

Environment and Sustainability Committee

Meeting Venue:
Committee Room 3 – Senedd

Meeting date:
1 December 2011

Meeting time:
09:30

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Agenda

1. Introductions, apologies and substitutions

2. Inquiry into energy policy and planning in Wales – Evidence from Renewable UK Cymru, Tidal Energy Ltd and West Coast Energy Ltd (09.30 – 11.30) (Pages 1 – 28)

E&S(4)-10-11 paper 1 Renewable UK Cymru

E&S(4)-10-11 paper 2 West Coast Energy

E&S(4)-10-11 paper 3 Nuon Renewables

Llywelyn Rhys, Head of RenewableUK Cymru
Gerry Jewson, Chair & Chief Executive, West Coast Energy
Steve Salt, Planning & Development Director, West Coast Energy
Martin Murphy, Managing Director, Tidal Energy

3. Election of Temporary Chair for 1 December afternoon meeting under Standing Order 17.22

4. Papers to note (Pages 29 – 30)

Minutes of the meeting held on 23 November

E&S(4)-09-11 minutes

Inquiry into Proposed reforms to Common Fisheries Policy – Additional information from the New Under Ten Fishermen's Association (Pages 31 – 38)

E&S(4)-11-11 paper 4

Inquiry into Proposed reforms to Common Fisheries Policy – Additional information from the Welsh Fishermen's Association (Pages 39 – 49)
E&S(4)-11-11 paper 5

Correspondence from the Countryside Council for Wales on Pembroke power station (Pages 50 – 51)
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Environment and Sustainability Committee work programme – Spring 2012
(Pages 52 – 55)
E&S(4)-10-11 paper 7

Inquiry into energy policy and planning in Wales – Additional information from ScottishPower Renewables (Pages 56 – 62)
E&S(4)-10-11 paper 8



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Environment and Sustainability Committee: **Inquiry into energy policy and planning in Wales**

Written submission by RenewableUK Cymru

September 2011

RenewableUK (formerly BWEA) was established in 1978 and is the representative body for companies active in the UK wind, wave and tidal energy market. We represent all aspects of the renewables industry from manufacturers of the technology, through to developers and installers, legal and environmental specialists, construction and investment firms. We also have members in the education and training sector – helping to develop the skills needed for the future. As the largest renewable energy trade association in the UK, our membership has grown rapidly over recent years and now stands at just under 700 companies - representing the vast majority of all grid connected renewable energy projects currently installed.

In 2006, a branch of the organisation was established to champion the wind, wave and tidal renewable energy technologies in Wales with a focus of achieving the Welsh Assembly Government 2010 renewable energy targets. This submission is made on behalf of RenewableUK Cymru Strategy Group.

RenewableUK would be pleased to clarify any issues raised in this paper and offer any further information which may be required.

RenewableUK Cymru welcomes the Environment and Sustainability Development Committee Inquiry into energy policy and planning in Wales and look forward to the prospect of positive recommendations that will assist the renewable industry to ensure that Wales becomes a more sustainable country and contribute to the creation of a low carbon economy.

UK Renewables Energy Targets

There are a number of national and international law and policy provisions supporting the development of renewable energy, which include EU Directive 2009/28/EC of June 2009, the UK Government Climate Change Programme, the Energy White Paper 2007, the Climate Change Act 2008, the Renewable Energy Strategy 2009 and the newly published suite of National Policy Statements.

As a result of the 2009 EU Directives, the UK has a binding target of meeting 15% of its energy consumption from renewable sources by 2020. This target is echoed in the 2009 Renewable Energy Strategy (RES) and the UK Low Carbon Transition Plan. The RES makes it clear however, that the 15% target also includes fuel and heating, which means that a greater proportion (i.e. 30% or more) of electricity supply will have to come from renewables to balance out the difficulties in providing a significant proportion of fuel and heating from renewables by 2020. Therefore the adopted scenario in the RES means that the target percentage for renewables is now raised dramatically.

Wind is expected to provide about 64% of all the electricity from renewable sources by 2020, with about 29% coming from onshore wind. While this is just an indicative breakdown, it is important to note that it is based on the RES lead scenario modelling. For comparison, the UK had been working towards (and failing to reach) a 10% target until 2010. Therefore the actual indicative targets for renewable electricity for 2020 is triple the target for 2010, with less than half the time available to achieve it. This clearly demonstrates the case for a rapid increase in the deployment of onshore wind energy.

TAN8 Targets

When TAN 8 was published in 2005 the Assembly Government had targets to generate 4TWh per annum by 2010 and 7TWh by 2020 from renewable technologies. In order to meet the 2010 target the Assembly Government concluded that an additional 800MW of installed capacity should be delivered by onshore wind sources, while another 200MW would be required from offshore wind and other renewables.

By identifying seven Strategic Search Areas (SSAs) for the development of large scale onshore wind farms and an overarching delivery target of 800MW installed onshore wind energy capacity (above 2005 levels) within these areas, TAN8 effectively established a planning presumption in favour of wind farm development within these SSAs. In doing so, the Welsh Assembly Government, through TAN8, also implicitly endorsed the evolution of wind farm landscapes within Wales" SSAs and accepted that this approach would lead to cumulative impacts in these areas.

However, despite Wales" renewable energy aspirations having grown substantially since 2005, the delivery of wind farm projects remains slow and unpredictable, with numerous examples of applications being refused against officer recommendation, or historically having been called in by Welsh Government. It seems that the local planning system is struggling to deal effectively with wind farm planning applications (both TCPA applications and Section 36 / IPC applications). Due to lack of resources to deal effectively with wind farm applications, or due to a lack of will to deliver on national energy policy, LPA"s are frustrating the timely determination of onshore projects that are above and below the 50MW threshold. There are other serious obstacles to delivery including the need to upgrade grid transmissions and transportation plans.

Current TAN8 target performance

In September 2011, nine months after TAN8 expiry date for target delivery, only 180MW (22.5%) of the additional 800MW target set in 2005 had been delivered. In contrast, there are currently over 1,421MW onshore wind capacity in the planning system awaiting determination.

In relation to offshore wind farms a capacity of 90MW has been added following the publication of TAN8 meaning that 45% of the additional 200MW target has been achieved. There was an existing operational offshore wind farm which means that the total operational capacity from this technology is currently 150MW. A further offshore wind farm with a capacity of 576MW has been approved and waiting construction whilst there are larger project in the pipe line from Crown Estate Round 3 sites.

Renewable Energy Route Map & Low Carbon Energy Policy Statement

In 2008 the Welsh Assembly Government published the Renewable Energy Route Map which was a consultation setting out proposals to move Wales towards „self-sufficiency in renewable electricity in a generation“. The Route Map suggested dramatically increasing the renewable energy generation target from 7TWh set for 2020, to a new target of 33TWhr by 2025. The consultation foresaw that wind farms would make a significant contribution to the new targets by creating almost 7TWhr per annum by 2015. The suggestion was that onshore wind farms located within the Strategic Search Areas could generate 2,500MW – a dramatic increase from 800MW identified in TAN 8. “If all potential projects were to go ahead in full, wind-farms within TAN 8 strategic search areas could produce up to 2500MW of capacity: three times the existing TAN 8 indicative target for 2010.” (para 7.17 Renewable Energy Route Map)

The Route Map consultation also confirmed that some of the Strategic Search Areas needed higher capacity electrical connections to the National Grid which was being considered by relevant bodies at the time. (para 7.15 & 11.3 Renewable Energy Route Map)

In 2010 the Welsh Government published its Low Carbon Revolution - Energy Policy Statement which was informed by responses to the Route Map consultation. The Low Carbon document again radically increased the renewables target – increasing annual renewable energy output in TWhr from 33TWh as suggested in the Route Map, to 48TWh by 2020/2025 amounting to 22,500MW of installed capacity. This corresponds to the aims of the UK Government’s RES publication which greatly increased UK national target figure of at least 30% of electricity from renewables by 2020. The Low Carbon statement outlined that the aim in terms of onshore wind was to have 4.5KWh/d/p of installed generating capacity by 2015/17 which would amount to 2GW of total capacity (para 3.1 b A Low Carbon Revolution). This was confirmed by a written statement by the Welsh Government in June 2010. Planning Policy Wales 2011 also states that planning policy at all levels should facilitate delivery of both the Welsh Government’s overall Energy Policy Statement and UK and European targets on renewable energy.

The Low Carbon Revolution includes a technology breakdown as a guide of how to achieve the new set of targets with a lot of emphasis being placed on tidal range and tidal stream renewables (including the possibility of generating a large amount of energy from the Severn Estuary) and on offshore wind which saw its expected capacity increase to 6GW. In terms for onshore wind the capacity target fell from the previously increased figure of 2.5GW as set out in the Route Map consultation to 2GW. (appendix 1 A Low Carbon Revolution)

John Griffiths, the Minister for Environment and Sustainable Development has issued a new guidance letter to Stakeholders (July 2011), which stated that the maximum capacity for TAN 8 SSA’s should be the Garrad Hassan figures amounting to a total of 1,700MW from onshore wind. The Ministerial letter outlined the maximum installation capacity for each of the SSA’s. The remaining 300MW necessary to achieve the 2GW target should come from smaller local, brownfield or community schemes located outside the SSA’s. TAN8 will continue to be used as

the vehicle for the strategic delivery of onshore wind throughout Wales with maximum capacity figures being set for each of the SSAs.

It has been consistently RenewableUK Cymru's view that whilst increases in renewable energy targets are welcome, particularly the target increases in onshore, offshore and wave and tidal technologies, greater flexibility is required within the planning guidance to ensure delivery. In relation to onshore wind developers have followed the guidance as set out in TAN8 and concentrated investments and activity in identified areas. To protect industry confidence in the wind sector and other renewables, it is vital that the status of these areas is protected with determination decisions being made without interruption.

However, the industry acknowledges that directing all significant developments to seven SSAs whilst at the same time significantly increasing onshore generation targets, can result in cumulative impacts as the concentration of wind farms increases in the same vicinity. In order to increase the capacity of onshore wind in a way that would limit turbine density and additional cumulative impacts, RenewableUK Cymru recommends that new areas suitable for large scale wind farm development are identified. This might take the form of identifying new SSAs, extending the area of existing SSAs or adopting a limited criteria-based approach for suitable sites that are outside SSAs.

Devolution of + 50MW determination powers

RenewableUK Cymru recognises the long-standing desire of the Welsh Government and the political parties in the National Assembly that planning decisions on energy projects above 50MW should be devolved. The devolution of further planning powers would give the Welsh Government an opportunity to demonstrate its commitment to the delivery of renewable energy and should be used to increase the rate of deployment.

We believe that decisions on energy projects should be based on appropriate professional advice and as such, our strongly held view is that further devolution could only be effective if the process is properly resourced and linked to professional energy expertise available within Planning Inspectorate Wales.

RenewableUK has long been concerned at the slow rate of delivery towards current renewable energy targets and would hope to see a speedy resolution for outstanding applications under any new planning system.

RenewableUK members would seek to work positively with any new regime, nonetheless given the national importance and strategic need to deliver renewable energy it would be critical that the Government takes direct responsibility for projects above 50MW, with the relevant Welsh Ministers taking a final decision based on an assessment provided by Planning Inspectorate Wales.

RenewableUK Cymru comments on questions alluded to in invitation letter:

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

If consenting major onshore and offshore energy infrastructure remains a reserved matter then renewable energy developers will continue to adhere to the current planning regime as set out by the 2008 UK Government Planning Act. Developers will be guided by National Policy

Statement for major energy projects that will be determined by the Infrastructure Planning Commission. In future the new Major Infrastructure Planning Unit will examine applications with Ministers making decisions. TAN 8 and Planning Policy Wales will be relevant considerations including that large-scale onshore projects should be located within Strategic Search Areas. Planning applications for projects above 50 MW and offshore wind farms would continue to be governed under the 2008 Planning Act.

How does this affect achievement of the Welsh Government's aspirations for various forms of renewable and low carbon energy as set out in the Energy Policy Statement?

The existing planning guidance which aims to increase renewable energy delivery can achieve Welsh Government targets if it is used correctly and appropriately. If planning approval closely followed planning policy as set out in TAN 8, renewable energy targets could be met with less chance that Welsh Government planning policy be superseded by UK planning authorities.

How does this affect delivery of the Welsh Government's target for a 3 per cent reduction in Green House Gas emissions per annum from 2011?

Deploying renewable energy projects would offset electrical generation from fossil fuels. A consistent stream of renewable energy projects would need to be commissioned to maintain the 3% momentum. This would also help ensure that Wales becomes „self sufficient“ in renewable energy as expressed by the Route Map of 2008.

What will be the impact if consenting decisions on major infrastructure projects and associated development are not all taken in accordance with Welsh planning policy?

Planning decisions that do not consistently follow identified planning policy, risk becoming sporadic and unpredictable in nature which is likely to cause confusion and controversy. It is important to note that a planning framework is already in place which ensures that renewable energy projects are consistent with Welsh Government policy as long as they are applied correctly.

Given the strategic importance that associated developments have in significant infrastructure projects, it is RenewableUK Cymru's view that the Welsh Government should use its call-in powers to determine associated development applications. This is particularly relevant in the case of renewable energy proposals which are vital to meeting government renewable energy targets.

There is also a case that determination powers for associated developments relating to nationally important projects should be transferred from local authority to the control of Welsh Ministers.

Issues that the Committee will want to consider as part of these terms of reference:

The role of the different consenting agencies, how they inter-relate and how the current system could be improved, both with and without further devolution (*Infrastructure Planning Commission, Planning Inspectorate, Local Planning Authorities, National Parks, Welsh Government, Marine Management Organisation, Environment Agency*).

Consistency and clarity of roles between planning authorities and statutory consultees is extremely important for developers. With the high volume of planning applications relating to

renewable energy projects expected, it is important to ensure adequate financial and skill resources across planning authorities to avoid delay and bad decisions. Statutory consultees often frustrate developments despite clear planning guidance and renewable energy targets having been established by governments. Any potential merger between separate statutory bodies may lead to conflict of interest questions between public landowners, assessors and regulators.

The relationship between the UK Government's Energy National Policy Statements and Welsh national and local planning policies (including Planning Policy Wales, Technical Advice Note 8 and Local Development Plans) and whether these policies can achieve the Welsh Government's aspirations, including whether or not a formal review of TAN 8 is now required.

