



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

**Y Pwyllgor Deisebau
The Petitions Committee**

**Dydd Mawrth, 15 Mehefin 2010
Tuesday, 15 June 2010**

Cynnwys
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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi 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

Christine Chapman	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Michael German	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Bethan Jenkins	Plaid Cymru The Party of Wales

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

Joanest Jackson	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Andrew Minnis	Dirprwy Glerc Deputy Clerk
Naomi Stocks	Clerc Clerk

Dechreuodd y cyfarfod am 9.28 a.m.
The meeting began at 9.28 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Christine Chapman:** Bore da a chroeso. Good morning, and welcome to this meeting of the Petitions Committee. I will start with a few housekeeping matters. Please switch off all mobile phones and any other electronic equipment, as they can interfere with the broadcasting. If the fire alarm sounds, the ushers will tell everyone what to do and, if necessary, direct you to the nearest fire exits. We have not had any apologies this morning, but I want to congratulate Mike on his recent appointment to the House of Lords. Congratulations, Mike. It is well deserved.

9.29 a.m.

Deisebau Newydd
New Petitions

[2] **Christine Chapman:** The first new petition to deal with is P-03-272 to stop equines from being used underground. The petition was raised by the Pit Pony Sanctuary, which collected 171 signatures. It calls for the Welsh Government to include in a code of practice for the welfare of equines a stipulation that equines should not be used underground. I have written to the Minister for Rural Affairs seeking her views on the petition. Are Members happy for me to await that response? I see that you are.

9.30 a.m.

[3] The second of the new petitions is P-03-282, which calls for the continuation of funding for early-onset dementia support services. This petition was raised by Dawn John, and has 36 signatures, although a related petition collected approximately 1,000 signatures. It

calls for the Welsh Government to protect funding for the early-onset dementia support services at Oldwell Court in Roath. We have written to the Minister for Health and Social Services to seek her views on the issues raised by the petition, and a statement was made by the Minister in Plenary on 11 May on the dementia plan. Are you happy to await the Minister's response? I see that you are.

[4] The next new petition is P-03-292 on public toilet provision. This petition was raised by councillor Louise Hughes, and it has collected 430 signatures. I understand that councillor Hughes cycled throughout Wales last week to collect signatures. It calls for the National Assembly to undertake an investigation into the health and social wellbeing implications of poor toilet provision, and for the Welsh Government to issue guidance to local authorities to ensure adequate public toilet provision. We have written to the Minister for Social Justice and Local Government. Again, are Members happy to await the response, or should we take any other actions?

[5] **Andrew R.T. Davies:** Maybe we should write to the Welsh Local Government Association as well, because it is responsible for maintaining and running many of the public toilets across Wales. It would be good to get a feel from a local government perspective—although, admittedly, the Minister is responsible as well—to see what the provision is in all 22 local authorities, because I bet that it is quite diverse across Wales.

[6] **Bethan Jenkins:** Perhaps we should also contact the planning departments, because there not always toilet provision in new out-of-town centres, and it would be good to see whether that is stipulated as part of the planning process. If people are to use town centres less and out-of-town facilities more, we need a balance of provision. It would be interesting to know that.

[7] **Michael German:** This is a petition that would warrant an investigation in some detail. I know that our time is precious on this committee, so I wonder whether the Health, Wellbeing and Local Government Committee would be interested in doing a short inquiry on this matter.

[8] **Christine Chapman:** I agree. Are Members happy with that suggestion? I see that they are.

9.32 a.m.

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[9] **Christine Chapman:** The first update is on P-03-065, on NHS dental charges. It called for a review of NHS dental charges, specifically highlighting the different costs between treatment bands 2 and 3. The Minister states in her response that a review sub-group recently looked at the feasibility of introducing new charging bands, and there are no plans to develop that further. You will also know that the British Dental Association states that it regards charges to be an issue for the relevant Government, and that it has had some concern about this as well. Are there any thoughts on this one?

[10] **Andrew R.T. Davies:** With the evidence that we have, namely the Minister's response and the British Dental Association's response, should we go back to the petitioners? We could say that this is the state of play and that we recognise that it is not ideal, but perhaps they could give us their views on where the Minister's response sits with their aspirations for the petition.

[11] **Christine Chapman:** Are Members content with that? I see that they are.

[12] The next update is on P-03-150, on national cancer standards. This asked for an investigation into whether local health boards will have the tools in place to meet the national cancer standards. The Minister for Health and Social Services responded to the committee's request for broad information on the areas of improvement by explaining that non-compliance was for a number of reasons, ranging from missing data to more challenging areas such as waiting times for radiotherapy. She also notes that, while there is still room for improvement of cancer services, the clinical outcomes are good and improving. I know that there was some press coverage of this recently, and there was also a Plenary debate on the issue on 19 May. Are there any thoughts on further action? We could write to the Minister to ask certain things.

