



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

**Y Pwyllgor Deisebau  
The Petitions Committee**

**Dydd Mawrth, 31 Mawrth 2009  
Tuesday, 31 March 2009**

**Cynnwys**  
**Contents**

- 3 Cyflwyniad, Ymddiheuriadau a Dirprwyon  
Introduction, Apologies and Substitutions
- 3 Deisebau Newydd  
New Petitions
- 5 Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol  
Updates to Previous Petitions
- 18 Cynnig Trefniadol  
Procedural Motion

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

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

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Bethan Jenkins	Plaid Cymru The Party of Wales
Val Lloyd	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)

**Eraill yn bresennol**  
**Others in attendance**

**Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol**  
**Assembly Parliamentary Service officials in attendance**

Alun Davidson	Dirprwy Glerc Deputy Clerk
Joanest Jackson	Cynghorydd Cyfreithiol Legal Adviser
Siân Phipps	Clerc Clerk

*Dechreuodd y cyfarfod am 9.31 a.m.*  
*The meeting began at 9.31 a.m.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon**  
**Introduction, Apologies and Substitutions**

[1] **Val Lloyd:** Good morning, everyone, and welcome to today's meeting of the Petitions Committee. We have received an apology from Mike German, but there is no substitution. I remind everyone to note where the emergency exits are. We are not expecting a fire drill today, so, if you hear the alarm, it will be for real and please make your way to the exit. Please switch off all telephonic devices, as they interfere with the broadcasting equipment. I also remind everyone that channel 1 is for the simultaneous translation from Welsh into English and channel 0 is for amplification.

9.32 a.m.

**Deisebau Newydd**  
**New Petitions**

[2] **Val Lloyd:** We have received two new petitions. The first new petition was raised by Scope Cymru and it calls on the Welsh Assembly Government,

[3] 'to provide co-located further education provision for young people with complex impairments on the campuses of existing mainstream further education colleges across multiple sites in Wales'.

[4] **Andrew R.T. Davies:** As a matter of urgency, can we make the Enterprise and

Learning Committee aware of this petition? I understand that it will take evidence on the petition that we referred to it on the provision of post-19 education, which was received around six months ago. It was certainly some time ago, anyway. I understand that this evidence is to be taken on Thursday. So, with this petition, there may be two lines of questioning that could be explored in one meeting.

[5] **Val Lloyd:** I think that that is a sensible way to proceed, because this one mirrors the previous petition.

[6] **Bethan Jenkins:** There will also be a Plenary debate on it tomorrow, so, following that, can the Enterprise and Learning Committee be given a transcript of the debate, because there may be interesting responses from the Government on it?

[7] **Val Lloyd:** Yes, I think that that would be in order. That is a very good idea. Thank you very much.

[8] We will move forward to our second new petition. This is raised by Monmouth Town Council's community affairs committee. It asks the Welsh Assembly Government,

[9] 'to investigate how to provide support and effective information to people in Wales, who are looking for employment, training or trying to initiate a business enterprise, locally'.

[10] It seems as though the jobcentre has been closed in Monmouth, and those living in Monmouth and the surrounding area have to travel to Abergavenny. I will open it up for discussion.

[11] **Bethan Jenkins:** Closing jobcentres is a Westminster agenda, and I would have thought that this petition falls under the remit of the Communities and Culture Committee. Perhaps we could refer to that committee so that it can look at the impact of the social elements of the economic downturn. The Enterprise and Learning Committee is looking at the broader Welsh economic effect but perhaps we could refer this and say that perhaps the committee wants to consider it, if it is looking into the social impact of the economic downturn.

[12] **Val Lloyd:** Is it currently looking at that?

[13] **Bethan Jenkins:** No, we are not currently looking at that; we are looking at the devolution of the criminal justice system, but it could be an idea for a new piece of work.

[14] **Val Lloyd:** I suggest that we take a two-pronged approach. We can do that and write to the Deputy First Minister and Minister for the Economy and Transport to ask for his views on the situation in Monmouth.

[15] **Andrew R.T. Davies:** I would not want to open up a third strand, but, while I appreciate that the Deputy First Minister has an economic responsibility in Wales, the provision of jobcentres and such advice, as I understand it, comes within the remit of the Department for Work and Pensions. Therefore, it might be worth sending a letter to try to elicit information from the Department for Work and Pensions on current provision, given that provision in Monmouth has been reorganised, and why that reorganisation was deemed necessary and whether it is satisfied with current provision.

[16] **Val Lloyd:** I think that there has also been revision in other places.

[17] **Andrew R.T. Davies:** The petition is specific to Monmouth.

[18] **Val Lloyd:** Of course it is. Okay, we will—

[19] **Bethan Jenkins:** The wording is ‘to people in Wales’.

[20] **Andrew R.T. Davies:** You are right. It is Wales-wide, so we could ask about Monmouth and Wales. We do not want to make it too broad, as we want specifics.

[21] **Val Lloyd:** It is from Monmouth and the jobcentre there is what the petitioners are particularly concerned about. In the further information, they honed in on Monmouth. We will take those three actions.

9.36 a.m.

