs where the landowner is unwilling to pay

In rare occasions, where a landowner can pay the costs demanded by the Authority but is unwilling to do so, despite attempts made by the Authority to resolve any disagreements, the guidance will set out the options available to both parties.

As set out above, landowners have a right to appeal against the Authority's demand for payment against costs demanded and the guidance will set out the expectation that the Authority will include information about these rights when invoicing the landowner.

Where reasonable and proportionate, the Authority may pursue court action to recover costs, such as applying for a county court judgment.

The guidance will provide advice about the circumstances where it would be appropriate for the Authority to consider court action.

Recovering costs from multiple landowners

The Authority can carry out operations on any land if it considers necessary to do so. Any land includes both the land on which the disused tip is situated and land in the vicinity of a disused tip which has, or could have, an impact on the stability of that tip.

Landownership is complex. The land on which tips are located are in some cases solely owned by an individual, a local authority, a company or a charity and in others are owned by multiple individuals and/or bodies. It is likely that the ownership of land in the vicinity of a disused tip could be equally complex.

Given the complexity of land ownership, the guidance will set out that it is unlikely that one approach will be appropriate for recovering costs. The guidance will, therefore, provide advice on strategies which can be adopted to recover costs where there are multiple owners or a number of contributories. The guidance will provide advice around factors which should be considered to ensure cost recovery is equitable.

Future Review and Consultations

Welsh Ministers will periodically review the guidance to ensure it remains fit for purpose. This section could also include information about how the guidance will be reviewed and updated. This will be done following discussion and engagement with relevant stakeholders

FAQs

This section would set out an expectation that the Authority will publish an FAQ document.

Welsh Language

The Authority will be added to Schedule 6 of the Welsh Language (Wales) Measure 2011. The intention is for to be added to Schedule 6 to the Welsh Language Standards (No. 2) Regulations 2016, and for the Authority to be subject to Welsh language standards. The Authority will be expected to promote and encourage the use of Welsh throughout all its work in Wales. It will welcome correspondence in Welsh, bi-lingual or English format and will correspond in the stated language preference.

Disused Mine and Quarry Tips (Wales) Bill – Indicative Guidance in respect of Management Plans

Note: The information contained within this guidance relates to procedures in Wales only.

Introduction

Whilst the Bill does not require the production of management plans, these will be important to the application of the regime. The purpose of a management plan will be to detail tip specific information, and to provide a proactive, proportionate management strategy for a disused tip. This will include information and the details necessary to monitor and maintain the disused tip safety, alongside specific information on identifying and managing risks and the development of tip specific contingency plans. Management plans will be informed by the tip assessments and categorisation undertaken by the Authority.

This document provides an outline of guidance for the Authority on management plans.

In exercising its functions, the Authority must have regard to guidance given to it by the Welsh Ministers.

Aims of the Guidance

This section will note that the guidance will be developed in partnership with relevant stakeholders, experts etc to ensure that it has been informed by relevant good/best practice and ongoing operational experiences/learning.

It will also explain the aims and purpose of the guidance on management plans. It will include detail on, but will not be limited to the following:

- how, in practice, the Authority will be expected to implement the guidance on management plans
- how management plans fit in with the wider regime, such as monitoring and inspection, appeals etc.
- expectations in respect of the minimum content of management plans and inspections/appraisals
- the roles and responsibilities of the Authority and its interaction with other public bodies.

Setting out advice on management plans in guidance will enable flexibility to update and amend the guidance as needed and at pace if required. This will ensure a robust and future proofed regime that can adapt and change to take account of the impact of climate change, the development and availability of new technologies and give the Authority flexibility to adapt its approach to monitoring and inspection processes.

The guidance will include an expectation that the Authority will provide information for private tip owners so that they know what to expect in respect of management plans. How this will be made available will be at the discretion of the Authority.

What will the guidance include

The Authority will have discretion as to how management plans will be produced. The guidance will make it clear that the expectation is that all Category 1 and 2 disused tips have a plan in place, as these are the highest risk category of tips. It will be for the Authority to consider and have the discretion to decide whether a management plan is appropriate for individual Category 3 and 4 disused tips. This will be done on a case-by-case basis.