[13] **Andrew R.T. Davies:** The key to this petition is the aspiration for the change in guidelines to be met by September 2010; it was March 2009 originally, and it is now September 2010. The key players here are the local health boards, with their ability to meet those targets. It may be pertinent for us as a committee to ask the seven LHBs directly whether they are in a position to meet those standards by September 2010, which is only three months away. If they are not in a position to do so, we need to ask them when they believe they will be able to meet them. The petition calls for the standards to be met; if they cannot be met by 2010, we need to know what action the LHBs are taking to ensure that they will be able to meet those standards, in a relatively short period of time.

[14] **Michael German:** In her letter of 17 May, the Minister states that she relies on reports from the Welsh cancer intelligence and surveillance unit and the national clinical audit advisory group. Could we get the latest copies of those reports—I would have thought that they must be in the public domain.

[15] **Christine Chapman:** Yes, I would think so.

[16] **Michael German:** We could then probably see whether the petitioners have something to say about that.

[17] **Christine Chapman:** Okay. We could then decide whether we want to communicate this information to the public—that is also important. We will do that.

[18] The next petition is P-03-170, Mencap Cymru Employment. This petition called on the Assembly and the Welsh Government to take the lead in employing more people with a learning disability, and to encourage other public sector employers to do so. The Chief Executive and Clerk of the Assembly has confirmed that the Assembly will offer a pilot work placement to a person with learning disabilities from September 2010. The petitioners also note that, while there are several policies in place, implementation failures mean that people with learning difficulties are not benefiting. They also express concern that they have been unable to secure meetings with the Minister responsible, and call on the committee to undertake a review of the relevant policies. The Committee on Equality of Opportunity has also highlighted that it will be scrutinising the Assembly and the Welsh Government on their equality schemes in the spring term, and that, as part of this scrutiny, it would focus on the issues raised in the petition. Are there any thoughts on further action on this petition?

[19] **Michael German:** We have a letter from Ann Jones, the Chair of the Committee on Equality of Opportunity, saying that she will update us on this matter. I do not know whether we have had that update; if not, perhaps we could remind her of that.

[20] **Christine Chapman:** Yes, we need that.

[21] **Michael German:** I was disappointed that the Minister would not meet the petitioners to discuss this matter. This issue is at the heart of what we believe as an Assembly.

Could we write to the Minister to ask her to reconsider meeting the petitioners?

[22] **Christine Chapman:** Okay, we could write to the Minister.

[23] **Andrew R.T. Davies:** I would go one step further. We took oral evidence from the petitioners—and this petition has gone on for some time. Reading the letter from the petitioners, they seem to have been proactive in trying to secure a meeting with the Minister. We could maybe ask the Minister to give evidence to us as a committee, because there are questions to be asked. Leighton Andrews is the Minister the petitioners are unable to meet with; looking across the Government, is he the correct Minister to contact? When I was first elected as an Assembly Member, my namesake, Andrew Davies, was the Minister for Finance and Public Service Delivery. I am not sure who would be the relevant Minister in the new configuration—it is Leighton Andrews, is it? I believe, therefore, that we should invite Leighton Andrews to committee to give evidence, at a time that is convenient for him. That would complement the oral evidence that we have had from the petitioners.

[24] **Christine Chapman:** Okay, we can do that. What about some further work on the effectiveness of the implementation of these policies—do you want to look at that?

[25] **Michael German:** Yes. It would be useful to have a brief on this matter, especially if we are going to have the Minister in. We would then be well briefed on all the nooks and crannies, and on where there are gaps in provision.

[26] **Bethan Jenkins:** The policy matrix is comprehensive; we could base some of the questions on that. When we are scrutinising the Minister, we could ask the organisation for the assessment of the work experience that it did with young people in Carmarthenshire, Ceredigion and Pembrokeshire. I would like to see that, considering that so few young people were given work-based learning experiences following on from that investigation.

9.40 a.m.

[27] **Christine Chapman:** The next petition, P-03-183, calls for improvements to train services to Aberystwyth. Mencap has informed us that, as a result of the Petitions Committee's work, students met with Mid Wales Transportation, which resulted in a travel familiarisation event that has inspired students to consider using the train independently. The national transport plan, which was published in March, states that there will be a daytime hourly service between Aberystwyth and Shrewsbury by 2011. Therefore, would you be happy to close the petition, and possibly produce a summary closure report?

[28] **Michael German:** In that summary closure report, we should recognise the work of the Partners in Politics programme. We have been the happy recipients of many of its petitions, and this is one petition that has worked. It shows that the project has achieved its objectives, and I believe that we should mention that in our report.

[29] **Christine Chapman:** That is a good idea.

[30] The next petition, P-03-206, calls for free swimming provision to be available to all young people throughout the year. The Minister for Heritage states that the Government is committed to extending the existing scheme, to enable children to have access to sport or leisure facilities free of charge at weekends. We have had information from the Welsh Local Government Association on the minimum levels of free leisure access that must now be provided annually. Further information was also provided by the Minister and the WLGA on the 5x60 scheme, and on how children with disabilities are able to access free leisure facilities. Are there any thoughts on this one?

[31] **Bethan Jenkins:** I raised this petition with the Minister last week, during his statement on extending free swimming to the weekends. I asked him to write to the petitioners to let them know of this progress. I do not know whether he has done that, but we could at least do that. I believe that we have gone as far as we can with this petition. There is no provision for free swimming all the time, but it is an extension of what the Minister had previously announced. Again, the petitioners have done a good job on this.

