



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

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

**Dydd Iau, 14 Gorffennaf 2011
Thursday, 14 July 2011**

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cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

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

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

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

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

Bethan Davies	Clerc Clerk
Catherine Hunt	Dirprwy Glerc Deputy Clerk
Gregg Jones	Gwasanaeth Ymchwil yr Aelodau Members Research Service

Dechreuodd y cyfarfod am 9.01 a.m.
The meeting began at 9.01 a.m.

Ymddiheuriadau a Chyflwyniadau
Apologies and Introductions

[1] **Yr Arglwydd Elis-Thomas:** Bore da o Fangor, a chroeso i gyfarfod dwyieithog y pwyllgor hwn. Mae clustffonau ar gael i wrando ar y cyfieithiad o'r Gymraeg i'r Saesneg ar sianel 1. Peidiwch â chyffwrdd â'ch meicroffonau i lawr yn y fan honno, os gwelwch yn dda; maent yn cael eu gweithio drosoch. Diffoddwch eich offer symudol a dilynwch y cyfarwyddiadau os bydd argyfwng. Os bydd y cysylltiad rhwng Caerdydd a Bangor, neu rhwng Bangor a Chaerdydd yn cael ei golli, bydd angen i chi benodi Cadeirydd dros dro i gwblhau'r cyfarfod yng Nghaerdydd. Yr wyf wedi

Lord Elis-Thomas: Good morning from Bangor, and welcome to this bilingual meeting of the committee. Headphones are available to listen to the interpretation from Welsh to English on channel 1. Please do not touch the microphones down there; they will be operated for you. Please switch off any mobile phones and so on and follow the instructions in the event of an emergency. If the connection between Cardiff and Bangor or between Bangor and Cardiff is lost, you will need to appoint a temporary Chair to conclude the meeting in Cardiff. I have authorised Virginia, as committee clerk, to

awdurdodi Virginia, fel clerch y pwyllgor, i deal with that under the relevant Standing Order, and to ask you to appoint a temporary berthnasol, ac i ofyn i chi benodi Cadeirydd. Chair.

9.02 a.m.

**Ymchwiliad i Ynni—Papur Cwmpasu a Chylch Gorchwyl Drafft; Y Pwyllgor
Amgylchedd a Chynaliadwyedd—Ffyrdd o weithio
Inquiry into Energy—Scoping Paper and Draft Terms of Reference;
Environment and Sustainability Committee—Ways of Working**

[2] **Yr Arglwydd Elis-Thomas:** Yr ail **Lord Elis-Thomas:** The second item to eitem i'w thrafod felly yw'r papur cwmpasu a'r cych gorchwyl drafft. Mae papur discuss is the scoping paper and draft terms of reference. There is a scoping paper to be cwmpasu i'w ystyried a gwahoddaf sylwadau. Nid wyf yn gweld y llun o'r considered and I invite comments. I am not Aelodau'n glir iawn, felly os, am ryw reswm, seeing the picture of Members very clearly, nad wyf yn gallu eich gweld i'ch galw wrth so if, for some reason, I cannot see you to call eich enwau, torrwhch i mewn os gwelwch yn you by your names, please interrupt me. dda.

[3] **Antoinette Sandbach:** I am very concerned that there is only one scoping paper before the committee, bearing in mind the number of matters that we discussed last week, particularly in terms of the timetabling. First, in relation to the scoping paper, it deals with an area that is not devolved to the Welsh Assembly. It is my understanding that the role of these committees is to scrutinise the Welsh Government and, effectively, issues connected with devolution. I appreciate that it is an area of interest, but I would suggest that there are urgent matters that this committee needs to address before we tie ourselves up in that inquiry and I say that for three reasons.

[4] First, we know that we have the budget coming out in October. Second, we had a statement from the Deputy Minister for Agriculture, Food, Fisheries and European Programmes yesterday on dual payments, which will affect a large number of farmers, if not all farmers in Wales, and the timetable for that is that submissions need to be made to the Deputy Minister by October. It is that type of situation that led me to suggest last week that a rural development sub-committee should be set up or that if there is going to be a task and finish group, it needs to be set up now. Thirdly, on the timetable that we have before us, on page 9, there is a draft groceries code adjudicator Bill. The deadline that Alun Davies, the Deputy Minister, has set for his decision on dual payments is October, and that has a European angle to it as well. At the same time, in October, we will have announcements on the common agricultural policy reform. I am therefore extremely concerned that we have not yet properly concluded our method of working or an effective timetable as to how we will do that work.

[5] I appreciate that none of us have been on an Assembly committee before and that the Chair of the committee, having previously been the Presiding Officer, may not have presided over committees before. So, I would welcome some guidance from the clerks at this stage as to whether they feel that they can advise us as a committee on how we can deal with these issues if we are tied up with an inquiry. We have had only one scoping paper and we have not looked at the other matters in detail as to how much time they might take, how the committee will deal with them, whether we will look at them as a full committee or in part, or whether we will set up a rural development sub-committee to look at those issues and then report back. I would welcome some guidance on that. I do not know whether anyone else would.