The hierarchy and relationship between the above policies are clear to the industry. The National Policy Statement is understood to have primary importance although it must give due consideration to TAN 8 and other Welsh Government planning guidance.

Current planning policies are adequate to realise renewable energy aspirations. However, with targets having been increased since the launch of TAN 8 in 2005, there is a view that the existing renewable energy guidance should be more flexible to ensure target delivery. The wind farm industry supported the pledge in the „One Wales“ agreement to „refresh“ TAN 8 looking at a range of options in order to increase renewable energy generation. However in addition to greater planning flexibility that would facilitate renewable energy projects there is also a strong need to protect existing identified areas and proposals to ensure delivery and investor confidence.

The potential contribution and likelihood that different types of renewable and low carbon energy (*offshore wind, tidal, onshore wind, hydro-power, nuclear, bio-energy/waste, micro-generation, community energy projects*) will be capable of delivering the Welsh Government's aspirations for energy generation as set out in *A Low Carbon Revolution – Energy Policy Statement* and the *UK Renewable Energy Roadmap*.

It is important to have a mix of renewable energy generators, however to reach immediate and midterm targets it is necessary to focus on those technologies that can be deployed and generate electricity in a relatively short time. Successful deployment will build confidence for the developers of future renewable technologies such as wave and tidal devices, and raise interest in micro and community schemes. The deployment of onshore wind projects in Wales will be regarded by investors as a test case for the viability of future renewable developments.

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

Annual targets require constant and consistent delivery. The only current renewable energy technologies that can significantly offset fossil fuel generation are onshore and offshore wind.

The potential role of other forms of energy production in Wales e.g. existing fossil fuel energy generation, proposed nuclear generation and newer technologies such as coal-bed methane and shale gas.

RenewableUK Cymru promotes the development of wind, wave and tidal technologies that can contribute to the renewable energy mix. Other forms of technologies including non renewables will continue to contribute to total generation.

The transport issues relating to wind turbines and other forms of renewable energy including their impact on roads, traffic and tourism.

RenewableUK Cymru is currently project managing two projects that are assessing a timetable for turbine delivery as well as identifying strategic routes to SSA B & C in mid Wales. The overall aim is to quantify, minimise and manage the impacts of turbine component movements during the period of wind farm construction.

For more information or clarification on the contents of this paper please contact Llywelyn Rhys – ll.rhys@renewable-uk.com

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Lord Dafydd Elis-Thomas
Environment & Sustainability Committee
National Assembly for Wales
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CF99 1NA

21st September 2011

Dear Lord Elis-Thomas

Environment & Sustainability Committee – Inquiry into Energy Policy and Planning in Wales

I refer to your letter of 2nd August 2011 with regard to the above matter and I am pleased to submit a response on behalf of West Coast Energy Ltd in connection with the issues which form part of your Committee's considerations. We would also very much welcome an opportunity to give oral evidence to the Committee if invited.

By way of background to our company, West Coast Energy is a Welsh company and one of the leading independent onshore wind developers in the UK. The company is based in Mold, Flintshire and was established in 1996. We operate throughout the UK and have recently expanded operations into Europe. West Coast Energy Ltd falls within the West Coast Group, which comprises Atmos Consulting (an environmental and renewable energy consultancy), the Low Carbon Energy Company (a micro renewable energy designer and installer), WCE Polska (onshore wind farm developer in Poland) and WCE Network Services (arboreal cutting services to the Distributed Network Operators (DNOs)).

We are presently involved in developing hundreds of megawatts of wind power generation, and to date have been involved in consenting in excess of 650MW of wind farm capacity. The company has been involved in some of the earlier wind farms to be consented in Wales at Cefn Croes in Powys, Rhyl Flats (offshore), as well as more recent proposals such as Tir Gwynt, also in Powys.

We place a significant emphasis on involving the community in proposals and have been pioneers in the approach of giving local communities shared ownership of schemes, as exemplified by the Fintry Community Turbine in Stirlingshire, Scotland.

WCE Group's headquarters is at our new purpose built £2M eco office on the Mold Business Park in Flintshire, North Wales. The office building is already multi award winning and is also one of the few privately funded buildings in Wales to receive BREEAM Excellent Rating for its environmental



CERTIFICATE NO. 3179

credentials. It also demonstrates WCE's commitment to investing in Wales. Over 70 skilled employees work from the office, demonstrating WCE's role as a significant green collar employer in the region.

WCE's Group Chairman, Gerry Jewson currently sits on the Welsh Government's Sector Panel on Energy & Environment.

Our response has been divided into two Sections – A and B. Section A deals with some more general issues, whilst Section B briefly provides some responses to the Terms of Reference set out for the Inquiry.

Please don't hesitate to contact me should you have any queries. However, please note that I will be on holiday for 2 weeks from tomorrow – in my absence Jonathan Cawley should be able to answer any queries. Jonathan's telephone number and email address is: 07827944664 / jonathan.cawley@westcoastenergy.co.uk

Yours faithfully

A handwritten signature in black ink, appearing to read 'S Salt', written in a cursive style.

Steve Salt

Planning & Development Director

SECTION A: WCE Response to Inquiry into Energy Policy & Planning:**Background to West Coast Energy Ltd**

- 1.1 Welsh company West Coast Energy Ltd (WCE Ltd) is a leading independent wind energy developer based in Mold, North Wales. The company was established in 1996 and operates throughout the UK and has recently expanded operations into Europe. WCE Ltd falls within the West Coast Group, which comprises Atmos Consulting (an environmental and renewable energy consultancy), the Low Carbon Energy Company (a micro renewable energy designer and installer), WCE Polska (onshore wind farm developer in Poland) and WCE NetworkServices (arboreal cutting services to the electrical DNOs).
- 1.2 WCE Ltd is presently involved in developing hundreds of megawatts of wind power generation, and to date has been involved in consenting in excess of 650MW of wind farm capacity. The company have been involved in some of the earlier wind farms to be consented in Wales at Cefn Croes in Powys, Rhyl Flats (offshore), as well as more recent proposals such as Tir Gwynt, also in Powys.
- 1.3 WCE Ltd place a significant emphasis on involving the community in their proposals and have been pioneers in the approach of giving local communities shared ownership of schemes, as exemplified by the Fintry Community Turbine in Stirlingshire, Scotland. Many of WCE's current portfolio of sites are now offering a percentage of community ownership and a share in the profits. West Coast Energy's is currently acting as an agent for the developers, Awel Newydd Cyf, on the Tir Gwynt site - a consortium between 15 local landowners and RDC Developments Ltd.
- 1.4 WCE Group's headquarters is at their new purpose built £2M eco office on Mold Business Park in Flintshire, North Wales. The office building is already multi award winning and is also one of the few privately funded buildings in Wales to receive BREEAM Excellent Rating for its environmental credentials. It also demonstrates WCE's commitment to investing in Wales. Over 70 skilled employees work from the office, demonstrating WCE's role as a significant green collar employer in the local area.
- 1.5 WCE's Chairman Gerry Jewson currently sits on the Welsh Government's Sector Panel on Energy & Environment.

2. Introduction: The Need for Positive, Consistent and Timely Decision Making

- 2.1 West Coast Energy believe that the key driver to achieving Wales' renewable energy targets and securing inward investment is to provide a positive and consistent national planning and energy policy framework for the medium and long term. This provides investor confidence which is integral to the success of any Welsh or UK Energy Strategy. Whilst an issue for debate, it is considered that the decision making tier (whether decisions are taken by the IPC in London or by the Welsh Government in Cardiff) is possibly secondary to the issue of positive and consistent policy making. Close scrutiny of progress towards targets is also a key factor.

2.2 The urgency of the renewable energy issue cannot be underestimated if the 2020 targets are to be achieved. For example, wind farm sites typically take about 7 years from site identifications to being energised. Therefore decisions taken now will be absolutely critical if Wales is to hit its target.

3. **Barriers to a positive, consistent and timely decision making framework:**

3.1 Whilst there have been some great successes in the development of renewable energy and onshore wind development in Wales, there have also been some shortcomings. The 2010 renewable energy targets were missed and there continues to be a backlog of deployment on the road to the 2020 targets. The current policy framework is broadly positive with ambitious targets, but there remains some uncertainty amongst onshore wind developers, particularly in Mid Wales, with regard to energy policy, the capacity of SSAs, the potential role of sites outside SSAs and in relation to having a robust grid network to support developments.

3.2 The reasons for this are many and complex but are underpinned by inconsistency in the policy framework. The list below highlights some of the key issues underpinning this lack of consistency and direction:

- a) The need for UK Government, Welsh Government, local authorities, statutory consultees and developers to have a 'joined-up' approach to meeting targets;
- b) Capacity and targets for onshore wind farms both within and outside TAN 8 Strategic Search Areas (SSAs) is not always clear. This is compounded both by the conflict in the relationship between the recently published National Policy Statement (NPS) for England & Wales and well-established Wales specific policy (PPW and TAN 8). The actual targets set within documents such as TAN 8 and PPW are also slightly ambiguous, with apparent conflicting targets for the SSAs e.g. do SSAs have a 1.2GW, 1.8GW or an uncapped target? The NPS does not provide further clarity or guidance on this issue. There are also different targets within TAN8 (2005), PPW (2011) and The Renewable Energy Routemap (2008);
- c) The uncertainty surrounding the key strategic issue regarding grid development in Wales, with some conflicting statements being issued by the Welsh Government regarding the preferred approach on this issue. The timely development of an adequate and future proof grid network will be key to meeting the targets for 2020 and beyond. As a matter of urgency, a positive and consistent policy framework is required to deliver this;
- d) Sites outside SSAs can play a vital role in assisting the delivery of renewable targets. It is considered that greater flexibility in policy at UK, Wales and local levels should be developed to allow potential development sites to come forward. Targets from schemes outside SSAs are currently unclear to the industry. Does the 300MW target (derived from the overall Wales target of 2GW from onshore wind minus the expected upper target of 1.7GW proposed from SSA's) include already consented projects from a certain date? Does the target intend to include schemes within 5km of SSAs or are these schemes classified as within SSA's for target purposes?

- e) There is unclear and inconsistent development plan policy produced by some local authorities, along with slow plan preparation in some instances. Local Development Plans should be more accountable in how they can positively contribute towards 2020 renewable energy targets. One such example of how unclear policy direction, coupled with strong political views, can impact upon the delivery of onshore wind can be seen in Carmarthenshire County Councils' Draft LDP. Its draft onshore wind policy includes criteria where any turbine should be at least 1.5km from any residential property. Whilst this policy requirement clearly does not accord with national policy it can add to the planning balance when an onshore wind scheme is being considered by the LPA which will ultimately increase the risk of a scheme which accords with national policy but not draft local policy and could lead to a refusal due to an erroneous local policy.
 - f) In some instances, significant delays result from protracted and delayed responses during the consultation of a planning application e.g. between an applicant and various statutory and non-statutory consultees e.g. Local Highways Authority, CCW. For instance the Tirgwynt project in Powys was submitted in September 2007 but was not determined until August 2010. The slow speed of determination by Powys Council as Planning Authority was not the fault of the Council but due to delays associated with obtaining the withdrawal of holding objections from CCW and the Highway Authority's at both the local and national level. These delays might not have been experienced if sufficient manpower resources had been available to resolve what are admittedly, complex issues.
 - g) There is the potential confusion and inconsistency through publishing planning guidance at 2 tiers i.e. UK Level through the National Policy Statements (NPSs) and at Wales level through Planning Policy Wales (PPW) and Technical Advice Note 8 (TAN 8)
 - h) Critically it is considered that there needs to be greater emphasis placed on achieving targets and monitoring progress towards targets.
- 3.3 Many of the above barriers are not necessarily directly related to whether consenting is reserved with UK or Welsh Government – they predominantly relate to the need for clear, consistent and positive policy advice irrespective of who has the decision making or policy making authority. However, the current role of the IPC and Welsh Government does potentially make things more complicated and unclear – this is an area that requires further debate and consideration in forming a revised decision making framework;

4. Removing Barriers and Speeding up Delivery and Improving Business Confidence

- 4.1 In order to address some of the above barriers to successful renewable energy deployment several actions could be taken:

a) Provide Flexibility on SSA Boundaries / Consider Updating TAN 8

- TAN 8 “puts all its eggs in one basket” with regard to onshore wind. The success of Welsh onshore wind targets has become very much dependent on the successful delivery of the Strategic Search Areas (SSAs). If any of these strategic sites hit problems in their delivery, the success of the renewables targets within Wales will be affected. It is therefore critical that some degree of flexibility is provided on the deployment of renewable energy in Wales. Whilst policy does allow small and medium size sites (<25MW) outside SSAs, the

policy framework on such proposals is not always particularly clear or positive (perhaps this is most acute amongst local authorities in particular).

