



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

**Y Pwyllgor Deisebau
The Petitions Committee**

**Dydd Mawrth, 7 Gorffennaf 2009
Tuesday, 7 July 2009**

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

Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Michael German	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Bethan Jenkins	Plaid Cymru The Party of Wales
Sandy Mewies	Llafur (Cadeirydd y Pwyllgor) (diprwy ar gyfer Val Lloyd) Labour (Committee Chair) (substitute for Val Lloyd)

Eraill yn bresennol
Others in attendance

Dr Ted Coles	Prif Ddeisebwr, Na i Ffordd Maes Awyr Dyffryn Elai Lead Petitioner, No Ely Valley Airport Road (NEVAR)
Siân-Nia Davies	Deisebwr, Achubwch Bentref Gwenfo Petitioner, Save Wenvoe Village
Peter Fox	Deisebwr, Na i Ffordd Maes Awyr Dyffryn Elai Petitioner, No Ely Valley Airport Road (NEVAR)
Chris Franks	Aelod Cynulliad, Plaid Cymru Assembly Member, The Party of Wales
Paul Fulgoni	Deisebwr, Achubwch Bentref Gwenfo Petitioner, Save Wenvoe Village
Dr Fred Rose	Deisebwr, Achubwch Bentref Gwenfo Petitioner, Save Wenvoe Village

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

Alun Davidson	Clerc Clerc
Joanest Jackson	Cynghorydd Cyfreithiol Legal Adviser
Sarah Sargent	Dirprwy Glerc Deputy Clerk

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

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Sandy Mewies:** We will start the meeting. I understand that there are no apologies or substitutions. I remind everyone to turn off their mobile phones, BlackBerrys and any electronic devices. The committee operates bilingually, so petitioners should note that translation equipment is available. The translation is available on channel 1, and if you need help with hearing, that is available on channel 0. You do not have to touch the microphones at all; they will work automatically when you are called to speak. I see that everyone is happy with that.

9.02 a.m.

Sesiwn Dystiolaeth: P-03-190 Na i Ffordd Maes Awyr Dyffryn Elai
Evidence Session: P-03-190 No Ely Valley Airport Road

[2] **Sandy Mewies:** We will move on to item 2 on the agenda, which is the first paper, P-03-190, No Ely Valley Airport Road. I welcome the petitioners: Dr Ted Coles, the lead petitioner, and Peter Fox. I understand that you will speak for 15 minutes. Chris Franks will then speak in support for five minutes and Members will have 15 minutes of questions after that. I intend to keep people closely to time, because another group is attending after this and I want to be fair to everyone. If you would like to begin, please do so.

[3] **Dr Coles:** Thank you very much for inviting us to speak to you. Peter Fox is the vice-chairman of our action committee and a community councillor. He will start.

[4] **Mr Fox:** Good morning. Thank you for the opportunity to speak. Before we move into the main agenda of this morning's hearing, I would like to dwell a moment on the first slide, which is a picture of Pendoylan village taken from the south. The reason for that is that I would like to point out that, should corridor C be selected as the corridor of choice for a new road to the airport, a two to three-lane industrial trunk road would be built, either on an 8m-high embankment to the right of the village, between Pendoylan and the river Ely, or in deep cuttings gouged through the prime agricultural land to the left of the village.

[5] An initial meeting was called by the community council in Pendoylan in July last year, when we gave local people the opportunity to explore opinions and their concerns about the proposals, which we had just learned about. The concerns were considerable. Some were caused by the uncertainty of the information about the plans given at the meeting and others were because of the impact of such a huge development running through the Ely valley. Officials at the exhibitions had difficulty answering some of the questions, and some of our supporters believe that they were withholding information. Since then, they have become even more convinced that not all of the information that was known at the time was given to people from both Peterston-super-Ely and Pendoylan.

[6] The NEVAR group was formed and our brief was to campaign on behalf of the larger but not total population of our communities. We began by looking at the study, which had been produced by this stage by the consultants, looking at the methods used and at how and what conclusions had been drawn, and we looked at all of the documents that we could find that had any bearing on issues around road traffic and roads in the south of the Vale of Glamorgan. We found nothing that would indicate or warrant the need for spending more than £100 million of public money on a road that, in our view, no-one seems to want. To make matters worse, we have also been unable to identify a business case that states clearly why the road is being proposed and what the options might be.

[7] At the outset of our deliberations our main concern was a ministerial objective given to the consultants. The Minister requested specifically that an option appraisal should be undertaken to identify a route from junction 34 of the M4 and no other routes were specified in the brief.

[8] We focused on airport access but, over the months that preceded our work, we became confused and a little worried about objectives that were introduced on top of the initial brief along the way. We dealt with issues around access to other places around the Vale of Glamorgan, and also congestion. We believe that that change has led to an increase in the cost of consultation to over £2 million.