[6] **Lord Elis-Thomas:** Thank you for that. We had a discussion about this last week. My recollection of last week is that we agreed, in principle, that we would begin an inquiry into the devolution of 50 MW-plus energy and related issues. That is why we have a scoping paper on that matter before us. We subsequently received the petition, which we have to discuss later, relating to that issue. We also discussed our method of working and the question of a sub-committee, and you will recollect that there was no agreement on that issue. Therefore, in that discussion, we came to a position whereby it was suggested that we might convene a working group to deal with rural and agricultural issues, especially the CAP, and, since then, we have also had the common fisheries policy with the European Commission paper of yesterday. The working group would be the way of dealing with that issue and that would take place and would be reviewed after a year. That is my recollection of the discussion last week. Are there any further points on what Antoinette has said?

[7] **Antoinette Sandbach:** May I say that we did not actually agree that we would proceed with that inquiry last week? I have checked the minutes. It was one of a number of issues that we discussed last week, we had a general discussion and I do have—

[8] **Lord Elis-Thomas:** Order. There is a matter of audio-visual courtesy here. I am unable to switch anyone off from here, and do not intend to try to do that, even when I am in Cardiff. We have heard from Antoinette; I now call on any other Members who would like to respond to what she has said and to my response to her. May I have indications, please? Who is that? I cannot quite see. Oh, it is David.

[9] **David Rees:** My view of last week is that we came to an agreement that we would discuss energy as the first inquiry and that we would be looking at task and finish groups for specific issues, particularly CAP, which has to be sorted in October. We have looked at that. I agree that the CFP is another major issue that has to be looked at because it is coming up, slightly later, I think, in January. That is the view that I had following last week's meeting of how we would be proceeding.

[10] **Lord Elis-Thomas:** Thank you, David; that is also my recollection of events.

[11] **Julie James:** I just wanted to add my voice to that. That is our recollection as well. We have some issues in relation to the scoping paper, but I thought that we had agreed as a committee to look at energy as our first big piece of work. I agree with Antoinette, however, that we did not quite bottom out the sub-committee and/or task and finish group issue. My view is that we need to set up a task and finish group now, today if possible, to look at CAP and that there should be a different task and finish group to look at the common fisheries policy. Several of us have coastal constituencies, for example, I do and I am extremely interested in the common fisheries policy, while other Members may have a major interest in other parts of rural development and so on. That is part of my reason for not wanting a sub-committee—it affects all of us in different ways and I want the full committee to stay cognisant of the whole thing, because it is so important. We did not bottom that issue out, although we did agree on a policy issue. So, that is a slightly different view.

[12] **Lord Elis-Thomas:** Does anyone else wish to comment on this point? If not, I will take it that there is a proposal that we establish two task and finish groups: one on fisheries and one on agriculture.

[13] **Llyr Huws Gruffydd:** Byddwn i'n hoffi siarad. **Llyr Huws Gruffydd:** I would like to come in.

[14] **Yr Arglwydd Elis-Thomas:** Yr wyf yn dy weld yn awr. Ai tei glas sydd gen ti? **Lord Elis-Thomas:** I see you now. Are you wearing a blue tie?

[15] **Llyr Huws Gruffydd:** Nage, ond nid oes ots. [*Chwerthin.*] Cytunaf â'r hyn mae Julie yn ei ddweud ynglŷn â'r casgliadau y daethpwyd iddynt yn y cyfarfod diwethaf. Cafwyd arwydd clir y byddai ynni'n flaenoriaeth yn y cyfnod cyntaf. Fy argraff i oedd nad oeddem wedi dod i gasgliad penodol ynglŷn â'r ffordd fwyaf effeithiol o weithio, boed hynny drwy greu grŵp gorchwyl a gorffen neu drwy greu is-bwyllgor.

Llyr Huws Gruffydd: No, but it does not matter. [*Laughter.*] I agree with Julie about the conclusions that we reached at the last meeting. I believe that there was a clear sign that energy would be a priority in the first period. My impression was that we had not reached a firm conclusion regarding the most effective way of working, by way of a task and finish group or a sub-committee.

[16] Yr ydym eisoes yn dechrau gweld yr hyn a fydd yn digwydd. Mae cymaint o bynciau perthnasol: yr ydym wedi sôn am y polisi amaethyddol cyffredin, ac mae Glastir ar y rhestr hefyd, yn yr un modd â phecyn llaeth yr Undeb Ewropeaidd. Maent yn cynrychioli darnau mawr o waith. Pynciau eraill yw'r goblygiadau mawr o safbwynt y taliadau deul o'r cyhoeddiad a wnaed ddoe yng nghyswllt hynny, dyfodol taliadau'r ardaloedd llai ffafriol, taliadau arolygu glendid cig yr Awdurdod Safonau Bwyd, a goblygiadau hynny i ladd-dai yng Nghymru a'r effaith canlyniadol amlwg ar y sector cig. Mae'r rhain yn bynciau pwysig. Os ydym yn mabwysiadu dull o weithio sy'n defnyddio grwpiau gorchwyl a gorffen, fy mhryder yw y bydd dwsinau ohonynt. Yr wyf yn deall pryder Aelodau ynglŷn â chael gormod o bwyllgorau, cynyddu biwrocratiaeth ac yn y blaen, ond, felly, onid cael is-bwyllgor datblygu gwledig a fyddai'n cwmpasu nifer o'r pwyntiau hynny yw'r ateb? Credaf y byddai hynny'n ddull llawer mwy cydlynol inni fel grŵp weithio.

