



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Y Pwyllgor Deisebau

Adroddiad Cwblhau

**Crynodeb o ystyriaeth y Pwyllgor Deisebau o P-03-149 Yn erbyn
Maes Awyr Llanbedr**

Chwefror 2009

Cyflwynwyd yr e-ddeiseb

6 Mehefin 2008

Dyfarnwyd yn dderbyniadwy

10 Gorffennaf 2008 (ar ôl casglu llofnodion)

Ystyriaeth gychwynnol

23 Gorffennaf 2008

Ystyriodd y Pwyllgor y ddeiseb am y tro cyntaf a chytunodd i ysgrifennu at y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod ar 23 Gorffennaf 2008 ac Atodiad 2 ar gyfer y llythyr a anfonwyd at y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai)

2 Hydref 2008

Ystyriodd y Pwyllgor ymateb gan y Dirprwy Brif Weinidog a chytunodd i wahodd y deisebwyr i gyflwyno tystiolaeth mewn cyfarfod yn y dyfodol.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod ar 2 Hydref 2008 ac Atodiad 3 ar gyfer ymateb y Dirprwy Brif Weinidog)

16 Hydref 2008

Clywodd y Pwyllgor dystiolaeth lafar gan y deisebwyr, a chytunodd i wneud y canlynol:

- Ysgrifennu at y Dirprwy Brif Weinidog yn gofyn iddo wneud y canlynol:
 - Gohirio gwneud penderfyniad terfynol ar ddyfarnu'r brydles tan y bydd y Pwyllgor Deisebau wedi cael cyfle i gwblhau ei ymchwiliad i'r mater hwn
 - Rhoi manylion y brydles sydd wedi'i chynnig
 - Rhoi manylion ynghylch sut y cydymffurfiwyd ag Adran 62 o Ddeddf yr Amgylchedd 1995 yn ystod y broses o ddyfarnu statws cynigydd a ffefrir
 - Rhoi gwybod i'r Pwyllgor a fydd angen caniatâd cynllunio cyn gallu bwrw ymlaen ag unrhyw ddatblygiad ar y maes awyr
- Ysgrifennu at y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai i ofyn iddi roi gwybod i'r Pwyllgor am unrhyw ystyriaeth a roddwyd i effaith amgylcheddol y datblygiad arfaethedig
- Ysgrifennu at Kemble Air Services i ofyn am fanylion y datblygiad arfaethedig
- Ysgrifennu at Awdurdod Parc Cenedlaethol Eryri yn gofyn am ei farn am y datblygiad arfaethedig
- Gofyn i Wasanaethau Cyfreithiol y Cynulliad ddarparu crynodeb o gefndir cyfreithiol y mater hwn

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod ar 16 Hydref 2008, Atodiad 2 ar gyfer y llythyr a anfonwyd at y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai, Atodiad 3 ar gyfer y llythyrau a anfonwyd at y Dirprwy Brif

Weinidog, Atodiad 4 ar gyfer y llythyr a anfonwyd at Kemble Air Services ac Atodiad 5 ar gyfer y llythyr a anfonwyd at Awdurdod Parc Cenedlaethol Eryri)

20 Tachwedd 2008

Trafododd y Pwyllgor ymatebion gan y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai, y Dirprwy Brif Weinidog ac Awdurdod Parc Cenedlaethol Eryri, a chytunodd i ysgrifennu at y Dirprwy Brif Weinidog yn gofyn iddo roi datganiad clir i'r Pwyllgor ynghylch sut y mae Llywodraeth Cynulliad Cymru wedi cyflawni ei dyletswyddau o dan adran 11A o *Ddeddf Parciau Cenedlaethol a Mynediad i Gefn Gwlad 1949*.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod ar 20 Tachwedd 2008, Atodiad 2 ar gyfer yr ymateb a gafwyd gan y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai, Atodiad 3 ar gyfer yr ymateb a gafwyd gan y Dirprwy Brif Weinidog a'r llythyr dilynol a anfonwyd ato, ac Atodiad 5 ar gyfer yr ymateb a gafwyd gan Awdurdod Parc Cenedlaethol Eryri)

13 Ionawr 2009

Trafododd y Pwyllgor ymateb dros dro gan y Dirprwy Brif Weinidog, a chytunodd i ysgrifennu ato eto yn gofyn iddo anfon ei ymateb i'r Pwyllgor cyn gynted â phosibl.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod ar 13 Ionawr 2009, ac Atodiad 3 ar gyfer yr ymateb a gafwyd gan y Dirprwy Brif Weinidog a'r llythyr dilynol a anfonwyd ato)

10 Chwefror 2009

Trafododd y Pwyllgor ymateb gan y Dirprwy Brif Weinidog, a chytunodd y Pwyllgor ei fod wedi gwneud cymaint ag y gallai â'r ddeiseb ac y byddai ei ystyriaeth ohoni yn dod i ben.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod ar 10 Chwefror 2009, ac Atodiad 3 ar gyfer yr ymateb a gafwyd gan y Dirprwy Brif Weinidog)

Clerc y Pwyllgor Deisebau Chwefror 2009

Atodiad 1

Trawsgrifiadau o gyfarfodydd y Pwyllgor Deisebau

23 Gorffennaf 2008

Alun Davies: The next two petitions are in favour of Llanbedr airfield and opposed to Llanbedr airfield respectively. Before we start discussions, I must declare an interest. I have written to the Minister about this issue, taking the former rather than the latter view. As such, I want that stated on the record before we discuss the matter.

Michael German: There is a policy for that now, is there not?

Alun Davies: I have a feeling that there is more than one policy on this matter.

Michael German: Not on Llanbedr, but on how we should act.

Mr Sanchez: We decided that if a Member declares an interest, he or she may be involved in the discussion of the petition as a member of the committee, but not in the decision about what to do with the petition.

Alun Davies: That is clear.

Michael German: It is interesting that, in certain circumstances, you could have the opponents and the proponents together, making their case. You could hear each case made and question both parties. That may give us an interesting insight into what the outcome might be. I do not think that it is possible to make a judgment on which petition is correct. So, my inclination is to hear both sides by inviting both to present evidence to us.

Bethan Jenkins: In the meantime, we could get updated information from the Minister concerned. I would say that we would like to hear from both sides in this regard. We have not had such a scenario before—there could be fireworks.

Alun Davies: I would hope that we would not have fireworks in Llanbedr airfield, of course. However, in taking this forward—

Andrew R.T. Davies: Sorry, Chair, I would just like to clarify something. I have read the papers. This is a very localised issue, specific to that area. We as a committee have always trodden very carefully with regard to planning issues. Obviously, this is a planning/development issue. Are we aware of the stage that the planning issue has reached? The paper does not say at what stage the application is, or whether a decision is being appealed. In any planning application, people have the right to appeal, and they have a recourse that we should not be interfering with. That is something that we have always tried to stay on the right side of. We do not want to be dealing with planning applications all the time; that is not our role. Is an update available of where this development is sitting at the moment?

Alun Davies: I was going to make this point. The Minister—I understand that it is the Minister for Environment, Sustainability and Housing—is currently taking a view on this. There has been at least the threat of a judicial review of the decision to let this contract. As I understand it, the Welsh Assembly Government is considering and reviewing its decision-making processes. Until that process is complete, it might well be that we need to take into consideration the fact that reviewing this petition might best be done when the legal position is clear, rather than beforehand.

Michael German: I suggest that we ask Joanest what we should do in this regard, given where we are. Shall we wait until such time as those processes become clearer, or are we getting into the planning field, as Andrew suggested?

Ms Jackson: There is some information in the papers to suggest that planning permission has not been required for any proposed development. I see no harm in your writing to the relevant Minister to ascertain the situation in terms of some of the processes and to find out what action has been taken to date, so that you have as much information as possible.

Michael German: We can then make a decision about where we go after that.

Ms Jackson: Yes.

Alun Davies: I would go a bit further than that and say, 'Minister, you have had two months; let's get this clarified'—notwithstanding what her eventual decision will be. It is important that we clarify where exactly we stand at the moment and whether the Government is content with its decision making. So, we will either move forward or we will not. At that point, the political decision and the decisions to be made with regard to the petitions would become more relevant.

Michael German: We also ought to know what the processes are in these circumstances—I mean what the line of decision making is. That may not be easy—

Alun Davies: It is not easy at all.

Michael German: That is what Joanest is splendid at.