[9] Early concerns about the study methods were about the nature of the questions asked to the public at the exhibitions, where we believe some of those questions led to a pre-

determined answer quite easily. In fact, one of our groups suggested that should a primary school or an examination paper use similarly focused questions, they would be dismissed as unacceptable.

[10] We are not saying that roads in the Vale of Glamorgan do not need improvements; however, we do not believe that the proposal before us deals with many of the pinch points around the Vale. Equally, we found little evidence to support the need for a trunk road to Cardiff international airport. Currently, traffic flow to the airport does not appear to be a problem. Neither passengers nor the airport are complaining about access to the airport. Even the traffic counts that were taken at the time of the first round of work did not identify significant congestion. In fact, most people using the airport, when travelling by private vehicles, travel at off-peak times rather than during local peak traffic times.

[11] We have also been concerned about the use of very small samples upon which key decisions have been made by a very small number of respondents. We were extremely worried about the traffic flow model, which was not going to take place until after the decision on the preferred route was taken, but we are now pleased to hear that this has changed. We hope to be able to see the evidence in due course.

[12] There are huge concerns in our communities about the interpretation of Environment Agency flood risk data. We see flooding of the Ely valley several times each year. At least twice in the last year, the flooding has exceeded the 100-year worst-case scenario promoted through the Environment Agency flood risk data. It seems to us that rainfall does not cause flooding in the Ely valley. However, there are huge problems associated with that.

[13] Ted will now look in a little more detail at the first four points on the screen.

9.10 a.m.

[14] **Dr Coles:** This committee has asked the Minister for his business case, and with all due respect to the Minister, showing that an airport road has been in previous plans is not the same as demonstrating that there is a need for improved airport access for private vehicles, and it is improved airport access for private vehicles that we are talking about.

[15] The Arup studies did not provide much quantitative evidence, other than what Peter has mentioned, namely that airport traffic does not contribute significantly to the congestion at Culverhouse Cross. If one goes to the airport passenger comments website, the comments about access are almost all complaints about public transport; there are almost none about private vehicle access.

[16] 'In terms of people who use the airport they do not perceive road access to be a problem but in terms of others who don't, it is perceived to be a problem':

[17] Those are the words of the airport's business development and commercial director. You may have seen in yesterday's *Western Mail* that Patrick Duffy, the managing director, was quoted as saying that a new access road would be nice, but that it was not fundamental to the airport's success.

[18] The title of the public consultation exercise was 'Improving Access to Cardiff International Airport'. This slide shows a copy of the leaflet that came through our letterboxes. It shows the three routes. The purple route is corridor A, the blue route is corridor B, and the green route is corridor C. The title referred to improving access, but, in looking into it, we quickly came to suspect that there was a wider agenda. That was confirmed by the Minister in answer to a written Assembly question in May, in which he said:

[19] 'We are coming to the end of a transport study that has looked at improving Culverhouse Cross and better access to Barry, the Vale of Glamorgan and Cardiff Airport.'

[20] So first was Culverhouse Cross, second was better access to Barry, third was better access to the Vale of Glamorgan, and fourth—and last on his list—Cardiff international airport. That has reinforced some of the feelings that we had. Either the goalposts were wrongly set in the first place or they have been moved. It is vexing to think of the time, effort and public money that has been spent on analysing some 3,000 public consultation comment forms from the 2008 exhibitions, when most of the contents of them are demonstrably irrelevant.

[21] There is another area about which people are concerned that there is a wider agenda, and that is the defence technical college at St Athan and the proposed aerospace business park there. The Minister has said on more than one occasion that these two things are completely separate exercises. However, the St Athan planning application states that the development traffic has been included in the traffic-flow model of options to improve access to Cardiff international airport. Our local MP, John Smith, has recently carried out a poll on his website asking whether people support a link road from the M4 serving Cardiff international airport, Barry and the defence technical college.

[22] A great deal of what has been planned has been done on the basis of these airport growth figures. This slide is taken from the Arup report, which was perhaps written before the worst of the downturn. However, it has been reproduced in the recent planning application. The blue line that you can see on this slide, which relates to actual usage, does not include the 2008 figures, which are 5.5 per cent less than the 2007 figures. So, there is a downward trend at the moment. I can think of many words to describe the extrapolation from the Department for Transport, shown in green on the slide, and the masterplan from the airport itself. I think that 'unrealistic' is the politest one I could use.

[23] Another concern that we have is about the way that a key question was asked in the 2007 public exhibitions. The question was: do you consider that road access to the airport is adequate—yes or no? Superficially, that may seem like a neutral question but if one thinks a bit, one finds that it is not. It does not quite come into the category of 'Have you stopped beating your wife?', but it is bound to be interpreted as, 'Would you like there to be better road access to the airport?', so it is not surprising that the answers were as they are recorded. However, we should note that only 200 people responded to that question, and a lot has been built on that.