We are already starting to see what will happen. There are so many relevant subjects: we have talked about the common agricultural policy, and Glastir is on the list, as is the European Union's dairy package. They represent large pieces of work. Other subjects include the major implications of the dual payments and yesterday's announcement on that, the future of less favoured area payments, Food Standards Agency payments in relation to meat hygiene inspection and their implications for abattoirs in Wales and the obvious knock-on effect on the meat sector. These are important subjects. I am concerned that, if we adopt a way of working that involves task and finish groups, there will be dozens of them. I understand Members' concerns about having too many committees, increasing bureaucracy and so on, but is not the solution, therefore, to have a sub-committee on rural affairs that would encompass many of those subjects? I believe that that would be a much more coherent way of working for us as a group.

[17] **Yr Arglwydd Elis-Thomas:** Mae hwnnw'n gynnig arall, a byddaf yn ei ystyried ymhellach.

Lord Elis-Thomas: That is another proposal, and I will consider it further.

[18] **William Powell:** Given the experience of the past week and the opportunity to study the papers for today, we can see, much more clearly than I necessarily could last week, that there is a strong imperative for having a standing rural affairs sub-committee. A critical mass of issues is coming forward, and we have seen announcement after announcement in the past few days—there was a big rush yesterday. I think that Antoinette was slightly understating the importance of the energy policy, because some of us around the table have felt that acutely. I will declare something of an interest in sending correspondence to the committee from another committee on a related topic. The energy issue is important, and, clearly, the committee should be looking at that as an early piece of important work. However, that cannot be at the expense of the other core business and really important issues for communities throughout Wales.

[19] **Lord Elis-Thomas:** I know that Julie wants to speak. Are there any comments from

Mick, Rebecca or Vaughan before I call Julie?

[20] **Vaughan Gething:** This is a bit of a repeat of the discussion that we had at the last meeting. I am not sure whether we are still talking about the shape of the committee and how we do our work or whether we are talking about the scoping paper—I would like to come back to talk about the content of the scoping paper. I agree with what has been said about the fact that energy has to be the topic of the first review. On the issue that is being raised regarding whether we should have a standing sub-committee or task and finish groups, in my view, if you try to hive off a range of issues to be considered by a standing committee, you create a separate committee that deals with all those issues, which will really have an impact on the work that we can do. The challenge for us is to be honest about the fact that we cannot deal with every area on the list of issues all at the same time, whether there is a sub-committee or not. I would much rather see us have a properly focused approach by having a task and finish group to look at each of those issues. That does mean that we have to prioritise issues, but that is the right way to do it. We should look at decisions that Ministers are making and their announcements, because that is part of the scrutiny function of the committee, rather than saying that we want every ministerial announcement to be considered by a standing sub-committee. I still have not changed my mind from last time. Task and finish groups will have proper focus and will give us real conclusions with which we can deal as a whole committee.

9.15 a.m.

[21] **Lord Elis-Thomas:** If Rebecca and Mick do not wish to add anything, I will call Julie and then we will have to come to some sort of conclusion on this issue.

[22] **Julie James:** I just wanted to make a point about numbers in respect of a standing sub-committee. It is obvious that a large number of us are interested in a large range of issues affecting the rural environment. It is important enough, I think, for the whole committee to take an interest in it all of the time, with task and finish groups reporting back on specific issues. There are only 10 of us in the committee. How big would the standing sub-committee be? Would it have six members? If that was the case, the main committee would only have four members who were not somehow taking part in that. Would it have four members? That would not really be enough people to take an interest in the huge range of rural subjects of which the committee has cognisance. That is why I think that a task and finish group would be much more efficient. People could work swiftly on areas of major importance and report back to a well-organised committee—which I am sure is what we will have. In that way, we can all take a good interest in all of the issues that affect the whole of Wales. After all, rural issues could encompass pretty much any part of Wales. That, I think, is the issue with the standing sub-committee.

[23] **Lord Elis-Thomas:** I made my position clear last week. I am in favour of flexible working, rather than formal sub-committees for these new committees, because we are in new territory. I have discussed this informally with some policy people in the agriculture unions and in other areas. They were interested in what we were trying to do because they could see the issue of workload. They wanted, very much, to influence the committee as a whole, rather than just a sub-committee. Shall we take a view on this now? I do not normally like to vote, as the clerk knows, but I think that, on this matter, since there is a proposal before us for two task and finish groups in parallel, probably with different membership, one on agriculture and one on—

[24] **Ms Davies:** Chair, Russell George would like to speak. I do not think that his microphone is working.

[25] **Lord Elis-Thomas:** I am sorry about that. I did not see you there, Russell George.

[26] **Russell George:** I am sorry, Chair. I think that I might be just off the end of your screen.

[27] **Lord Elis-Thomas:** No; I can see you there now.

[28] **Russell George:** I agree with William Powell's points with regard to energy. I know that Antoinette asked for some advice from the clerk, but, as a new Member, I would like some information about how past committees have worked. I would also like the clerk's advice on this situation.

[29] **Lord Elis-Thomas:** I will call Virginia, since you have asked for advice. My advice, as the former chair of the Panel of Chairs, and from all the other issues with which I have been involved in my previous job in the operational committees, is that we are in new territory here. We have new large committees, which deal with legislation and scrutiny of policy, so we must approach this in a new way. Since you have raised the issue, I will ask Virginia whether she has any particular guidance. At the end of the day, this is a matter for judgment among the Members. Perhaps you could respond to those specific issues, Virginia.