[32] **Michael German:** I would like to know whether there is uniformity of advertising. Does the Welsh Assembly Government have a leaflet that it distributes through local authorities?

[33] **Andrew R.T. Davies:** You can rest assured that it has a leaflet.

[34] **Michael German:** Looking at the provision from each local authority, there are differences, which is to be expected. However, it is sometimes a press release, and sometimes the information is on their website, and sometimes it is not. Since this is an Assembly Government scheme, you would think that it would have something that could advertise it a bit better, and some leaflets or literature that it could leave around—I do not know whether it does that or not.

[35] **Christine Chapman:** Shall we write to the Welsh Assembly Government to ask for clarification on the communication? That would be good.

[36] **Andrew R.T. Davies:** Could we also write to the WLGA, to ask it how its members will implement this scheme? I was led to believe from the Minister's statement last week that there will be an extension of the timeframe available for free swimming, but that no additional resource is going in to facilitate that extension—it will just be using existing resources. It might be worth trying to get a feel for the initiative, and how sustainable it will be, from the people who have to implement it, namely local authorities in their swimming baths. They might have a view that could inform the petitioners on the long-term sustainability of this proposal.

[37] **Christine Chapman:** Is everyone happy with that?

[38] **Bethan Jenkins:** We have answered most of what the petitioners wanted, but I am happy to write to the WLGA.

[39] **Andrew R.T. Davies:** The important thing is that the scheme carries on, and that it does not just carry on for six or 12 months.

[40] **Bethan Jenkins:** The WLGA said in evidence to us on the Public Accounts Committee last week that it did not believe that such schemes should be continued during this recession, so I do not know what it will tell us now. However, we are welcome to write to it.

[41] **Christine Chapman:** Okay, we will do that.

[42] The next petition is P-03-207, on support for the unemployed in Monmouth, and it calls for the reinstatement of job centre facilities to Monmouth. During our last consideration of this petition, it was agreed to write to the petitioners asking to be kept updated of any further significant frustrations. The committee has not received any further information. I wonder whether we could think about revisiting the petition in the autumn term, with a view to closing it if no further information is received from the petitioners. Is that okay? I see that it is. [*Interruption.*] I have just had some information that the petitioners did get in touch with us yesterday and that they will get in touch with us again. [*Laughter.*]

[43] **Michael German:** That is an update on an update.

[44] **Christine Chapman:** Yes, an update on an update. The next petition is P-03-211, on care facilities for dementia sufferers. This calls for sufficient and appropriate provision of specialist care homes and centres for people with dementia. The petitioners have responded to the committee, explaining that they feel that there are insufficient levels of support for those diagnosed with dementia, and that the number of hours of care provided should be increased. They also highlight the shortage of places in appropriate care homes, and the costs associated. The Minister for Health and Social Services announced the national dementia action plan for Wales in May. Are Members happy for us to write to the Minister, asking for further information on how the dementia plan may meet the aims of the petition, and what specific work is being undertaken by the Government to address shortages of care home spaces and their cost?

[45] **Andrew R.T. Davies:** I would like to come in here, Chair. The Minister announced that the dementia plan would not be going forward and that four streams of work from the plan would be going forward instead. Everyone was assuming that the plan would be the blueprint; sadly, that is no longer the case, in light of the statement that was made in Plenary. It would probably be pertinent to ask whether this petition sits within any of the four streams in which the Minister has asked the task and finish group to come up with solutions. If it does not, could this petition be incorporated into one of the streams, so that we can get some answers?

[46] **Bethan Jenkins:** I also think that we could involve the WLGA here. Speaking from my own personal experience, residential homes in Neath Port Talbot are closing. No plans are being made to extend day centres. Local government is making lots of decisions on these issues on a daily basis. So, the WLGA has to have some input in terms of being accountable for the future of care in Wales. Accountability is not just at the Welsh Assembly Government level.

[47] **Christine Chapman:** We will write to the WLGA on this as well. I think that that is a good point.

[48] **Andrew R.T. Davies:** The WLGA will have a snowfall of letters. Steve Thomas, chief executive of the WLGA, has just had a CBE, has he not?

[49] **Christine Chapman:** Yes. The next petition is P-03-234, on Wales needing more native trees. This calls for an increase in native trees and seeks the planting of 1,500 ha by 2012 and the doubling of native woodland by 2050. We have received correspondence from the Rural Development Sub-committee, the Committee on European and External Affairs and the Minister for Rural Affairs. We have also had a brief from the Members' research service stating that there are no business incentive schemes to promote corporate woodland planting, but that there is a number of voluntary carbon offsetting schemes. There has been quite a bit of action there. Are there any thoughts on what needs to happen now?