[24] Another area of concern is that the public consultation exercise was only about three corridors, that is, A, B and C, which I referred to earlier. The planning stage report from Arup shows that seven corridors and variations within those corridors were being considered at one stage, and that was whittled down to three by a set of problem-related study objectives. If one reads the Arup report, one can see that those objectives were derived from a set of slightly different problem-related study objectives, which, in turn, were derived from a set of transport planning objectives, which, in turn, were derived from high-level objectives, which presumably came from the original terms of reference. Some of our supporters think that all that complexity gave plenty of opportunity for the criteria to be adjusted to achieve the desired outcome.

[25] The table that you see on the slide is taken from the Arup report, and it shows the nine criteria that were used for reducing the seven corridors down to three. Although there are nine of them, the eighth and ninth could easily have been merged, because they are almost exactly the same thing. However, the important thing to note about this is that this set of criteria does not take into account the wider agenda that the Minister admitted to in his response in May.

[26] **Mr Fox:** We have looked at lots of evidence over the last 11 months, and the only conclusion that we can make is that this whole process has been seriously flawed, beginning with the collection of data at the public exhibitions. No-one we know has experienced any difficulties accessing Cardiff international airport by private vehicle, and the evidence that we have looked at has failed to demonstrate that there is a need to improve access to the airport.

[27] We have asked questions about the decision-making process, but we have failed to receive information adequate to give us confidence that we can agree that there is a need. Those in our group who believe in the conspiracy theory have long believed that there are other drivers, and it seems that their predictions are coming true. The public does not like being misled in this way. There is no doubt that roads in the Vale of Glamorgan need improvement, but the largest need seems to be for the improvement of rural road surfaces.

[28] There is a lot of scepticism locally about the way in which the consultation was managed and about the changing nature of the exercises. The period subsequent to the consultation has ended. One wonders whether, if those key issues that the Minister referred to in May were communicated upfront to people, they would come to the same conclusion. The scepticism of people in our communities is heightened by the Minister's delay in making an announcement on this issue—it has been delayed from December 2008 to January, then to February, then to later in the spring and now to the summer, we hear. We have huge support from our community and our brief is to fight a road through the Ely valley and to take whatever measures we need to take along the way.

[29] Thank you for listening to us this morning. We would welcome your agreement that this consultation is flawed.

[30] **Sandy Mewies:** Thank you for that evidence. Chris, you have a maximum of five minutes.

9.20 a.m.

[31] **Chris Franks:** My apologies for being late; I was delayed. You have heard the technical objections. The residents have worked tremendously hard on this. It is not necessary for me to repeat their comments; I will just say that I support them. I am disappointed that the Dinas Powys bypass was not considered as a route from the east into the Vale of Glamorgan. Its proper name is the Barry Waterfront to Cardiff Link, but everyone calls it the Dinas Powys bypass. I can see no evidence at all to support having a new link to the airport, as flagged up in the report. I see no justification in terms of cost, and I see very little support for a road. That is not to say that there is not a need for improvements to the network, but there is certainly no need for this huge scheme, which will cost over £100 million. We are all aware that, on occasion, there are bottlenecks at Culverhouse Cross. That is a historic problem that has been caused by the growth around that interchange. However, I do not think that the schemes that have been proposed can be justified in that light. The airport is reasonably served by transport links. Certainly, the airport is not complaining. It might well welcome improvements, but, as far its business is concerned, there is no serious issue.

[32] I am aware that one of the roads is very dangerous—it is called locally 'Five Mile Lane'. It has very poor geometry, and there has been a series of terrible accidents on it over the years. However, improvements to it are just a small part of what is being proposed. I would certainly like to see work carried out to improve that route. I would like us to look again at the Dinas Powys bypass and for more work to be undertaken to see whether it is a possible solution to the perceived need for a route into the Vale, as well as a way to improve environmental conditions in the Penarth, Dinas Powys and Barry area.

[33] In conclusion, I thank you for the opportunity to speak; I am very grateful. In my view, the action group has more than proved the case that this road, as it is currently proposed, is not justified.

[34] **Sandy Mewies:** Thank you, Chris. I will now move to questions. I will ask the first group of questions. The first is about the concerns that you have expressed about the consultation. You have mentioned today that the brief only included one route to be looked at. From a practical point of view, what type of activity could have been included in the consultation exercise to improve it?