### **Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions**

[22] **Val Lloyd:** We will move to updates on our previous petitions. The first is on the banning of plastic bags, P-03-063, which we passed on to the Sustainability Committee. It has finished its report on it and the Minister for Environment, Sustainability and Housing has laid a written response to that report. I do not think that there is anything more that we can do on this.

[23] **Andrew R.T. Davies:** The Government gave a comprehensive and favourable reply, and now the process that the Minister has laid out will take its course. Hopefully, this will be used as a good example of how the Petitions Committee is working effectively to get an outcome, and it will raise our profile.

[24] **Val Lloyd:** Thank you, Andrew. You put that rather nicely. We can do nothing more, so we will formally close this petition.

[25] The next petition on student loan regulations, P-03-081, has been with us for some time. We have received a further update from the Minister for Health and Social Services on the current situation regarding bursaries for these specialised courses. Shall we note that and let the petitioners know of the Minister’s response? We are awaiting a further response from the Minister.

[26] **Bethan Jenkins:** Do we know when the modernising pharmacy careers board, which has been initiated by the Department of Health, will come to an end? She says in the letter that it can also be referred to that board. Have I missed something?

[27] **Val Lloyd:** No, but no timescale is mentioned in that paragraph. The Minister says that,

[28] ‘Merfyn Jones will be reporting his findings to me at the end of March’.

[29] That is why I said what I said, but we do not know when that will happen. We could try to find out. We will notify the petitioners of the Minister’s response and that we are waiting for a further update, but we could also try to find out when the modernising pharmacy careers board will report, which will give us a better handle on the timescale.

[30] **Andrew R.T. Davies:** Is this another strand of work that Merfyn Jones is undertaking? I thought that Merfyn Jones was doing two pieces of work—

[31] **Bethan Jenkins:** It is the second part of the review.

[32] **Val Lloyd:** The second part is in March.

[33] **Andrew R.T. Davies:** So, it is the end of March, is it? I thought that it was the end of February, so it has slipped a month.

[34] **Val Lloyd:** It says,

[35] ‘Merfyn Jones will be reporting his findings to me at the end of March’.

[36] Quite often, these reports slip, though, do they not?

[37] **Andrew R.T. Davies:** It is understandable, given the weight of evidence to consider.

[38] **Val Lloyd:** We now move to P-03-085, on surgeries in Flintshire. This petition has now been superseded, has it not?

9.40 a.m.

[39] **Andrew R.T. Davies:** I am a little concerned about this petition. From the start, when we followed the papers through, the petition was received positively: the local health board indicated that there was a need for these facilities. I appreciate that a reorganisation of the health service is currently taking place, which is causing an element of crossover and uncertainty, but I would be loath to close the petition. In reading the correspondence, I do not believe that we have addressed the main thrust of the petition, to be fair. Given that we have had this petition for quite some time, could we go back to the petitioners to see whether they, as individuals or individual surgeries, have any confidence that their aspirations will be met? To be fair, the Minister talks of the ongoing review, but I would like to see that the petitioners are satisfied with the review and with how it is progressing.

[40] **Val Lloyd:** I notice that the last paragraph of the last letter from the Minister states that the Flint project steering group will start local planning again in May. So, why do we not bring this forward, perhaps after recess? If the group is beginning to plan in May, it will not have anything formed. If we bring it back after our recess, we can inquire about the group’s position and how it feels.

[41] **Andrew R.T. Davies:** In tandem, could we write to the petitioners just to see whether they are happy? In essence, if they are happy with the course of action that the Minister has proposed, there is really no need for us to keep the petition open. If they can satisfy us that they have confidence in the review that will start in May, hopefully, we could close the petition. In reading the correspondence, I am just conscious that we have had it for quite some time. The correspondence moves from quite a positive position of saying ‘Yes, we will do X, Y and Z on the estate in Flintshire’ to saying, ‘A review will start in May’ but that may not be completed until the autumn, I suggest. It could be well into next year before progress is made. If the petitioners have confidence in that review, I do not see any need for us to be participating any further and we will have fulfilled our obligations. If they do not have confidence in the review, it is a matter for us as a Petitions Committee to find out why that confidence is not there and perhaps even to take evidence from them.

[42] **Val Lloyd:** I think that that would be okay. Are you happy with that, Bethan?

[43] **Bethan Jenkins:** Yes.

[44] **Val Lloyd:** We will ask for the petitioners’ views on it and we will then decide how to proceed with it following their answer. Thank you, Andrew.

[45] The next petition is P-03-099 on the multi-user pathway at Talybont-on-Usk. We last

had a letter from the Deputy First Minister on this on 21 April 2008, and I wonder whether we should write to him to ask for an update, particularly on the funding. The funding is the point in question here.

[46] **Bethan Jenkins:** I am just concerned that it has taken such a long time. Quite some time has lapsed between the responses to some of these petitions.