[50] **Michael German:** I will make one additional point. The Rural Development Sub-committee asked whether this notion of creating more woodland could be included in the Glastir scheme, and it will be. Glastir is the new funding scheme for farmers. We have an action plan, but it is not clear whether the action plan will lead to the result that the petitioners are asking for. We should, perhaps, ask the Minister how—and whether—her actions in the action plan, which follows the new forestry action plan, will lead to the sorts of outcomes that the petitioners are asking for. We need some dates and timelines as well. The thing about planting trees is that they take a long time to grow, so it is a very long process—20 or 25 years—which might be well beyond the lifespan of many politicians. We need to know what the programme of investment is going to be.

[51] **Bethan Jenkins:** I have a question. You are on the Rural Development Sub-committee, are you not?

[52] **Michael German:** Yes.

[53] **Bethan Jenkins:** It seems to me that the two responses from the two committees insinuated that this was not something that they were doing at the moment, but you say that it has been considered within Glastir.

9.50 a.m.

[54] **Michael German:** My understanding is that woodland planting is to be included in the new Glastir scheme for upland farming.

[55] **Bethan Jenkins:** We are not sure, however, whether it will address this particular petition.

[56] **Michael German:** No, that is the point. The rules for the Glastir scorecard include woodland planting, but they do not necessarily say that they have to be native trees. Therefore, I think it needs some more clarification as to what that will involve.

[57] **Christine Chapman:** Are you happy with that? I see that you are.

[58] The next petition is P-03-243, which calls for withdrawal from the west Cheshire and north-east Wales sub-regional strategy. We have received correspondence from the Minister for Business and Budget, the Minister for Heritage, the Equality and Human Rights Commission and the Welsh Local Government Association. The WLGA paper does not respond to the specific issues raised about the use of population projection figures and whether local authorities are under Government pressure to accept particular figures. When this was highlighted to the WLGA, it said that it was not in a position to comment on issues relating to local development plans. You will know that the local development plan for Wrexham is currently out to consultation. Again, when the Minister for Business and Budget gave oral evidence to the committee, she said that she would look to review the sub-regional strategy. Are there any thoughts on further action on this petition?

[59] **Bethan Jenkins:** Could we ask the Communities and Culture Committee to look into this? There seem to be a lot of strands that need to be pulled together. I appreciate that we have met the Minister and that she has given additional information. However, I think that there are issues surrounding identity and a sense of society to which we may not have been able to give full justice in this committee. I sit on that committee, but I am not sure whether it has enough time to carry out an investigation into this. The issues that the petitioners raised regarding human rights and the United Nations Declaration of the Rights of Indigenous Peoples seem to be quashed by the opinion of the Equality and Human Rights Commission, which says that Welsh people, or Welsh people within the UK, do not fit as an indigenous group and that it would look at it on a case-by-case basis. To do justice to the petition, I think that it would need to go on to the next step. That is my personal opinion.

[60] **Michael German:** You may also wish to write to me as Chair of the Sustainability Committee, because we are conducting a full-scale review of planning policy in Wales, which includes the spatial plan, local development plans and the role that they play in promoting other Welsh Government policies. Therefore, it might be worthwhile pointing that out to me, so that I can incorporate it in the review. [*Laughter.*]

[61] **Christine Chapman:** If you are happy with that, we will seek information on

whether the Communities and Culture Committee would be interested in taking up the issue, and we will write to Mike as Chair of the Sustainability Committee.

[62] **Bethan Jenkins:** Could we say to the petitioners that they could also participate in the consultation on the proposed Welsh language Measure, if that was something that they felt that they could do? I think that the answer from the Minister for Heritage was that he is not directly involved with this issue.

[63] **Michael German:** I am not certain that the petitioners could participate because the consultation is closed or is about to close. It would be far better for them to submit evidence to the planning review because the consultation is still open on that.

[64] **Andrew R.T. Davies:** Would it be possible to send a letter to Jane Hutt, the Minister who gave evidence to us on this? She made several commitments or observations—I cannot recall exactly what the Record states—about how her officials would take this forward and, in particular, about reviewing the whole strategy. Since a certain amount of time has elapsed since that evidence was given, it might be pertinent to check with the Minister to see whether she has had any further thoughts on some of the things that she said here and whether they have been taken forward.

[65] **Christine Chapman:** What about writing to the councils that are covered by the strategy? The WLGA response was fairly broad. We could write to the individual councils to ask for their views. Would you be happy with that? I see that you are.

[66] The next update is on P-03-246, on abandoning the 50 mph speed limit on the M4 at Newport. This calls for the speed limit restrictions on the M4 to be lifted. We know that Traffic Wales has said that it is unable to provide any further data on the impact of the speed restrictions due to changes to the system that collects that data. Would you be happy to seek the petitioner's views on the initial correspondence from the Deputy First Minister and Traffic Wales?

[67] **Michael German:** It is strange that Traffic Wales is not able to provide any data on whether or not the speed restriction has made a difference. If it is recording every single vehicle that goes through that area, both the number plates of those vehicles and their speed, they must have some data emerging from the information that they already have. I find it very strange that, when every vehicle's movement is being recorded every day, there is no analysis of the data that come out of that. One of the things to be analysed, for example, is the number of vehicles that they are identifying that no longer have valid car tax; that is one of the things that they are already doing.