[35] **Mr Fox:** The first thing that we would have liked to have seen is a range of questions that were open rather than closed, as that would have enabled people to give a response that was more focused on the actual requirements of the consultation. We felt that the initial brief was not specific enough. More guidance to the consultants on precisely what was required would have been helpful. We believe that that specific request should not have been made. The consultants looked at every document that had previously been considered, particularly in relation to the south-east portion of the Vale of Glamorgan. I think that Ted mentioned in his presentation that a number of road schemes were looked at that were being considered for other purposes. We should have either taken out the specifics or been much broader in the requirements of the consultation.

[36] **Sandy Mewies:** Should the Deputy First Minister decide that corridor C is the preferred route, what is the minimum level of consultation that you would expect at the next stage?

[37] **Dr Coles:** I would like to add to what Peter has just said. If the wider agenda that the Deputy First Minister referred to in May is what has really been the case all along, that should have been quite clear and evident in the public consultation exercise. If he were to decide in favour of corridor C, the first thing that we would be inclined to do is call foul on the public consultation exercise, because the questions asked and the answers given have been about improving access to Cardiff international airport and sometimes to Culverhouse Cross.

[38] There is a huge range of deficiencies in the exercise that we have not had time to speak about, such as the way in which questions were asked, the information that was supplied about flooding, and many other things. We want to see all these points being taken into account so that, if there really is a need for the wider agenda that the Deputy First Minister is now talking about, all the relevant options that are potential solutions to the problem will have been examined. It is clear that they have not been examined in the public consultation exercise.

[39] **Sandy Mewies:** Fine, okay. You are saying that you would not want it to move on to the next stage without a protest being made, and it should still involve all the options.

[40] **Andrew R.T. Davies:** Thank you very much for coming in to give evidence today. We appreciate that very much, and particularly the professionalism with which you have presented it. I have a couple of questions. It is the prerogative of a democratically elected Government to make decisions, which will not satisfy every community in every part of Wales. However, there seems to be an idea or a proposal to have a route to serve the airport. We have seen from the evidence that you have presented that the criteria have been widened to include wider economic areas, such as the whole of the Vale of Glamorgan and access to Barry. If the Deputy First Minister were to come out with the decision on route C or an airport road on any of the other alternative routes, what evidence would you want to see to satisfy your objections and that he had made the correct decision? Is it the case that, whatever evidence is presented to you, you do not want the road, full stop?

[41] **Dr Coles:** Evidence is very important in this, but evidence of the need for an airport road is singularly lacking. When we have looked for evidence, we have seen some of a need for improved access, as Chris was saying, to Barry—that is, between Cardiff and Barry—and it is particularly the eastern side of Barry that needs improved access, not the north-west corner, which is where corridors B and C would come in. If there is compelling evidence, it would change the nature of our concern. Our concern would then be whether it is appropriate to spoil a rural part of the Vale, the only river valley that leads into Cardiff that has not been spoiled, and whether there is any other way of meeting the need. However, that assumes that the need has been demonstrated. Our contention at the moment is that it most certainly has not been demonstrated.

[42] **Andrew R.T. Davies:** The danger to you and to the residents of Pendoylan, much like the residents of Wenvoe, from whom we will hear later on, is that Wenvoe has been subject to consultation on road improvements for nigh on 20 years. Each time, something has been put in place requiring affirmative action to say which way it will go. The Deputy First Minister could make a decision next week, perhaps to hold it in abeyance because of the monetary situation, but if he does not come out with a crystal-clear decision, if anything, that puts you in a worse situation, does it not? What you want at this juncture is clarity, is it not? If he were to come out with some sort of holding statement, for example, because of the monetary situation, what safeguards would you want from him to ensure that you were kept in the picture and that this did not come back in a Trojan horse of some form in a year or two's time?

9.30 a.m.

[43] **Dr Coles:** First and foremost, we want the process to be open and evidence based. We met with our local AM, Jane Hutt, who assured us that the decision would be evidence based. Well, we need to see that evidence.

[44] **Bethan Jenkins:** I wish to clarify a point that you made in your presentation. You said that the Deputy First Minister had stated that improving access to the airport was a separate exercise from improving access to St Athan. However, the Deputy First Minister's document refers to the 'One Wales' access strategy for the defence training academy, which was produced in 2008. How does that fit with the statement that it has nothing to do with St Athan?

[45] **Dr Coles:** That is a précis of a statement by the Deputy First Minister that the two are completely separate exercises. It seems to me that what you have just cited, with which I am not familiar, illustrates inevitable links and so to present this as being merely about improving access to Cardiff international airport is misleading, frankly—and I am afraid that we do have to use the word 'misleading'.

[46] **Bethan Jenkins:** My other questions are on public transport. On the table that you showed, public transport was included. Have the alternatives to car usage been considered enough or is there more work to be done in that regard?