[47] **Andrew R.T. Davies:** I believe that the trunk road agency was planning to work up a proposal, although, sadly, the funding stream had not been identified. However, I believe that it was going to work with the petitioners to come up with a proposal so that, should funding become available, it would be on the shelf ready to be lifted off, as it were. I think that our course of action should perhaps be to see whether that proposal is viable and whether it is sitting there waiting for—

[48] **Val Lloyd:** It is a scheme costed at over £100,000. There could have been some end-year flexibility to pay for it. You never know. I say that more in hope, I think. [*Laughter.*]

[49] We will now move on to the next petition, which is P-03-107 on the Welsh-language daily newspaper. We have had a considerable amount of correspondence on this, but we have been attempting to discover the particular state of the market research. I think that we have now taken it almost as far as we can take it.

[50] **Bethan Jenkins:** Given that we know that the Minister for Heritage will not take the idea of a daily newspaper any further, I do not see where it can go, although I take the point that the market research could not tell how successful it would be. It said that you could test it as much as you want, but you would need the idea to come about to gauge any effect. I understand that sentiment, but I think that we should forward this to the Chair of the Communities and Culture Committee for information. I do not see how we can take it further.

[51] **Andrew R.T. Davies:** I have to agree with Bethan on that. It is regrettable that the commitment cannot be made, but it is the prerogative of the Government to make that decision. Looking at the weight of evidence that we have in this file, we can see that extensive negotiations and dialogue have been undertaken. You might not like the decision, but it is the Minister's prerogative to make that decision based on the evidence before him.

[52] **Val Lloyd:** Yes, and we have done all that we can to find that information. I agree that we should close the petition because we have taken it as far as we can. We will forward a completion report to the Chair of the Communities and Culture Committee.

[53] The next petition is P-03-122, on Hafod quarry. The petition calls upon the National Assembly for Wales to investigate the Welsh Assembly Government's decision not to identify Hafod quarry as a site of national importance. We have had evidence in the form of letters from the Environment Agency and the Countryside Council for Wales, and a paper from the Members' research service regarding the designation of special areas of conservation.

[54] **Andrew R.T. Davies:** I believe that we have taken this petition as far as we can. The non-designation of the site is fully compliant. Our role is to see if we can progress this any further, but having read the correspondence, I do not see how we can progress it further. I therefore recommend that the petition is closed.

[55] **Val Lloyd:** I do not think that we can do more. It is clear that the whole of the quarry did not warrant designation, but that part of it did. Bethan, do you have a point to make?

[56] **Bethan Jenkins:** I do not see at this point that we can do more.

[57] **Val Lloyd:** In that case, we will close the petition, as we have fulfilled the request for us to investigate the non-designation of the site.

[58] Our next petition is P-03-124, on Cysgliad, the Welsh spell-check and dictionary program for PCs and Apple Macs. The last letter that we received was from the Minister for Heritage, dated 4 November. He said that he was in discussion with the Welsh Language Board. Should we write to the Minister for an update on that?

[59] **Bethan Jenkins:** Yes.

[60] **Andrew R.T. Davies:** That would seem eminently sensible.

[61] **Val Lloyd:** It is a straightforward point—the last letter was received in November, and it is 1 April tomorrow. That is a reasonable period of time to allow for discussion.

[62] The next petition is P-03-143, on Ysgol Penmaes. This petition requested us to urge the Welsh Assembly Government to invest in better transport links in rural Powys.

[63] **Andrew R.T. Davies:** All committee members are aware that this was linked to a point that arose from our visit to Pembrokeshire. Although the issues were slightly different in that area, there were similar problems with transport. We need to liaise with the petitioners to explain what we have done to date, and equally, to make the point that this is not an isolated problem. This is a wider issue, and we can look at the original petition from Pembrokeshire to see if anything can be carried over to this petition. I believe that we then need to ask the petitioners if they are satisfied with what has been done. I do not see how we can push this forward any further, unless I am missing something.

[64] **Val Lloyd:** I agree.

[65] **Bethan Jenkins:** The only thing is that the Government has undertaken two pilot schemes, one in Bridgend and one in north Wales, and is saying that the cost could be extended therefore, should we not wait until it decides whether that will happen?

[66] **Andrew R.T. Davies:** I concur. That is what I mean about liaising with the petitioners—to see whether they are aware of the pilot schemes. On the weight of evidence that we have gathered so far, we can then find out if they are happy with what has been done. I do not see how we can progress it any further, other than establishing that communication link.

[67] **Val Lloyd:** What if we send them a video clip on the issues around bus services and transport in rural areas, and then they can respond?

[68] **Bethan Jenkins:** So, instead of writing them a letter, we would send a video clip.

[69] **Val Lloyd:** Yes.

[70] **Bethan Jenkins:** We would not close it, in order to allow them time to send a response.

[71] **Val Lloyd:** Yes—whichever type of response they choose to send, and whichever medium they want to use. It is up to them. Perhaps we could do that.

[72] **Bethan Jenkins:** I have done one video clip already, so Andrew might want to do the next one.



[73] **Andrew R.T. Davies:** I did not like to suggest it. I did not know what it was about, to be honest with you.

[74] **Val Lloyd:** I only know because I did one last week for someone else.

9.50 a.m.

[75] **Bethan Jenkins:** We did a video clip for the previous Mencap Cymru petition for Ysgol Hen Felin, when it asked for more provision for community facilities for young people. I responded with a video clip to that. That might be something that we want to progress. Letters can be quite stuffy.