Andrew R.T. Davies: Perhaps we can do something in the meantime, in the background. It does seem that as long as we tick the boxes and are not treading on any toes regarding the planning process or a judicial review, evidence could be gathered to facilitate a hearing of the petitioners, should they wish it, so that we are not bogged down and so that the petition does not drag on for months. Perhaps through the summer recess, the clerking team could pull together the bits of information that would facilitate an evidence-gathering session, subject to our getting clarification from the Minister. That would be of benefit.

Alun Davies: Thank you very much. I assume that that is agreed.

2 Hydref 2008

Val Lloyd: Yes. We now move on to petitions P-03-141 and P-03-149. I understand that the chief executive of the Snowdonia Society is in the public gallery to hear our deliberations on this today. We have grouped the two petitions together. One is in favour of Llanbedr airfield and the other is against it. So, what do Members wish to do?

Michael German: I thought that we were going to hear both sides of the argument.

Val Lloyd: Yes, we did say that. We also said that we should hear them on the same day. I would suggest—and I cannot remember which order they came in—that whichever petition came in first should be taken first and that the second petition should be taken second. Is everyone agreeable?

Andrew R.T. Davies: So, it will be the petition that is for the airfield first and the petition that is against second, as P-03-141 is for the airfield and P-03-149 is against it.

Val Lloyd: I was not doing it for that reason; I was just thinking of being fair. So, we agree that the clerks should look for a suitable date in conjunction with both sets of petitioners so that they can come to address us on the issues that they raise in their petitions. We have had a reply from Ieuan Wyn Jones, the relevant Minister, setting out the situation. Perhaps we should make a copy available to both sets of petitioners.

16 Hydref 2008

Val Lloyd: Before I ask you to introduce yourselves, I apologise for the delay in starting—it was beyond our control. One of our committee members is, unfortunately, sick today and another was at another meeting, and we needed three to be quorate. So, I am sorry that we kept you waiting, but we would not have been quorate otherwise.

Mr Lewis: We are grateful to the committee for arranging the hearing, and for giving us the opportunity to highlight the lack of information and the absence of public debate about this issue.

Val Lloyd: That is our pleasure, and that is what the Petitions Committee is here to do. First, I ask you to introduce yourselves.

Mr Lewis: I am David Lewis, and I am a resident of Llanbedr. I have known the airfield since the mid-1970s, but I am appearing not primarily in that capacity but as chair of Cymdeithas Eryri/Snowdonia Society, which originated this petition. I have been chair of the society as of last Saturday, to be precise.

Val Lloyd: Congratulations on that.

Mr Lewis: My colleagues are Katherine Himsforth, honorary secretary of the society, and Alun Pugh, who since March has been the society's chief executive. Otherwise, I am sure that he needs no introduction.

Val Lloyd: You are quite right in that. Thank you. We adopt the same procedure for all petitioners. You have 15 minutes in which to make your presentation, and how you do it is entirely up to you. Your time has not started yet—I assure you that I am not taking it up. After that 15 minutes, we allow up to 15 minutes for the committee to ask you questions. We will take it from there after that. So, whenever you are ready, please begin.

Mr Lewis: I will begin, if I may. Cymdeithas Eryri/Snowdonia Society is a registered charity with over 2,500 members. It is concerned with the Snowdonia national park in all its aspects. We, too, want to see jobs created that will help young people to find ready access to employment and sustain thriving communities within the national park. However, any development proposed must also respect the special qualities which have led to the designation of the area as a national park.

The large military airfield at Llanbedr of 563 acres was constructed during the war in

one of the most beautiful parts of Snowdonia. After the war, it was used for a while as a diversion field for V-bombers during cold war crises, and it was then converted into a facility for launching pilotless target aircraft, as Gwynli said. When that ceased, it was closed and decommissioned in 2004. We would have liked to give you some impression in pictures of the beauty of the area, but I gather that there is a glitch in the IT system. Also, one can see in the pictures the buildings of the existing airfield. Unfortunately, we are not able to do that. Of course, Lord Dafydd Elis-Thomas is familiar with the area, but if other members of the committee can spare the time to come and see it, I am sure that they would realise how beautiful it is.

Val Lloyd: We can circulate the photographs to Members.

Mr Lewis: The airfield is within one of the first national parks created under the post-war Labour Government's legislation. The role of national parks was endorsed and reinforced in legislation passed by the Conservative Government in 1995, and the Welsh Assembly Government, in a policy statement in March 2007, recognised specifically the importance of national parks for Wales.

As well as being in a national park, the area is internationally important for nature conservation. The giant dunes that lie between the runways and the sea have been designated as a site of special scientific interest and a national nature reserve. They have also been given strict protection under European legislation as a special area of conservation. Part of the airfield is within the European designated area and a rather larger part is within the site of special scientific interest and subject to legal requirements in that respect. Moreover, activities elsewhere on the airfield can have an effect on the dunes, particularly on the water table.

What impact would Kemble's activities have on the area? It has said little about its intentions. The one specific thing that, to our knowledge, it has said is that it would like to hold air days similar to those that it holds at its original base in the Cotswolds. That might give us some idea. We were going to show you an aerial photograph at this stage of a Kemble air day, which shows the vast activity that would go on. We were also going to show you something that was on its website until last week, but has now been removed, which shows some form of display of military prowess in giant fireballs along the runway at Kemble—it is very intimidating. However, we come back to the fact that we do not know what it intends to do and it is therefore difficult to say what would happen at Llanbedr if it got its way.

You have described our petition as Against Llanbedr Airfield, but I think that that might give a misleading impression of negativity in our attitude, because, as we shall develop a little later, jobs are also important from our perspective. However, in launching this proposal, have Assembly Government officials or Kemble shown any awareness of or respect for environmental and legal constraints? The answer, regrettably, is 'no', and Alun Pugh will enlarge on that.

Mr Pugh: There are three sets of issues here, where the Welsh Government is either guilty of a serious failure of due process or has acted unlawfully. First, there are what are called the section 62 issues, which go right to the heart of the statutory purposes of national parks. There is a clear consensus across the parties about the enduring value of national parks, and the law in section 62 is absolutely clear. It lays down a clear obligation upon Ministers 'to have regard to' the statutory purposes of the

national parks in making their decisions. We have made extensive inquiries under the Freedom of Information Act 2000, and there is no evidence that this legal duty has been complied with. Snowdonia National Park Authority is the statutory authority with responsibility for the area, but there has been no contact with the chair of the authority and its members, no contact by Welsh Ministers or officials with the chief executive officer, and no contact whatsoever with any member of the park authority's senior management team about these proposals. That, we believe, is clear proof of a lack of due legal process, and a clear case for the judicial review of a fatally flawed decision.

The second set of issues concerns the special status of the site. Not only is it within a national park, but, as our chair has pointed out, it is an SSSI, a national nature reserve and an SAC. There are additional and special laws to protect such landscapes, in British and European legislation. There has been no environmental impact assessment of what Kemble proposes to do, which we also discovered under FOI legislation.

Finally, there are the planning issues. The site has never had planning permission, because it was a military facility. When you need certain conditions to appropriate a piece of land and construct a defence facility, you do not need to go through that process. We have taken advice from counsel—not general counsel, but specialist planning counsel working at a leading chambers dealing with planning. Their clear advice to us is that planning permission is indeed required, and that has been reinforced by events at Kemble's other base in the Cotswolds.

We know that the Snowdonia National Park Authority has sought, at public expense, several sets of external legal advice, but, alas, has not been prepared to put that advice in the public domain. The committee could do us all a favour by asking that this information be made available to the general public. Even if planning permission were not required—and we clearly believe that it is—there is the question of abandonment within planning law. The Welsh Assembly Government, in its press statements, has referred to the site, quite rightly, as 'a disused and decommissioned site'. There are no navigational aids or any air traffic control equipment there, as they have been physically disconnected and removed from the site. Indeed, the transfer document, which transfers the legal title from the Ministry of Defence to the Welsh Assembly Government, refers to it as a 'former airfield'. The site is not currently used for aviation but for agriculture, and there has been a legal agreement between Welsh Ministers and local farmers on that agricultural use.

So, what is the way forward? We believe that the Welsh Assembly Government should apply for planning permission for all intended uses of the site. Therefore, if the Welsh Assembly Government believes that it is appropriate to use it as a base for sightseeing pleasure flights around the highest mountains of Wales, that should be outlined in the planning application. Similarly, if the Welsh Assembly Government believes that day trips or weekend trips from other parts of the UK into a national park by air are appropriate, again, that should be in the planning permission.