[47] **Mr Fox:** Our brief was specifically to look at opposing corridor C, so we have focused all our work on that objective. However, we recognise that public transport, to the airport in particular, is appalling. We would welcome, along with many other initiatives being undertaken by this Government, opportunities for people to use public transport more than private vehicles.

[48] **Michael German:** I wish to ask a question on traffic modelling before I go on to flooding. In an earlier statement, you said that traffic modelling is now to be included. From where do you draw that evidence? Where has that come from?

[49] **Mr Fox:** Ted might have the answer to that in his box of tricks. [*Laughter.*] The Deputy First Minister said that an exercise was being undertaken to look at these things, and that has made reference to traffic models. However, at the time of the public consultation exercise, it was clearly stated that the decision on which corridor was to be used would be taken first and that traffic modelling would be undertaken after that.

[50] **Michael German:** So, which is the chicken and which is the egg here? We know that traffic modelling will be undertaken, and that the findings will be available at the same time as the announcement, which, we are told, will be next week. Is giving that at the same time as the announcement on a preferred route the right way to do this, or would you like those to be decoupled?

[51] **Dr Coles:** I have always said that we should decouple Culverhouse Cross. However, as I said earlier, we want evidence. Traffic modelling can provide good evidence along the lines of a road here would cause this sort of situation and a road there would cause that sort of situation. Those are the sorts of answers that we would expect from traffic modelling. One would hope that the decision on a preferred route would be based on evidence like that rather than choosing a corridor first and then undertaking the traffic modelling, which is what happened during the original public consultation exercise.

[52] **Michael German:** I did not want to lead you because my next question is the same as the one that Andrew asked you earlier, on what evidence you would like to see alongside that, but you have just answered that. I assume that you want traffic modelling for all the options and not just the preferred route.

[53] **Dr Coles:** Yes, and we want to see the wider set of needs addressed, not just the airport's needs.

[54] **Michael German:** On flooding, I may not have heard you correctly, but did you say that that the one-in-a-100 years figure from the Environment Agency had been breached recently?

[55] **Mr Fox:** Yes, and Ted has some photographs that indicate it very clearly. During September last year was the first occasion during the winter when we had serious flooding, and the line of flooding at Pendoylan was to the limit of the 100-years worst-case scenario. Peterston-super-Ely, where flooding probably has a worse affect on the community, was affected much more than was predicted on the Environment Agency's photographs.

[56] **Michael German:** How many of the three routes were or would be affected by flooding, do you think?

[57] **Mr Fox:** I do not know.

[58] **Michael German:** So, you do not know whether this applies equally to other routes.

[59] **Mr Fox:** No.

[60] **Dr Coles:** With respect, it is a fact that if you build more using concrete, and so there is a smaller area for the absorption of run-off water, flooding is likely to be worse in the Ely valley. The photographs that are coming around the table show the situation on 22 January 2009 across the Ely valley. The three panoramic pictures were taken from the top of the church tower in Pendoylan. The other photographs show what it was like in Peterston-super-Ely and that it was water coming off the fields that was the cause. If a road were put there, run-off would be much worse. Also shown is the aerial photograph that was produced with

the floodline on it. That is actually a 1,000-year floodline. The 1,000-year and the 100-year floodlines were taken from the website. Frankly, the Environment Agency has got it wrong.

[61] **Chris Franks:** The Environment Agency has taken a very narrow definition of run-off and so on. At a public meeting, it gave the clear impression that lots of things that can go wrong were not built into that. Such things could still cause flooding but did not form a part of its formula, so it said that an area would not be affected. However, local knowledge clearly shows that culverts do block up and obstructions do occur, so its calculations may be technically right, but, in reality on the ground, the flooding would be far worse.

[62] **Michael German:** Thank you. That is a matter that we may need to raise with the Environment Agency. You have opposed corridor C, so, if there is a choice to be made, which corridor should the Deputy First Minister choose?

[63] **Mr Fox:** We would not choose any of them.

[64] **Dr Coles:** It depends on what the evidence shows.

[65] **Michael German:** So, we have one 'No corridor' and one 'What the evidence shows'.

[66] **Bethan Jenkins:** If the evidence shows that there should be a route through your village, would you still be against that?

[67] **Dr Coles:** We would look very hard at the evidence.

[68] **Sandy Mewies:** Thank you very much. You have obviously worked very hard on the evidence that you have presented and I must say that it has been very clear and concise. Thank you, Chris, for coming along.

[69] **Chris Franks:** It was very generous of you, Chair.

9.40 a.m.