The guidance will outline the expectation that management plans should contain the complete picture of how a disused tip should be managed, including, where appropriate, references to best practice. A management plan should include details regarding the minimum frequencies of monitoring activities and circumstances in which additional inspections should be carried out. Our thinking is that management plans should include details such as (but not limited to):

- a record of tip specific information
- how the Authority plans to carry out monitoring activity
- the circumstances in which the Authority may carry out additional inspections
- a description of any one-off operations the Authority considers would remove or reduce threats to the stability of the tip
- a timetable for carrying out the operations, and
- the arrangements for an effective response to any emergencies arising in relation to the tip.

The management plan for a particular tip will be informed by that tip's assessment and categorisation, which will have been undertaken by the Authority.

The Authority will provide routine maintenance advice to disused tip owners via management plans and inspection reports, and which, if necessary, will include recommended work to ensure the stability of a tip, or to ensure that the tip does not pose a threat to human welfare.

Emergency Preparedness

The guidance will also cover issues such as emergency preparedness and incident response. We recognise that each disused tip location is unique, therefore we would expect each management plan to detail the specific potential hazards, receptors at risk, emergency scenarios and response strategies relevant to each disused tip.

The guidance will set out the expectation that management plans should include details regarding emergency preparedness, incident response and the remedial strategy and how this has been developed and agreed with statutory bodies (local authorities, NRW) in respect of that particular disused tip.

Furthermore, the guidance will set out the expectation that management plans demonstrate consideration of potential site-specific constraints which may dictate emergency preparedness, incident response and remedial strategy. These constraints could include, but are not limited to:

- proximity of ecologically designated sites
- location of adjacent critical infrastructure, and
- interactions with designated water courses.

The guidance will make clear the expectation that the Authority will work with other bodies to develop management plans for disused tips within their ownership, and the Authority will also be expected to produce management plans for private tip owners, who for whatever reason are unable to or refuse to produce a management plan. We expect that all management plans are signed off by the Authority.

Future Review and Consultations

Welsh Ministers will periodically review the guidance to ensure it remains fit for purpose.

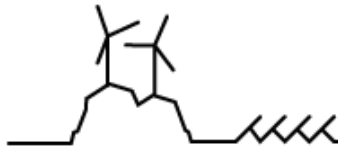
This section could also include information about how the guidance will be reviewed and updated. This will be done following discussion and engagement with relevant stakeholders.

FAQs

This section would set out an expectation that the Authority will publish an FAQ document.

Welsh Language

The Authority will be added to Schedule 6 of the Welsh Language (Wales) Measure 2011. The intention is for it to be added to Schedule 6 to the Welsh Language Standards (No. 2) Regulations 2016, and for the Authority to be subject to Welsh language standards. The Authority will be expected to promote and encourage the use of Welsh throughout all of its work in Wales. It will welcome correspondence in Welsh, bi-lingual or English format and will correspond in the stated language preference.



10 February 2025

Dear Climate Change, Energy, and Infrastructure Committee,

Thank you for inviting me to represent Coal Action Network on 05 February 2025 in your Stage 1 scrutiny of the Disused Mine and Quarry Tips (Wales) Bill evidence session with environmental organisations. Towards the end of the session, I highlighted that Merthyr Tydfil County Borough Council Local Planning Authority is anticipating an application from Merthyr (South Wales) Ltd (coal operator) to reduce the quality of restoration planned for Ffos-y-fran compared to what the company agreed to deliver in 2015. Crucially, the coal operator is expected to propose retaining the three colossal coal tips in situ rather than returning them to the void it excavated during the course of opencast coal mining. This would likely add new coal tips to the coal tips register being proposed under this new Bill during its passage through the Senedd.