[68] **Christine Chapman:** I agree that it is a bit frustrating.

[69] **Andrew R.T. Davies:** I notice in one of these wonderful letters that have loads of stickers on them that Traffic Wales is a body that is sponsored by the Welsh Assembly Government. It is an organisation that is failing in one of its prerequisite duties, which is having the ability to gather information to justify an exercise that it is undertaking. I support Mike's point of view; one would have thought that, in this situation, it would have more rather than less detailed data. It may be worth asking how this situation has come about, because there are genuine concerns over the length of time that this speed restriction has been in place and the way that it was imposed. Since I have been an Assembly Member, I think that there have been two very serious accidents on this stretch of road, and anything that can stop such accidents from happening has to be welcomed. However, those measures have to be based on sound information, rather than on gut feeling. Could the Deputy First Minister be held to account for why an agency that he sponsors is unable to provide us with that information? Perhaps the agency could look at its data collection and come back to us on that.

[70] **Michael German:** We also need to know what data the agency collects.

[71] **Christine Chapman:** We will find out via the Deputy First Minister what data are collected; we need to be quite specific about this, as the situation is not acceptable. We will obviously keep the petitioner in the loop as to what is happening.

[72] The next petition is P-03-248, on improved access to public transport for people with disabilities. As you know, MS Society Cymru gave evidence to us a few weeks ago. The petition called for improvements to the accessibility of public transport and for the Welsh Government to develop an action plan to make public transport accessible for all. You have had a Members' research service brief highlighting the work that has been undertaken in relation to this issue. Do you have any thoughts on further actions to be taken?

[73] **Michael German:** Clearly, there is more work to be done on this, but again it is one of those situations where this committee might find it difficult to engage in yet another inquiry. I wonder whether the Committee on Equality of Opportunity would be keen—or could be convinced to be keen, if I can put it that way—to undertake an inquiry.

[74] **Bethan Jenkins:** I think that the Committee on Equality of Opportunity has said that it has been on a scoping exercise in Cardiff. I met Arriva Trains Wales last week, when it had its stakeholder meeting in the National Assembly and its representatives were meeting Assembly Members. It may be worth us asking whether we can widen that opportunity to have another more extensive investigation of users, alongside Arriva Trains Wales, so that we can see what progress has been made or will be made in future.

[75] **Christine Chapman:** We will write to Arriva Trains Wales.

[76] **Andrew R.T. Davies:** The example that was used was a journey from Cardiff to Swansea. The facilities at the Swansea end as they stand are pretty appalling, although we are informed that there is going to be considerable redevelopment there. Most Members were very impressed with the evidence that was provided; every constituency in Wales was highlighted in terms of what platforms had disabled facilities, be they toilets or access ramps. The clear strand here is that while there are certainly examples of exemplary service, in other parts of the public transport network there is virtually no provision. It falls on the Committee of Equality of Opportunity, or this committee via a short inquiry, to pull the strands together, so that there is an overview and so that we will then be able to present some clear recommendations to the Government.

10.00 a.m.

[77] I do not think that anyone sets out to be obstructive in providing joined-up transport, but it is a question of getting a feel for the overview and then having a blueprint to solve the problems, albeit in a difficult financial climate.

[78] **Christine Chapman:** Shall we write to the Committee on Equality of Opportunity first to see what its response will be?

[79] **Michael German:** It is doing well on rail, but it just needs to extend that, if it would not mind.

[80] **Christine Chapman:** We will ask for its response first and then come back to the petition. We will write to Arriva Trains Wales as well.

[81] The next petition is P-03-253, on the adoption of private sewers. The Minister's latest

correspondence states that work is ongoing to facilitate the transfer of private sewers to public sewer networks in 2011, and that consultation will be undertaken over the summer. We know that the report of the Sustainability Committee into flooding has been reviewed to see whether it has recommendations relating to the petition, but there are no linked recommendations in it. Do you have any thoughts on further action?

[82] **Andrew R.T. Davies:** We should write to the Minister to ask her to include the petitioners in the consultation process, because they have a clear insight into this situation. We should also make the petitioners aware that this consultation process will take place this summer, and that it is hoped that the transfer of sewers will take place in 2011—is that right?

[83] **Christine Chapman:** Yes, in 2011.

[84] **Michael German:** I wonder whether the consumer body for the water industry—it is not called ‘Ofwater’; it is called something else.

[85] **Christine Chapman:** Is it not Ofwat?

[86] **Michael German:** There is a consumer body that provides support for schemes of this sort; we could ask it whether it has a view.

[87] **Christine Chapman:** Yes, we could write to it as well.

[88] **Michael German:** Ofwat is the regulating body, but there is a consumer body for water as well. I cannot remember the name at the moment.

[89] **Christine Chapman:** The next petition is P-03-256, which calls for additional trains and improved train services to Fishguard. Correspondence has been received from the Deputy First Minister and from the South West Wales Integrated Transport Consortium. The Deputy First Minister said in his first letter that his department was looking at potential schemes across Wales for inclusion in the rail forward programme, which will include the proposal for Fishguard. SWWITCH acknowledges the difficulties of addressing different transport priorities across Wales, and we have received correspondence from it recently. We received a letter recently from the Deputy First Minister. He says that, as a first step, he has asked his officials to revisit the 2007 business case appraisal for additional Fishguard services in partnership with the local transport consortium, SWWITCH, and Arriva Trains Wales. He says that he will fully consider the updated business case when this is completed later this year. Is there anything else that we need to do in this respect?