**Sesiwn Dystiolaeth: P-03-218, Achubwch Bentref Gwenfo
Evidence Session: P-03-218, Save Wenvoe Village**

[70] **Sandy Mewies:** We will now move on to the second evidence session, on Wenvoe. You say that you have paper copies. Can you give them to the clerk to pass around while we start our discussions? I intend to start quite swiftly. You will have your full 15 minutes. I understand that John Campbell cannot be here, but we do have Dr Fred Rose, Paul Fulgoni, and Siân-Nia Davies. Welcome, and thank you for the evidence that you have given us. The format will be that you have 15 minutes in which to make your presentation, after which there will be questions. We operate bilingually here. You have translation equipment—channel 1 is for translation from Welsh, and channel 0 is to enhance the sound of proceedings. Please ensure that you have turned off any electronic devices such as BlackBerrys and mobile phones. Who will take the lead on this?

[71] **Mr Fulgoni:** Siân will start.

[72] **Ms Davies:** If that is all right.

[73] **Sandy Mewies:** Yes, of course.

[74] **Ms Davies:** Thank you for inviting us. I appreciate that not everybody gets the opportunity to present to your committee, so we are grateful for this opportunity. I am here to represent the Wenvoe community action group, and all of us here from the main action group are residents of Port Road, which means that we are directly affected by any decision made, especially one that involves Port Road. We entitled our campaign 'Save Wenvoe Village' because we feel that, if the proposed dualling of Port Road goes ahead, it really will ruin the village.

[75] I would like to introduce you to my neighbours. We have Paul Fulgoni and Dr Fred Rose. In our presentation, we will briefly give you some background and history, the reasons why we oppose the dualling of Port Road, and tell you a little about the feelings and opinions of the Wenvoe community. We would very much like you to present our case and pass on our findings to the appropriate decision makers.

[76] **Mr Fulgoni:** We will give you a brief history of what has gone on. There have been a number of plans and consultations, of which I am sure you folks are aware, with regard to the need for better access to Cardiff international airport and road links between Cardiff and the Vale of Glamorgan, the most recent ones being in 1995, 2003 and 2008.

[77] In 1996, the local authority amended its preferred 1995 route from a dualling of the Port Road to an eastern bypass of Wenvoe, linking the new PDR with the Cardiff link road. Ladies and gentlemen, I understand that you have copies of the findings of that report, which, I believe, John Campbell sent through to you. Unfortunately, that road did not come to pass because the change of Government in 1997 brought with it a lack of cash.

[78] In 2003, the environmental and engineering consultancy firm, Faber Maunsell, recommended the A48 St Nicholas route as a short-term option and junction 34 for the long term, but we understand that the planners rejected that recommendation.

[79] Under the current consultation, from 2008, three routes were proposed, each with sub-routes. Village meetings were held, and direct access to the airport from junction 34 seemed the most obvious choice to most Wenvoe residents. We, as a village, were encouraged to show a united front, and we chose the most logical option, which was junction 34 straight down to Waycock Cross. However, we have subsequently been made aware that the need for commuter links between Cardiff and the Vale of Glamorgan will form part of any decision to be made, and we feel that this makes a route through Wenvoe far more likely.

[80] We then looked at the routes that come through Wenvoe, and we are looking now at the reasons for opposing such a route, of which there are many, as I am sure you can appreciate, for people who live in the village. A number of parents have expressed great concern at the impact that having an urban motorway run right by the school would have on their children. There would be a tremendous loss of property and land for the people who live along the road. Those who would not lose their homes directly would still experience pollution, noise and disruption. In addition, access to many homes in Wenvoe would become difficult with an urban motorway running right beside the village.

[81] We then considered the construction phase of the main road between Cardiff and the Vale, and the disruption will be absolutely horrendous, not only for the village, but for all traffic coming from Barry and the Vale, coming in the Cardiff direction in the morning and probably in the other direction in the evenings. At peak time, we suggest that the road is already beyond capacity. If we have to consider closing some lanes to do the building work, what will happen? Will the traffic go through Dinas Powys, which is already a huge bottleneck? It seems absolutely atrocious. Bearing in mind that this is the main road, not only for the docks but for St Athan and Llantwit Major, lorries travel along that road day and night. I live on the road, and at 3 a.m. and 4 a.m. there are still lorries thundering along the road. So,

a lot of traffic would be disturbed. It would not even be easy for the building phase to happen in the middle of the night. Disruption to holiday traffic would also mean that tourism would be affected to an extent. There would also be an impact on attendance times for emergency vehicles. It is bound to impact on public services—the impact on timetables would be horrendous.

[82] We believe that the most expensive option due to the extended build time would be to come down the main road. Another route, such as a bypass for Wenvoe, could be built without disrupting the main road. The entire road could be built with the traffic still running along the main road. Access routes on both sides of Port Road would need to be constructed. What we are saying is that if the main road were to come straight through Wenvoe along Port Road, it is not just a case of dualling that road, because you also have to consider access to the village, and feeder roads to the houses on the left and right hand side of the village. There would also be compulsory purchase orders, which I guess that you folks would have to organise, bearing in mind that the main road at the moment already has a utility infrastructure attached to it. We know that there are supplies of gas, electricity, water, sewage and telephone lines under that road at the moment.