[30] **Ms Davies:** To clarify, it is Bethan that is clerking today.

[31] **Lord Elis-Thomas:** Of course it is. I am sorry, Bethan; I cannot see you. I assume that you are on the right-hand side.

[32] **Ms Davies:** That is okay. I appreciate that you could not see me.

[33] **Lord Elis-Thomas:** Could I see a shot of Bethan when she is speaking, as that might be helpful? Then I might not call her Virginia.

[34] **Ms Davies:** We will try to do that now.

[35] **Lord Elis-Thomas:** Is there a spare camera? I still cannot see Bethan. I have Mick on the screen now. You all look very well. Hello, Vaughan. Is it possible to see the other side of the room, or is that beyond—

[36] **Ms Davies:** We are working on that. Perhaps I could just continue talking.

[37] **Lord Elis-Thomas:** I can hear your voice, however. Perhaps you could carry on, Bethan, while they try to find you on camera.

[38] **Ms Davies:** In terms of how the committee works, I am happy to provide advice on how you could do that. As for the best way for you to work, that will have to be your decision. That is something for you to decide between yourselves, as Members. I can provide advice on how you can set up sub-groups, how you can work as task and finish groups, how you can work together as a whole committee and so on, but in terms of the best way for you to work, that is a matter for you to decide as a group. I would be happy to answer any specific questions that you might have about the setting up of things.

[39] **Lord Elis-Thomas:** I think that this takes us back to where I thought we were last week, which is that we decided that we would move on to an initial review. That brings us to the scoping paper on energy issues. Alongside that, we would also consider the petition. We decided that we would establish a task and finish group; the proposal will now be for two groups, because of the common fisheries issues. Those groups would be proceeded with as a way of working but would be reviewed after a year. That is what I thought we were coming to last week, although I agree that we did not take a formal vote—

[40] **Ms Davies:** I am sorry, Chair; I think that Antoinette had a question.

[41] **Antoinette Sandbach:** I am concerned that, as the Deputy Minister for Agriculture, Food, Fisheries and European Programmes deals with agriculture, food and fisheries, we are going to have two task and finish groups. We should, therefore, deal with the agriculture and fisheries matters, which will have European implications, as a whole committee. We know that there are deadlines coming up for those matters, of which there are none on energy matters. In other words, we know that, in October, a decision will be made. We know that the Glastir rules are coming into effect in January. Those deadlines apply and they do not apply for the energy matters. I am concerned that we are going to spend the first few weeks of the next term dealing with those deadlines, and that we will not have time for anything else. We should look at it as a whole committee and split our time between energy and agriculture. I am not certain that that is the best way to do it, but I am concerned that the terms of reference involve non-devolved issues; there are devolved issues that we need to look at.

[42] **Lord Elis-Thomas:** We will come to that when we discuss the scoping paper. My response is that there are deadlines everywhere. It is not true, constitutionally, that there are no deadlines on energy policy. There are windows of change on energy policy, including the establishment of the planning unit within the Planning Inspectorate when the Localism Bill becomes law. There are deadlines everywhere. During the week, we had a response via e-mail from Gregg Jones suggesting ways in which we could be influential in the CAP and CFP discussions over the medium term. We need to look at ways in which we can be a strong voice for Wales, and representative organisations in Wales, in those discussions, possibly collaborating with European and environmental committees and agriculture and fisheries committees in other regional legislatures and in the European Parliament. There are lots of ways of working by which we can benefit. To argue that there are deadlines in one area of policy and not in another is not quite the case.

[43] I can see no way of making progress other than by having a vote, so I will take the proposal that came from Julie that we should establish two task and finish groups on CAP and CFP, to operate within the timescale and with the assistance of our officials.

[44] I move that

the committee resolves to establish two task and finish groups: one to consider the common agriculture policy and the other to consider the common fisheries policy.

*Cynhaliwyd pleidlais drwy ddangos dwylo.
A vote was held by show of hands.*

*Derbyniwyd y cynnig.
Motion agreed.*

[45] **Lord Elis-Thomas:** The next question—

[46] **Ms Davies:** Chair, Antoinette would like to speak.

[47] **Antoinette Sandbach:** I just wondered—

[48] **Lord Elis-Thomas:** I am sorry, I am putting the next question, which is whether we should move ahead with the energy inquiry, as agreed last week. We can then move on to discuss the scoping paper.

[49] **Antoinette Sandbach:** Chair, do you have a vote? Are you entitled to exercise it?

[50] **Lord Elis-Thomas:** I operate according to Standing Orders, and Bethan will tell you that I have two votes. We discussed this last week. The motion is that we pursue the inquiry on energy policy, as discussed last week. We can then discuss the scoping paper.

[51] I move that

the committee resolves that its first inquiry will be on energy.

*Cynhaliwyd pleidlais drwy ddangos dwylo.
A vote was held by show of hands.*

*Derbyniwyd y cynnig.
Proposal agreed.*

[52] **Lord Elis-Thomas:** Are there any further questions on this matter?

[53] **Rebecca Evans:** I think that we need to establish some terms of reference for the task and finish groups in terms of membership, reporting back, timescales, and whether they will have a formal role in making recommendations or be information-gathering groups, informing the wider committee.