We know that part of Kemble's activities, as well as operating flying schools and so on, involve dismantling and scrapping aircraft. It says on its website that it is a member of an international airline scrapping body. If it intends to scrap aircraft at Llanbedr—and it has given no assurances that it will not do this, and there is nothing in the lease to prevent it from doing so—that should be the focus of a planning

application. On those three issues, we believe that there has been a serious failure of due process. We believe that the way forward is for the Welsh Assembly Government to bring forward a planning application. Thank you.

Val Lloyd: Thank you very much.

Ms Himsforth: Hoffwn ychwanegu gair am y swyddi. Fel y clywsoch, mae Kemble wedi bod yn amhendant iawn ynghylch nifer y swyddi y bydd yn creu yn y maes awyr, ac nid ydym wedi llwyddo i gael manylion gan y cwmni. Dywed y papurau newydd y bydd tua 50 o swyddi newydd, ond credwn fod y ffigur hwnnw'n cynnwys y swyddi sydd eisoes yn yr ardal. Mae adeiladau ar ffin y maes, ac mae Kemble am eu defnyddio fel parc busnes. Byddem yn cefnogi hynny, ond nid yw symud swydd o un rhan o Llanbedr i ran arall yn creu swydd newydd.

Ms Himsforth: I want to add a little about jobs. As you have heard, Kemble has been extremely vague about the number of jobs that it will create on the airfield, and we have been unable to secure details from the company. The newspapers say that there will be around 50 new jobs, but we believe that that figure includes jobs that already exist in the area. There are buildings on the outskirts of the airfield, which Kemble wants to use as a business park. We would support that, but moving a job from one part of Llanbedr to another does not create a new job.

Llanbedr is not an unemployment black spot. Despite the closure of the airfield, there is no evidence to suggest that the situation is worse in Llanbedr than it is elsewhere in Gwynedd. We have been unable to find unemployment figures for Llanbedr—a community of 993 people—but we note that the proportion of people of working age on benefits in Llanbedr is significantly lower than it is in Wales as a whole, and it is also lower than the proportion in Gwynedd. Those figures are for 2005, which is the year after the airfield closed.

I stress that we are just as keen as others to see quality jobs for local people. You will know that the Wales spatial plan and the current convergence programme both focus on the need for higher-value-added jobs in Gwynedd. We agree, but we think that the goal should be to link those to the environment, which is the fundamental advantage that Llanbedr and Gwynedd enjoy.

Val Lloyd: Thank you. You have three minutes left if anyone wants to take it up.

Mr Lewis: I would like to make two comments, Chair. The first is that Lord Dafydd Elis-Thomas is a member and a former committee member of the Snowdonia Society. At our annual general meeting last Saturday, there was general support for the position of the society. There are one or two members who dissent, but there is general support for the stance that we have taken. Indeed, among the great issues that blight the national park more generally is aircraft noise. I also emphasise that what we want, as Alun has said, is to see the issues aired, to have a proper public discussion on what is intended for the site. Not only do we think that that is justifiable in every way in an environmental sense, but also that that is what the law requires.

Val Lloyd: Thank you very much. We will now move on to our questions. We have

the same upper limit of time as you had, namely 15 minutes. Has Cymdeithas Eryri had any direct contact with Kemble Air Services Ltd and, if so, what response did you receive?

Mr Pugh: Yes. We asked Kemble to send a representative to come to meet us, to come to our executive committee and our policy committee, but it declined.

Val Lloyd: Thank you. Would Members like to ask questions?

Bethan Jenkins: I want to come back on the strong statement that you made, namely that the Welsh Assembly Government may be acting illegally in this regard. Reading the letter from the Deputy First Minister, Ieuan Wyn Jones, on this issue, it seems to me that he has gone through the process as rigorously as he could. He has held an open day and consulted with those who are interested in taking up the lease. What is your opinion of that particular way of working? Do you question that action in full?

Mr Pugh: The law is very clear on the section 62 issue. I am not sure to which letter you are referring. We have been through the whole audit trail of evidence—everything from the KPMG report—with a fine-toothed comb, as you can imagine. We were particularly keen to see what high-level consultations there had been with the appropriate statutory authorities, such as the planning authorities, the Countryside Council for Wales, the Environment Agency and the other authorities that have a legal responsibility to act in these matters. It is our opinion, and that of the specialist counsel from whom we have taken specialist legal advice, that that legal duty to have due regard for the statutory processes has not been discharged. That is why we have issued a letter before claim. The last thing in the world the society wants to do is use its members' subscriptions in legal action. We want a full and open discussion of these issues and we want to see the law obeyed and due legal process followed. We are not at all convinced that that has been the case.

Bethan Jenkins: The letter from Ieuan Wyn Jones was addressed to the Chair of the committee, and outlined the fact that a site open day and tour were held in June 2007. It states that the preferred leaseholder is Kemble Air Services. Although a final decision has not yet been made, that is the Government's preferred company at the moment. If you have not seen that letter, perhaps it is difficult for you to comment on the content.

Mr Lewis: I wish to emphasise the point that we started judicial review proceedings on the specific question of whether section 62 had been complied with. The Assembly Government has been completely unable to produce evidence to show that it was complied with. That makes us feel a certain confidence that we are right in making that statement.

Michael German: May I pursue what is in the letter? I am going to read you a sentence from Ieuan Wyn Jones's letter and ask whether you agree that it covers the section 62 issue that you referred to. In his letter to the committee on 8 September, he says,

'I am conscious of my duties in making any decisions as to the future of the Airfield including the duty which arises under Section 11A of the National Parks and Access

to the Countryside Act 1949 to have regard to the purposes of the National Park'.

Would those duties include, in your view, section 62?

Mr Pugh: It is the same obligation.

Mr Lewis: It was section 62 that amended section 11A.

Michael German: In a sense, what he is saying in his letter to us is that he has not yet taken a decision, but, when he does, he knows that he has duties under the 1949 Act and section 11A of it. Is it not slightly precipitous to say that he has not taken due regard of the law when, in fact, he has not actually made a decision and he knows that he has to take account of that Act?

Mr Lewis: We were told that the lease was to be signed next week, which is why we cheered a certain amount of haste.

Mr Pugh: The decision to award preferred bidder status to Kemble required the section 62 duty to be observed, but there is no evidence that it was observed on that.

Michael German: You have come to my second point, which was dependent on what you said in response to the first question. You mentioned legal advice that you had not been able to see. Sometimes, as I am sure Alun will be aware, legal advice that is made available to Ministers cannot be made available to the public. That will not be done. I seem to remember you defending that position at some stage, Alun, which is quite reasonable, and I have done the same. Is there any other information that is not legal advice but which you believe should be in the public domain? If so, what?

Mr Pugh: It would be very helpful if the Welsh Ministers would release a full statement outlining how they observed section 62 in deciding to award preferred bidder status to Kemble. That has never been done. It is very difficult for them to have regard to the statutory purposes of the national park when no-one knows what Kemble intends to do with the site. The draft lease is very open-ended. It is a huge site of around 500 acres. It is public land and the lease is for the next 125 years. We are talking about the future of a strategic site to the middle of the twenty-second century. Of course, the aerospace industry has changed quite a bit in the past 125 years: 125 years ago, the Wright brothers were wondering whether a flying machine was a practical proposition. Surely, before we hand over the control of such a strategic asset in the national park, which is the jewel in the crown of the Welsh landscape, for a century and more, we need clarity on exactly what is proposed for that site. That has not been forthcoming.

Michael German: What is the attitude of the national park authority towards this development?

Mr Pugh: You can understand that the national park is not making any public statements at present because it is the planning authority and it is anxious not to prejudice its position. So, it has said nothing on the record. To be fair, it has been kept in the dark as much as the rest of Welsh society. As I said in my opening

remarks, there was no contact with the chair, authority members, chief executive or any member of the senior management team of the park authority. Surely, you would expect proper high-level minuted discussions to take place between the planning authority and the landowners before going ahead and signing a lease on such a vast site of strategic importance.

Michael German: I have not seen this document but we are told that the committee has it, although it has not been provided for Members. There was a meeting between officials of the Welsh Assembly Government and Snowdonia National Park Authority on 21 May 2008. Were you aware of that meeting, and do you know what was discussed at that meeting? We are told that that meeting took place and that we have a note on that.

Val Lloyd: It did not come with the correspondence; otherwise, we would have sent it to Members.

Michael German: Therefore, we know that there was a meeting.