[83] In addition, as has already been stated, there will be an increase in the noise and air pollution to many residents of the village, and do not forget our youngsters in the school right beside the main road. We believe that these problems would be eased or, in some cases, eliminated, if the 2008 consultation option 8(b), which is the eastern bypass, were to be adopted.

[84] **Ms Davies:** Dr Rose will come back to the pollution aspect of it later but, in the meantime, I will fill you in on the feelings and opinions of the Wenvoe community. We have had three very well-attended public meetings over the past 12 months. We have had a petition with nearly 800 signatures, not purely from people in Wenvoe but also from surrounding areas and from people with a vested interest in not creating a dual carriageway at Port Road. We presented it on a weekday when it was difficult for people to get time off work and for families to take kids out of school, but 60 people came along to hand over the petition, which was televised. We have facilitated letter writing, with over 340 Wenvoe households choosing to take up that option and sending letters in. They were hand delivered to the Deputy First Minister. There have also been hundreds of independent letters and e-mails from a wide range of people living in the Wenvoe community.

[85] We also wanted to ensure that the Wenvoe community action group truly represented the community that we are trying to serve. So, we took a very methodical approach and went knocking on doors. We split up and knocked on the door of every house in the main part of the village, which is just to the west of Port Road. If people were not in, we returned and tried to catch them at a later date, so that we approached as many people as we could to gather their opinions.

[86] The findings of our door-to-door research showed that there was 100 per cent opposition to making Port Road a dual carriageway through Wenvoe—every single person opposed it. There was also 100 per cent support for a direct M4 link off junction 34, if it was to purely be an airport access road. However, many people believe that the road is more about Barry, the Vale of Glamorgan and the Culverhouse Cross development than purely about airport access. As a last resort, we put to our neighbours that if corridor A—the Wenvoe route—was selected, how would they feel about option 8(b), namely the bypass to the east of Wenvoe.

9.50 a.m.

[87] We found that 96 per cent of the people whom we contacted would prefer the bypass

option, rather than the dualling of Port Road. We recognise a number of advantages to the bypass option, such as the flexibility of the route, cutting across agricultural land, there would be an opportunity to flex the route around residential property. It would be significantly further away from the village, and, to be honest, that would definitely mean improvements to quality of life from the situation with the existing road. We believe that the speed and cost of construction would be reduced by taking this approach and that traffic-flow capacity would improve, because there would be an additional road to those currently serving the Vale, Cardiff and the M4.

[88] **Mr Fulgoni:** The big consideration in all this was the pollution aspect. We are talking about the health of the people in the village, and we are fortunate in our village to have an expert in the field, Dr Fred Rose. I will hand you over to Fred, who will give us the findings of some recent research that is relevant in this case.

[89] **Dr Rose:** You are well aware from all the correspondence and the literature that we have sent you that my concern is the health hazards of pollution from vehicles and so on. I am worried that dualling the Port Road would constitute a complete disregard for the mounting evidence from all over the world concerning the effects of air pollution on local populations everywhere. That is dusts from the exhausts and the brake linings, and, in particular, diesel fumes. This is an outstanding example of something that should not be permitted. It is absolute folly. You have already heard several reasons why this is an undesirable development, but I will now point out three health aspects.

[90] First, as you have already heard, is the proximity to schools. There are three schools along this route and, in particular, Gwenfo Church in Wales Primary School is right alongside it. Secondly, the road is on the directional line for the prevailing winds, which funnel fumes down between the high ground on the western side and woodland to the east. This goes right along the road, funnelling stuff into Wenvoe village. The third point is that there are a number of major intersections between Culverhouse Cross and the airport. Therefore, at the roundabouts or traffic lights, people will change gears, which will contribute even more fumes to the pollution.

[91] As I said, there is worldwide awareness and a lot of literature coming out on all this, and various bodies are taking action all over the place, because it is now suspected that air pollution is probably one of the main factors in the sudden increase in asthma that we have seen in the young. Perhaps more significant than that, as has been established, is that it also has an effect on the heart, which was never previously suspected. I have a wad of stuff here; this is a recent publication of 200 pages or more—I have not had time to read it yet—on long-term exposure to air pollution and its effect on mortality. This has been produced by an international body, which is primarily concerned with the points that I have just mentioned. That report came out only a fortnight ago, and I have not had time to look at it properly. The culprits in all this, as we know and as has been outlined to you, are the smallest particles, the PM 10s of less than 10 microns, which are present in diesel fumes.