[90] **Andrew R.T. Davies:** The Deputy First Minister, in his letter of 30 April, clearly identifies why he rejected the recommendations. It is not the case that he did not see any merit in the recommendations; it was just the case that, at that stage, he was not in a position to prioritise one scheme over another. So, it is important to find out when the list for development will be available, and to ensure that we receive that information as soon as possible, so that we can liaise with the petitioners. We need to have some dates and times.

[91] **Christine Chapman:** In the letter of 7 June, the Deputy First Minister says that he is unable to give a specific timescale, but if you want to go back—

[92] **Andrew R.T. Davies:** I do not seem to have that letter.

[93] **Ms Stocks:** It came from Paul Davies’s office yesterday, just to update us.

[94] **Christine Chapman:** Obviously, we will keep the petitioners in the loop on this one as well.

[95] The next petition is P-03-261, which calls for a deferral of the decision on a bypass in Newtown until sustainable measures have been trialled to address traffic congestion. We have received correspondence on this from the Deputy First Minister and the Finance Committee. The Deputy First Minister has responded to each of the key questions that were raised by the committee on behalf of the petitioners. He states that a decision on the preferred solution will be taken next year. Again, would you be happy to write to the petitioners with details of the ministerial response, and to check that they are happy with it?

[96] **Michael German:** Yes.

[97] **Bethan Jenkins:** I think that that is what it means by 'later this year', because quite often we get letters saying 'later this year', but when it comes to that time, we find out that it will be done later next year.

[98] **Michael German:** A definition of ministerial terms relating to time would be useful. What do they mean by 'soon' or 'the autumn'?

[99] **Andrew R.T. Davies:** Or 'imminently'? [*Laughter.*]

[100] **Christine Chapman:** We should get them to tick boxes to show which month they mean.

[101] The next petition is P-03-263, which calls for Stradey Park to be protected. The petitioner has provided additional information clarifying that the petition's focus is on protecting the pitch. The ministerial response addresses this issue and states that Cadw could consider the site for inclusion in the non-statutory register of parks and gardens of special historic interest. However, this does not provide statutory protection, and we know that Cadw does not currently have specific criteria for evaluating sporting grounds. Do Members have any thoughts on this?

[102] **Bethan Jenkins:** As a lay person, I was surprised that Cadw did not have any criteria for sports grounds. Correct me if I am wrong, but I thought that it was something that it could do if the council went back and reassessed its planning guidelines. I am trying to say that we should ask whether Cadw can do that, but I wonder whether that means that the local authority would have to go back to look at its planning decision again. I am not sure.

[103] **Christine Chapman:** I am not sure either. Does anyone know?

[104] **Bethan Jenkins:** I am not an expert on planning.

[105] **Michael German:** Clearly, Cadw cannot list it, as it has said, because it would require a new listing category. So, are the petitioners asking the Minister to direct Cadw to create a new listing category? I think that that is probably where they are coming from. That being the case, the ball is back in the Minister's court; it depends on whether he is prepared to do that. I do not know about the merits of this particular case.

[106] **Christine Chapman:** We should defer a decision in that case. We need to write to the Minister to ask whether he could instruct Cadw to draw up criteria for a new listing.

[107] **Michael German:** We need to ascertain what his attitude is to a new listing category.

[108] **Christine Chapman:** Yes.

[109] **Andrew R.T. Davies:** The letter from the lead petitioner gives us quite an insight

into the local situation, as was the case with the Vulcan. In this instance, the council has confirmed that it does not have a local list. I believe that the Minister is going to review local listings and listing in general at the end of this year. There is a question as to whether local authorities ought to be compelled to compile a list of buildings in their areas that are of particular interest and possibly of national significance. This is the second such case that has come to us in a relatively short space of time, and yet there does not seem to be an obligation on local authorities to do that. Surely, they are the best placed statutory or civic authority to do this, as they understand the locality. To have no list at all is quite a deficit.

[110] **Michael German:** I know that we are looking at policy in a wider sense here, but local listing does not provide much protection at all. Is this a planning matter? I think that it is still an issue for Cadw. On the back of that, the question that I want to ask the Minister is whether he considers that local listing provides any form of protection and whether he would consider looking at the legislation that guides local listing to see whether it could help.

[111] **Bethan Jenkins:** I think that he responded to that with regard to the Vulcan, did he not?

[112] **Christine Chapman:** Joanest, do you want to comment on this?

[113] **Michael German:** Joanest could give me a clue and remind me again.

[114] **Ms Jackson:** At the moment, local listing does not really provide a great deal of protection. As you say, we raised this and discussed it in relation to a previous petition; that might be covered later under item 4.

[115] **Michael German:** The question that I was asking is whether the Minister believes that local listing ought to provide some form of protection.