[76] **Andrew R.T. Davies:** That is a novel and innovative way of communicating, especially with young people.

[77] **Val Lloyd:** That is what we thought.

[78] **Andrew R.T. Davies:** You need a young member of the committee to do that.

[79] **Val Lloyd:** Excuse me; I did one last week too. [*Laughter.*]

[80] **Bethan Jenkins:** Put a T-shirt on, and a pair of shades. [*Laughter.*]

[81] **Val Lloyd:** We will now move on to our next petition on the agenda, which is P-03-144—the Guide Dogs for the Blind Association petition. This has been with us a long time. It is not that we have dragged our feet on it; it has been with us a long time for a reason, namely that we have been taking things forward.

[82] **Andrew R.T. Davies:** When I was a member of the Enterprise and Learning Committee not so long ago—less than a month ago—the Deputy First Minister came to give evidence in connection with the Sustrans legislative competence Order bid. He highlighted that the Government will be bringing its recommendations forward for sustainable routes. I know that it has announced the sustainable towns initiative and the fact that Cardiff is to be the pilot town, but I am led to believe that a comprehensive package is coming from the Government in connection with walking, cycling and sustainable transport. This petition covers it, to a point. If the committee recommends writing to the Deputy First Minister, perhaps we could ask what consideration has been given, in devising this strategy, to the concerns of the Guide Dogs for the Blind Association and user groups that have severe reservations over shared space. The Deputy First Minister told the Enterprise and Learning Committee that this report would be imminent—I believe that that is the word that he used.

[83] **Val Lloyd:** So, we would still have time to—

[84] **Andrew R.T. Davies:** As far as I am aware, it is not in the public domain at present. We are in the last week of Plenary sessions now, so I presume that it will come out in the early summer.

[85] **Val Lloyd:** So, we could ask him what consideration he has given to the concerns regarding shared use.

[86] **Andrew R.T. Davies:** Exactly, and it might be worth trying to elicit when the report will be coming out, so that we could inform the petitioners of that and, subject to their having sight of the report, it might answer some of their reservations and concerns.

[87] **Val Lloyd:** Yes, I think that that is a good way forward. Bethan, are you happy with

that?

[88] **Bethan Jenkins:** I wanted to ask a point of clarification. I thought that there was a report on a UK level too.

[89] **Ms Phipps:** A two-year research project is being done.

[90] **Bethan Jenkins:** Is it the case that we cannot make any progress on that until—

[91] **Ms Phipps:** I believe that the Welsh Assembly Government has indicated that it is going to be part of the steering group for that research, and I think that the Guide Dogs for the Blind Association is aware of that and can feed in its concerns.

[92] **Bethan Jenkins:** So perhaps we should just flag that up again with Ieuan Wyn Jones. It is two-pronged—there are two elements to it.

[93] **Val Lloyd:** It is a two-year research project, is it not? I share some of the concerns about shared space. I think that there is a genuine reason for the concern. So, it is two-pronged, as Bethan said.

[94] We now move on to petition P-03-145, on fuel prices. Do you think that it is time that we closed this petition? I do not think that we can take it any further.

[95] **Andrew R. T. Davies:** To be fair, Chair, the Enterprise and Learning Committee is a very good host committee for us. We will be calling it a subsidiary of our committee before long, and I mean no offence by that; it is very proactive in dealing with the issues of the Petitions Committee. There has been a full debate on fuel prices in Plenary, and key recommendations have been made within the confines of what we can do in the Assembly. I know that that will probably not address the real concerns of the petitioners, which were around taxation, but hopefully, they will feel that they have had value for money on this petition.

[96] **Val Lloyd:** Yes, I agree. Are you happy with that, Bethan? I see that you are, so we will formally close this petition and, as is our wont, we will send a summary to the petitioners.

[97] The next petition is P-03-150, on national cancer standards. We have been dealing with this for some considerable time. We have received correspondence from the Minister, and we have also written to the Health, Wellbeing and Local Government Committee. The wording of this petition indicates that it should be completed by March 2009.

[98] **Andrew R.T. Davies:** This makes a good case for wording petitions openly enough for them to be carried forward. Sadly, because the petition is time-limited to March 2009, and our remit is to work within the confines of what the petitioners have asked us to do on their behalf—I seek direction from the clerk—does it mean that we cannot really take it forward any further?

[99] **Ms Phipps:** I think that the petitioners are asking for the standards to be in place by then. We can still put pressure on for that to continue; at least they will then be implemented. You are aware that we have informed the Health, Wellbeing and Local Government Committee of this petition, in case it wanted to take anything forward.

[100] **Val Lloyd:** The Minister has made firm statements that, by April, there will be a detailed self-assessment of compliance with the national cancer standards, and on a few other issues. As this has been brought to the attention of the Health, Wellbeing and Local

Government Committee, it will not go unnoticed.

[101] **Bethan Jenkins:** Perhaps we should keep it open until we know whether the committee is going to actually consider it.