Val Lloyd: We have had that letter but we have not had the—

Michael German: All we know is that there was a meeting and that a note of that meeting was kept, which is in the public domain.

Mr Pugh: On the grounds of transparency, we would like to see the full disclosure of documents and minutes between the park authority, Welsh Ministers and their officials. We know that meetings have taken place. In fact, I have a freedom of information request before me, bearing the reference number 2805, asking for details of communications between the Welsh Assembly Government and the Snowdonia National Park Authority in the context of the former RAF facility, Llanbedr airfield. The reply, which I have before me, states:

'I have decided that the draft document is exempt from disclosure under Section 22 of the Freedom of Information Act'.

It sets out in detail why it has been concluded that it is exempt and why the Government is not prepared to share that with us. That is the key issue, as our chair said. It is not that we want to be negative about this, but there is a complete fog around the decision making. We want to see some scrutiny of the decision on this strategic site. We believe that the best way of getting that scrutiny, of making sure that section 62 is properly observed and that the sites of special scientific interest and the special areas of conservation are properly protected and of putting the planning decision beyond any doubt is to deal with this through the democratic process of a planning application.

Michael German: I have a general question. What sort of development does the Snowdonia Society feel would be appropriate for this facility?

Mr Lewis: We have already said that the existing buildings could be converted to make a business park, and there was a proposal to do that several years ago, but it fell through. Kemble Air Services proposed to do that with a cluster of buildings on

the edge of the airfield. I believe that I can say that there has also been interest in converting it into a championship golf course. There is already a high-quality golf course at Harlech, and there needs to be a certain critical mass in these things if you are going to attract in high-value tourism from outside Wales. There was a group two years ago that was interested in using it for that purpose, but we understand that it was shooed away by the Welsh Development Agency, which existed at the time.

Michael German: To be absolutely clear, in real terms, you are opposed to any form of air movement—

Mr Lewis: Not necessarily, no. Other proposals came up too. It was said that somebody wanted to use it for high-value bullion shipments on the grounds that it was more secure than Heathrow. Without committing ourselves to automatic approval of such a proposal, there would be relatively little environmental impact from that for a high economic benefit. We do not know whether the intention is to use it as a scrap yard, for which it might be eminently suitable, or for private, vintage jet aircraft, which is, apparently, a growing field, and so on. There is a range of uses that it could be used for, and we are completely in the dark.

Michael German: Would you or would you not be opposed to an air club such as we heard described to us earlier on, which would be for private enthusiasts who own small aircraft?

Mr Lewis: I think that we would want to examine such a proposal on its merits, because, as I say, there is an increasing tendency for private flyers to fly vintage jets, and we would want to be satisfied about how that would work and how much disruption it would cause. However, we would certainly be prepared to consider such a proposal on its merits.

Michael German: If it is non-jet—

Mr Lewis: Or if it was on a really limited scale. Obviously I cannot commit the society until we have a more specific proposition and have consulted our members.

Mr Pugh: We know that there are issues around transport infrastructure into north Wales. Is, for example, arriving at a national park by air on an internal flight for a day trip or a weekend trip an appropriate use for a national park? Does it sit well with the statutory purposes of national parks, to which all political parties are signed up?

Michael German: You pose a question; do you have an answer?

Mr Pugh: We think that there are issues with internal flights for day and weekend trips to national parks. It does not sit well with sustainability or with the type of economic growth that we want. We believe that there should be additional investment in transport infrastructure. We would like to see more investment in, for example, the mid Wales railway line, which goes up into the national park, or the north Wales railway line. We think that that would be more sustainable and would sit better with the National Assembly's wholly admirable policies on sustainable development.

Bethan Jenkins: You have said what you want to happen with the application and the planning process. Would you have a problem with Kemble above and beyond this if it won the lease, if the Government went ahead again with the process? Do you have concerns about Kemble being that leaseholder?

Mr Pugh: The issue is not the identity of the leaseholder. The key issue is the use of that site. To have a completely open-ended lease for 125 years on 500 acres, which could include the scrapping of aircraft, which it does at its current base—

Bethan Jenkins: That is why I asked the question, because of Kemble's current functions.

Mr Pugh: It is about functions, not about individual owners.

Val Lloyd: We are just out of time. Planning permission would allow for whatever use, would it not? It would be in the scope of the planning permission.

Mr Pugh: Indeed; that is why we are advocating that the use made of the site should be included in the planning system. If the planning authority then thinks that it is acceptable to scrap aircraft in the open in a national park, that is its decision.

Michael German: As I understand it, the key issue here is—perhaps this can be confirmed—whether or not planning permission is required. Is that the issue? If planning permission is not required, there will not be a planning application.

Val Lloyd: I assume that you are basing that on that fact that it was an airfield; if it deviated from that function it would require a new planning application.

We have broken our own rules, I am afraid. We are one minute over time, for which I apologise. Thank you for your contribution. We will not discuss this until you are safely seated, and we will, rather than waste time, move on to the next item on the agenda in the meantime.

Val Lloyd: The petitioners who spoke to us are now in the public gallery, so we will return to discussing the Llanbedr airfield petitions. I invite Members to give their opinion on how we should move forward.

Michael German: I have a technical question. We received a letter from the Minister that mentioned attachments that are material to the petitioners' case, but the attachments are not included. Was that an error, or are we not allowed to have them?

Val Lloyd: I have raised that question myself.

Ms Webber: The attachments did not come through with the letter. That is my understanding.

Mr Davidson: It has happened in the past, and usually it is just a case of the private office not having sent it. We will chase it up and forward the attachments to you.

Michael German: The notes of the meetings at the airfield, and between national park representatives and officials, may be particularly relevant.

I have one other technical question. One of the petitioners thought that a decision would be made on this shortly. However, whatever we decide today, it seems to me appropriate that we consider those attachments before the Minister brings the matter to a conclusion. We need to see whether those documents are relevant to the petition.

Val Lloyd: I agree, and we should also write to the Deputy First Minister asking whether he can provide details of the lease, or any relevant information over and above the documents that we have.

Bethan Jenkins: I would also write to the company involved in the lease, because there was lack of clarity on both sides as to what was happening. The first group of petitioners did not have a clear business plan from the company, and the second group did not have any correspondence with them at all, and refused discussions with the company. I would also say, on a point of process, that it would be good if we could give copies of the letters that we receive to the petitioners—if they are to form part of our discussions and our decision. I felt that I was talking in a silo—

Val Lloyd: There are copies available on the website.

Bethan Jenkins: I do not think that they had seen them, though.

Val Lloyd: It was a public paper. The letter that we had was made public for the petitioners to access.

Bethan Jenkins: We usually try to help petitioners as much as possible with the process, and I think that they should have had a copy from us. Out of respect, we should ensure that they know what we are talking about around the table. They obviously had some information, but we had a letter that some of the petitioners had not seen.

Val Lloyd: We would normally send them a copy of such letters. The secretariat will check whether it was sent or not. You make a fair point—I assumed that it had been sent. So, we will check and let you know.

Michael German: Is there an issue of clarity here? I am in the dark, and Joaneest may be able to help, as always. In this particular example, would planning permission be a requirement?

Ms Jackson: I was making notes as you were discussing this, and I thought that you might ask me about that. I was going to suggest, if it would assist, that I prepare a note on some of the relevant provisions in various Acts—not to make any judgment on this, but so that you have a basis to work from. I will not seek to apply facts to this case, or make a judgment on it, but I could provide something objective so that you have a few of the issues collected together. The issue of whether a use has been abandoned, whether there is a change of use and so on can be difficult. I will try to outline some of the issues, including matters relating to special areas of conservation and the national nature reserve issue, so that we know whether they should be taken into account.

Michael German: From questioning, it seemed to me that the sort of use that the first group of petitioners was seeking was not too far from what the second group

might have accepted, and planning permission would have clarified that position. It might help us a great deal if we could find out whether permission should be sought to allow the sort of activity that both sides seem to find acceptable. It is clear to me that both sides were in favour of the business side of it and both were in favour of having a smallish, local-type air club. However, we do not know about that, because it cannot be tested at the moment. There is a very good reason for taking this further, and we do not want the Minister to take a decision without knowing that we have discussed these matters.

Val Lloyd: I agree. I had the feeling that the groups of petitioners were not miles apart in what they wanted. There was a dissonance on some issues, but both groups appreciated the need for jobs in the area, and both were mindful of the environmental issues. Shall we also write to the Minister for Environment, Sustainability and Housing to ask her views on the environmental issues connected to this matter? If we are going to look at it, we might as well look at it in the round.