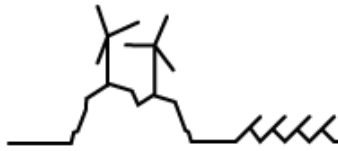
But we believe there is an opportunity to prevent these becoming new disused coal tips. The new planning application would be considered on the basis that the coal operator is unable to fund the delivery of the calibre of the restoration scheme it agreed to. But all the official documents we've seen (in the public domain) suggest the opposite – companies involved have even been claiming tax rebates on setting aside funds to pay for the agreed restoration scheme. Unfortunately, Merthyr Tydfil County Borough Council Local Planning Authority is declining to investigate the company's claims, even though tens of millions of pounds in restoration works hangs in the balance. We therefore ask if the Climate Change, Energy, and Infrastructure Committee (CCEIC) would ask the Welsh Government to launch an urgent inquiry into Merthyr (South Wales) Ltd finances and the Council's actions, issuing a 'holding directive' to prevent the Council approving the downgraded plan in the meantime. This issue speaks both to the CCEIC's current scrutiny of the Disused Mine and Quarry Tips (Wales) Bill as well as the CCEIC's short committee investigation into restoration issues of coal mines across Wales in 2024. Ffos-y-fran is being held up as an example of how not to do things, but it is too early to condemn communities in Merthyr Tydfil to a permanently scarred landscape and a failure to protect them against egregious profiteering to their detriment from the public bodies charged with that duty. We must not let Wales' history such as [Margam Parc Slip and East Pit](#) repeat.

Background

Coal operator: Merthyr (South Wales) Ltd (MSW LTD) is the current operator of the sprawling opencast coal mine, Ffos-y-fran, in Merthyr Tydfil, South Wales.

Coal operator's claim: "It was established that there are insufficient funds available to achieve the 2015 restoration strategy and therefore an alternative scheme is required." (EIA Scoping Report, July 2024). It is on this basis that a new application will be considered by Merthyr Tydfil County Borough Council.

Coal operator's proposal: To downgrade the restoration scheme promised to surrounding communities to one that amounts to doing as little as possible. Even returning the tens of millions of



cubic metres of coal tips to fill in the gaping void the company created and allowed to flood is considered "not feasible or economic" (EIA Scoping Report, July 2024)

Why the coal operator is offering to do any works: Merthyr Tydfil County Borough Council holds £15 million in an Escrow account that it forced MSW LTD to pay into (by court order). This was never intended to fund the original restoration agreement costed at £75-120 million, but that is what's happening now as MSW LTD is claiming the company doesn't have the finances to pay for the restoration it previously agreed to fund. MSW LTD wants this £15 million so is proposing a hugely downgraded restoration plan and presenting this as the only option so the Council will pay these funds out to them. The Council is afraid the company will walk away if it is compelled to honour its contractual agreement to fund the restoration itself. If that happens, the Council would have to pay a new company to come in to restore the site, which'd cost more.

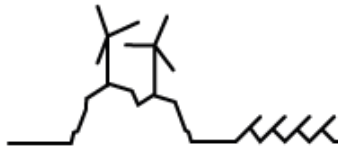
Our recommendation: Merthyr Tydfil County Borough Council has refused to pursue MSW LTD to deliver on the contractually agreed level of restoration, and is poised to consider a downgraded plan by MSW LTD which would affect surrounding communities living in Merthyr Tydfil for generations. These communities have already endured 16 years of coal mining, dust, and noise pollution; they deserve to be able to move on now, with a local environment long promised to them. The Welsh Government urgently needs to launch an inquiry into MSW LTD's and its parent company's finances, and the Council's actions, issuing a 'holding directive' to prevent the Council approving the downgraded plan in the meantime.

No evidence of limited finances

To our knowledge, there has been no evidence submitted by MSW LTD that it (or its parent company) cannot fund the full restoration it is contracted to undertake. On the contrary, MSW LTD's most recent, publicly available, [financial statement](#) on Companies House says "Full account has been taken for funding the restoration obligation in the future costs and cash flows", **making £90,948,885 available by 31 Dec 2022**, admitting record profits that year, with its ultimate parent company, Gwent Holdings Ltd, [reporting](#) "The average **coal price achieved increased by 94%** to £151.66 per tonne". This was based on Ffos-y-fran closing at the end of its planning permission in September 2022 - but it continued [illegally mining coal](#) for over a year after that, and even outside its licenced area, [selling an extra 640,000 tonnes of coal](#) - driving profits even further.

It's been **claiming tax discounts** to HMRC each year by phasing expected restoration costs that it now refuses to pay. This report goes on to say "The **total costs of reinstatement of soil excavation and of surface restoration are recognised** as a provision at site commissioning when the obligation arises. The amount provided represents the present value of the expected costs."