[102] **Andrew R.T. Davies:** There is another piece of work, namely an all-Wales summary report, which the cancer services co-ordinating group will prepare by the middle of July. So, strands of work are being undertaken that will, it is hoped, be accumulated by the end of the summer. We, as the Petitions Committee, should be keeping a watching brief on that work to ensure that the conclusions are brought forward within the timeframe, as the Minister states. While that does not meet the petitioners' objectives—the petition talks about the standards being in place by March 2009—I think that we are all aware that, sadly, timeframes do move.

[103] **Val Lloyd:** I agree with what you are saying, but the difficulty is that, when this petition was sent to us, 'local health boards' had a totally different meaning to what a local health board will be from 1 June. I know that they are in shadow form until October, but I suppose that technically—and it is technical—we should close this petition, but I will, obviously, be guided by Members.

[104] **Andrew R.T. Davies:** I think that there is sufficient thrust here to keep a watching brief on it. There are strands to consider; the Health, Wellbeing and Local Government Committee, I believe, is currently considering the work programme. If we did close the petition, I presume that we would close down the opportunity for the Health, Wellbeing and Local Government Committee to take the petition forward. Would that be the case?

[105] **Val Lloyd:** No, I think that we can close it in terms of what we can do as a committee, but if we referred it to another committee, it could take it forward; but I will take advice on that.

[106] **Andrew R.T. Davies:** I thought that our protocols were always that, if we referred petitions to another committee, we kept them open just to make sure that they did not get lost in the system. I might be wrong about that.

[107] **Ms Phipps:** Technically, we have kept them open, have we not? However, we are not taking any further action; we forward them to the other committee.

[108] **Mr Davidson:** If the petition is not going to come back to this committee, the committee can close it and refer it to the other committee. The general principle is that we would only look to do that in cases relating to legislation, and, obviously, this committee does not have a remit to bring forward legislation. In those cases, petitions have, wholesale, been referred to other committees. So, I think that, normally, the petition would be kept open if another committee was to consider it, and then it would come back. That is similar to the fuel prices petition, for example, that we considered earlier today.

[109] **Bethan Jenkins:** I think that we should stick to that precedent, so that it can come back to us.

[110] **Val Lloyd:** What do we do if the Health, Wellbeing and Local Government Committee decides not to look at it?

[111] **Bethan Jenkins:** We could then consider other avenues; we could look at Plenary or—

[112] **Val Lloyd:** These are actions; I am answering my own question. If the Health, Wellbeing and Local Government Committee decides not to look at it—because, obviously, it has a lot of other things in its work programme; although Andrew and I are both members of

it, we cannot answer for the whole committee—we could come back and see whether the issues in the four bullet points have been dealt with, and then we could write for clarification. So, perhaps we could keep it open and take it forward that way, to see what is in the current forward work programme of the Health, Wellbeing and Local Government Committee, which is supposed to make a decision quite soon.

[113] **Andrew R.T. Davies:** I think that that is on Thursday, is it not, or certainly in the first week of next term?

[114] **Val Lloyd:** If not, we could check on those four bullet points later in the year.

10.00 a.m.

[115] **Bethan Jenkins:** I would like to raise a point of clarification. With all due respect, the petitioners would not have known about the changes to the local health boards. If there are to be changes on this side, we cannot say that the petition is perhaps not as relevant, or is more relevant, because the reorganisation of the health service means that their petition might not have the same impact. We should be careful about that in future. They were not to know, were they?

[116] **Val Lloyd:** No, they were not to know at all.

[117] **Bethan Jenkins:** We should be mindful of that, because we want it to be as simple for them as possible when they submit petitions.

[118] **Val Lloyd:** Of course. However, the thrust of their petition—taking away dates and the names of organisations—was to ensure that the standards were in place. As long as we ensure that the standards are in place, then it does not matter about nomenclature. Thank you very much.

[119] We will move on to petition P-03-153, which relates to body piercing. [*Interruption.*] I was trying not to say that.

[120] **Andrew R.T. Davies:** I thought that we had agreed that we were going to go on a trip to look into this petition further.

[121] **Bethan Jenkins:** You did suggest that.

[122] **Andrew R.T. Davies:** I did recommend it.

[123] **Bethan Jenkins:** Siân is nodding her head.

[124] **Val Lloyd:** I took your request to be jocular. We have a legal opinion here, so I wonder whether Joanest could advise us on that.

[125] **Ms Jackson:** I have set out in the paper the position regarding the law as it is. It points out that current legislation allows local authorities to make bye-laws concerning cleanliness of premises, but no regulation-making powers are conferred on Welsh Ministers to allow them to make regulations enabling local authorities to take matters further regarding the age of customers, or clients, and the like. The paper sets out that a totally different approach is taken in London, because there is an Act of Parliament, the London Local Authorities Act 1991, which allows authorities within Greater London greater latitude in their licensing of premises where what they define as ‘special treatment’ is carried out; that is:

[126] ‘massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light,

electric or other special treatment of a like kind or vapour, sauna or other baths’.