Michael German: Is this the sort of thing you need a site visit for? [Laughter.]

Bethan Jenkins: The Snowdonia National Park Authority has not been involved so far in our proceedings, and both groups have made comments on what they believe it feels, so perhaps we need clarity on that.

Val Lloyd: Yes, the more information we have, the better. We will ask the secretariat to write to the Deputy First Minister and Minister for the Economy and Transport as a priority so that we can make our views known. Is everyone content with that?

Michael German: Yes, and perhaps we should ensure that the process will not come to an end before we have had a chance to consider these matters.

Val Lloyd: That is why I said that we will make our views known.

Michael German: Perhaps it would be worth the petitioners understanding from the clerk afterwards what that means. It may not look as if we are doing a huge amount at this stage, but we are taking this a step forward.

Val Lloyd: We are taking the biggest possible step that we could take.

20 Tachwedd 2008

Val Lloyd: For obvious reasons, we will consider the next two petitions, P-03-141 and P-03-149, together, because they are the petitions for and against Llanbedr airfield. Joanest, you have provided a very helpful paper. Would you like to make any comments?

Ms Jackson: The paper that was circulated by e-mail was my attempt to undertake the task from a meeting or two ago to try to set out some general points, not related to the specific circumstances, that would, hopefully, help you to understand and take into account points made by both sets of petitioners regarding the duties of national park authorities under National Parks and Access to the Countryside Act 1949. It was not an attempt to interpret the current circumstances in the light of the law, but was something by way of background, which was, hopefully, useful for you in considering the particular petitions.

Val Lloyd: Thank you, Joanest. For obvious reasons, we are considering these petitions together. We have had a response from the Deputy First Minister and Minister for the Economy and Transport.

Michael German: If you put the letter from Jane Davidson alongside the letter from Ieuan Wyn Jones, it is quite clear that the Minister has received a full briefing. I note that it is suggested in the committee's papers that a statement might emerge tomorrow. If that is the case, then we can look at that statement. Since there has been a briefing, I suspect that what we need to know more than anything else is what the obligations are under section 62, and whether these have been complied with and how it has met its duties on those issues. Either we wait for the statement and then write to the Deputy First Minister if it is not in the statement, or, alternatively, we write the letter anyway and we look at the response with the statement when it is provided. We do not know that there will definitely be a statement.

Val Lloyd: No, it is not definite. It may be an educated guess.

Michael German: Perhaps we should write anyway and hope that we can get the statement to go with a response.

Val Lloyd: You mentioned section 62; I am looking at Joanest's paper at the moment—

Ms Jackson: Some people refer to it as section 62, because it was that section of the Environment Act 1995 that introduced a new section, 11A, into the National Parks and Access to the Countryside Act 1949.

Michael German: So, we should refer to section 11A.

Val Lloyd: I had 11A marked down.

Michael German: I am sorry.

Val Lloyd: That is fine. We have had clarification.

Therefore, we will write to the Deputy First Minister asking him how he has met the duties under that section.

Michael German: We could ask him to come back to us with the statement, if one is made.

13 Ionawr 2009

Val Lloyd: The next two petitions, P-03-141 and P-03-149, are on Llanbedr airport—one for and one against. The Deputy First Minister and Minister for the Economy and Transport has now made the decision to grant the lease.

Michael German: I am particularly interested to know whether the duties have been met under section 11A. We asked that question, but we have not had a reply to it. I think that that is the only thing that is outstanding. Is that right?

Val Lloyd: Yes. I think that we should write to the Deputy First Minister and ask for a response on that duty.

Andrew R.T. Davies: There were two petitions, were there not?

Val Lloyd: Yes, one for and one against. We received them back to back. I agree with Mike on this. The Deputy First Minister could be in the middle of formulating that reply, but I still think that we need to send him a letter on this.

10 Chwefror 2009

Val Lloyd: The next item on the list is petition number P-03-141/149 on Llanbedr airfield. If you remember, we received two petitions—one for and one against Llanbedr airfield. The situation is that the Deputy First Minister, in his role as the Minister for the Economy and Transport, has awarded the contract, but we asked for clarification on how he met his responsibilities under section 11A, I think, and requirements of him because of the national park. He has replied and the reply is before us.

Andrew R.T. Davies: I am not quite sure how we could take this petition any further, Chair. We sought clarification, the Minister has made his decision, and it goes back to many things that we might say at certain junctures of petitions. We might not like the decision but someone has to make the decision somewhere along the line. Therefore, I think that this petition has reached the end of the road, as far as we, as the Petitions Committee can take it. Therefore, I would propose closure of the petition.

Val Lloyd: The Minister has replied comprehensively to our request.

Michael German: Could we make sure that both sides receive information on the one issue that had been left outstanding, the section 11A duty, which was raised with us when we received evidence? Can we make sure that both petitioners, who are for and against, receive that statement from the Welsh Assembly Government, so that they are aware that we have taken that matter seriously?

Val Lloyd: Yes; certainly.

Ms Phipps: We will do that. We will also make sure that we close both petitions.

Val Lloyd: Yes. Thank you.

Atodiad 2

Y Pwyllgor Deisebau

Petitions Committee



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Jane Davidson AM
Minister for Environment, Sustainability
and Housing
Welsh Assembly Government
Cardiff Bay
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Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-141/149

4 August 2008

Dear Jane

**PETITIONS - FOR AND AGAINST THE DEVELOPMENT OF LLANBEDR
AIRFIELD**

The Committee is currently considering two opposing petitions, one for and one against, the commercial development of Llanbedr Airfield. These petitions received initial consideration at the Committee's meeting on 23 July 2008.

The Committee resolved to ask that you provide it with an update on the current situation. Specifically, can you please provide details of:

- Whether a final decision has been made on the letting of a contract for the commercial development of Llanbedr Airfield
- The process by which this decision has been, or is being, made
- Whether, if the decision has been made, the Welsh Assembly Government is content with the process by which this decision was arrived at

I would also appreciate copies of any documentation that pertains to each stage of the decision-making process to date, and details of the evidence on which any Welsh Assembly Government decision has been made.

I thank you for your consideration of this matter, and look forward to your response.

Yours Sincerely

Val Lloyd
Chair, Petitions Committee

Y Pwyllgor Deisebau

Petitions Committee

Jane Davidson AM
Minister for Environment, Sustainability
and Housing
Welsh Assembly Government
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-141/9

20 October 2008

Dear Jane

PETITIONS - FOR AND AGAINST LLANBEDR AIRFIELD

The Petitions Committee first considered the petitions for and against Llanbedr Airfield at its meeting on 23 July, and wrote to you on 4 August requesting information on the decision to develop the airfield. The Deputy First Minister, as Minister with responsibility, responded to that letter and a copy is attached at Annex A for information.

The Committee reconsidered the petitions at its meeting on 16 October 2008 and heard evidence from both sets of petitioners. Various concerns were raised by the petitioners and the Committee resolved to write again to the Deputy First Minister on several points. The petitioners against Llanbedr Airfield raised various concerns around the environment and sustainability, in particular allegations that the WAG have not complied with Section 62 Environment Act 1995.

The Committee also agreed to write to you, as Minister for Environment, Sustainability and Housing to ask what involvement your department has had in the consideration of the environmental impact of the proposed development of Llanbedr airfield and its compatibility with the Assembly Government's sustainability agenda, particularly as it is situated within a National Park.

I thank you for your consideration of these petitions and look forward to receiving your response.

Yours sincerely



**Val Lloyd,
Chair, Petitions Committee**

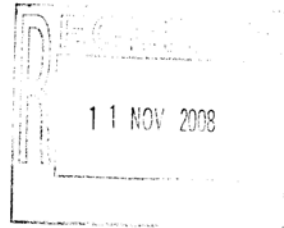
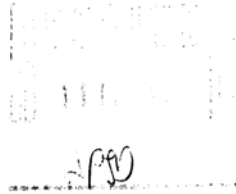
Jane Davidson AC/AM
Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai
Minister for Environment, Sustainability and Housing



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref PET-03-141/9
Ein cyf/Our ref JD/01368/08

Val Lloyd AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
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9 November 2008

Dear Val,

PETITIONS RE LLANBEDR AIRFIELD

Thank you for your letter of 20th October asking about the involvement of my Department in the consideration of the environmental impact of the proposed development of Llanbedr Airfield in the Snowdonia National Park and its compatibility with the Welsh Assembly Government's sustainability agenda.