The sums of funds involved and the level of impact on a large number of people for generations warrants Welsh Government intervention where Merthyr Tydfil County Borough Council is failing to act. The CCEIC has already highlighted failures to act by Merthyr Tydfil County Borough Council during the year of illegal coal mining that MSW LTD was tacitly allowed to carry on – a repeat of this failure to act with local communities paying the price cannot be repeated.



Interconnected companies involved

As is typical of the mining industry, operations and financing is done through a complicated constellation of interconnected companies, often owned by family members. This kind of practice could help evade liabilities - though we're not suggesting that was the intention here. The following information is accurate to the best of our knowledge, please refer to Companies House for confirmation/further details:

Merthyr (South Wales) Ltd

Company number 04261274

Named operator of Ffos-y-fran

David Stanley Lewis - Director and shareholder

Jayne Helen Lewis and Andrew John Lewis - Ex-Directors

MERTHYR (NOMINEE NO.1) LIMITED

Company number 04261269

David Stanley Lewis - Director as of August 2024

Jayne Helen Lewis and Andrew John Lewis - Ex-Directors

Dormant company subsidiary of Merthyr (South Wales) Ltd

Ffos-y-fran (commoners) Limited

Company number 04892620

Jayne Helen Lewis – Director

Andrew John Lewis - Ex-Director

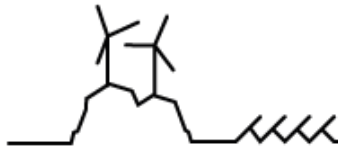
Dormant company subsidiary of Merthyr (South Wales) Ltd

Merthyr (Ffos-y-fran) Limited

Company number 06353565

David Stanley Lewis – Director

Jayne Helen Lewis and Andrew John Lewis - Ex-Directors



info@coalaction.org.uk
coalaction.org.uk
@CoalactionUK

Dormant company subsidiary of Merthyr Holdings Limited

Merthyr Holdings Limited

Company number 06330412

David Stanley Lewis – Director

Jayne Helen Lewis and Andrew John Lewis - Ex-Directors

Subsidiary of Gwent Investments Limited

Holding company of Merthyr (Ffos-y-fran) Limited (dormant) and Merthyr (South Wales) Ltd

Gwent Investments Limited

Company number 08936878

David Stanley Lewis - Director

Jayne Helen Lewis and Andrew John Lewis - Ex-Directors

Investment company of which Merthyr (South Wales) Ltd and Merthyr (Ffos-y-fran) Limited (dormant) is a subsidiary

Gwent Holdings Limited

Company number 10119615

Ultimate parent company of Merthyr (South Wales) Ltd

Jayne Helen Lewis and Andrew John Lewis – Directors

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
Change & Rural Affairs



Llywodraeth Cymru
Welsh Government

Our ref: PO/HIDCC/0039/25

Llŷr Gruffydd MS
Chair
Climate Change, Environment and Infrastructure Committee
Welsh Parliament
Cardiff
Cardiff Bay
CF99 1SN

10 February 2025

Dear Llŷr,

I am writing to you to correct my letter of 7 February, where I outlined changes to the UK Emissions Trading Scheme.

On 30 January 2025, the UK Emissions Trading Scheme (UK ETS) Authority (comprising of the Welsh Government, the UK Government, the Scottish Government, and the Northern Ireland Executive), published a Response to the [UK ETS Authority Technical consultation September 2024](#) (*Hereinafter: Technical and Operational*). Additionally, on 12 February 2025, not 5 February as previously indicated, “*The Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 2) Order 2025*” (*hereinafter: the Order*) will be presented to the Senedd, which will allow for these changes. The Order also implements the changes confirmed in the Authority Response to the [Moving the UK ETS Second Free Allocation Period Consultation](#), published in December 2024.