- Despite the support towards retaining the TAN 8 SSA approach in Planning Policy Wales (PPW) that was published this year, it is considered that TAN 8 precludes perfectly adequate potential sites simply because the initial 'high level' exercise in developing the spatial approach in TAN 8 may not have selected these sites. Greater flexibility in this spatial approach may therefore 'free up' more renewable energy potential;

b) Following the Lead Set by the Scottish Government

- Scotland has moved towards a quicker and more successful deployment of renewables, in particular onshore wind, than any other part of the UK. It is a significant success story in terms of increasing its share of renewable energy and generating significant inward investment;
- Much of this success has been based upon:
 - Positive political, planning and business environment;
 - Ambitious targets for renewables deployment have been increased each time the preceding milestone was approached e.g. 50% electricity from renewables by 2020 was increased to 80% (in November 2010) and further increased this year to 100% electricity from renewables.
 - More geographic flexibility – not constrained by SSAs as in Wales
 - Local authorities have in general adopted a relatively more positive approach to renewables than Welsh Local Planning Authorities
- Despite WCE's commitment to maintaining its Welsh base and the significant investment it has made in the local economy through both investment in its workforce and its new office, the company's Welsh land interests makes up a significantly smaller proportion of its onshore wind portfolio. The company has over 700MW of projects which have either been permitted or are currently in the planning system awaiting determination. Of these, over 450MW (64%) are in Scotland, with just over 100MW (about 14%) in Wales. Furthermore, the company currently has a significantly higher proportion of sites at the 'pre-planning' stage in Scotland and England than it has in Wales. These figures do not reflect any deliberate decision by WCE to avoid doing business in Wales (in fact, quite the contrary), rather it is considered that they reflect a more positive and flexible planning environment that exists in Scotland for onshore wind development.

c) Provide clear and unequivocal responsibility for delivering renewable energy targets

- The **renewables target** is one of the key drivers to achieving deployment on the ground. To ensure the overall 2020 target is achieved, it is considered that greater emphasis should also be placed on annual interim targets. The emphasis on this should be increased by having Ministerial responsibility for achieving targets and monitoring progress. It is also considered that greater weight should be given towards target delivery in the planning process and any shortfall in interim target should be a significant material consideration in considering a planning proposal.
- To support this role, greater emphasis should be placed on targets and delivery, including milestones along the way.

d) Recognise the Economic Significance of the Renewables Sector for Wales

- The renewables sector is an important and growing sector of the economy. The Low Carbon Goods and Services (LCEGS) sector in the UK was worth £106.5 Billion in 2008 – with forecast growth of 5% per annum.¹ In Wales alone, it is estimated that there could be £50 billion of investments in low carbon electricity production alone over the next 10 – 15 years.²
- About 800 people were directly employed in the wind industry alone in Wales in 2010, with this forecast to grow rapidly to 1190 by 2012³
- The employment provided by this sector provides skilled and well paid jobs. For example, West Coast Energy employs 70 staff at its Mold base and is an important employer in NE Wales. The West Coast Group has invested over £270,000 in staff training and development over the last 5 years;
- The employment benefits to Wales are also demonstrated by the turbine manufacturing facility at Welsh based Bevil Mabey Structural Steelworks which was formally opened by Charles Hendry, Minister of State for the Department of Energy and Climate Change, on 12th May 2011 as part of the a £38 million investment by Mabey Bridge in the renewable energy sector. This makes Mabey Bridge the UK's only indigenous manufacturer of wind turbine towers and monopoles. The 25,000 square metre highly automated facility will make up to 300 wind turbine towers per annum, each up to 120m long. The factory provided a welcome boost to the local economy, with the creation of 240 new skilled jobs.
- These economic benefits are significant to Wales and will continue to be significant in this major economic growth sector. Such economic benefits should be given greater weight as a material planning consideration in the decision making process;

5. West Coast Energy: Aspirations and Opportunities in Wales

- 5.1 In order to continue to grow and prosper, West Coast Energy has objectives to further develop and invest in Wales and the company believes many opportunities exist for further investment.
- 5.2 West Coast Energy only has a limited land interest in the SSAs and the company therefore propose to focus on small and medium scale schemes outside SSAs. Many of these schemes would be delivered with a strong community element to them.
- 5.3 Such proposals could make a valuable contribution to Welsh renewables targets, the Welsh economy as well as providing significant community investments. However, it is considered that greater certainty is required in the policy and regulatory framework in developing in such areas. This relates to the earlier point regarding the need for geographic flexibility and not having complete dependence on SSAs.

6. Conclusion

¹ Welsh Assembly Government (July 2009) 'A Green Jobs Strategy for Wales'

² Welsh Assembly Government (2009) 'Capturing the Potential'

³ Arad Consulting / Renewable-UK (2010) 'The Economic Value of Wind to Wales'

- 6.1 The UK and Welsh Governments rightly has ambitious renewable energy targets. Wales is well located to be in a strong position to harness a wealth of renewable resources and make a contribution to international and national targets.
- 6.2 This response highlights West Coast Energy's role as a Welsh company in the onshore wind sector in helping contribute towards these targets. It also highlights the significant economic benefits that onshore wind farms can provide to Wales. There is also significant community investment resulting from this sector.
- 6.3 This response sets out that one of the key issues in delivering renewable energy such as onshore wind farms is to have a policy and regulatory framework that is **positive, consistent and timely**. Whilst attempts have been made by the Welsh Government to move towards this and there have been some successes along the way, there are still some barriers to development that should be removed. These include unclear targets and both insufficient monitoring of targets and lack of emphasis on targets when taking land use planning decisions. There is also a lack of clarity on the role that wind farm sites outside SSAs can make to hitting targets as well as key strategic issues such as establishing an effectively planned grid infrastructure. Compounding these issues is a sometimes inconsistent approach taken by local planning authorities and statutory consultees in the planning process, which do not always reflect the national need for renewable energy.
- 6.4 The current anomalous relationship between IPC and Welsh Government in developing a policy framework for renewable energy deployment may also lead to some confusion and may compound these problems. Finally, there is considered to be a lack of emphasis on targets and monitoring progress towards targets.
- 6.5 To address these problems, West Coast Energy makes a few suggestions in this response. These include matters such as: providing more flexibility in the SSA approach of TAN 8; following the lead taken by the Scottish Government's leadership and drive towards renewable energy deployment; providing greater emphasis on targets and interim monitoring towards such targets – including greater weight in land use planning decisions and greater Ministerial responsibility towards achieving targets; and emphasising the economic benefits that renewable energy / onshore wind can bring to Wales. Perhaps critically, is the need for the various decision making tiers to be pulling in the same direction – this includes the UK Government, the Welsh Government, local authorities and the various statutory consultees.

SECTION B: Specific Reference to the Draft Terms of Reference of the Energy Inquiry

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

How does this affect delivery of the Welsh Government's aspirations for various forms of renewable energy as set out in the Energy Policy Statement?

How does this affect delivery of the Welsh Government's target for a 3 per cent reduction in Green House Gas emissions per annum from 2011?

As described in Section A Paragraph 2, above, it is considered that one of the key issues affecting the effective deployment of renewables and the achievement of renewable energy targets in Wales is dependent on a positive and consistent policy framework. This should be the key objective whether the decisions are taken at the UK or Wales level.

The Welsh Government's targets as set out in the Energy Strategy and PPW can be delivered with strong leadership and clear policies from UK and Welsh Government, local authorities and statutory consultees. Whether decision making remains with the UK Government or is devolved, it is considered there needs to be more 'joined-up' communication on energy policy from several organisations.

How can the Welsh Government ensure that all consenting decisions on major infrastructure projects and associated development are made in accordance with Welsh planning policy?

Without further devolution of power this cannot be guaranteed under the current framework. If decision making remains with the UK Government, the role of TAN 8 and PPW should be made clearer in order to avoid conflict and confusion. This should include a clear statement in UK Government policy (i.e. in the NPS) on the exact role that TAN 8, PPW and energy policy within Wales has to play in the decision making process.

Key issues

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

The role of the different consenting agencies, how they inter-relate and how the current system could be improved, both with and without further devolution (*Infrastructure Planning Commission, Planning Inspectorate, Local Planning Authorities, Welsh Government, Marine Management Organisation, Environment Agency*).

The relationship between the UK Government's Energy National Policy Statements and Welsh national and local planning policies (including Planning Policy Wales, Technical Advice Note 8 and Local Development Plans) and whether or not these policies can deliver the required aspirations.

The arguments for and against an upper limit of 100 Megawatts for devolved consents.

The on-going success of the renewables deployment and the renewables industry in Scotland is a compelling argument for further devolvement in Wales – refer to paragraph 4.1 (b) in Section A above. However as explained in Section A the relative greater success of renewables policy in Scotland cannot solely be attributed to greater devolved powers. It is also based upon strong leadership and a clear policy drive to achieve targets.

A comparison with the other devolved legislatures (Scotland has devolved responsibility apart from nuclear, Northern Ireland has devolved responsibility including nuclear)

The potential contribution and likelihood that different types of renewable energy (*offshore wind, tidal, onshore wind, hydro-power, nuclear, bio-energy/waste, micro-generation, community energy projects*) will be capable of delivering the Welsh Government's aspirations for energy generation as set out in *A Low Carbon Revolution – Energy Policy Statement*.

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

Wind power is a mature technology that can meet and potentially exceed the targets attributed to it in the Welsh Government's Energy Policy Statement. Like all renewable energy technologies it requires the urgent investment and development in the supporting grid infrastructure to meet targets.

Tidal range and tidal stream/wave technology is a relatively more recent technology, and is still largely unproven operationally at a commercial scale. At face value it would appear that 8.5GW target for Tidal Range by 2022 and 4GW from Tidal Stream by 2025 to be ambitious. The targets for these emerging technologies should be closely monitored and should it appear that it is unlikely to be developed in time to meet targets then other technologies may be required to pick up the deficit.

Environment and Sustainability Committee

E&S(4)-10-11 paper 3

Inquiry into energy policy and planning in Wales – Evidence from Nuon Renewables

Written Evidence from Nuon Renewables (A company owned by Vattenfall) for the Environment and Sustainability Committee. November 28th 2011

TAN 8 as a policy has been in place for 6 years. It is an opportunity to truly foster Wales' vision for a sustainable Wales into a reality. Nuon is concerned that little progress has been made to ensuring that Wales maximises the benefits it can realise from this policy.

The opportunities that large scale 25 year inward investment projects can deliver to Wales are significant. To date, Nuon alone has invested over £35m in Wales.

Over the next 25 years, just from Nuon's Pen y Cymoedd Wind Energy Project alone, we expect the value of the investment to Wales' economy to be in the region of £1bn.

Nuon firmly believes that more work needs to be done to ensure that this level of investment is being effectively harnessed to generate sustainable value and growth for Wales.

Are there clear delivery plans? TAN 8 is a regionally focussed policy – what should each region be prioritising? How can it gain most value and ensure that local priorities are delivered?

These are some of the questions we would like to see considered to ensure that Wales can maximise the benefits from wind energy developments prepare for other renewable energy technologies which will become commercially available the next 5, 10, 15 years.

We see many avenues where wind energy projects can deliver real and very significant benefit, which we will explain in more detail.

Effective Engagement

We strongly assert that effective engagement has to be at the core of delivering sustainable developments.

As an example of what can be done at a project level we have chosen Nuon's Pen y Cymoedd Project located in Strategic Search Area F in South Wales. The vision for the Pen y Cymoedd project was borne from the feedback from our public engagement process. More than 1500 individuals and organisations took part in the process and helped us find real clarity in terms of what we should be prioritising within the project

We had a very clear steer on what we needed to do to make sure that the project benefitted the host communities/region, which allowed us to create a clear vision

for the project to keep us on track towards our end goal – ensuring that Pen y Cymoedd is a sustainable development.

The importance of influencing the final design of the project (or layout) was, of course, a major priority for the engagement process, but this is not discussed here.

We will focus on the benefits that local residents, businesses and organisations wanted/expected to see (some graphs from the door-to-door survey are provided in Annex 1 to give you an idea of the priorities of a representative cross-section of local residents, but the priorities below represent a combination of the priorities from this survey but also the drop-ins and workshops).

- Generate employment opportunities
- Carbon emission reductions, reducing bills
- Green spaces for the community and environment projects
- Education, training and young people
- Tourism
- Long term and ongoing benefit in economic terms

These are all things that we realistically feel can be delivered through the project, and progress has been made on a number of fronts, notably:

- A 1500 hectare Habitat Management Area
- Work to research the best methods to deliver the outcomes above through the £1.8million annual community fund
- A workstream to develop the local employment opportunities through the project
- Research on a virtual visitor centre complex, to seek to utilise existing tourism facilities and projects and build on these (rather than reinventing the wheel)
- Work with local schools and looking to develop relationships with universities in the region.

Work Programmes – Generating Employment Opportunities through the Project

The starting point for generating employment opportunities for Nuon has to be through the project itself, as this is a matter over which we have the greatest control.

We have invested a lot of time and effort into ensuring we have delivery plans in place. Working with the local authority in particular, a session was held in March 2011 for local businesses. More than 140 company representatives from the region attended.

The critical questions or matters that local companies raised were:

- What skills, training and accreditation did they need to work on a wind energy project?
- What opportunities were available?
- Making sure that they received enough notice and time to prepare to compete with more established and bigger companies
- Enabling links with larger contractors for local companies with sub-contracting potential

We have used the feedback from the event to inform our work programme on this element, and have responded by:

- Developed a training support package with the local authority to enable local supply chain companies to gain the necessary accreditation and training to work in the sector
- Made changes to our proposed procurement programme to ensure that “meet the buyer” opportunities are provided to local supply chain companies with the larger contractors prior to the tender submission.
- Provided a briefing pack for business outlining in detail the contract opportunities and value, our contracting strategy, the key criteria and/or necessary skills and the process and timescale to which we are working.
- Implemented a business bulletin to keep local suppliers up to date on the progress of the project.

Work Programme – Community Benefit

The sums of money coming to TAN8 areas are vast. On Pen y Cymoedd alone, there will be an annual sum of £6000 per MW (index linked). Currently it is worth £1.8million annually. We have a community who want very sustainable things – employment, green spaces, initiatives to reduce bills, facilities within the community, funding for local environment/wildlife projects. How do we deliver?

The “traditional” models of community benefit have focussed on small scale community grants. The sums of money coming from the TAN8 policy mean this model is unlikely to be fit for purpose, from a practical point of view and from a value for money point of view. So what are the options?

Our intention with Pen y Cymoedd is to commission detailed research based on the community feedback report to examine the best options or scenario for the fund to deliver what the community wants to see and deliver the best long term outcomes from the fund. Then this will be taken back to the community to take things forward and start to explore the options for the fund in more depth. Some of the scenarios possibilities that might be explored:

- A fund with the sole focus of generating employment – there are number of ways this could be delivered to also provide more traditional community benefit projects (some examples can be found in the CES Report Investing for Community Benefit

- A community bank (or a fund that includes an element of a community bank) – where low interest loans are available to support local businesses, community groups, with the money eventually paid back, creating a fund in perpetuity and supporting capacity building in the community and ensuring sustainable and well thought through projects are supported, and moving away from the fund becoming the sole revenue source for local projects and so forth)
- A two tiered fund – local community funding for small scale grants, which are decided within each community at one level; then another level where the communities around the project come together to make decisions on strategic opportunities for the fund to invest in the region and derive benefit.

These examples are merely illustrations of the many ways in which the fund could be developed – the final decisions will be made through engaging with the communities, but these examples illustrate the potential of these funds to create and support local economic growth and the development of sustainable, resilient communities over the next 25 years. Mention also needs to be made here of the importance of match funding opportunities, of which there are many avenues to explore to deliver on the priorities of the local community.

In summary, what we are keen to highlight is the urgent need to consider how Wales makes the most of its opportunity. There has been six years of debate over renewable energy, but precious little actual work on how Wales is going to ensure it benefits from this strategically important industry.

Wales has a vision to be a sustainable nation. Just from Pen y Cymoedd, we are talking about £1bn worth of investment to harness towards this vision, guided by communities, organisations and government. Our evidence from engaging at the local level is that communities in Wales want very sustainable things.