[127] Currently, the Assembly has no legislative competence to bring forward legislation of a similar nature, although I cannot see an impediment to seeking such powers, because the legislation in London is obviously fixed within the local government arena and the Assembly is able to acquire legislative competence in areas relating to local government. I do not see that there would be an impediment if there was a will to seek such competence. I am not making any recommendations or expressing any views on it, I am simply saying what my opinion is as to the possibilities that exist.

[128] This takes us on to a matter that the clerks and I have discussed, namely that the Petitions Committee is seemingly getting more petitions relating to the possibility of acquiring competence in certain areas. As you are aware, there is scope for Ministers to bring forward proposals for legislative competence areas and for committees to do so, although this committee cannot do so of its own accord, and Members are entitled to put forward suggestions and place their bids in the ballot. We were wondering whether there would be merit in our keeping a list or bank—and I am not sure who would compile this list or bank, or whatever you want to call it—of such suggestions that seem to arise from petitions that come in, which could be accessed by Members, maybe, when they were considering areas with potential for legislation.

[129] **Val Lloyd:** An excellent idea.

[130] **Ms Jackson:** In some instances, some background work has already been done. Colleagues have assisted me in preparing advice for this committee, so a certain amount of background work has been done in any event, and that will prove useful in advising Members, individually or as a committee, on proposals for Members’ legislation.

[131] **Andrew R.T. Davies:** Perhaps straying away from this subject somewhat to the topic of tanning salons and their use by those who are underage, would I be right in thinking that they would fall under the same piece of legislation, in that this institution has no authority or capability to legislate to make it an offence for someone under a given age to access a tanning salon. Therefore, while body piercing is one aspect, the tanning business is another.

[132] **Ms Jackson:** The London Local Authorities Act 1991 defines ‘special treatment’ in a particular way, but there is more than one way of defining a ‘special treatment’. Again, it is a licensing issue, and I do not see why you could not include tanning as a special treatment.

[133] **Andrew R.T. Davies:** It is a topical issue.

[134] **Ms Jackson:** It is something that one would have to look into further, if there were a proposal. That is the initial view on the matter.

[135] **Val Lloyd:** The compilation of a list, which would be helpful not only to members of this committee, but to all backbench Assembly Members, is an excellent idea. We are in touch with the general public more than other committees, as they tend to deal with specialised areas that concern that part of the general public that has special interests. We, however, deal with people across the board. To keep such a register is a really good idea. Is there any way we can inform Assembly Members about it?

[136] **Ms Jackson:** If Siân, Alun and I take it further, I am sure that we can come up with some way of ensuring that, and of deciding the best repository for it. We can bring that back as a paper to note, for you to know what conclusions we reach.

[137] **Val Lloyd:** That would be helpful.

[138] **Andrew R.T. Davies:** First, I think that that is an excellent idea, but we should adopt a twin-track approach by writing to Brian Gibbons to see whether there is Government-proposed legislation that this could be appended to, as that would speed up the process.

[139] Secondly, possibly as a way of showing my distance from the proposed local authority Measure that is going through—it is a proposed Measure and not an LCO, is it not? So, they could not do anything on it. I stand corrected. However, we should write to Brian Gibbons.

[140] **Val Lloyd:** Yes, I think that we agree with you on that. Bethan, do you agree?

[141] **Bethan Jenkins:** I was just trying to think of how we could promote it for Assembly Members and perhaps the public at large as well. I proposed an LCO based on a petition that we received on second homes. I feel that we on the Petitions Committee are the only ones who are party to that information, unless AMs go rooting for it. Perhaps that is something that we can think about for the online fora. If there are ideas for some LCOs that are more popular than others, perhaps more discussion will be generated, and an Assembly Member may be more inclined to pursue the matter. Some development of the arguments is needed.

[142] **Andrew R.T. Davies:** A good way of circulating it to AMs would be for Siân, Joanest and Alun to present a paper on various proposals and then forward it to each party's business manager, so that they could circulate it among their group. Sadly, for my part, I have had an LCO request pending from day one, and although you can change the title, you are only allowed one proposed LCO at a time. I am sure that there are Members in each group who do not have an LCO request pending. As there is no overarching means of communicating, surely the business managers would offer a way of doing that.

[143] **Val Lloyd:** Shall we wait until we have the paper? Let us take forward the suggestion of a paper, and then we will bring it back for discussion, which may be the best way of advertising it, so to speak. Thank you very much, Joanest, not only for the advice on that particular petition but also for further advice on ideas for future LCOs.

10.10 a.m.

[144] We now turn to petition P-03-156 on sleep apnoea.

[145] **Andrew R.T. Davies:** I was at a presentation yesterday about sleep apnoea at the Royal Gwent Hospital estate. It was highly enlightening, to say the least, because of the amount of the general population that suffer from it and also the readily-available solutions once diagnosis is undertaken. I understand that an audit is being carried out at the moment looking at the provision in respect of this, and it is due to report in the autumn. Am I correct in saying that?

[146] **Val Lloyd:** Yes, in September, I believe.

[147] **Andrew R.T. Davies:** While it would be foolhardy to prejudge that audit because we should wait to see the outcomes, it might be worthwhile to go back to the petitioners, because it is only the start of the summer, to see whether they have confidence in the audit and whether they are happy for us to keep a watching brief until the audit reports are completed, or whether they think that there is another action that we could take in parallel with the audit.