In September 2024, the ETS Authority published the targeted Technical and Operational consultation that proposed three technical amendments to the scheme. The amendments suggested encompassed various suggested changes, including updating requirements for publication of UK ETS Registry Data as well as improving sharing of UK ETS data between government departments and the CCC possible for the purposes of policy development. In addition, an amendment was suggested for the ultra-small emitters (USE) scheme to allow operators who began operations between 2 January 2021 and 1 January 2024 to apply for USE status for the 2026-2030 period.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Huw.Irranca-Davies@llyw.cymru
Correspondence.Huw.Irranca-Davies@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Stakeholder responses were mostly in favour, with some disagreement towards specific aspects due to concerns over commercial data sensitivity. The Response recognises these concerns and amends the changes in line with them. It will also be ensured that a high bar will be in place for any data sharing before UK ETS data is used in policy development. These proposals pose positive changes to the scheme, as they will overall contribute to improved policy development across Government and will reduce administrative burden on (those which are likely to be) small businesses. The Response therefore confirms the Authority's intention to move forward with the changes.

The Order also implements changes relating to allocation periods for free allocations of allowances in the scheme. As I notified you in December 2024, the UK ETS Authority has confirmed the intention to delay making changes to free allocation policy from the initial target year of 2026, to 2027. Free allocations are UK ETS allowances that are provided for free to industries who face competition globally from competitors based in countries with weaker climate change mitigation policy (carbon leakage). Free allocations are currently the primary policy lever in mitigating carbon leakage, and the changes are being made to make allocations better targeted within the UK context.

The delay to making the changes was recommended as it would provide additional time for careful consideration of stakeholder views and policy development in what is a complex and challenging area, as well as align any changes with the UK Governments plans to introduce a UK Carbon Border Adjustment Mechanism (CBAM) in 2027. The amendment Order presented today will allow for this delay in the legislation.

Through the UK ETS, we must encourage decarbonisation in a way that does not risk disadvantaging Welsh industry and supports their decarbonisation pathways to a net zero world. This publications and amendment Order represent a crucial next step in improving policy making through better data sharing and a more considered approach to free allocations within the UK ETS.

I am also copying this letter to the Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely,



Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate Change & Rural Affairs

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros New
Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
Change & Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: PO/HIDCC/0040/25

Llŷr Gruffydd MS
Chair
Climate Change, Environment and Infrastructure Committee
Welsh Parliament
Cardiff
Cardiff Bay
CF99 1SN

12 February 2025

Dear Llŷr,

I am writing to inform you the UK Emissions Trading Scheme (UK ETS) Authority (comprising of the Welsh Government, the UK Government, the Scottish Government, and the Northern Ireland Executive), has today published a consultation on extending the UK ETS beyond 2030.

The “*Consultation to extend the UK ETS beyond 2030*” proposes to extend the UK ETS into a second phase from 1st January 2031. A phase is a period of time defined in the legislation, over which the cap on emissions is set and the overall framework of the Scheme stays broadly the same. Currently, the Scheme is legislated for Phase I, which runs from 1 January 2021 to 31 December 2030 and without further action, the scheme will come to an end on 31 December 2030. Therefore, to ensure that the UK ETS continues to operate after 2030, a post-2030 Phase II would need to be established in legislation.

The consultation also seeks views on the proposed length of a second phase. When considering phase length options, it is important to balance providing participants with clarity on the ETS emissions cap whilst ensuring reliable emissions trajectories for cap setting. The current phase – Phase I - spans 10 years, and the consultation considers if a shorter or longer phase may be preferable. Moreover, it asks whether to allow banking of emissions allowances between Phase I and Phase II. Banking refers to the practice of retaining allowances purchased during one phase of the UK ETS to be used or traded in a later phase.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Huw.Irranca-Davies@llyw.cymru
Correspondence.Huw.Irranca-Davies@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

This consultation represents the first step in the UK ETS Authority's consideration of extending the Scheme, with the next step involving assessing the number of allowances that would be available Phase II. This will be subject to further consultation, which I will provide an update for in due course.

The UK ETS is a key policy lever, driving decarbonisation across Wales and the UK, encouraging investment, reducing emissions, and helping to secure a resilient, sustainable future for Wales. Extending the scheme will enable it to continue playing a critical role in achieving economically efficient decarbonisation and meeting our legally binding net zero target, interim goals, and future carbon budgets – both within Wales and across the UK. I expect to write again regarding the outcome of further consultations and policy proposals in the coming months. I am copying this letter to the Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name 'Huw Irranca-Davies'.