[54] **Lord Elis-Thomas:** I am grateful to you for that. We discussed some of this last week. Task and finish groups would report to this committee, and there would be formal consideration of their report by this committee—it would be this committee's report. I think that that is the best way of working, so that we are all involved when it comes to deliberation on any report, and then it is our report, wherever it goes from here. Does that answer your point? I see that it does.

[55] As regards timing, I suggest that we ask for our staff colleagues to prepare for us, once the Assembly is in recess, and that we circulate electronically, various proposals on how we take on the two task and finish groups that we have just established. We can agree electronically on that so that they can begin the work. Obviously, we will cover some of the issues when we speak with the Minister at the Royal Welsh Show. Are there any other issues on this? I see not. In that case, I think—

[56] **Ms Davies:** Sorry, Chair—some people did want to speak.

[57] **Julie James:** I just wanted to know if you wanted to cover the membership of the task and finish groups now, or whether you were suggesting that we do it after getting the papers from the research service, and so on.

[58] **Lord Elis-Thomas:** As we discussed last week, it would be good if people could volunteer for task and finish groups, because obviously they do not have to be as party-balanced as a meeting of the full committee. I am just putting that out as a suggestion. It is up to you if you want to decide on the membership now; otherwise, people might gravitate towards their interests. I have bagged fishing, obviously, because I love scallops from Cardigan Bay, and I do not want anyone else to eat them.

[59] **Julie James:** My only thought was that, if we are to do this by electronic communication over the break, it might be an idea to know whether we will do that as a whole committee, or whether it will just be for the people who are expressing an interest.

[60] **Lord Elis-Thomas:** Everything has to be agreed by the whole committee—that is certainly the way that I have worked electronically with committees in the past, including the Business Committee. Everyone who is a member of the committee has to express an

electronic view on anything that we agree electronically as a committee, because otherwise it is not inclusive. Does that answer your point?

[61] **Julie James:** Yes, that is great, thank you.

[62] **Lord Elis-Thomas:** If you could indicate your preferences to staff colleagues then that might help us in drawing up the lists of people who are interested. There is also the difficult issue of substitution in these groups, involving Members outside the committee; we are going to be such a specialist committee that I would like to think that we would always have knowledgeable people involved. That is a bit of intellectual snobbery, because I am speaking from the great university of the north, I suppose. Shall we move on to the scoping paper on our first inquiry, on energy? Could I have responses to that?

[63] **Vaughan Gething:** When looking at the paper, I was interested in the terms of reference and how they reflected the discussion that we had had. We had initially decided to look at the case for extending energy consents to ensure that the Assembly had competence over larger projects. I thought that that would be the point that we would start from. I was therefore surprised by point 3 of the draft terms of reference, which seems to be a fairly simple question that I do not think we really discussed last time around. Equally, bullet point 1 mentions looking at renewable forms of energy, but I think we should look at non-renewable forms as well. They are certainly covered by the energy policy statement, and I do not think that we can get a proper idea about how we will reduce greenhouse gas emissions without thinking about how we will generate power from those non-renewable sources as well. They are a large part of the energy mix now, and will be in the future. I am not just thinking of the sources that we currently have; there are potential future forms of exploitation that I know will be of particular interest to David and Julie, in different ways.

9.30 a.m.

[64] I was looking at whether we need point 3 at all. When we are talking about the arguments for and against different limits, we will necessarily consider some of those points. That seems to be a bullet point to which we can give a simple answer now, because we know what the current position is. So, in relation to the first bullet point, I would be interested in amending the terms of reference to ensure that we look at other forms of energy generation, including non-renewable forms. I am not sure whether we need bullet point 3. I know that Julie and David might want to say something more about those non-renewable forms of energy and how we examine those. There are sources of energy that we can exploit in Wales, and we have to make a choice about whether we do that and consider the implications.

[65] **Lord Elis-Thomas:** Thank you, Vaughan. Does anyone else wish to comment on that?

[66] **Julie James:** I wanted to add my voice to Vaughan's on that point. With regard to making specific changes to the scoping policy paper, I would like the inquiry to be expressed as an inquiry into the full impact of energy policy and planning in Wales. I would like to see the addition of non-renewables to the first bullet point, so that it would say 'forms of renewable and non-renewable energy'. I would like to see an additional point on the list of key issues, which is the ongoing role, if any, of carbon-based energy sources and their exploitation. I thought that the whole point of the study was to look not just at energy generation but at energy in its entirety, including coal extraction and gas extraction, their contribution to greenhouse gas emissions and to energy in terms of heat and so on, and their exploitation as a secondary source of the generation of energy.

[67] **Lord Elis-Thomas:** I recollect that we alluded to shale gas last week in the discussion, because it is a hot issue in the Vale of Glamorgan and other places. Russell, are

you twiddling your biro or waving your hand? I cannot quite decide.

[68] **Russell George:** I was not sure whether you could see me.

[69] I agree with the points that Julie and Vaughan have made about adding the extra points, but I feel strongly that I would like the third point to remain in the terms of reference. With regard to the infrastructure, at the moment decisions on substations are made by local authorities, decisions on pylons are made by the Westminster Government, decisions on projects generating less than 50 MW are made by local authorities, and decisions on projects generating over 50 MW are made by Westminster. So, I think that we should leave point 3 in.

[70] **Lord Elis-Thomas:** Does anyone else want to comment?