[116] **Ms Jackson:** I cannot read the Minister's mind, I am afraid. *[Laughter.]*

[117] **Michael German:** That is why I was suggesting that we might want to ask the Minister whether the creation of a local list could provide a greater level of protection. For example, it might become a planning consideration when applications are made.

[118] **Ms Stocks:** In his response to the petition on the Vulcan, which we are considering later, he says that it may be possible to provide safeguards for buildings on local lists through the land use planning system but that this will need further consideration. He states that his officials will be looking at the issue around local listing in conjunction with their planning colleagues. That is what is stated in the response to the Save the Vulcan petition, as the committee made a specific recommendation about local listing.

10.10 a.m.

[119] **Michael German:** We need to pursue that. We could perhaps write to Jane Davidson, because we would be expanding the boundaries with regard to whether a local listing might become a planning consideration. Would that be right, Joanest? Is that the question for the Minister?

[120] **Ms Jackson:** Yes, whether it could be a material consideration. You could ask that question to the Minister.

[121] **Michael German:** Yes, that is the term—whether it could be a material consideration. That question would be to Jane Davidson.

[122] **Christine Chapman:** So, if we do as you suggest, should we wait for a response from the Minister?

[123] **Andrew R.T. Davies:** The petition is quite specific in that it calls on the Assembly

[124] ‘to urge the Minister for Heritage to grant listed status to Stradey Park’.

[125] Perhaps I am missing something in all the dialogue today, but is it in the gift of the Minister—as Joanest said, you cannot know what the Minister is thinking—to say, ‘Yes, I believe that Stradey Park, as a facility, should be listed, therefore I am going to list it’? Is it as simple as that, because the petition is relatively straightforward, is it not? So, the petitioner, and indeed I, would appreciate knowing whether the power resides with the Minister so that he could override any other advice and has the prerogative as a Minister to say, ‘Stradey Park is of such significance that it should be listed’?

[126] **Ms Jackson:** No, the Minister would have to make a decision based on the current criteria for listing and take the appropriate advice. He would have to take everything into account or he could be subject to a judicial review were he to make what some might consider to be an irrational decision. That is why there are guidelines set out now that indicate what buildings and so on should be listed and have that specific category attached to them, because I am sure that you are aware that there are various different categories for buildings. They are graded and starred.

[127] **Andrew R.T. Davies:** So, from what we understand, the Minister is not able to list Stradey Park because there are no criteria for listing sports facilities. Given that the petition is so simple—it is only three lines—perhaps we could send a simple response stating that, sadly, that is not currently possible. We could then move to look at the wider policy area, although that might be too late for Stradey Park. I am only speculating, but perhaps the review that the Minister mentioned in response to the Vulcan petition should consider these issues.

[128] **Michael German:** I am looking at the petitioner’s letter, which expands further on the petition. The petitioner states:

[129] ‘I am not sure that I have worded the petition very well as it would appear that the word “listing” might be confusing the issue. I probably should have said “amend the criteria of Historic Parks and Gardens to allow Stradey Park to be added to that register”, but that would have caused a lot of confusion to those signing it’.

[130] Essentially, what the petitioner is asking for is whether a new category of listing could be added by the Minister, which, in turn, if we are talking about local listing, leads to another debate as to whether local listing could be treated as a material consideration in planning applications, which would give a local listing some strength. So, we need more information from both Ministers on those two separate strands.

[131] **Christine Chapman:** We need to get that information. I do not think that we can do any more until we get some more information.

[132] **Michael German:** I am not sure what we do either in relation to petitioners who say, ‘I may not have worded my petition clearly enough to give you its intention’. When we see a petition of this sort, we should perhaps tell the petitioners that their supporting information should be absolutely clear at the outset, so that we do not have to look for further explanations of what is meant.

[133] **Christine Chapman:** Okay. Good. We now move onto the next petition, which is P-03-270, Action for Children. We have taken evidence on this petition, which calls for

improvements to work-based learning provision for vulnerable young people. The Enterprise and Learning Committee and the Children and Young People Committee have both stated that they do not have the capacity to undertake an inquiry into this. The children's commissioner stated that this was outside his remit, but he actively encourages the committee to progress the issues raised by the petition. We talked about undertaking a short inquiry into this issue. Are you happy for us to make some progress on this? We could agree the scope and a list of witnesses before the summer recess so that we could start the inquiry at the beginning of the autumn term. I see that you agree.

[134] The next petition is P-03-277, and I have some correspondence on this. The petition calls for the Welsh Government to provide future funding for the Urdd Eisteddfod only on the condition that alcohol is not sold on site. The Minister's response states that the Government is not involved in the operation of the Urdd Eisteddfod. I have received some correspondence from the petitioner, clarifying that the petition is not arguing against alcohol, but against the message that the Urdd's decision to serve alcohol on the *maes* sends to children and young people. The Urdd sees the whole matter as an experiment and will review the results after the Eisteddfod. Again, would you be happy to write to the Urdd to ask what evaluation is being undertaken in relation to the availability of alcohol at the 2010 Eisteddfod?