[148] **Val Lloyd:** I see that there is agreement on that way forward. We will keep a watching brief until October, until the second audit has been completed and we get the results. We will also write to the petitioners accordingly.

[149] We will move to petition P-03-163 on improvements to the A487. We have received a response from the lead petitioner following the Minister for Economy and Transport's response about what has taken place. A roundabout has been introduced, has it not?

[150] **Andrew R.T. Davies:** Have the aspirations of this petition been met, Chair?

[151] **Val Lloyd:** I think that they have been hugely met. There are some smaller points that have not—

[152] **Bethan Jenkins:** The ramps above Waunfawr crossroads have not been implemented.

[153] **Val Lloyd:** The major issues have been addressed.

[154] **Andrew R.T. Davies:** As the major issues have been addressed, I move that we close the petition because the bulk of what was required of us seems to have been achieved.

[155] **Val Lloyd:** I agree that this petition has virtually been fully addressed and I agree that it should be closed.

[156] **Bethan Jenkins:** There are negative points in the letter, but there are also positives, and the petitioners have had the opportunity to write back to us to say what they think. So, we have given them due consideration.

[157] **Val Lloyd:** Thank you very much. This petition is closed.

[158] We move to petition P-03-166 regarding Abertillery Hospital.

[159] **Andrew R.T. Davies:** I know that it was only on 6 March that the letter was sent to the chair of Gwent Healthcare NHS Trust, and the response to it will be critical in forming our opinion on the way forward. Therefore, I suggest that we wait until the letter comes back and hope that that will be sooner rather than later. There was also the aspect of the listing of the main building and perhaps it would be worthwhile finding out how that listing has progressed.

[160] **Val Lloyd:** It is the main building and the gates. If Mike were here, I am sure that he would know more about it. We should delay action on that.

[161] The next petition is petition P-03-172 on the Swansea-Cork ferry. As I have done in previous meetings, I will take part in the discussion but I will not take part in any decisions to take this forward because of my known interest in this subject.

[162] **Andrew R.T. Davies:** I am trying to cast my mind back to the previous meeting, but there seemed to be a slight discrepancy in the level of assistance. The port manager from Associated British Ports highlighted how he was unaware of what support might be available from the Welsh Assembly Government. I am thinking of when we last discussed this item at the last Petitions Committee meeting. Were we not going to look into the level of assistance that the Deputy First Minister's department could afford this venture?

[163] **Ms Phipps:** We received a reply from the Minister, dated 9 March, which stated that discussions had been taking place between his officials and the Swansea-Cork port people.

[164] **Val Lloyd:** There have also been more public meetings in Swansea, as Bethan and I would know, about raising individual capital.

[165] **Bethan Jenkins:** Quite a lot of information has been flying around from one body to another. It might be interesting for us to have the petitioners in to provide us with evidence,

because we need to get a holistic view on this. I also think that we should write back to Ieuan Wyn Jones to ask for more clarification on what has been said in the meetings with representatives from Associated British Ports because the information that we have does not give us a very clear outline of what is being discussed and how assistance is provided, potentially, for it.

[166] **Andrew R.T. Davies:** I would be happy to have the petitioners in.

[167] **Val Lloyd:** I am happy to accept Members' decisions on that.

[168] **Andrew R.T. Davies:** Here is the point that I was trying to make—I am sorry; I should have read it out—about start-up assets. It is in the last full paragraph of the letter on the gap. It states that if there is, in any form, financial assistance that the Welsh Assembly Government is able to provide by way of start-up assistance and/or loans, then he would be very keen to identify these opportunities with you or appropriate colleagues.

[169] My concern is that such a well-founded scheme had still, at that stage, not been able to identify support from the Welsh Assembly Government. However, the Minister does identify—

[170] **Val Lloyd:** He does identify that he has been in discussions with ABP. There have been further meetings in Swansea with interested parties.

[171] **Andrew R.T. Davies:** Shall we extend an invitation to the petitioners to come in to speak to us, along with Bethan's proposal for Associated British Ports to do the same, if the organisation so wishes. I presume that ABP is separate to the petition.

[172] **Val Lloyd:** Associated British Ports is separate to the petition. The petition is not raised by ABP, which is the landholder, as you know.

[173] **Andrew R.T. Davies:** Yes. It runs the port.

[174] So, is that all right, Chair?

[175] **Val Lloyd:** So, you are suggesting—

[176] **Bethan Jenkins:** I did not suggest inviting ABP to give evidence. I suggested inviting the petitioners and that we should clarify with the Minister on the grounds on which his department had the discussions with ABP, because I did not think that that was clear.

[177] **Andrew R.T. Davies:** Okay. Perhaps we can get the petitioners in and then seek clarification from ABP to see whether it is happy with the level of assistance that it is now currently receiving, given the paragraph that I read out.

[178] **Val Lloyd:** Bethan suggested that we should also write to the Minister.

[179] **Bethan Jenkins:** Yes.

[180] **Andrew R.T. Davies:** Yes.