There needs to be greater coherence and delivery plans to ensure that opportunities are maximised. There needs to be clear leadership. The industry is now in the process of establishing a cross-sector working group to work through the benefits and a framework of how they might be delivered across Wales. We hope that government will play a strong role in this. It is unusual for private companies to be leading an agenda such as this in this manner, we would normally expect to respond to a clear steer from government as they are well placed to convene stakeholders and make the right links across their portfolio to maximise the opportunities – in delivering against wellbeing, the environment, economy, and developing local communities (infrastructure, cohesion and so forth). The progress that individual developers have made to date gives a valuable platform to progress, as we have illustrated, but engagement from other stakeholders will be essential.

TAN 8 is a massive economic opportunity, with a rare opportunity to derive benefits for local industry, companies, regions, and communities. It is an opportunity to take a holistic approach to delivering economic growth within the region. 6 years on, we are unfortunately no closer. There is a severe lack of evidence, research and vision to develop effective delivery plans. Wales has attracted the investors – it needs plans now to maximise the benefits from this multi-billion pound inward investment across regions in South, Mid and North Wales.

ANNEX 1 – Extract of a residents survey commissioned for Nuon around Pen y Cymoedd

1.1 Methodology

The fundamental aim of this survey was to ascertain the views of a representative cross-section of residents across the area identified for resident consultation. It was critical therefore, that the methodology selected for this work was the most effective for delivering such a representative and robust cross-section of residents. The most effective way of delivering a controlled sample of this nature amongst residents is by face to face interviews, controlled by location and by composition, and this was the approach taken.

1.1.1 Selection of respondent households and respondents

In order to select respondents, respondent households were first identified and selected. The map boundary shown on Figure 2 was matched to Census Output Areas to provide a clear definition of the geographical extent of survey coverage. Some output areas straddled the boundary of the area being considered, and these areas were either excluded from the sample (if the large majority of the output area, and the households within it, were outside the boundary) or more usually included, with the chosen sample including only households whose locations were within the area boundary.

Figure 1 Map showing the boundary of the survey area (black line), and the sample points used in the survey (black dots)

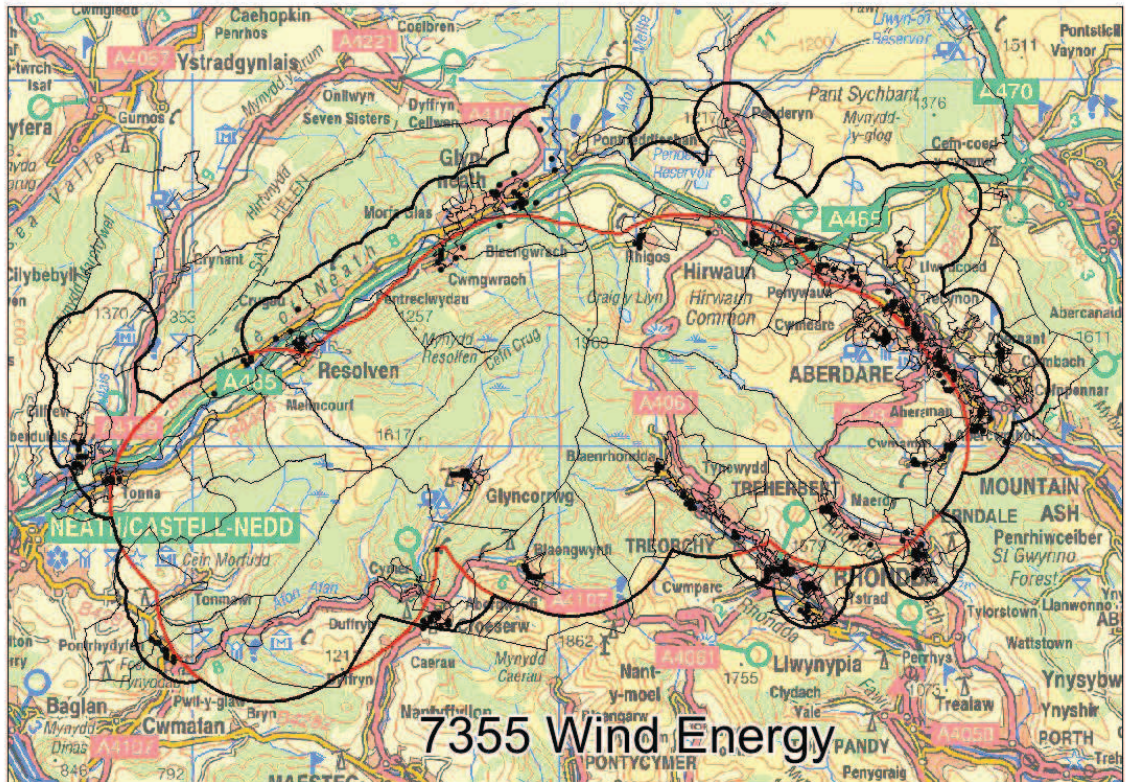
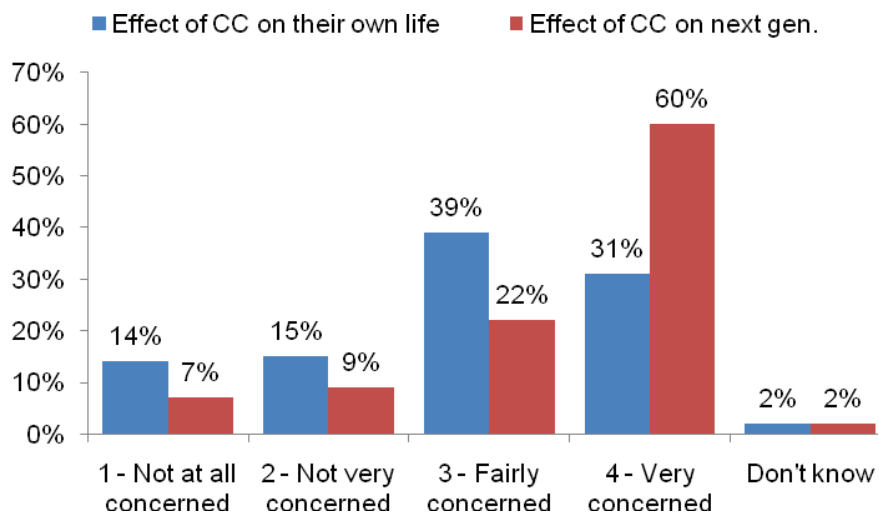
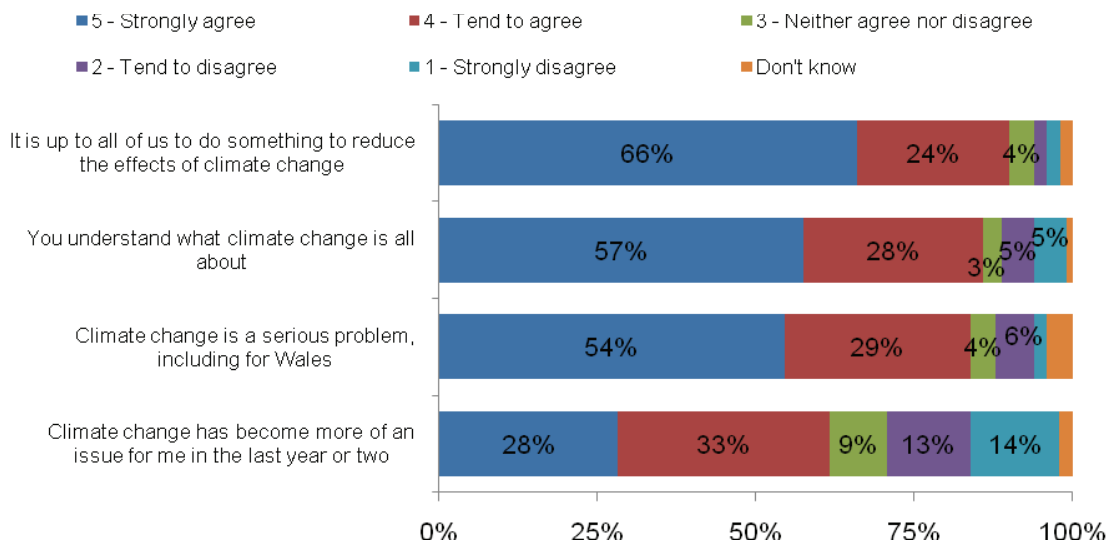