[135] **Bethan Jenkins:** We could ask the Urdd what happened. I did not hear any scare stories about alcohol on the *maes*—

[136] **Michael German:** You were not going around inspecting, were you?

[137] **Bethan Jenkins:** No. [*Laughter.*] If there is an evaluation, then we should ask to see it and inquire whether there are plans to do this again in the future.

[138] **Andrew R.T. Davies:** I would like to know how much money the Welsh Assembly Government gives the Urdd. The petition clearly asks for that funding to be withdrawn, so could we have an assessment of how much money we are talking about here? It is in the scope of the petition. I do not know how much money the Welsh Assembly Government gives the Urdd, but in the overall scheme of its budget, what impact would enacting that petition have? People also need to understand what they are asking for rather than just saying, 'We will ask for the funding to be pulled'. We need to know what impact that would have on a significant cultural event in Wales, particularly for young people.

[139] **Christine Chapman:** Okay, we will ask those questions; I see that you are happy to do that. Are there any other points on this?

[140] **Bethan Jenkins:** In conjunction with that, because WAG provides a substantial amount of money to the Urdd, we could ask what restrictions it attaches to the spending of that money, if any. For example, is it hypothecated so that the Urdd would not be able to use Welsh Assembly Government moneys to advertise alcohol sales and so on? I do not think that that would happen, but on what does the Urdd spend the Welsh Assembly Government money?

[141] **Christine Chapman:** Okay. We will now move on to petition P-03-278, which calls for a review into how vitamin B12 deficiencies are detected. The Minister stated that it would not be appropriate to dictate clinical practice, but provides further information on how the petitioners can take this issue forward. Again, would you be happy to write to the petitioners, highlighting the options for taking this issue forward and asking whether they want to do so? I see that you agree.

[142] The next petition is P-03-284 on Brynmawr social housing, which calls for the Government to reconsider the use of land in Brynmawr for the provision of social housing.

We had a response from the Minister that a view cannot be given because the matter may be subject to appeal, but she highlights that the Government has stressed the importance of community engagement with developers and that the planning process is the most appropriate forum for taking forward concerns. So, would you be happy for the committee to write to Melin Homes to ask how it plans to engage with the community on the development of plans for the site and to check with the petitioners whether they are using the planning process to raise their concerns? I am sure that they are. I see that you agree.

10.19 a.m.

**P-03-197 Achub y Vulcan—Ymateb y Llywodraeth
P-03-197 Save the Vulcan—Government Response**

[143] **Christine Chapman:** We return now to the petition to save the Vulcan and the Government's response. We have the committee's report on this petition. The Government has responded to the committee's recommendation, which is good news, and states that the guidance that Cadw is drawing up in relation to local listing

[144] 'will include specific guidance on buildings with social and cultural interest'.

10.20 a.m.

[145] In relation to strengthening local authority powers to prevent the demolition of buildings that meet local listing criteria, it states that the issue is being taken forward in conjunction with planning officials. That is a good result, so are Members happy to close the petition and to inform the petitioners of the Minister's response to the report?

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

[147] **Bethan Jenkins:** I do not know. Perhaps we should wait until Cadw carries out that work; I am not sure. I do not want to keep it open unnecessarily.

[148] **Michael German:** This raises another issue, which we highlighted as a result of this report. While we might close the petition, our report should remain live for us to investigate the issues that we raised relating to local listing and so on. From the petitioners' point of view, the petition process has ended, but the report has made wider recommendations that will be applicable in the future, as we have seen with the Stradey Park petition. So, we ought to keep it live, especially as this matter spans two Ministers' responsibilities, because this is also a planning matter.

[149] **Andrew R.T. Davies:** We are coming to the tail end of the third Assembly, and there are only two terms left, so I presume that the Petitions Committee, like any other committee, will produce a legacy report. One matter that has come up and occupied our time is local listing and the obligation of local authorities in that regard. When we identify several strands for inclusion in our legacy report, as I have seen happen previously, this could be one of them, because there are issues across Wales on this. Certain authorities deal with it differently. The outcome is that the Minister is looking at this and that Cadw is revising the guidance. Maybe by the spring term next year we will be in a position to take an overview, but certainly in respect of the petition on the Vulcan, we have taken it forward as positively and as far as possible. In addition, given that we have only two terms left, we will have to look harder at some of these petitions to ensure that we can provide reports to the petitioners on the actions that we have taken; otherwise, a lot of them will remain open come March 2011.

[150] **Christine Chapman:** I am quite keen to close the petition now, but we would then need to pick this matter up and there should be another item on it. Do not forget that we were hoping to have a Plenary debate on this work at some point. Are Members happy to do it in that way? I see that you are. We will make a note of that as an item for a future meeting.

[151] Finally, as there is no other business, I want to highlight that Gareth Thomas, the committee's support officer, is now on secondment to the Members' research service. I thank him for his invaluable contribution to the Petitions Committee over the past two years, and I welcome Mike Lewis, who has taken over from Gareth. Welcome, Mike.

Daeth y cyfarfod i ben am 10.23 a.m.
The meeting ended at 10.23 a.m.