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate Change & Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA/HIDCC/0015/25

Llŷr Gruffydd
Chair
Climate Change, Environment, and Infrastructure Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

11 February 2025

Dear Llŷr,

I would like to express my sincere gratitude to the Climate Change, Environment and Infrastructure Committee for considering the Water (Special Measures) Bill and for the report which was shared in advance of the debate in the Senedd on the Legislative Consent Motion. I would like to thank you specifically for your contribution during the debate on 21 January 2025.

I welcome the Committee's support for the provisions of the Bill. I believe this new legislation will fundamentally strengthen the powers of water sector regulators which will lead to improvement in water company performances and water quality in Wales.

I fully support the principle of the Senedd legislating for Wales in areas of devolved competence. Nevertheless, there are times when working with the UK Government on legislation is in the best interest of Wales. In respect of water quality, we face similar challenges to those faced in England and working collaboratively with the UK Government in addressing these is an effective and practical option for Wales. The Water (Special Measures) Bill is an example of how we can work together towards a shared goal whilst respecting the principles of devolution.

The measures in the Bill were considered from a Welsh perspective, including the not-for-dividend business model of Dwr Cymru Welsh Water (DCWW). This will continue to be the case during the implementation phase of the Bill. I want to ensure that implementation happens in a way that is appropriate for the legislative and regulatory context in Wales and allows for the proper consultation of Welsh stakeholders and therefore implementation of some of the measures will follow a different timeline in Wales to England.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Huw.Irranca-Davies@llyw.cymru
Correspondence.Huw.Irranca-Davies@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I am keen to engage with all key stakeholders during this process, including the Consumer Council for Water (CCW) as suggested by the Committee. I am happy to keep the Committee informed of our implementation plan, once it is fully developed post Royal Assent.

Regarding Event Duration Monitors (EDMs) on Emergency Overflows, I am pleased that water companies operating wholly or mainly in Wales are already well placed to meet the new statutory requirements ahead of the 2035 deadline. As your report notes, water companies also have EDMs installed on storm overflows and this information is available in near-real time to anyone via each company's website. I am confident that the current arrangement works well in this regard; however, we will continue to review the situation and consider if legislative measures are needed in the future.

My position on fines levied in Wales on companies operating wholly or mainly in Wales remains unchanged. Civil sanction penalties levied under the Regulatory Enforcement and Sanctions Act 2008, which is what the automatic penalties and lower standard of proof provisions relate to in Clauses 6 and 7, go to the Welsh Consolidated Fund. There is a concern in respect of criminal fines which are currently levied to HM Treasury by default. However, the overall picture is complex when it comes to the water sector, for example in relation to abstraction licences issued by NRW for England-based water companies. This is an ongoing issue which crosses much wider than water alone and is one the Welsh Government continues to work on with the UK Government.

I am also copying this letter to the Llywydd.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Huw Irranca-Davies', written in a cursive style.

Huw Irranca-Davies AS/MS

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change & Rural Affairs



Llywodraeth Cymru
Welsh Government

Our Ref – KS/PO/57/2025

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

SeneddLJC@senedd.wales

13 February 2025

Inter-Institutional Relations Agreement: Transport Inter-Ministerial Standing Committee

I am writing in accordance with the inter-institutional relations agreement to notify you that I represented Welsh Government at the Transport Inter-Ministerial Group held on 19 November 2024.

This meeting was chaired by the Minister for Infrastructure, Northern Ireland Executive, John O'Dowd MLA. A joint communique was published following the meeting, which contains full details of other attendees and can be found at: [Communiqué from the Interministerial Group for Transport Matters: 19 November 2024 - GOV.UK.](#)

Discussion focused on bus reform and the motor insurance taskforce. I raised the significant changes to the way that bus services in Wales will be planned at a regional level following the Bus Bill, and the potential impacts of 20 mph speed limits on collisions and car insurance.

I will be chairing the next meeting of the Transport Inter-Ministerial Group scheduled for March 2025.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Ken.Skates@llyw.cymru
Correspondence.Ken.Skates@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I am copying this letter to the Chair of the Climate Change, Environment, and Infrastructure Committee.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken', enclosed in a thin black rectangular border.

Ken Skates AS/MS

Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru
Cabinet Secretary for Transport and North Wales