Figure 2 Level of concern relating to climate change



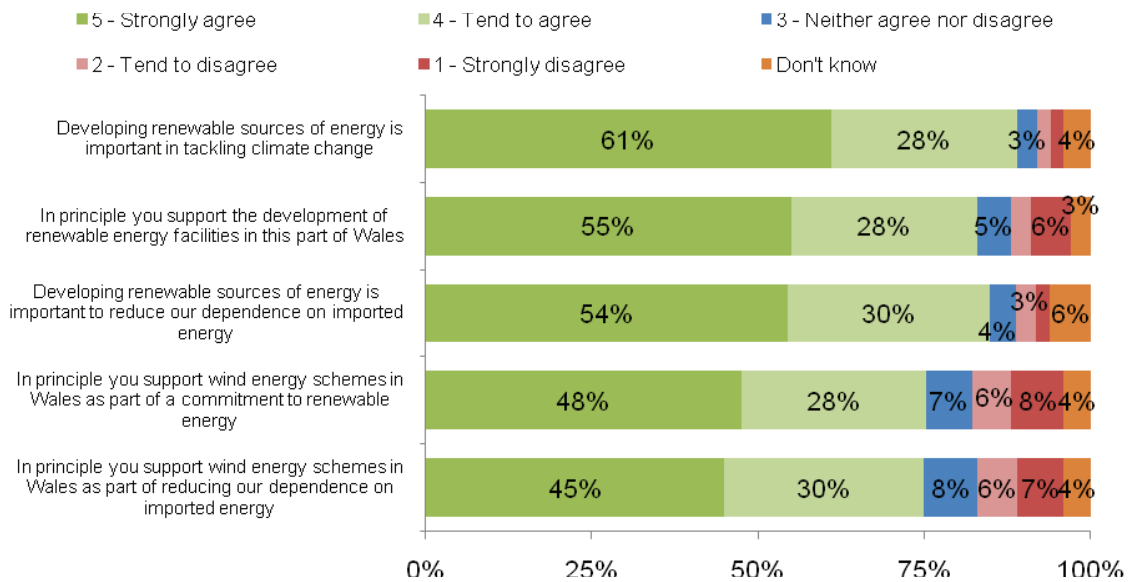
Base: All respondents

Figure 3 Understanding of climate change



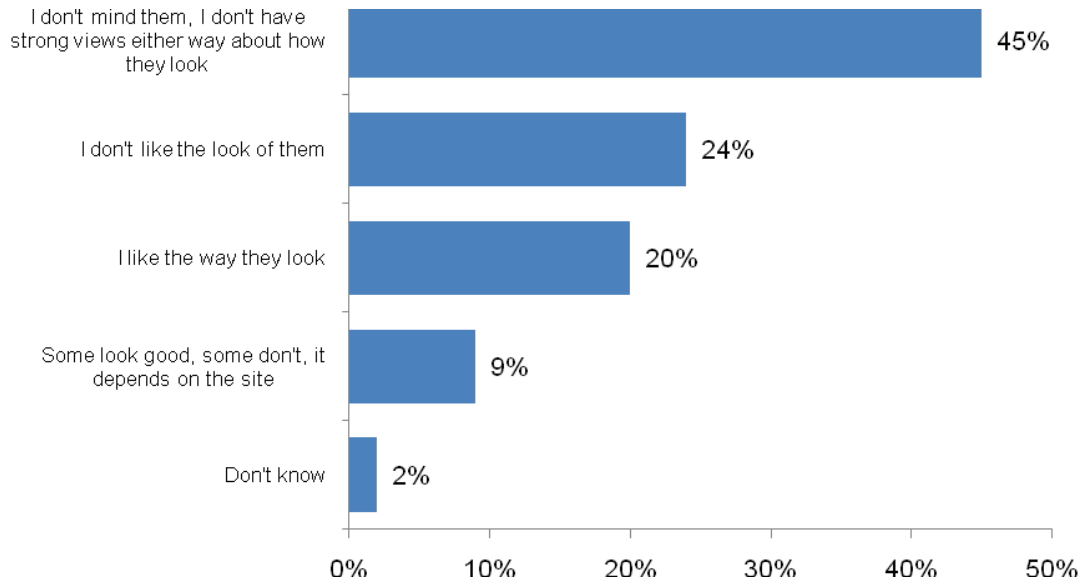
Base: All respondents

Figure 4 Views on renewable sources of energy



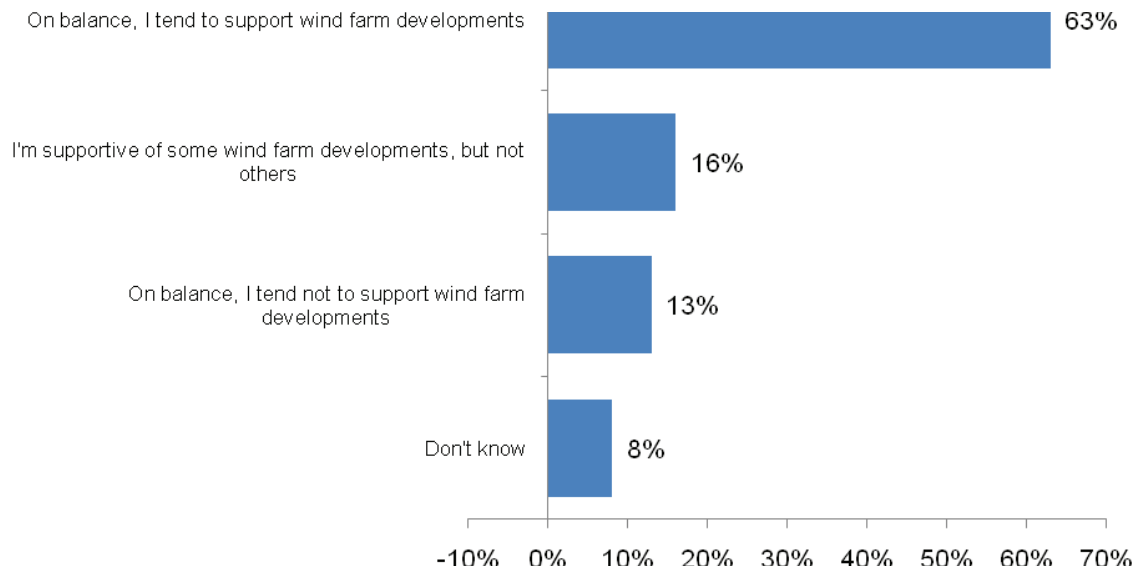
Base: All respondents

Figure 5 Opinions of power site aesthetics



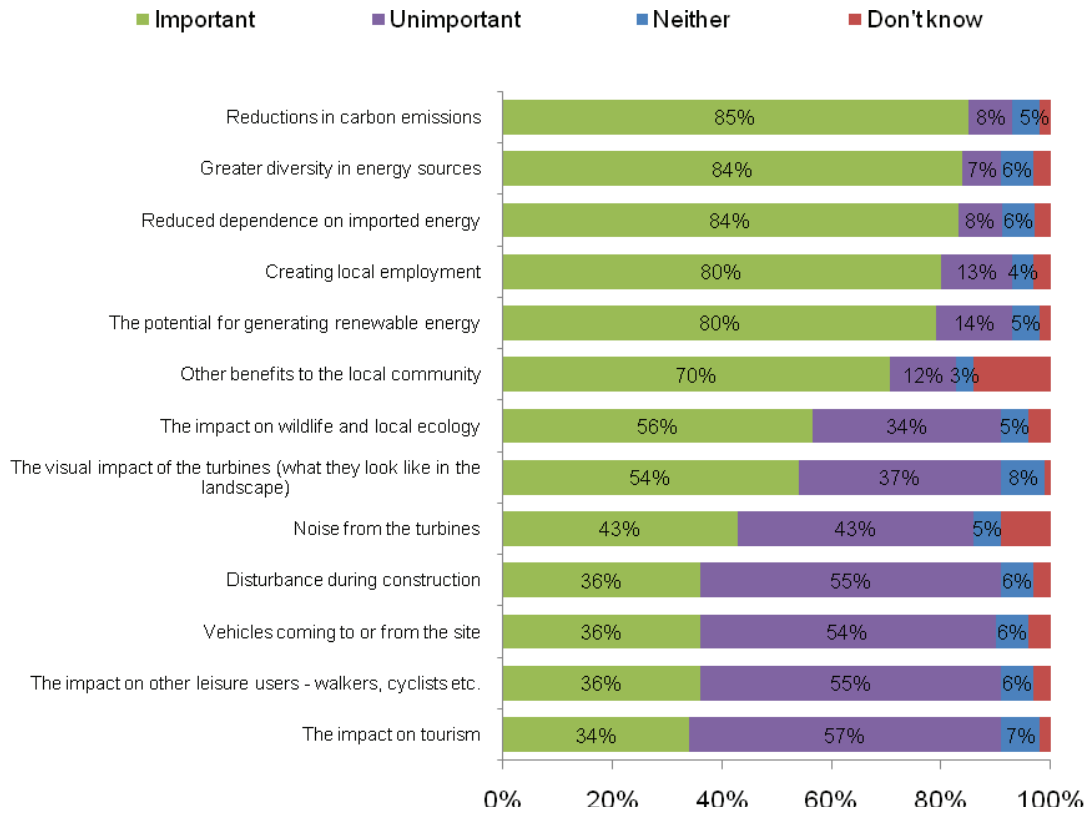
Base: All respondents

Figure 6 Opinions on wind farm developments as a whole



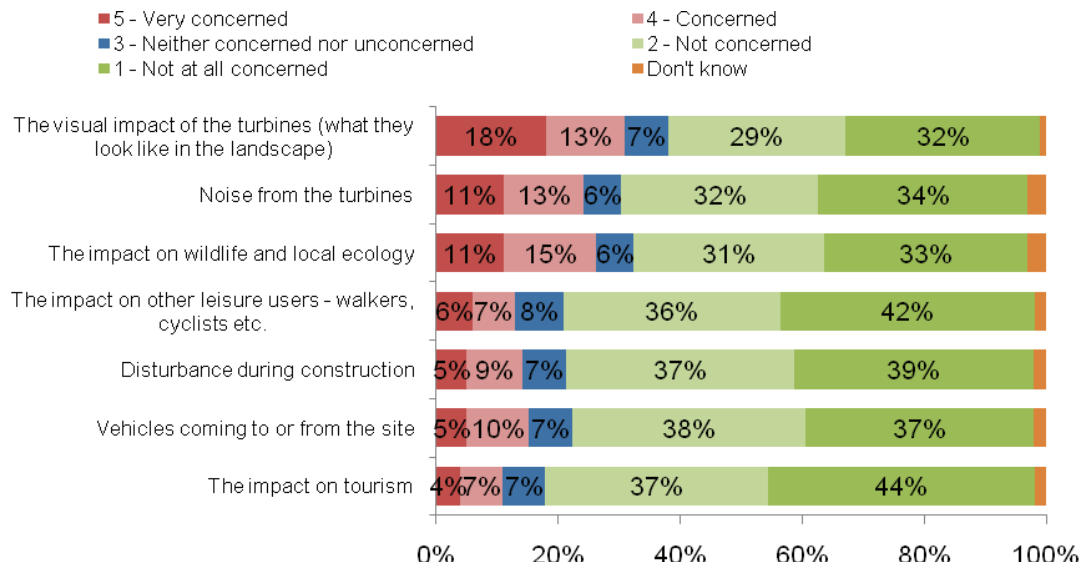
Base: All respondents

Figure 7 Important considerations



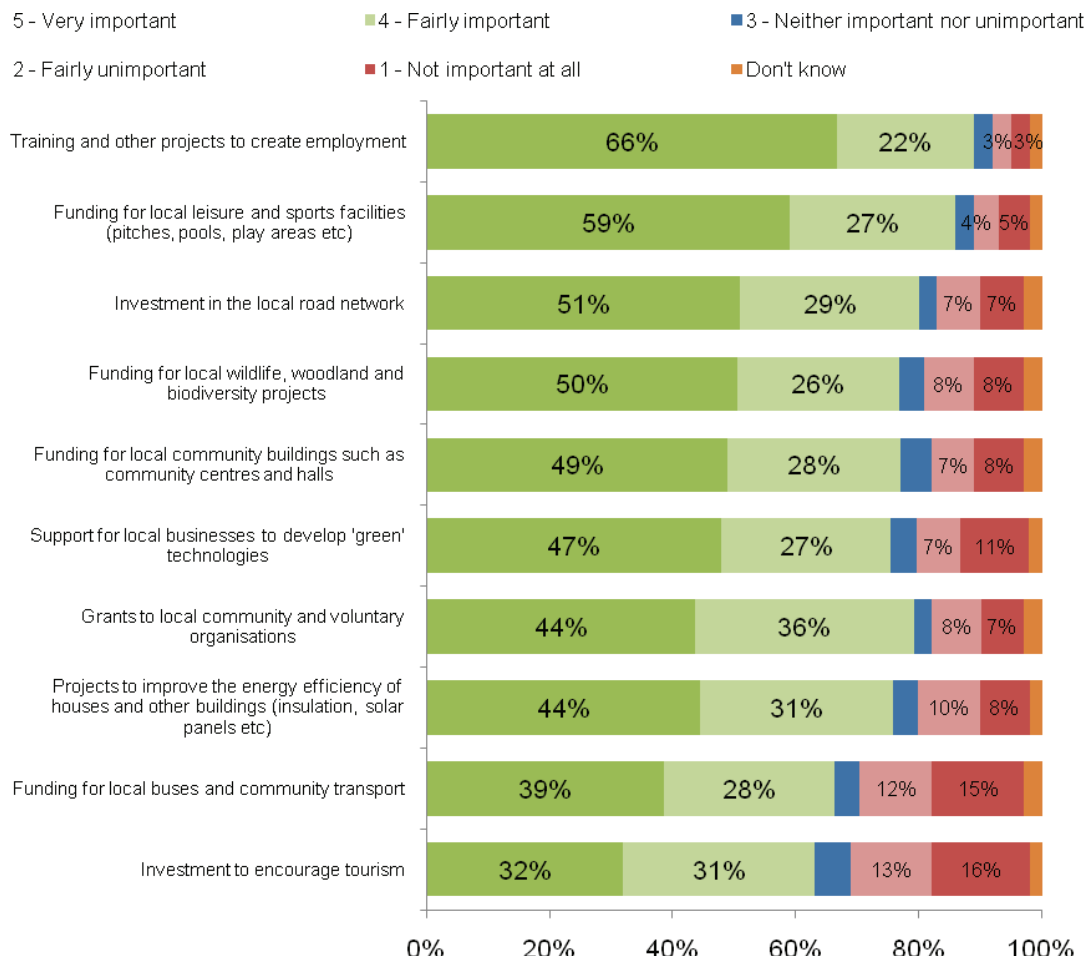
Base: All respondents

Figure 8 Overall public concern



Base: All respondents

Figure 9 Importance of potential funding beneficiaries



Base: All respondents

Agenda Item 4

Environment and Sustainability Committee

Meeting Venue: **Committee Room 2 – Senedd**

Meeting date: **Wednesday, 23 November 2011**

Meeting time: **09:30 – 12:05**

This meeting can be viewed on Senedd TV at:

http://www.senedd.tv/archiveplayer.jsf?v=en_300000_23_11_2011&t=0&l=en

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Concise Minutes:

Assembly Members:

Dafydd Elis-Thomas (Chair)
Mick Antoniw
Rebecca Evans
Russell George
Vaughan Gething
Llyr Huws Gruffydd
Julie James
David Rees
Antoinette Sandbach

Witnesses:

Peter Burley, The Planning Inspectorate
Ceri Davies, Environment Agency Wales
Anthony Wilkes, Environment Agency Wales
Morgan Parry, Countryside Council for Wales
Roger Thomas, Countryside Council for Wales
Dr Sarah Wood, Countryside Council for Wales

Committee Staff:

Virginia Hawkins (Clerk)
Catherine Hunt (Deputy Clerk)
Graham Winter (Researcher)

1. Introductions, apologies and substitutions

1.1 Apologies were received from William Powell. There were no substitutions.

2. Inquiry into energy policy and planning in Wales – Evidence from the Planning Inspectorate

2.1 The witnesses responded to questions from members of the Committee on energy policy and planning in Wales.

2.2 Mr Burley agreed to provide a note on whether local development plans are being developed in line with Welsh national energy policy.

3. Inquiry into energy policy and planning in Wales – Evidence from the Environment Agency Wales

3.1 The witnesses responded to questions from members of the Committee on energy policy and planning in Wales.

4. Inquiry into energy policy and planning in Wales – Evidence from the Countryside Council for Wales

4.1 The witnesses responded to questions from members of the Committee on energy policy and planning in Wales.

4.2 Dr Wood agreed to provide notes on the number of applications received for projects above and below 50MW broken down by sector and on CCW involvement in the planning committee set up by the Welsh Government to advise on anaerobic digestion and energy from waste.

TRANSCRIPT

View the [meeting transcript](#).

Agenda Item 4a

Environment and Sustainability Committee

E&S(4)-10-11 : Paper 4

Inquiry into Proposed reforms to Common Fisheries Policy – Additional information from the New Under Ten Fishermen’s Association

English Inshore Producer Organisation – next steps

It is clear that the under10m fleet desperately both needs and deserves improved access to fishing opportunities. They recognise the potential benefits of an improved management structure and through that, more control over their own destiny. They consider it vital to retain, and even enhance that inherent flexibility so necessary to the prosperity and survival of an under10m vessel restricted to fishing local waters. They want a level playing field with the Sector, to be able to sit at the table on an equal basis with their larger scale colleagues and work more in partnership than in conflict, albeit recognising that the balance of rights needs to be finally settled for that to happen. They also recognise and require support for more effective representation and in many areas, similar assistance for marketing and supply chain issues.

Against this, the approach epitomised by the current Defra proposals, specifically with regard to the allocation of individual transferable rights that would inevitably have a monetary or tradable value was seen by many as the proposal’s Achilles Heel. Apart from the general objections, the introduction of this approach would seriously discriminate against under tens on the basis of the massive imbalance of current accrued resources between the sectors when competing for limited resources.

We are therefore faced with a need for change; an almost unanimous rejection of FQA’s but support for a similar approach to allocation and management based on the PO model. Yet at the same time a clear concern expressed that allowing quota to have a tradable and monetary value would undoubtedly and inevitably lead to the demise of this sector of the English fleet and a concern

that allocations to individuals would also lead to aggregation, either within or outwith the sector and loss of quota.

So in terms of the proposal for pilot projects by Defra to test alternatives to the current system, Nutfa had put forward a Recommendation within its response to the Consultation, based upon the creation of an Inshore Producers Organisation for England, but managing the pool quota, together with any reallocated and realigned quota and any other quota that it would acquire over time, for the benefit of the whole fleet, rather than through the allocation of individual FQA's. This paper seeks to expand on the proposal and consider what needs to be done to pursue this initiative. It is certainly clear that it is not possible to write an application for support for the creation of an inshore PO at the present time without procuring additional resources in order to do so. Whilst we would like to progress the idea without delay, on the basis that change is urgently needed within the under ten fleet , it is not something that we can do in isolation and without some significant research.

In previous discussions with Bella Murfin and colleagues, it was made clear that the idea of an inshore PO was something that Defra could support and that the relevant legislation, primarily 104/2000 and 2318/2001 was generally supportive.

It is however very much the case that an Inshore PO, managing a pool, rather than individual quota allocation requires some thinking about and discussion between the applicant and Defra / MMO et al.

Even in the event that we were making an application for a straightforward traditional PO, there are a raft of questions that need answering, some of which do not appear to be forthcoming from Defra's recent enquiries with PO's in that respect, and some political aspects that require consideration. There are equally a number of practical issues surrounding infrastructure and the use of and relationship with existing MMO ground staff that will require debate and resolution.

At the same time, and to quote the Minister, if I was starting from somewhere, it wouldn't be from here.

The current reporting and recording procedure for under ten landings is in the opinion of many informed individuals, not fit for purpose. Defra are unable to put any confidence level on the quality of data or the efficacy of buyer reporting and therefore the accuracy of what finally is used not only for quota management and allocation by the MMO but would, in the event that Defra's proposals for FQA's were taken forward, be the basis for quantifying an individual's track record. This is unacceptable. (See Note 1 below)

It is worth noting that many respondents to the consultation on the RBS methodology made clear their concerns in this respect and felt that relying on a third party to report landings was likely to be problematical and that a straightforward log book system would be preferable, more accurate and make fishers themselves more accountable.