As you know, the policy responsibility for this matter rests with the Deputy First Minister in his capacity as Minister for the Economy and Transport and officials in his Department have been leading on this matter. As the Minister with policy responsibility for environmental issues, including sustainability, I and my officials have been keeping in close touch with relevant developments here.

As the Deputy First Minister recently explained in a letter to you, he has just received a detailed briefing on all the issues including the duty of the Welsh Assembly Government to comply with Section 11A of the National Parks and Access to the Countryside Act (sometimes described as the Section 62 duty). The matter is now with the Deputy First Minister for his decision.

Yours,

Jane Davidson AM
Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai
Minister for Environment, Sustainability and Housing

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Wedi'i areraffu ar banur wedi'i ailolchu (100%)

Atodiad 3

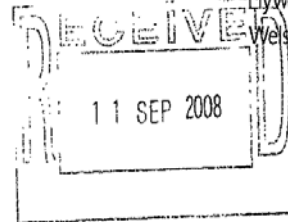
Ieuan Wyn Jones AC/AM
Dirprwy Brif Weinidog /Deputy First Minister

16 SEP 2008
ARB



Eich cyf/Your ref PET-03-141/149
Ein cyf/Our ref DFM/01555/08

Val Lloyd AM
Assembly Member for Swansea East
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

08 September 08

Dea Val

Thank you for your letter of 4 August 2008 which was sent to my cabinet colleague Jane Davidson, the Minister for Environment, Sustainability and Housing about the development of Llanbedr Airfield. I am responding as the Minister with portfolio responsibility for this issue and address below each of the points which you have raised.

It may be helpful if I set out a little of the history. Firstly, no decision has yet been made as regards the future of the Airfield. You may be aware that the Airfield has been in military use since the 1940s. The Ministry of Defence announced in 2002 that it would be ceasing its use of the Airfield. Ever since this announcement was made, the Welsh Assembly Government (together with the WDA before its abolition in April 2006) has been involved in seeking to facilitate an economically and environmentally sustainable future for the Airfield. In particular, in early 2003 the WDA commissioned a report from KPMG as to the most viable future options for the site. The report's conclusion was that a continuation, so far as possible, of the previous use was the preferred outcome. The Ministry of Defence ceased operating at the site in late 2004 and the WDA purchased the site in March 2006. The Welsh Ministers therefore became the freeholders of the site in April 2006 upon abolition of the WDA.

So far as the process is concerned (your second and third questions) and given that the operation and management of an airfield is a specialist activity, it was decided to market the property widely in 2007 with the express intention of attracting a private sector operator which would ensure that the airfield use was continued in support of the Assembly Government Aerospace Strategy and that the activities at the airfield would also benefit the local community in terms of job creation and sustainability. It was decided that a long lease was the most effective means of achieving these combined aims.

As part of this process, a site open-day and tour was held in June 2007 to discuss the Welsh Assembly Government's potential plans with the local community and with other local interested parties. The invitees were co-ordinated primarily through the local Community Council, but the Open Day was also widely advertised through local newspapers and posters at key local sites.

Expressions of interest were received in November 2007 and Kemble Air Services Limited was identified as a preferred bidder to be granted a lease of the Airfield. However, I again

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stress that no final decision has yet been made as to the granting of a lease and consultation is on-going with the Snowdonia National Park Authority and the Countryside Council for Wales.

I am conscious of my duties in making any decisions as to the future of the Airfield including the duty which arises under Section 11A of the National Parks and Access to the Countryside Act 1949 to have regard to the purposes of the National Park. Those purposes include conserving the natural beauty, wildlife and cultural heritage of the National Park and promoting opportunities for the understanding and enjoyment of its special qualities. I can assure you that in making any final decision I will be taking account of all my duties.

As to documentation, I enclose a copy of the following:-

WDA brief to KPMG (undated);
KPMG Report dated 30 January 2003;
Executive Summary of the above dated 7 February 2003 (both this document and the Report itself are marked "draft" but I understand that these are the final versions);
Note of Welsh Assembly Government Mid Wales Region Executive Management Report of 23 May 2006;
Notes for Llanbedr Airfield Community Visits -- June 2007;
Press Release;
Note of Meeting between Officials and SNPA on 21 May 2008.

I trust that this response sufficiently answers your questions.



Ieuan Wyn Jones
Gweinidog dros yr Economi a Thrafnidiaeth
Minister for the Economy and Transport

Y Pwyllgor Deisebau

Petitions Committee



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Ieuan Wyn Jones AM
Deputy First Minister and
Minister for Economy and Transport
Welsh Assembly Government
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Our ref: PET-03-141/149

16 October 2008

Dear Ieuan

Thank you for your letter dated 8 September 2008 regarding the petitions for and against the development of Llanbedr Airfield. At its meeting today, the Petitions Committee took evidence from both sets of petitioners and some important issues emerged.

In your letter you 'stress that no final decision has yet been made as to the granting of the lease and consultation is ongoing with the Snowdonia National Park Authority and the Countryside Council for Wales'. However, during the evidence session it was alleged that signing of the lease is due to take place next week. The Committee resolved to ask you to confirm whether or not this was the case, and if it is whether you would consider delaying the signing until the Committee has had an opportunity to review the evidence and investigate the issues raised more fully.

The Committee also resolved to write to you regarding the other issues raised today, and will do so in detail shortly.

Given the urgency of this matter I would be grateful for an early response, and thank you for your consideration of this matter.

Yours sincerely

Val Lloyd
Chair, Petitions Committee

Y Pwyllgor Deisebau

Petitions Committee

Ieuan Wyn Jones AM
Deputy First Minister and
Minister for Economy and Transport
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Our ref: PET-03-141/149

21 October 2008

Dear

Petitions: P-03-141 and P-03-149 For and Against Llanbedr Airfield

Thank you for your letter dated 8 September. Further to my letter dated 16 October 2008, the Petitions Committee gave further consideration to the petitions for and against Llanbedr Airfield, including taking evidence from both sets of petitioners, at its 16 October 2008 meeting.

A number of issues emerged from the evidence sessions. Both sets of petitioners lacked clarity about the exact details of the proposals for the development of Llanbedr. The petitioners against Llanbedr Airfield raised concerns that in the process of awarding preferred bidder status the WAG failed to comply with Section 62 of the 1995 Environment Act. They also claim that the proposed development should be subject to a full planning application.

The Committee resolved to write to you to clarify:

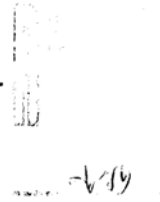
- the details of the proposed development and the terms of the lease;
- what was done in the process of awarding preferred bidder status to ensure compliance with Section 62; and,
- will the proposed development be subject to planning consent before going ahead.

Thank you for your consideration of this matter and I look forward to your response.

Yours sincerely

Val Lloyd
Chair, Petitions Committee

Ieuan Wyn Jones AC/AM
Dirprwy Brif Weinidog /Deputy First Minister



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref PET-03-141/149
Ein cyf/Our ref DFM/02015/08; DFM/01981/08

Val Lloyd AM
National Assembly For Wales
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06 November 2008

Dee Val

Thank you for your letters dated 16 and 21 October 2008. I have also seen your letter of 20 October 2008 addressed to my Cabinet colleague, Jane Davidson. As you are aware, this matter falls within my ministerial portfolio. I respond as follows to the points raised by the Petitions Committee.

Llanbedr Airfield has been operated as an airfield since it opened in June 1941. It ceased to be used by the Ministry of Defence in 2004 with the loss of 130 jobs. Prior to closure as a military airfield, the former Welsh Development Agency (WDA) and Gwynedd Council commissioned KPMG to undertake an economic impact study with the aim of identifying options to reduce the economic impact of closure. Snowdonia National Park Authority was a key consultee and partner in the process and the conclusion of the report was that the most viable and sustainable option for the site was a continuation of existing or similar activity. Both military and civil uses were listed as potential options.

In response to the KPMG report, the WDA started to look at various options for the site and in March 2006 purchased the site with the aim of identifying a private-sector operator for the site which would re-open the Airfield in support of the Welsh Assembly Government's Aerospace Sector Strategy, which includes the promotion of the development of Unmanned Aerial Vehicles using the restricted air zone of Cardiff Bay, and to secure the maximum economic benefit for the local community.

When the WDA merged with the Welsh Assembly Government in April 2006, ownership of the Airfield transferred to the Welsh Assembly.