[71] **Antoinette Sandbach:** I agree with Russell. It is clear that the energy matters are connected with grid connection, which involves the infrastructure. There are issues in north Wales in relation to that, and we need to include that third bullet point in the scope of the inquiry.

[72] **David Rees:** I have a concern regarding the third point, because it states:

[73] ‘How can the Welsh Government ensure that all consenting decisions on major infrastructure projects...are made in accordance with Welsh planning policy?’

[74] That is beyond us—and a question was raised earlier about the devolution aspect. The first two points in the terms of reference will help us to identify the issues that need to be considered, and I am sure that they would fit in. However, we cannot simply say ‘How can the Welsh Government ensure’, because we know that, under the current devolution system, it cannot. It is more a question of considering the matters that we need to look at and passing those on to the Government.

[75] **Lord Elis-Thomas:** I think that all of these points can be included in the text that we have, if the work done by Bethan, Graham and the rest of our colleagues—I cannot see who is there—to help to prepare this paper can be incorporated without too much contradiction and without making the scoping paper too long. Are you happy with that?

[76] **Ms Davies:** Yes, that is fine. We will take that away and work on it. I think that some of the other Members wanted to comment a bit further.

[77] **Antoinette Sandbach:** I wonder whether we could amend it so that it reads the same as the first two points to say how this affects all consenting decisions.

[78] **Ms Davies:** That is fine. We will go away and work on that.

[79] **Julie James:** The only other point I want to make is that I would like to suggest a number of other witnesses. I think that other members of the committee probably do as well. I do not know whether you want us to suggest those now or whether we should do that by e-mail.

[80] **Lord Elis-Thomas:** On witnesses, the key thing is that we agree in principle, following the scoping paper, to announce our inquiry, to make it public and to invite people to make written submissions. Then we can deal with the host of witnesses. You may add whatever names you wish in the initial phase, and we can see what the quality of the written material is before we decide on witnesses. Is that an appropriate way to proceed? Antoinette, you signalled earlier.

[81] **Antoinette Sandbach:** I was going to suggest that way of working—to get written submissions before deciding on witnesses.

[82] **Lord Elis-Thomas:** We are agreed on that then. Are there any other matters under item 3? We have discussed ways of working in some detail today. We have made some progress. Are there any other issues on that for this morning or are we happy to go ahead with our energy inquiry and our two task and finish groups, which will be constructed over the summer? I see that we are happy on item 3.

[83] **Ms Davies:** Sorry Chair, before we move on, William Powell wishes to speak.

[84] **William Powell:** I just want to suggest that we could make some progress on the membership of the task and finish groups next week when we meet in session at the Royal Welsh Show rather than relying entirely on electronic methods.

[85] **Vaughan Gething:** I cannot be there.

[86] **Mick Antoniw:** Nor can I.

[87] **William Powell:** Sorry, I did not realise that we were not all going to be present. That point does not stand then. I did not realise that it would not be a full committee.

[88] **Lord Elis-Thomas:** I am not sure, when we use the committee e-mail address, whether that reaches all Members simultaneously as well as officials.

[89] **Ms Davies:** No, that just goes to officials.

[90] **Lord Elis-Thomas:** May I suggest that we open that box to all Members? That would be less trouble than writing all our names down, and then we could all communicate with each other as well as with officials. Is there any major IT problem with that?

[91] **Ms Davies:** I will see whether I can set up an e-mail group.

[92] **Lord Elis-Thomas:** Going back to my experience with the Assembly Commission and the Business Committee, when we were agreeing things electronically, we would ensure that everyone had to agree within a certain time window—which would obviously be longer when the Assembly was not sitting. In that way, it was a virtual decision after that time had elapsed. If there are strong objections to that or if it gets derailed, we will amend it, but that seems to be a reasonable way of working, which allows everyone to know what is going on, because we do not want people to feel excluded.

9.39 a.m.

**Deisebau: P-03-273 Cludo Tyrbini Gwynt yn y Canolbarth and P-04-324
Dywedwch Na i TAN 8—Mae Ffermydd Gwynt a Llinellau Pwer Foltedd Uchel
Difetha ein Cymuned**

**Petitions: P-03-273 Transportation of Wind Turbines in Mid Wales and P-04-
324 Say No to TAN 8—Windfarms and High Voltage Power Lines Spoiling our
Community**

[93] **Lord Elis-Thomas:** I am very glad that we have been able to deal with this today. I ask for comments, particularly from Russell and William who are from that region. Do you want to start, William?

[94] **William Powell:** Chair, may I defer to Russell on this?

[95] **Russell George:** Chair, do you mean from the point of view of the Petitions Committee?

[96] **Lord Elis-Thomas:** Yes, from the point of view of the Petitions Committee, as we obviously have the formal letter from it to this committee. So, if we start with that, so we know exactly what we have been asked to do, we can then discuss how we progress it. The real question for me is whether we incorporate it into our inquiry in some form, whether we deal with it formally and separately or perhaps we will have to do both. We owe it to the petitioners and to the Petitions Committee to treat the petition properly in its own right, not just as an addendum to our inquiry. I call on William to comment on that point and the other points.

[97] **William Powell:** I sense that that is probably the correct way to go, because there are some distinct issues here around how the transportation is managed and around the relevant authorities. It is probably better that that is not blurred into the other inquiry. I am very keen to hear from colleagues on this, not just from Russell as a fellow member of the Petitions Committee, but Rebecca, as a regional Member, and the wider membership of the committee today.