In recent discussions with the MMO, it is apparent that postal notification of licence variations is likely to be scrapped in the near future in favour of an SMS message to licence holders, telling them to look on the MMO website for updates.

If we are to collectively rely more upon modern communication systems, including mobile phone based VMS systems, to the extent that their efficiency would be reliable enough to take legal action against anyone who "didn't receive it" then perhaps we should be considering introducing a system whereby fishers could simply send a text message with the species and quantities as soon as they land? This is not a facetious idea but illustrates the options that are potentially available to replace the current reporting system. Perhaps a slightly more practical approach, without more research, would be to make log books a requirement for all commercial fishers, irrespective of size of vessel. I suggest that this may need to be the case in any event in light of the current proposals within the CFP Draft Regulation that espouses Transferable Fishing Concessions to all vessels other than those under 12 metres using passive gear. There is a danger of ending up with a range of reporting requirements dependent not only on the length of the vessel in question, or whether an under ten is leasing but also for vessels of under 12m using both static and mobile gears having to record catches dependent upon the method used at the time. The thrust of one element of Defra's recent proposals was aimed at removing arbitrary divides

between the sectors and therefore a log book system for all, with of course allowances for vessels without wheelhouses or other shelter to record catches on landing (or via text as suggested previously) rather than contemporaneously may be worthy of consideration. It is certainly the case that if overarching changes are to be made to the current system then it would seem sensible to kill as many birds with one stone as possible. It is also the case that these initiatives would possibly make the overall reporting, recording and management system for under ten metre landings far more transparent, efficient and cost effective than is presently the case.

A further salient point is that with regard to costs. Like any other management service, including existing PO's, a charge will be necessary but the inshore fleet must recognise that they have never had to contribute directly to the management, marketing or representation of their sector. Little wonder then that it has become very much the poor relation, in many cases struggling for survival, and with little historic standing or influence on the wider stage. It also needs to recognise that if it is to survive and prosper that there is an ever increasing need for these services against a backdrop of management and regulation from both the European Commission and Parliament.

Whilst initial full funding for a pilot study and the subsequent creation of an inshore PO may be forthcoming via EFF and Defra, the organisation would inevitably and rightly have to generate sufficient income to be self supporting in the long term.

At the same time, it will be vital for the organisation to acquire and generate sufficient resources to be able to operate in a similar fashion to existing bodies if there is to be anything of a level playing field.

Apart from running costs and funds for the acquisition of additional quota, there is little doubt that questions with regard to funding any reductions in both potential over capacity and latent effort will need to be collectively addressed. We are aware that straightforward funding for decommissioning is unlikely to be forthcoming on the basis that the EU Commissioner and others have raised concerns with regard to its past effectiveness, although we feel somewhat aggrieved that the under ten fleet, with the exception of one small and badly targeted recent tranche has never had the opportunity to benefit from the

£120m plus thrown at the over ten sector in past years and is therefore expected to deal with any capacity problems without an equitable level of support.

Nevertheless, Defra has indicated that there may be an element of match funding available to support a reduction in capacity, latent or otherwise, within the under ten fleet and it therefore begs the question as to where the industry match funding is likely to come from. Defra have suggested approaches to wealthy NGO's but in reality, it will be largely incumbent upon the industry itself to generate the funding required for the most part. It may be worth considering a further and one off element of government funding if the creation of an inshore PO can show savings on the current administration cost of the under ten metre pool by the MMO.

Although the recent Nutfa tour highlighted differences of opinion with regard to how and if one should deal with latent and over capacity, and indeed whether they actually exist and the level of threat they represent, there was general agreement that any such reductions should be paid for, even if that payment was not overly generous. There was a view that in the same way that PO's are currently arguing, and seem to have succeeded in persuading the government, that they have a 'legitimate expectation' in terms of the value of their holdings, so owners of licences, that have a far clearer legal claim of ownership than perhaps does a quota holder, should therefore be recompensed in the event that government decided to remove that property right.

At the same time, it is clearly inefficient to attempt to manage quota allocations to the fleet when managers have no clear idea of just how many vessels they are dealing with and just how many vessels may decide to prosecute a fishery or fisheries on any given day. It is therefore impossible for the MMO, unlike the PO's who have a legal requirement to do so, to produce an accurate fishing plan for fishers within their jurisdiction.

It is clear that the long term and effective management of inshore quota must be based upon, at least in general terms, a more stable number of vessels than is presently the case. It may be that any vessels that are deemed to be 'long term latent effort' should have to give a period of notice before coming back into any given fishery so as to allow managers to be able to allocate quota more

effectively than the current scenario where they have to be overtly cautious for the reasons outlined above.

It was also clear from responses during the tour that there are a significant number of under ten metre vessels, latent and otherwise, that would grasp the opportunity to leave the fishery, given even reasonable compensation and it may be that a special case could and should be made to Europe to provide funding for a one off rebalancing requirement?

Debate is necessary to consider “ownership” of quota by individual inshore fishers. A major premise of this proposal is that it seeks to avoid, by the ring fencing of the existing pool and other quota, the problems associated with the monetarisation of the resource. At the same time, it recognises that fishers should have the ability to lease and purchase quota from external sources so perhaps the baseline management of pool, reallocated, realigned and other available quota acquired by the inshore PO should be sufficient in the first place?

In short, it is our contention that before an application could be constructed in support of an inshore PO, we need to undertake a funded pilot study to answer the plethora of practical and political questions that any such application would throw up. Amongst these questions are:

- Definition of geographical area
- How PO rules are currently adhered to or otherwise and to what extent (necessary to understand real world politic)
- RBS confidence levels
- Interaction between industry managers and MMO ground staff
- Revised Reporting procedures and methodology
- Revised Recording procedures and methodology
- Timeline
- Costings and funding
- Management and data systems
- Location and staff
- Initiative interaction with CFP Proposals

- And importantly, the fleet view
- Interest in and buy in from other Devolved Administrations and their respective fleets.

The overarching proposal fits with the current Government's commitment in terms of the Big Society, provides an incremental approach to more self management and responsibility for English small scale fishers, may provide an acceptable template for fishers and managers within the Devolved Administrations whilst at the same time seeking to avoid the pitfalls inherent within a value based FQA system.

Note 1: It is salient to note that although RBS requirements are ostensibly EU wide, it is clear to anyone who wants to look that many of our European cousins don't in fact appear to bother with it to the same extent as the UK. It is suggested that France and Spain at least pay only lip service to the requirements under the legislation and effectively allow their small scale fleet to get on with fishing unencumbered by the requirements laid down. So not only are UK inshore vessels managed differently from the wider EU, but are subject to a recording system that is clearly less than effective or accurate and furthermore that Defra wants to use it as a basis for the allocation of FQA's that would then cast the system in stone with no opportunity for any further review).

NB: I also attach my original aide memoire developed from the tour report for information.

- Single English Inshore Producer Organisation
- Incremental approach
- Take over management of English pool quota
 - Manage for wider purposes
 - Focussed on industry needs
 - Seat at the table on equal terms
 - Inclusion of reallocated and realigned quota
- EFF support plus % of Defra savings over three years

- Build up financial reserves with fees to:
- Match fund decommissioning
- Buy out latent capacity
- Acquire quota
- Effective representation and marketing
- Retains all quota within 'family'
- Prevents aggregation or loss – protects national assets
- All inshore quota movements dealt with by PO (at market prices) [PO has first option to purchase]
- All decisions by National Board
- Long term rationalisation of a public resource
- EFRA Report:
 - Quota in hands of working fishers only
 - More opportunities to acquire quota
 - Register of holdings and increased transparency
 - Discard reduction

Agenda Item 4b

Environment and Sustainability Committee

E&S(4)-10-11 : Paper 5

Inquiry into Proposed reforms to Common Fisheries Policy – Additional information from the Welsh Fishermen’s Association

“The reason for developing this "Agreement" was to ensure appropriate participation in the Project by active fishermen to improve the confidence in the data collection.

Initially there was a reluctance by industry to engage in the Project due to past experience with CCW. The "Agreement" was developed between industry and CCW specifically to reassure potential participants that a clear set of terms exist to draw a line under the past and move forward in the security of a firm agreement whereby industry is included in every stage of the project.

Our relationship with CCW has developed further in respect of the recent consultation document regarding management proposals for Horse Mussel (*Modiolus, modiolus*) Reef off the North Wales coast which is currently "work in progress", however should the Members be interested in the correspondence to date between ourselves and CCW in respect of the matter I would be happy to submit the relevant documents.”

THE AGREEMENT

Established between:-

The Welsh Fisherman's Association – Cymdeithas Pysgotwyr Cymru (WFA-CPC)
on behalf of the Welsh Fishing Industry through its respective membership

Together with:-

The Countryside Council for Wales (CCW)

Have agreed a working relationship conducive to the collaborative objectives of
“The Welsh Fisheries Strategy” with particular regard to the “Pilot Project” FishMap
Môn.

This agreement is consistent with the principles of mutual respect and
understanding outlined within the “Terms of Engagement” and the documents
appendixed thereto:-

- i Terms of Engagement 5th September 2011
- ii Approved minutes 23rd August 2011
- iii Terms of Reference – Project Board (FishMap Môn)
- iv Terms of Reference - Steering Group (FishMap Môn)

This cover and the documents referenced herein combine to form The Agreement
between the above parties.



5th September 2011

Jim Evans

Chairman, Welsh Fishermen's Association-Cymdeithas Pysgotwyr Cymru (WFA-CPC)

Dear Mr Evans,

Re: Fishing Industry and CCW (re FishMap Môn) Terms of Engagement

Following the meeting on 23rd August 2011 with you and other fishing industry representatives of FishMap Môn's Steering Group we appreciate the need to agree and formalise working relationship between the fishing industry and CCW with regard to FishMap Môn. This letter aims to clarify this working relationship through reference to the key issues discussed and agreed by both parties during the meeting on 23rd August (see Appendix ii for approved minutes).

At present we can clarify the following areas of agreement:

Key Issue 1: Industry to be kept informed

- The fishing industry will be kept informed throughout the project via the Project Board and Steering Group (see Appendices iii and iv for terms of reference).
- To ensure transparency, information about the project including documents from meetings and workshops will be published on the project web pages.
- Individuals can contact the project at any time with questions or concerns and these will be recorded and responded to as soon as possible.

Key Issue 2: Industry to be included and consulted within the decision-making process

- During the FishMap Môn project, outputs such as presentation of indicative evidence and the development of guidance on management options will be discussed at both the Steering Group and Project Board and agreed with Project Partners before they are presented to the Welsh Government.

Key Issue 3: Data confidentiality

- Confidentiality of the data will be assured through the use of a data consent form which must be signed by each individual fisherman prior to being interviewed. The data consent form will detail the level of confidentiality, the resolution of data presentation and the use of the data in outputs. The data consent form will be agreed in consultation with the Project Board and Steering Group.
- Fishermen's data collected during the project will only be used for the purposes of the FishMap Môn project and Bangor University's School of Ocean Sciences European Fisheries Fund project (providing agreement is gained from individual fishermen).



Y Gronfa Pysgodfeydd Ewropeaidd:
Buddsoddi mewn Pysgodfeydd Cynaliadwy
European Fisheries Fund:
Investing in Sustainable Fisheries



Llywodraeth Cymru
Welsh Government



Key Issue 4: Industry to clearly understand the sensitivity work carried out by CCW

- Documents describing the creation of fisheries habitat maps and their sensitivity to fisheries activities will be available on the FishMap Môn web pages. Fishermen can also request further information/ presentations on issues relevant to the FishMap Môn project.

Key Issue 5: Potential participants to be made aware of the data confidence, data requirements and subsequent interpretation

- The confidence of the fisheries habitats underlying the sensitivity maps will be available on the web pages.
- Data requirements will be made clear throughout the project via meetings, workshops and the web pages.
- During the FishMap Môn project, the development of the tool and options of guidance for management will be discussed and agreed at the Project Board and Steering Group meetings and will be written up and available on the web pages.
- The Project will investigate the involvement of fishermen in the improvement of the accuracy of these habitat maps during the interview process.

Key Issue 7: Transparency in CCW's current and future work

- The Welsh Government (WG) are the regulatory authority responsible for Welsh inshore fisheries. CCW provide nature conservation advice to WG and will be available to others such as the fishing community and NGOs once WG have formulated draft policy or procedure and this is presented by WG for consultation. With agreement from WG, CCW will discuss casework with the industry at the earliest opportunity.
- The project will produce a set of Frequently Asked Questions (FAQs) with assistance from the Welsh Fishermen's Association and SeaFish to clarify areas of concern.

Key Issue 8: Review of CCW's casework handling based on the principles set out in FishMap Môn

- This terms of engagement is specific to FishMap Môn. This framework will be reviewed at the end of the project and could form the basis of future collaborative work between CCW the commercial fishing sector consistent with the objectives of The Welsh Fisheries Strategy.

We are hopeful that this agreement will create the foundation for the local fishing industry to participate in FishMap Môn and contribute towards the aims and objectives of the Welsh Fisheries Strategy. We would appreciate your comments on the areas of agreement outlined in this letter and look forward to hearing from you.

Yours sincerely,

Suzanne M. Hearn

pp. Tim Jones
CCW, Director North region



Y Gronfa Pysgodfeydd Ewropeaidd:
Buddsoddi mewn Pysgodfeydd Cynaliadwy
European Fisheries Fund:
Investing in Sustainable Fisheries



Llywodraeth Cymru
Welsh Government



APPROVED MINUTES OF MEETING REGARDING TERMS OF ENGAGEMENT BETWEEN FISHING INDUSTRY AND CCW IN RESPECT OF FISHMAP MÔN

DATE AND TIME: 23rd August 2011, 2pm

PLACE: Llys y Bont, CCW North Area office, Parc Menai, Bangor

Attendees:

- RD** Richard Dyer- North Wales Fishermen's Co-operative Ltd
- CE** Clare Eno- CCW, Senior Sea Fisheries Advisor
- JE** Jim Evans- Welsh Fishermen's Association
- MG** Mark Gray- SeaFish
- SH** Sue Hearn- FishMap Môn, Project Officer
- TJ** Tim Jones- CCW, Director North region
- RS** Rowland Sharp- CCW North region
- SWd** Sam Wilding- Cardigan Bay Fishermen's Association
- JW** James Wilson- Welsh Aquaculture Producers' Association/Bangor Mussel Producers

1. Introductions

TJ opened the meeting, welcomed all present and asked everyone to introduce themselves. JE thanked TJ for a) holding this meeting and b) subsequently postponing the Working Group meeting. JE and TJ agreed that whilst there have been difficulties between the industry and CCW in the past, they are keen to move forward to get the appropriate process and tools in place to provide a framework in which industry can participate. Without this framework, JE said that there will be little participation and low confidence in the mapping and sensitivity work. MG stated that it's a very key time in that if we can get the approach right from the start, then the methodology can potentially be rolled out across Wales.