In September 2007, Llanbedr Airfield was widely marketed and as a result of a thorough two-stage assessment process, Kemble Air Services Limited was selected by officials as the preferred bidder, given their skills and experience, to operate the Airfield as a viable and sustainable business. They currently operate the former military airfield at Kemble, near Cirencester and they own and manage seven former Ministry of Defence properties accommodating more than 100 businesses. Their proposals for Llanbedr Airfield are to re-open the Airfield, initially as an unlicensed airfield to accommodate private flying and unmanned aerial vehicle flying (similar to the drones that the RAF flew from the site) and to let the many buildings on the site for business use, thus providing local employment opportunities. A number of businesses have already expressed interest in occupying premises.

As far as planning is concerned, it is proposed that granting of the lease will be conditional upon Kemble Air Services Limited first obtaining from the Local Planning authority all planning permissions, certificates and consents authorising the use permitted by the Lease. The exact details of the proposed lease have not been finalised, but the proposal is to grant a 125 year lease with use of the site being restricted to that of an aerodrome and uses identified by Classes B1, B2 & B8 of the Town & Country Planning (Use Classes) Order 1987 which are, essentially, office and light industrial use, general industrial use and warehousing. It will then be for Kemble Air Services Limited, in consultation with the local planning authority, to assess as part of the planning process whether or not an environmental impact assessment will be necessary. The planning process will also consider the compatibility of the proposal with the Assembly Government's planning policies, which themselves reflect the Assembly Government's sustainability agenda.

I would emphasise that a full briefing on the proposals for Llanbedr Airfield has been prepared by officials for my consideration which, among other things, addresses the Welsh Assembly Government's compliance with its duty under Section 11A of the National Parks and Access to the Countryside Act 1949 (also known as the Section 62 duty). I have just received this briefing and am currently considering it. I anticipate making a decision as to the future of the Airfield in the near future.



Ieuan Wyn Jones
Gweinidog dros yr Economi a Thrafnidiaeth
Minister for the Economy and Transport

Y Pwyllgor Deisebau

Petitions Committee

Ieuan Wyn Jones AM
Deputy First Minister and
Minister for Economy and Transport
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Bae Caerdydd / Cardiff Bay
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Our ref: PET-03-141/149

26 November 2008

Dear

PETITIONS - FOR AND AGAINST THE PROPOSED DEVELOPMENT OF LLANBEDR AIRFIELD

Thank you for your previous responses to the Committee in relation to these petitions. The Committee considered your last response, dated 10 November 2008, at its meeting on 20 November 2008. Following this consideration, the Committee agreed to ask that you provide it with a final statement outlining how the Welsh Assembly Government has met its duties under Section 11A of the *National Parks and Access to the Countryside Act 1949* in granting Kemble Air Services preferred bidder status.

Thank you for your continued consideration of this matter and I look forward to receiving your response.

Yours sincerely

Val Lloyd
Chair, Petitions Committee

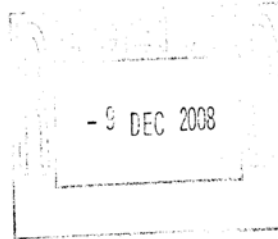
Ieuan Wyn Jones AC/AM
Dirprwy Brif Weinidog /Deputy First Minister



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref PET-03-141/149
Ein cyf/Our ref DFM/02268/08

Val Lloyd AM
National Assembly For Wales
Cardiff Bay
Cardiff
CF99 1NA



ARD
December 2008

Deu Val

Thank you for your letter of 26th November 2008.

I have recently received a detailed report from Officials on the Welsh Assembly Government's compliance with its Section 11A duty in relation to Llanbedr Airfield.

I am currently considering the report and will be issuing a Statement of Information in due course. I will ask Officials to ensure that you receive a copy at that time.

Ieuan Wyn Jones
Gweinidog dros yr Economi a Thrafnidiaeth
Minister for the Economy and Transport

Y Pwyllgor Deisebau

Petitions Committee

Ieuan Wyn Jones AM
Deputy First Minister and
Minister for Economy and Transport
Welsh Assembly Government
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-141/149

20 January 2009

Dear Ieuan

PETITIONS - FOR AND AGAINST THE PROPOSED DEVELOPMENT OF LLANBEDR AIRFIELD

As you are aware, the Petitions Committee is considering two petitions in relation to the development of Llanbedr Airfield for commercial aviation - one in favour and one against.

In your holding response to me dated 5 December you said that you would write to me on the issue of compliance with Section 11a duties, as raised in my letter of 26 November, and also that your officials would send the Committee a copy of your Statement of Information in due course.

The Committee is aware that your Statement of Information was issued before Christmas, so I am writing to remind you that your response is eagerly awaited.

Many thanks for your further assistance in this matter.

Yours sincerely



Val Lloyd
Chair, Petitions Committee

Department for the Economy and Transport
Adran yr Economi a Thrafnidiaeth



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

23rd January 2009

Ms Val Lloyd, AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA



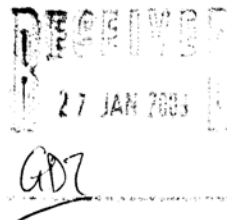
Dear Ms Lloyd

Llanbedr Airfield

With reference to the Deputy First Minister's letter of 5th December 2009 and your subsequent letter to him dated 20th January 2009, I have pleasure in enclosing the Statement of Information, Compliance Report and Press Release relating to his decision in respect of Llanbedr Airfield.

Yours sincerely

Adrian Leonard
Senior Property Manager





Tuesday, 16 December 2008
W081257 DFM

Llanbedr plan will 'maximise local benefits'.

Newyddion News

Following careful consideration of all environmental and legal implications relating to the development of Llanbedr airfield in Snowdonia National Park, the Deputy First Minister Ieuan Wyn Jones has approved the sale of the site to Kemble Air Services.

The sale of the airfield will secure the future of the site and the provision of employment opportunities for the benefit of the local economy.

The Minister said: "I'm satisfied that the disposal of the airfield in this way will maximise the economic benefits to the local community and bring jobs to an area which needs them.

" Llanbedr airfield lies within the Snowdonia National Park and has until very recently been a busy military facility. I am content that this new facility fully complies with our duty to have due regard for the purposes for which the National Park was designated, and that this less intensive use will not have an adverse effect on the conservation of the area."

The grant of a 125 year lease is conditional on Kemble Air Services first obtaining from the local planning authority all planning permissions, certificates and consents authorising the use permitted by the lease.

Kemble Air Services will form a new company, Llanbedr Airfield Estates, to operate the site to accommodate private flying and to let the many empty



buildings on the site for business uses which would create local jobs. A number of businesses have already expressed interest in occupying premises on the site.

Llanbedr Airfield was originally built in 1940 on low lying land between the mountains of Snowdonia and the sea. The main runway is aligned so that approach and landing paths are mainly over the sea.

Llanbedr was officially opened as an RAF camp in 1941 and was used during the war by both the RAF and US Air Force. After the war it was used for armament training and, latterly, for Hawk pilot training and for Eurofighter trials.

Between 1998 and the Airfield's closure by the Ministry of Defence in 2004 there were approximately 53,000 aircraft movements in and out of Llanbedr.

In 2002, when the Ministry of Defence announced its withdrawal from Llanbedr, the former Welsh Development Agency, in collaboration with Gwynedd Council, commissioned a report from KPMG on the impact of closure.

The KPMG report identified continued aerospace and avionic activity as the most viable future for the site having regard to local job creation and protection and environmental factors such as the presence of wildlife habitats and conserving the historic avionic heritage of the site.

In 2006, the WDA purchased the site to secure the future of the airfield - and in 2007, the Assembly Government began marketing the site.

A bid from Kemble Air Services, a very experienced and successful operator of a number of former military facilities, was ultimately selected as the best in terms of delivering sustainable economic benefits to the area.

The proposals for the airfield were opposed by the Snowdonia Society but backed by Gwynedd Council and Llanbedr Community Council. Petitions for and against the proposal were submitted to the National Assembly. An e-petition generated by the Snowdonia society attracted just 156 signatures - while a petition in favour of the proposal generated in the local community attracted 1,240 names.

Ends

For more information contact:

Shan Ekin-Wood

Press Office

Welsh Assembly Government

Tel 02920 898636

Notes to Editors:

- Section 5(1) of the National Parks and Access to the Countryside Act 1949 sets out the two statutory purposes of National Parks which are:

Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Park; and

Promoting opportunities for the understanding and enjoyment of the special qualities of the Park by the public.