[181] **Val Lloyd:** Okay. Thank you. The next petition is P-03-184, on concessionary bus fares. I do not think that there is much else that we can do with this petition because it is a local authority issue.

[182] **Andrew R.T. Davies:** It is clearly a local authority bus route and we tend not to delve



into local authority issues because they are not really within our remit.

[183] **Val Lloyd:** Basically, we cannot take this petition any further.

[184] **Andrew R.T. Davies:** I propose that we close it.

[185] **Val Lloyd:** Thank you. The proposal is accepted.

[186] The next petition is P-03-190—‘No Ely Valley Airport Road’.

[187] **Andrew R.T. Davies:** We have a weight of evidence before us, Chair. I believe that the Minister’s statement is due in late spring. I believe that May is the time specified—it would be May because if we exclude recess, we are into May. The NEVAR group has raised specific issues. Perhaps an evidence-gathering session would be of benefit. Perhaps the group could come in to make a presentation to highlight where it believes that the consultation process has failed to meet the aspirations of the consultees.

[188] **Bethan Jenkins:** Do you want to get the petitioners in to ask them—

[189] **Andrew R.T. Davies:** I want the NEVAR group to come in to give us a presentation along the lines of the issue raised in the petition over the consultation process.

10.20 a.m.

[190] **Val Lloyd:** Andrew, I wonder whether that, perhaps, would be the step after what I am going to say. We have a piece of work from the Members’ research service, which clearly points to the fact that the basis used by the Welsh Assembly Government for decision making might possibly have been out of date. I wonder whether, as the next step—so that we are fully informed—we should write to the Deputy First Minister regarding the evidence for the business case, because obviously the business case rests on that evidence, does it not? That would be a request for further information on that, so that we—

[191] **Andrew R.T. Davies:** Anything to bring clarity to the situation, because I understand—

[192] **Val Lloyd:** That is what I am trying to get.

[193] **Andrew R.T. Davies:** As a regional Member—like all the regional Members and the constituency Member—the group has been in touch with me to inform me of its reservations, and therefore anything to clarify how the Deputy First Minister went about instigating the consultation would be of great service.

[194] **Val Lloyd:** I am basing—

[195] **Bethan Jenkins:** It is not on the consultation, is it? This is on the evidence for the business case—

[196] **Val Lloyd:** It is the evidence base, at the moment, yes.

[197] **Andrew R.T. Davies:** Yes, the evidence in the business case is important, but the consultation forms an integral part, given the information process that took place, the public meetings that were held, and given that there was a comprehensive programme of meetings; Ove Arup & Partners Ltd, the consultants, were commissioned to organise that and develop that case.

[198] **Val Lloyd:** I am not saying that we should not do that; I am suggesting that we have an interim stage and then, when we have had a reply from the Deputy First Minister, we consider how best to take it forward, because that will inform us. I also read the work from the Members' research service, and it seems to me that the evidence base on which the decision for an airport relief road might have been made used dated information. However, I may not be party to material that the Deputy First Minister has. So, I think that we should ask him first, and then we will be better informed as a committee to take it forward however we wish.

[199] **Andrew R.T. Davies:** I am happy with that.

[200] **Val Lloyd:** We now move to petition P-03-194, which is on the Rhymney valley bus service.

[201] **Bethan Jenkins:** Shall we refer it to the council?

[202] **Val Lloyd:** Yes, I think that it is like the previous one; we will have to close this petition and refer it to the council. Does everyone agree? I see that you do. There is one item that I am going to ask the clerk to raise with us.

[203] **Ms Phipps:** It is a further update on the education maintenance allowance petition that we considered at our last meeting. I raise it given that we will not meet again until after the recess. On 30 April, the Enterprise and Learning Committee is taking evidence from the Minister on the EMA, and I thought that it would be useful if we could just pass that petition to that committee, so that it can take it into account when questioning the Minister. I just wanted the committee's approval for that.

[204] **Val Lloyd:** Obviously we did not have that information to put in the paper. So, are you happy with that? I see that you are.

[205] **Andrew R.T. Davies:** Is there a way, Chair, regarding the Rhymney bus routes—and there was another petition about Carmarthenshire bus routes—that when the petitions arrive, it is pointed out to the petitioners that as, in essence, it is a local authority issue, the remit of the Petitions Committee means that it is unable to deal with it?

[206] **Val Lloyd:** The wording in the Rhymney valley bus service petition was that the petitioners 'call upon the Welsh Assembly', in relation to the reintroduction of the bus service, local transport, the local transport grants, and so on. We then have a duty to look at it. If it is a council decision, we will find that out later on. However, I do not think that we can just say that it is a council decision; we have to look at it first.

10.24 a.m.

### **Cynnig Trefniadol Procedural Motion**

[207] **Val Lloyd:** Subject to the committee's agreement, I want to invite the committee to agree that we resolve to meet in private so that we can deliberate on the content, conclusions and recommendation of the report that we intend to publish on our short inquiry. I move that

*the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).*

[208] I see that the committee is in agreement.

*Derbyniwyd y cynnig.*

*Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.24 a.m.*  
*The public part of the meeting ended at 10.24 a.m.*