It was agreed to use the minutes from the Fishing Industry's 27th July meeting as a basis for the agenda for the meeting, by going through the key issues in the 'Terms of Engagement'.

2. Key Issue 1: Industry to be kept informed at all stages as information emerges

There was discussion about communications between FishMap Môn and the industry. SH outlined the distinction between the Steering Group and the Project Board and it was agreed to send two-monthly e-mail updates to the Steering Group members. TJ added that stakeholders are welcome to e-mail him, SH or CE with any queries.

TJ explained his reluctance to produce a formal Terms of Engagement but that he is happy to discuss issues and place the minutes from this meeting on FishMap Môn's web pages. JE said that he would also like something formal to provide an assurance to the industry of working relationships with CCW with regard to FishMap Môn.

MG outlined the need for transparency between CCW and the industry in order to avoid confusion about different processes. It was agreed that the FishMap Môn web pages will contain project information including FAQs and hyperlinks to other processes and projects (such as the HPMCZ process in Wales and the MCZ projects in England). It was also suggested that someone from Welsh Government could come to the Working Group meeting on the 6th September in order to explain the HPMCZ process.





ACTIONS

AP230811/01: SH to ensure FishMap Môn web pages are available on CCW's website as soon as possible and that the Project Plan (including gantt chart), minutes from this meeting and hyperlinks to other projects and processes and FAQ are all added to FishMap Môn's web pages.

AP230811/02: SH to send two-monthly e-mail updates to Steering Group members.

AP230811/03: TJ and JE to produce an agreement of working relationships between the fishing industry and CCW in respect of FishMap Môn.

AP230811/04: SH, CE, JE and MG to produce a list of FAQ in relation to FishMap Môn.

AP230811/05: SH to investigate the potential of someone from the Welsh Government coming to the Working Group meeting on the 6th September (or at least provide a presentation).

3. Key Issue 2: Industry to be included and consulted within the decision making process

TJ explained that stakeholders are going to be part of the process all the way through and therefore will be part of any guidance on management options as they are developed and before they are presented to the Welsh Government.

The development of the tool (for decision-support rather than decision-making) was outlined; once data is collated and inputted, outputs will be taken to the industry through the Steering Group and Project Board.

JE stated that he would like to see the fishing industry involved in project outputs before they are presented to the Welsh Government.

ACTION

AP230811/06: CE to produce a brief description of tool and option development and involvement of stakeholders, including fishing industry.

4. Key Issue 3: Data confidentiality to be assured

JE explained his concern over the 'Approved Users' clause in section 5 ii), particularly the Crown Estates and Consultants/Contractors. It was agreed that data would only be given to Consultants/Contractors under contract and for the purposes of FishMap Môn and that the Crown Estate would be removed. The data consent form would be further discussed at forthcoming meetings.

ACTION

AP230811/07: SH to remove the Crown Estate Commissioners from the list of 'Approved Users' in section 5 ii) in the data consent form and to add discussion of the data consent to the agendas for the forthcoming Project Board (31st August) and Working Group (6th September) meetings.

5. Key Issue 4: Industry to clearly understand the sensitivity work carried out by CCW

CE outlined the sensitivity work including the production of a paper for peer review to be submitted in September and agreed to produce a chronology of the sensitivity work for the web pages. MG explained that there is a feeling that it was something which CCW produced and that it would be useful to have some fisheries experts critique it alongside the academic process. JE requested a commercial fishing example to illustrate the sensitivity work.

ACTIONS

AP230811/08: CE to progress the sensitivity paper and to inform Steering Group once submitted/accepted for publication.





AP230811/09: CE to produce a chronology of the sensitivity work for the web pages.
AP230811/10: CE/FishMap Môn team to produce commercial examples to illustrate the sensitivity work.

6. Key Issue 5: Potential participants to be made aware of the data requirements and subsequent interpretation

JE explained the concern that outputs will be based on low confidence maps. CE provided an overview of the creation of the intertidal and subtidal habitat maps and their confidence and agreed to place summaries of this on the web pages alongside a link to HABMAP.

ACTION

AP230811/11: CE/SH to produce summaries of fisheries habitat creation process and ensure a link to HABMAP is available on the FishMap Môn web pages.

7. Key Issue 6. Species stock assessment

JE explained that this was a misunderstanding so the meeting could move onto Key Issue 7.

8. Key Issue 7: Transparency in CCW's current and future work

MG asked whether advice which CCW provide to Welsh Government could be more transparent and available to the fishing industry earlier in the process. This would avoid rumours such as the concerns that CCW advised the Welsh Government to restrict fishing grounds in the project area due to newly surveyed *Modiolus* (horse mussel) beds. JE explained that Industry is concerned that some of the current closed areas are larger than necessary in the light of VMS. He also asked whether there is a de-designation process. TJ explained that once things are in the public domain links will be put on FishMap Môn web pages. MG said that it would be useful to add to the FAQ that CCW do frequently survey the seabed and that if species/habitats of nature conservation interest are found, action will be taken but with appropriate consultation. He also asked if something could be added to the FAQ about the recent concerns regarding the *Modiolus* beds.

ACTION

AP230811/12: SH to incorporate reference to CCW's survey work and also concerns regarding the *Modiolus* (horse mussel) beds to the FAQ.

9. Key Issue 8: Review of CCW's casework handling based on the principles set out in FishMap Môn

TJ explained that CCW are very keen to be transparent and offered for North region CCW staff to attend relevant fishing association AGMs. JE said that he would be happy for someone from CCW to attend CBFA meetings and added that Welsh Government are keen to see CCW and the fishing industry work well together consistent with the Welsh Fisheries Strategy.

ACTION

AP230811/13: JE to ask WFA/FAs to indicate when FA AGMs occur and invite CCW regional staff to attend.





Any Other Business

TJ asked for advice on the organisation of data validation meetings during FishMap Môn. JE suggested asking the four regional English MCZ projects how they have collected and validated fishing data. He added that the Irish Sea Conservation Zones project involved a poor geographical distribution of stakeholder organisations. RD suggested using the NWFCI ports (Conwy, Bangor, Amlwch, Holyhead, Caernarfon and Nefyn). JE said that he would leave things with an Open Door Policy and TJ said that we will progress things through the actions arising from the minutes.

CE listed issues that had arisen to be covered at the Working Group meeting on the 6th September:

- HPMCZ process
- MCZ projects in England including outside 12nm
- FAQ (MG suggested using a flipchart which people can add to throughout the meeting)
- Data confidentiality
- Data outputs (resolution)
- Sensitivity process including commercial fishing example(s)

Meeting closed at 4.45pm





TERMS OF REFERENCE AND MEMBERSHIP OF THE FISHMAP MÔN PROJECT BOARD

The Project Board will have the following roles:

- Take management decisions regarding the project including alterations to project workplan, objectives and outputs
- Ensure that the project proceeds on schedule and that the project's objectives and outputs are met to the required standard
- Ensure that the project's budgets are maintained and take decisions about possible changes to the budget as the project proceeds
- Direct the project's communication planning and advise on communications with individual fishermen and fishermen organizations
- Advise on membership and purpose of Steering Group and receive feedback
- Advise on and update the project risk register
- Provide specific input at key stages throughout project, including *development of software for data collection *sample design for interviewing Recreational Sea Anglers *presentation of maps *development of web-based management guidance tool *generation of options for providing guidance on environmentally sustainable fisheries management.

Procedure:

Meetings will be held every four months for the duration of the project (January 2011-September 2012) as follows:

2011: May, September

2012: January, May, September

Members can agree to schedule ad hoc meetings for a specified purpose.

Membership:

Chair David Parker - CCW, Director Evidence & Advice

Secretary Sue Hearn- CCW, Project Officer

Roger Cook- Welsh Federation of Sea Anglers

Richard Dyer- North Wales Fishermen's Co-operative Ltd

Clare Eno- CCW, Headquarters fisheries advice

Tim Jones- CCW, Director North Region

Trevor Jones- Bangor Mussel Producers Ltd



TERMS OF REFERENCE AND MEMBERSHIP OF THE FISHMAP MÔN STEERING GROUP

The Steering Group will have the following main roles:

- Act as a discussion forum for the project
- Provide an influential forum for external stakeholders to have their views heard on the pilot project
- Encourage dissemination of the project to stakeholders
- Foster support for the project across a range of stakeholders
- Elicit views on maps and management guidance options

Procedure:

Meetings will be held every four months for the duration of the project (January 2011- September 2012) as follows:

2011 July, November

2012 March, July

Members can agree to schedule an ad hoc meeting for a specified purpose.

Group membership:

Chair Tim Jones- CCW, Director North Region

Secretary Sue Hearn- FishMap Môn, Project Officer

Iwan Ball- Worldwide Fund for Nature (WWF), Wales Environment Link (WEL), WMFAG, North Western Waters Regional Advisory Council (NWWRAC)

Colin Charman- CCW, Sea Fisheries Advice Officer HQ fisheries advice

Phil Coates- Welsh Government, Head of Science

Kevin Denman- South and West Wales Fishing Communities Limited (SWWFCL)

Clare Eno- CCW Senior Sea Fisheries Advisor

Jim Evans- Welsh Fishermen's Association (WFA-CPC)

John Fish/Sam Wilding- Cardigan Bay Fishermen's Association (CBFA)

Mark Gray- SeaFish

Alison Hargrave- Gwynedd Council, Pen Llŷn a'r Sarnau SAC Officer

Cristina Herbon/Gareth Johnson- Joint Nature Conservation Committee/Regional MCZ projects

Hilmar Hinz- School of Ocean Sciences

Ian Lawler- Bord Iascaigh Mhara (BIM)/Irish Sea Fisheries Board

Hefin Jones- Welsh Federation of Sea Anglers (WFSA)

Stewart McElroy- North Wales Fishermen's Cooperative Ltd (NWFCL)

John Owen- Anglesey Council, Maritime Officer

Niall Phelan - Environment Agency

Mark Roberts- Llŷn Fishermen's Association/Welsh scallop fisheries

Dale Rodmell- National Federation of Fishermen's Organisations

Rowland Sharp- CCW North region, Marine Specialist

Nick O'Sullivan- Wales Marine Fisheries Advisory Group (WMFAG)

Koen Vanstaen/Janette Lee- Centre for Environment, Fisheries and Aquaculture Science (CEFAS)

Sion Williams- Llŷn Pot Fishermen's Association

James Wilson- Bangor Mussel Producers Ltd/Welsh Aquaculture Producers' Association (WAPA)





CYLCH GORCHWYL AC AELODAETH GRŴP LLYWIO FISHMAP MÔN

Dyma fydd prif swyddogaethau'r Grŵp Llywio:

- Bod yn fforwm trafod ar gyfer y prosiect
- Cynnig fforwm dylanwadol ar gyfer budd-ddeiliaid allanol fel y gallant leisio'u barn ynglŷn â'r prosiect peilot
- Annog yr arfer o ledaenu'r prosiect ymhlith budd-ddeiliaid
- Meithrin cefnogaeth ar gyfer y prosiect ar draws amrywiaeth o fudd-ddeiliaid
- Ennyn barn ynglŷn â'r mapiau a'r gwahanol ganllawiau rheoli

Gweithdrefn:

Yn ystod oes y prosiect (Ionawr 2011 – Medi 2012) bydd cyfarfodydd yn cael eu cynnal bob pedwar mis, fel a ganlyn:

2011 – Gorffennaf, Tachwedd

2012 – Mawrth, Gorffennaf

Aelodau'r grŵp:

Cadeirydd Tim Jones- CCW, Cyfarwyddwr Rhanbarth y Gogledd

Ysgrifenyddes Sue Hearn- FishMap Môn, Swyddog Prosiect Rheoli Pysgodfeydd,

Iwan Ball- Worldwide Fund for Nature (WWF), Wales Environment Link (WEL), WMFAG, North Western Waters Regional Advisory Council (NWWRAC)

Colin Charman- CCW, Swyddog Cyswllt Pysgodfeydd Môr

Phil Coates- Llywodraeth Cynulliad Cymru, Pennaeth Gorfodi Pysgodfeydd y Glannau

Kevin Denman- South and West Wales Fishing Communities Limited (SWWFCL)

Clare Eno- CCW, Uwch Gynghorydd Pysgodfeydd Môr

Jim Evans- Cymdeithas Pysgotwyr Cymru (WFA-CPC)

John Fish/Sam Wilding- Cardigan Bay Fishermen's Association (CBFA)

Mark Gray- SeaFish

Alison Hargrave- Cyngor Gwynedd, Swyddog Pen Llyn a'r Sarnau SAC

Cristina Herbon/Gareth Johnson- Joint Nature Conservation Committee/Regional MCZ projects

Hilmar Hinz- Gwyddorau Eigion Môr

Ian Lawler- Bord Iascaigh Mhara (BIM) Irish Sea Fisheries Board

Hefin Jones- Welsh Federation of Sea Anglers (WFSA)

Stewart McElroy- North Wales Fishermen's Co-operative Ltd (NWFLC)

John Owen- Swyddog Môr, Cyngor Ynys Môn

Niall Phelan - Environment Agency

Mark Roberts- Cwmni Pysgotwr Llŷn

Dale Rodmell- National Federation of Fishermen's Organisations

Rowland Sharp- CCW Rhanbarth y Gogledd

Nick O'Sullivan- Wales Marine Fisheries Advisory Group (WMFAG)

Koen Vanstaen/Janette Lee- Centre for Environment, Fisheries and Aquaculture Science (CEFAS)

Sion Williams- Cymdeithas Cewyllwyr Llŷn

James Wilson- Welsh Aquaculture Producers' Association (WAPA)/Bangor Mussel Producers Ltd



Environment and Sustainability Committee

E&S(4)-10-11 : Paper 6

Correspondence from the Countryside Council for Wales on Pembroke power station

The Right Honourable Dafydd Elis-Thomas AM
Chair, Environment and Sustainability Committee
National Assembly for Wales
Cardiff Bay
CARDIFF
CF99 1NA

18 October 2011

PEMBROKE POWER STATION PROPOSAL THE ROLE OF THE COUNTRYSIDE COUNCIL FOR WALES (CCW)

Thank you for your enquiry regarding the above.