The duty also needs to be considered in the context of the duty placed on the Snowdonia National Park Authority under Section 11A(1) of the National Parks and Access to the Countryside Act 1949 which states that, in pursuit of their two statutory purposes, the National Park must seek to foster the economic and social well-being of local communities.

- The importance of the Airfield's role in the regeneration of Meirionnydd has been recognised in the 2008 'Sustainable Regeneration Framework for Central Wales' which identifies *'the development of Llanbedr Airfield to support the diversification of the Meirionnydd economy and the creation of value added employment opportunities'* as a strategic objective.
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[Skip to content](#)



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Proposed Disposal of Llanbedr Airfield, Gwynedd

The Deputy First Minister has: noted actions taken to comply with the duty to have regard to the statutory purposes of the National Park under S11A of the National Parks and Access to the Countryside Act 1949; approved the disposal to Llanbedr Airfield Estates LL on a 125 year lease at a premium of £887,500 subject to planning permissions and certificates for the uses permitted by the lease being obtained; confirmed that the report evidencing compliance with the S11A duty be published.

Date of decision / Dyddiad y penderfyniad:

15 December 2008

Statement of information / Datganiad gwybodaeth:

The Deputy First Minister and Minister for the Economy and Transport has been asked to approve the disposal of Llanbedr Airfield to secure the future of the Airfield and the provision of employment opportunities for the benefit of the local economy.

The proposed disposal of Llanbedr Airfield to Kemble Air Services Limited ("Kemble") will be by way of an Agreement for Lease making the grant of the lease conditional upon Kemble first obtaining from the local planning authority all planning permissions, certificates and consents authorising the use permitted by the lease. The lease will be for a 125 year term at a lease premium of £887,500 plus VAT. It should be noted that Kemble will form a new company, Llanbedr Airfield Estates LLP which will be named as the leaseholder and will operate the Airfield.

In reaching his decision, the Deputy First Minister has considered all the relevant facts and issues, in particular, his duty under Section 11A of the National Parks and Access to the Countryside Act 1949 and has taken account of all the representations made to him.

Following the decision by the Ministry of Defence (MoD) to close Llanbedr Airfield in 2004 with the loss of 130 jobs, the WDA, in partnership with Gwynedd Council, commissioned from KPMG a study to identify options to reduce the economic impact of the closure. The KPMG study recommended a continuation of the existing aeronautical and employment-based use of the site.

The WDA purchased the site from the MoD in March 2006, and the Welsh Ministers became freeholders of the site in April 2006. In 2007, Stuart Hogg Property Consultants, an independent commercial property agent, was appointed by the Assembly Government with a view to identifying an airfield operator that could secure the continuation of the aeronautical and employment-based use of the site.

The site was marketed on a long leasehold basis with a particular emphasis on enhancing the local economy. Among other requirements, the Airfield use was to be continued and

Unmanned Aerial Vehicles would be accommodated. The marketing was extensive and included advertisements in newspapers and journals. 170 enquiries were received and seven parties viewed the site.

Five bids/expressions of interest were received and, after evaluation, two were short-listed. The two short-listed bidders were invited to expand on their proposals and were visited at their existing operations by Officials of the Welsh Assembly Government. The result of this further evaluation was that Kemble Air Services Limited ("Kemble") was selected as the preferred bidder to acquire the Airfield on a 125 year lease. Kemble's proposals are to re-open the Airfield, initially as an unlicensed airfield to accommodate private flying and UAS, and to let the many buildings on the site for business use, thus providing local employment opportunities. A number of businesses have already expressed interest in occupying premises.

Atodiad 4

Y Pwyllgor Deisebau

Petitions Committee

Mr Ronan Harvey
CEO
Kemble Air Services
The Control Tower
Kemble Airport
Kemble
Cirencester
Gloucestershire
GL7 6BA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-141/149

20 October 2008

Dear Mr. Harvey

PETITIONS - FOR AND AGAINST THE DEVELOPMENT OF LLANBEDR AIRFIELD

The Petitions Committee of the National Assembly for Wales has been considering two opposing petitions in relation to the proposed development of Llanbedr Airfield - one in favour and one against the proposed development. It understands that the Welsh Assembly Government has named Kemble Air Services as the preferred bidder for a 125-year lease of this site, but that the Assembly Government has not yet granted the lease.

On 16 October 2008, the Petitions Committee took evidence from panels representing both sets of petitioners. It was apparent that neither set of petitioners had a clear idea of your proposals for the development of Llanbedr Airfield. The Committee agreed to ask that you provide it with details of your proposals, including the number of new, permanent, jobs that your development will generate at Llanbedr, the scope and nature of the development and whether you are planning to use the site for the dismantling of aircraft.

I thank you for your consideration of this matter, and look forward to receiving your response.

Yours sincerely



Val Lloyd
Chair, Petitions Committee

Atodiad 5

Y Pwyllgor Deisebau

Petitions Committee

Aneurin Phillips
Chief Executive
Snowdonia National Park Authority
National Park Office
Penrhyndeudraeth
Gwynedd
LL48 6LF

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-141/9

20 October 2008

Dear Mr Phillips

PETITIONS - FOR AND AGAINST LLANBEDR AIRFIELD

The Petitions Committee of the National Assembly for Wales has been considering two opposing petitions in relation to the proposed development of Llanbedr Airfield - one in favour and one against the proposed development. It understands that the Welsh Assembly Government has named Kemble Air Services as the preferred bidder for a 125-year lease of this site, but that the Assembly Government has not yet granted the lease.

On 16 October 2008, the Petitions Committee took evidence from panels representing both sets of petitioners. Both panels referred to the Snowdonia National Park Authority. As the development of Llanbedr Airfield has clear implications for Snowdonia National Park, the Committee resolved to write to you to ascertain to what extent the Welsh Assembly Government has involved you in the development process, and whether you feel there is more that needs to be done to ensure any future development takes account of any environmental and sustainable factors.

A verbatim transcript of our meeting on 16 October will be available later this week, and I will forward this to you at that time. Until then, you can view a webcast of the meeting at www.senedd.tv

Thank you for your consideration of this matter. I look forward to receiving your response.

Yours sincerely



**Val Lloyd,
Chair, Petitions Committee**



Cyswilt • Contact

☎ Uniangyrchol • Direct

Ein cyf • Our ref

Eich cyf • Your ref

Dyddiad • Date

e-bost • e-mail

Aneurin Phillips

01766 772 202

AP/JO

PET-03-141/9

27th October, 2008

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Val Lloyd
Chair, Petitions Committee,
National Assembly for Wales,
Cardiff Bay,
CARDIFF, CF99 1NA.

30 OCT 2008

Dear Ms Lloyd,

Petitions - For and Against Llanbedr Airfield

Thank you for your letter of the 20th October, 2008.

There are two outstanding issues concerning this site:

1. Whether the Welsh Assembly Government have had regard to the duty under Section 11A of the National Parks and Access to the Countryside Act 1949 (as inserted by Section 62 of the Environment Act 1995 and commonly known as the Section 62(2) duty), to have regard to the two statutory National Park purposes namely:
 - (a) of conserving and enhancing the natural beauty, wildlife and cultural heritage of the Park; and
 - (b) of promoting opportunities for the understanding and enjoyment of the special qualities of the Park by the public
2. Whether what is proposed by Kemble Air Services Ltd. requires planning permission.

I first became involved in May of this year. Previously Planning Officers had participated in a workshop in 2002 which sought to explore possible future uses for the site. Planning Officers met an Assembly Government Official in 2006.

Since my meeting in May with Directors' of Kemble Air Services Ltd. and Welsh Assembly Government officials I have had sight of drafts of a Section 62(2) Statement prepared by WAG in accordance with guidance on the Statutory Duties on Relevant Authorities issued in June 2005 by the then Minister, Carwyn Jones AM. I am awaiting the final version.

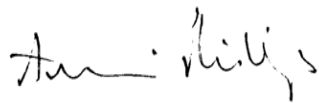
Because it is not clear what Kemble Air Services Ltd. propose as far as the overall use of this site is concerned there remains a possibility that the proposed use of the site as a commercial airfield will require planning permission.

Looking ahead I would like to see:

1. The completion and open disclosure of the final version of the Section 62(2) statement demonstrating how WAG has had regard to its duty to consider National Park purposes.
2. The planning position clarified by the submission of an application for Lawful Use Certificate or subject to legal advice received, the submission of a planning application to the National Park Authority for determination.

These steps would ensure that the decision making process leading up to the disposal and future use of the site is made transparent.

Yours sincerely,

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

Aneurin Phillips.
Chief Executive.