[98] **Lord Elis-Thomas:** Rebecca, you have been invited to speak by William.

[99] **Rebecca Evans:** I think that it could be addressed by the wider inquiry that we are about to undertake, particularly looking at the second point of the key issues, which specifically mentions TAN 8. Whether or not these policies can deliver the required aspirations, I think that it fits quite nicely into our current inquiry. I fear that there would be a duplication of work if we undertook two inquiries on pretty much the same thing.

[100] Some of the aspects that have been raised in the petition have been answered fairly recently by the First Minister in his statement on energy, and during the debates undertaken on TAN 8. They discussed the need for more public consultation; however, the Minister said that over 2,000 consultation responses had been received. I do not know whether you wish to take it paragraph by paragraph as to whether or not the committee would want to look at it, and how we can fit it into our wider inquiry on the issue.

[101] **Lord Elis-Thomas:** I will take a line from Bethan and colleagues as to how they think that we can cope with this in terms of capacity. Are you signalling that you wish to speak, Russell? I will ask Russell to speak first, and then I will ask Bethan for advice on the capacity for dealing with this.

[102] **Russell George:** I would be happy for it to be included in the main inquiry, but perhaps we would need to look at the terms of reference again if we are going to do that. From what I remember from last week, we did discuss looking at renewable energy in general and the differences between different forms of renewable energy, and how efficient they will be. Perhaps we can look at those petitions in the inquiry, but the inquiry would have to be widened to accommodate that.

[103] **Lord Elis-Thomas:** I will ask for some advice on what has happened with this in the past. There must be past examples where petitions have been dealt with as part of an inquiry, though not entirely incorporated within an inquiry. Therefore, it would be legitimate for us to do that. The important thing is that we give the petitioners enough of an opportunity to make their views known within that, and that we make sure that the response to the petition is some kind of clear sub-set of our recommendations. I am trying to say that I do not want the petitioners to feel that it is all being swallowed up; I want to ensure that it is dealt with as a

petition would be dealt with normally. Do you have a line on that, Bethan?

[104] **Ms Davies:** I would suggest that it is dealt with during the inquiry as it is such a similar topic. Perhaps the terms of reference could be amended to make reference to both petitions so that they are considered in their own right.

[105] **Lord Elis-Thomas:** If we specifically include the petition as a petition in the field of inquiry in the terms of reference, that would clear us on all counts; is that correct?

[106] **Ms Davies:** Yes. Just to confirm, both petitions would then be two separate terms of reference, if everyone is content with that.

[107] **Lord Elis-Thomas:** Are we all happy with that? Are you happy with that, Rebecca?

9.45 p.m.

[108] **Rebecca Evans:** How much of that first petition on the transportation of wind turbines in mid Wales falls within the remit of this committee? Should we also refer it to other committees? It refers specifically to tourism and transport, so we could forward it to the Enterprise and Business Committee.

[109] **William Powell:** I also suggest that it should also be shared with the Enterprise and Business Committee, which I will be leaving, after a brief membership, because just yesterday, the Minister for Local Government and Communities, who has the responsibility for transport, was present for a scrutiny session.

[110] **Lord Elis-Thomas:** That can be incorporated into the timetable that will arise from the redrafted scoping paper for the inquiry, which will include references to the petitions. Is that okay? I see that it is.

9.46 a.m.

**Cylch Gwaith y Pwyllgor Amgylchedd a Chynaliadwyedd—y Cyd-destun
Ewropeaidd
Environment and Sustainability Committee Remit—European Context**

[111] **Lord Elis-Thomas:** I have not seen Gregg around the table; I often do not see him, but I always know that he is there. So, I would like to greet Gregg Jones, who is our representative on earth in Brussels. I can see him now. Croeso, Gregg. He will give us an outline of the mysterious tasks that he performs for us all the time. We know that he is there as a resource for us all in the Assembly, and a valuable resource he is. I now hand over to him.

[112] **Mr Jones:** I would like to say ‘hello’ to all committee members. I am based in Brussels, but I do a sort of Zebedee act—I come back and forth every four or five weeks, or more frequently as is required. I am part of the research service, so you met colleagues of mine last week, and we work together to provide an integrated support service to the Assembly as a whole, including committees. I am slightly different because I am not physically based here. I am based in Wales House, which houses representatives of the Welsh Government, local government and the universities. We, where appropriate, work together utilising a ‘team Wales’ approach, but we also respect the differences between us, otherwise we would be an integrated office.

[113] In practical terms, I can provide support to individual Members, to party groups and to committees, which is the context in which I am speaking to you now. That means

supporting activities in Brussels, such as visit programmes and access to institutions and to Welsh Members of the European Parliament and so on. The aim is to open up Brussels to the Assembly and to enable interaction with the various bodies there. I also feed back into the work of the Assembly with regard to intelligence and forward work planning, and, to a certain extent, I provide advice to committees and to individual Members on suggested directions of travel and the most effective way of engaging with EU institutions and the debates that happen. That is my general introduction.