CCW is a statutory consultee in relation to the various consenting regimes that are relevant in this case. These consents have been numerous and have ranged from planning permissions, marine licensing, Port Authority consents and water abstraction to, lastly, the Environmental Permitting Regulations (EPR).

Prior to responding to any of these consents, and indeed since late 2004 before the construction of the site began, CCW has been in dialogue with the applicant and with the consenting authorities regarding the likely environmental impacts on the adjacent internationally-important designated site, Pembrokeshire Marine Special Area of Conservation (SAC). We have consistently advised throughout, both during pre-application discussions and in the provision of our formal responses to consultations, that we have serious concerns regarding the direct cooling method proposed. It is important to note that other cooling methods (e.g. indirect cooling such as air cooling, or a hybrid of water and air cooling) would result in reduced impacts on this above designated site.

CCW is currently providing detailed advice to both the Environment Agency Wales and Welsh Government regarding the EPR permit. This advice has been focused on ensuring that the processes undertaken in assessing the proposal are fit for purpose and that the likely nature conservation impacts have been properly considered. Discussions with Environment Agency Wales are on-going and we are keeping Welsh Government informed of progress.

CCW's three main concerns remain the impacts of the discharge of heated water, the discharge of biocides and of the entrainment of marine organisms

on the environment of the Milford Haven Waterway, which forms part of the above-mentioned designated site. We continue to advise that we believe there will be an adverse effect on the integrity of the Pembrokeshire Marine SAC as a result of this proposal.

This has been a complex case involving multiple consenting authorities. The planning system has a key role to play in helping ensure the environment is enhanced and safeguarded whilst supporting economic and social objectives. CCW believes that a robust process is essential to ensure the sustainable development of energy and that greater coordination of policy and delivery frameworks at the Wales level would help ensure a coordinated delivery of energy targets. CCW believes that in future an integrated process will be required to align the separate consent and permitting processes associated with major infrastructure.

We trust this will answer your query. Please do not hesitate to get back in touch should you require any further details.

Yours sincerely

Morgan Parry
Chairman

Environment and Sustainability Committee

E&S(4)-10-11 : Paper 7

Environment & Sustainability Committee Forward Work Programme – Spring 2012

Purpose

1. This paper invites Members to note the Environment & Sustainability Committee timetable attached at annex A

Background

2. Attached at annex A is a copy of the Environment & Sustainability Committee's timetable.

Recommendation

3. That the Committee note the work programme at annex A.

Committee Service

Annex A

Environment & Sustainability Committee

Work timeline – Spring term 2012

	E&S Committee	CAP T&F Group	CFP T&F Group
Thursday 12 January 9.00 – 12.00	Energy Inquiry oral evidence CAP T&F Group report Scoping session and discussion of next inquiry/s	Meeting to agree report/letter	
Thursday 12 January 13.00 – 15.00	Energy Inquiry oral evidence		
Wednesday 18 January 9.00 – 12.00			Oral evidence
Thursday 26 January 9.00 – 12.00	Energy Inquiry oral evidence -		
Thursday 26 January 13.0 – 15.00			
Wednesday 1 February 9.00 – 12.00		Oral evidence	
Thursday 9 February 9.00 – 12.00	Energy Inquiry oral evidence		

Thursday 9 February 13.00 - 15.00	Energy Inquiry oral evidence		
	HALF TERM		
Wednesday 22 February 9.00 - 12.00			Oral evidence
Thursday 1 March 9.00 - 12.00	Energy Inquiry oral evidence		
Thursday 1 March 13.00 - 15.00	Energy Inquiry oral evidence		
Wednesday 7 March 9.00 - 12.00			Oral evidence
Thursday 15 March 09.00 - 12.00	Energy Inquiry oral evidence		
Thursday 15 March 13.00 - 15.00	Energy Inquiry oral evidence		
Wednesday 21 March 9.00 - 12.00	Energy Inquiry		
Thursday 29 March 09.00 - 12.00			

Thursday 29 March 13.00 - 15.00			
	EASTER RECESS 2 APRIL - 22APRIL		

Environment and Sustainability Committee

E&S(4)-10-11 : Paper 8

Inquiry into energy policy and planning in Wales - Additional information from ScottishPower Renewables

SUPPLEMENTARY MEMORANDUM BY SCOTTISHPOWER RENEWABLE ENERGY LIMITED

DECEMBER 2011

Community Benefits - The ScottishPower Renewables Experience

Background

1. ScottishPower Renewable Energy Limited (known as ScottishPower Renewables (SPR)) owns and operates 23 windfarms in the UK.
2. There is no requirement on renewable energy projects in the UK to make any community payment but it is normal practice for SPR to provide a community benefit to the communities neighbouring our projects.
3. Our standard rate of community benefit is £2000 per MW installed capacity - well above the industry average. These funds are paid annually, for the lifetime of the project (usually 25 years) and are index linked.
4. All but one of our projects in Britain provides community benefit. The exception is Coal Clough near Burnley, Lancashire, which was developed before this practice was adopted by SPR, but this project is currently being repowered, and a community benefit package is included in these plans.
5. Our Llandinam project in Powys was also developed prior to the introduction of community benefit payments. Consequently, SPR and our partners in this project, Eurus Energy, introduced community benefit payments for this site some years ago. The funds are paid directly to the local community council.
6. In 2011, there were 24 separate community benefit agreements in place (including new agreements for extensions to windfarms). SPR will provide well over £1million in community benefit payments this year.

Types of Community Benefit Arrangement

7. There is no single model for community benefit. Arrangements have changed over time, and local arrangements are made to suit the needs of the communities and comply with any guidance or policies e.g. from the relevant local authority.
8. The preferred model from our experience to date is for the funds to be provided direct to relevant local community bodies, provided they are properly constituted, represent the community, and are accountable. Some communities either adapt existing Trusts, or establish purpose built bodies. Increasingly communities are opting for a community interest company (CIC) which can provide more flexibility in the use of funds.

Enabling Communities

9. Not all communities have experience in establishing and running a community body which might be in receipt of up to £10million over a 25 year period. SPR attempt to help communities prepare for the receipt of community benefit and often helps communities to make links with independent third parties such as the Development Trusts Association Wales – <http://www.dtawales.org.uk/> or the Wales Council for Voluntary Action – http://www.wcva.org.uk/main/dsp_home.cfm .
10. We also refer them to the Government published Community Benefit Toolkit for England and Wales – http://www.decc.gov.uk/publications/basket.aspx?FilePath=What+we+do%5cUK+energy+supply%5cEnergy+mix%5cRenewable+energy%5cORED%5c1_20090721102927_e_%40%40_DeliveringcommunitybenefitsfromwindenergyAToolkit.pdf&filetype=4#basket

Case Studies

11. Some examples of existing SPR community benefit arrangements are provided below:

Case Study 1 – Argyll and Bute Concordat

Introduction

12. Argyll and Bute Council (ABC) area is a key region for SPR. It has long been important for onshore wind, and we have three operational windfarms (Beinn an Tuirc, Cruach Mhor and Clachan Flats) and an extension to Beinn an Tuirc in construction in the region.
13. It is also of great importance for offshore wind, with the 1.8GW Argyll Array located in the region, and it is the site of the world's first consented tidal energy farm project in the Sound of Islay – both SPR projects.

A Strategic Relationship

14. Given the key role that the area has for SPR and the vital role that renewables play in the future development of the area, SPR and ABC agreed, in 2004, to enter into a strategic relationship – the Argyll and Bute Concordat.
15. The aims of this Concordat were as follows:
 - I. To spread a proportion of the funds realised from SPR onshore wind projects throughout ABC;
 - II. To encourage other renewable energy operators to do likewise;
 - III. To improve communication between SPR and ABC both on a project specific level and at a policy level; and
 - IV. To raise awareness of renewable energy throughout ABC.

Outputs

16. The outputs from the Concordat have been as follows:

Spreading the Benefits

17. In order to spread the economic benefits, SPR and ABC agreed to a new form of community benefit, with SPR paying on the basis of output rather than installed capacity. This risk sharing approach has allowed SPR to pay a rate of £1 per MWh (approximately 25% higher than our normal rate).
18. This extra funding will be used to support small scale renewable energy and energy efficiency actions throughout ABC, thus reducing local expenditure on energy and helping to reduce fuel poverty.
19. Other developers have to some extent followed this example, but the response has been mixed. Some have not taken part, some have allocated only a small part of the community benefit fund to this wider fund, and others have constrained the purposes to which those funds might be used.

Better Communication

20. Since 2004, SPR and ABC have met twice yearly to exchange information and consult each other on the development of policy, including a strategic review of tidal energy resources and technology.
21. This close relationship led directly to the identification of the Sound of Islay as a site with the potential to prove new tidal energy technology on a commercial scale, both due to the technical/environmental conditions but also due to the proactive view of the local community.
22. *This has led directly to the Sound of Islay project receiving the first consent for a tidal energy farm worldwide.*

23. This information sharing approach has now led to a strategic partnership approach to helping assess and direct the onshore developments associated with the Argyll Array, should this project receive consent. This means that the local and wider community will be better placed to maximise development and education benefits.

Raising Awareness

24. In order to help achieve this objective, SPR has been providing core funding for an education officer with ALIEnergy, a public sector body tasked with promoting renewable energy and energy efficiency throughout ABC.
25. This has allowed schools and colleges within ABC to receive education support and materials aimed both at raising awareness and improving employability.

Result

26. This groundbreaking approach has resulted in recognition at a national level with a commendation in the 2005 Scottish Government Awards for Quality in Planning.

Lessons Learned

27. In retrospect, although community benefits are voluntary and cannot be insisted upon by the local authority, stronger policy guidance might have encouraged more developers to participate more fully in the ABC wide fund.

Case Study 2 - Whitelee Windfarm

Introduction

28. Whitelee windfarm, at 322 MW, is the largest onshore windfarm in Europe.
29. Due to the sheer scale of the project and the large number of neighbouring communities, it was agreed that community benefits for Whitelee Windfarm would be subject to an agreement between SPR and the three local authorities (East Ayrshire, East Renfrewshire and South Lanarkshire).
30. The community benefit package is part of a wider Section 75 agreement attached to the consent for the site and covers three main issues:
- I. A proactive access strategy for the site
 - II. A purpose built visitor centre

III. Direct community benefit payments

Access Strategy

31. Given the location between three large population centres (Glasgow, East Kilbride and Kilmarnock) and the creation of 90km of access tracks over a previously inaccessible and rarely used moorland, it was anticipated that the windfarm might provide an opportunity for public access.
32. Consequently, it was agreed that SPR, as part of the community benefit package, would fund the creation and management of an Access Strategy Group which would develop and implement an access strategy for the site – again funded by SPR.
33. Currently, there are four countryside rangers employed on site with a gradual roll out of access provision – way marking, seats, shelters, public art works – and ongoing development of small car parks, new footpaths beyond the windfarm boundary to link across the site, and special interest groups (for example a strollers groups for parents with prams).
34. The site has proved very popular with walkers, cyclists, horse riders, dog sledders and cross country skiers. The Duke of Edinburgh award scheme has a dedicated camp on site.
35. Plans are now being developed for a dedicated mountain bike trail for more specialist users.
36. To date, SPR has provided approximately £1million to fund access on site.

Visitor Centre

37. SPR has built a visitor centre on site, operated on our behalf by Glasgow Science Centre, an education charity. They employ 10 staff to operate the facility.
38. The Centre has exceeded expectations with over 100,000 visitors in its first full year of operation, including specialist visits such as school groups, government delegations and youth groups. It also hosts community events such as a farmers market, storytelling events. The facilities are provided either free or at cost for such events.
39. To date, SPR has funded the building and equipping of the visitor centre (over £2million) and provided an annual six figure subsidy.

Community Benefit

40. Since full opening of the site, SPR has provided an annual community payment of £1,000 per MW installed capacity (£322,000 in year one), index linked. This will be paid for the 25 year lifespan of the project – a total of more than £8million at today's values.
41. The funds are divided between the three local authorities, based upon the total capacity of turbines installed in each local authority area.

Results

42. Whitelee is now regarded as one of the major recreation destinations in the region, playing a key part in local aspirations to develop the rural economy.
43. In recognition of the role that Whitelee Windfarm plays in contributing to the local community, to the regional economy and to reducing national CO₂ emissions, we were proud to receive the Queens Award for Sustainable Development in 2010.

Case study 3 – Arecleoch and Mark Hill Windfarms

Introduction

44. Arecleoch Windfarm is 120MW. It is situated in South Ayrshire and was developed and built by SPR. It was opened in early 2011.
45. Mark Hill Windfarm, at 60MW, sits on the opposite side of the valley from Arecleoch. It was developed by a third party and bought by SPR as a consented project.

Development of a Community Benefits Package – Arecleoch

46. SPR operated community negotiations in parallel with the planning process to both agree an appropriate form of community benefit for Arecleoch, and enable the eight Community Councils involved to create a structure to receive and manage the funds.
47. One key principle of these negotiations was that they would not prejudice the community role in the planning process. The communities were free to object to the project if they

so wished, knowing that they were still able to negotiate an agreement should the project go ahead.

48. Early on, it was agreed that the standard sum (£2,000 per MW installed) would be shared by the neighbouring communities, with a top up based on output (an extra 25% in an average year) to be spent in the wider area.

49. The communities jointly created a Community Interest Company (CIC), with SPR funding some research and set up costs.
50. While this process was ongoing, the Scottish Government issued revised guidance giving local government a stronger role in helping to deliver community benefits. Consequently, South Ayrshire Council (SAC), confirmed that our approach was in line with Scottish Government guidance and SAC endorsed this process.

Aligning Mark Hill

51. When Mark Hill was brought into the SPR portfolio, there was no community benefit agreement for the wider area.
52. SPR retrospectively introduced a package, and agreed a contract for the payment to be made to the same CIC.

Result

53. Communities in South Ayrshire now receive over £400,000 per year, which will be index linked for the 25 years of the project – more than £10million at today's values.

Lesson Learned

54. An open negotiation process, separate from the planning process, is vital. The role of the Scottish Government in providing guidance was invaluable.

**ScottishPower Renewable Energy Limited
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