[114] The committee arrangements for the fourth Assembly are different to those in the third Assembly, which had a dedicated Committee on European and External Affairs. However, a decision has been taken this time to mainstream Europe across the committees, which means that there is a need for some degree of co-ordination with regard to workload. Committees and committee Chairs decide the work programme for individual committees, but I am sure that the Assembly as a whole will be looking for a joined-up approach to avoid duplication and to have synergy, particularly on some key issues in relation to Wales. So, those are the sorts of issues that I will be looking to pick up along the way and on which I hope to give helpful advice. I will be doing that in conjunction with external stakeholders. We have four active Welsh MEPs in Brussels, who are particularly important stakeholders for this and other committees. We have good relationships with them already and they also have good relationships with each other in terms of working together for the common interests of Wales. That is something that we could look to build on, develop and use effectively for the committee.

[115] In terms of some of the key strategic issues for Wales, the committee has already talked about two this morning: the common agricultural policy and the common fisheries policy, for which the proposals came out yesterday. Structural funds and cohesion policy is another important area, as is the overall EU budget. These debates will take place in Brussels over the next 12 to 18 months, in terms of the actual shape of the policy, and after that there will be debates on implementing CAP and the structural funds in Wales from 2013 onwards. I have made some suggestions and I have had some informal discussions with the Welsh MEPs. I think that it is fair to say that they have some concerns about the fact that there is no dedicated European committee, purely from the point of view that they do not want the key issues to fall off the radar at the Assembly. I think that the view is that the Assembly is the right body to lead a public debate on these issues in terms of engaging Welsh stakeholders, and also engaging in dialogue with the EU institutions. I would also make the point, obviously, that the Welsh MEPs have a role in that.

[116] There are three or four key issues that need to be addressed now—by ‘now’, I mean from the autumn onwards. Given that these issues will be debated for 12 to 18 months, in the context of the discussion about task and finish groups, I think that a task and finish group with an 18-month remit—or however long these negotiations take place in Brussels—would be a sensible approach, because the debates will go on for that period of time. For a strong Welsh voice and Welsh input into that debate, it makes sense to keep those open. That does not mean that these debates are discussed at every meeting of the committee; they are discussed at the appropriate times in conjunction with the other priorities and workload that you will have.

[117] So, I have mentioned those four issues. There are ways in which some of those could be picked up by the committee. You have already discussed two this morning, and there are other committees in the Assembly that could pick up on the other two issues—structural funds and the overall EU budget. There are a whole host of other issues that are also important; I would certainly not try to make out that they are not as important, but they are certainly competing with other issues for your attention. You have a long list of topics that you are responsible for as a committee, as do the other committees. The European dimension may come into the topics that you consider as a committee, and along with the Chair you will obviously make decisions about prioritisation, but those four strategic issues put themselves

automatically at the top of the pecking order because they are so important to the people of Wales. That would be the advice that I would give. Obviously, it is not for me to decide the committee's workload and priorities.

[118] **Lord Elis-Thomas:** Diolch yn fawr, Gregg. I will ask for a response to that now. I was very taken by the proposal that you made about a way of working, because it brings the European dimension into all our work, but in a way that, hopefully, we can cope with, and in a way that will make this committee a good conduit for the Welsh case, as it were. Does anyone have a response to what Gregg has said? Are we all in agreement?

[119] **Antoinette Sandbach:** Do you think it is useful to have the CAP and the CFP discussed together, or would it be better done separately?

[120] **Mr Jones:** That would be a decision for the committee. I can see advantages both ways: you have focus if they are done separately, but where there is a common interest or an overlap, you could make the case for them being considered together. As long as they are given attention—that is what I would be pushing for.

[121] **Lord Elis-Thomas:** That is partly a matter for the preferences expressed by Members. There are enough of us with lots of coastline in our constituencies who would be interested in the fisheries policy, although some of us have no coastline at all—I am not looking particularly at Russell, who has a bit of the Dyfi in his area.

[122] **Mick Antoniw:** Apart from Pontypridd marina, I have no coastline at all. [*Laughter.*]

[123] **Lord Elis-Thomas:** You have the Glamorgan canal; surely that counts. Are there any other responses?

[124] **William Powell:** I was just going to say that it is really useful to have Gregg addressing this committee, given how important the European dimension is to the work of this committee and others. It is good to have that intervention early in our work.

[125] **Antoinette Sandbach:** Given the depth of these issues, could we have a background briefing paper so that we can all get up to speed as quickly as we can with the issues?

[126] **Lord Elis-Thomas:** That is an excellent idea, and I was just going to suggest that we should speak, through our clerk or, possibly, myself as Chair and other Members, with other committees to ensure that the European dimension, as with the dimension of sustainability, is being fed across our committees. Are there any other issues? The witching hour was 10 a.m., but we have a few minutes. Are there any other points? While you are thinking, you will know that our next meeting is on Tuesday 19 July at the show, and we will meet for two hours, starting with a brief, informal meeting at 11 a.m. Are there any other matters? I see there are none. Thank you for your patience with working through video-conferencing and all the staff here at this place of learning, and the other place of learning down there, the Assembly, for facilitating it. Diolch yn fawr iawn, and we will see many of you in the *sioe fawr* at Builth next week. Thank you, Gregg, for visiting us for the first of many times in the flesh and through other forms of communication.

[127] Dyna ddiwedd y cyfarfod. That is the end of the meeting.

[128] Thank you, Bethan and colleagues.

*Daeth y cyfarfod i ben am 9.56 a.m.
The meeting ended at 9.56 a.m.*