[92] Worst of all, 8 per cent of this is what is known as the ultra-fine particle fraction. These particles are smaller than viruses; they are a third of the size of the viruses that we know about. It is now realised that these get deep down into the lungs and we cannot cough them up. We cough up some, of course, but the smallest ones get right down. They can also now cross the barrier into the blood vessels. We know where viruses get to, therefore it is quite understandable that these particles get everywhere. This is the main concern at the present time. The important point about these particles is that they are very toxic; they have carcinogens in them, such as metals and all sorts of stuff like that, including hydrocarbons, which are known to be offensive. This is well understood. I mention all of this because Cardiff is a leader in this field. The papers that I have put before you come from the new unit in the biosciences department. Kelly Bérubé, the lady mentioned in papers, is renowned all

over the world. This is not the first time that Cardiff has been at the forefront of this sort of research, with the pneumoconiosis research unit at Llandough hospital and also the fact that the staff were pioneers in asbestos scoring. I have now been retired for a number of years but I was a member of this group during my employment, as part of my employment while we were MRC grant-holders studying the dust coming out of factories at Sully. Therefore, I have access to all of these people and all of the information.

[93] **Sandy Mewies:** I will now ask you to come to a conclusion, so that we can have time for questions.

[94] **Dr Rose:** I am finishing now. However, I would like to add one concluding point. I have sympathy with all areas, Pendoylan in particular, where there is a proposal to move part of the road. The point about that is that there is still time to route the new road away from the village so that the inhabitants do not suffer. I would not like to have it on my conscience that I had not done anything or had not done all that I could to prevent pollution of air for the young ones for whom we do not know the long-term effects.

[95] **Sandy Mewies:** Thank you very much for that. I think that it is clear that all of you, like the previous group, have worked very hard indeed in the evidence that you have collated and presented to us today. I want to give Members the opportunity to ask questions. Also, of course, we have new petitions coming in after this. I will ask the first question.

[96] As others have done before you, you have expressed concerns about the way in which the consultation was conducted. From a practical point of view, what type of activity could have, and should have been included in the consultation exercise to improve it?

[97] **Ms Davies:** I commute to Cardiff on a daily basis. We had around 200 people present at one of our public meetings. A question was asked as to how many people were stopped on their way to or from work, or wherever they were travelling, and I think that there was one person in the whole room that had been stopped. Therefore, although people had been stopped and consulted during the traffic surveys, we found that it was not representative of the village, whose inhabitants were actually travelling on a regular basis. Other than that, I think that our main argument is not about the consultation process itself.

[98] **Sandy Mewies:** It is about the facts—the objections—that you have raised today.

[99] **Ms Davies:** Yes.

[100] **Sandy Mewies:** Okay. If the Deputy First Minister decides that corridor A is the preferred route, what would be the minimum level of consultation that you would expect at the next stage?

[101] **Ms Davies:** We would very much appreciate this not just coming back to the community action group but to the community council and also to the village as a whole. We believe that we have captured the opinions of our neighbours in the community but we would like everyone to have the ability to perhaps vote, if that were the chosen route—whether it is a bypass option or whether it is a dualling of Port Road. We think that we know the answer.

[102] **Sandy Mewies:** Okay. That is fine.

[103] **Mr Fulgoni:** As Siân said, we did genuinely knock on every single door that we were able to knock. We went back to them two or three times if there was no reply. The timing was bad, possibly. We got there at around bank holiday time, and knocked on every door. In my own patch of 60 houses, I had responses from around 35 of them.

10.00 a.m.

[104] I presented it by asking people whether, if we are genuinely talking about an airport access road, given that the feeling of people in the village has always been that the route should go straight from junction 34, they agree that that is what should be done. They said they absolutely agreed. The feeling coming out now is that there is also a great need for better links between the Vale of Glamorgan and Cardiff, in both directions. If that were to be the case, many of us in the village feel that the decision will probably be for the route to go in the direction of Wenvoe. That being the case, I asked people whether they would like to see the route following the main road, as is, or whether they would like to see a new eastern bypass. On balance, it worked out at 96 per cent, but I can give you names and addresses to show that 88 per cent said 'Please go around the back.' Interestingly, a few people took the trouble to say 'Thank you very much for taking the time to do this research and ask people these questions'—

[105] **Sandy Mewies:** I am sorry to interrupt, but we have other questions to ask.

[106] **Andrew R.T. Davies:** I would like to thank all three of you for your evidence. You have made some interesting points, some of which I have not had the chance to hear before. I hope that they will inform the decision that we are expecting the Deputy First Minister to announce next Wednesday in a wider transport statement to Plenary. This question is along the same lines as the question I put to the previous petitioners. Obviously, a Government can legitimately make strategic decisions, whether on transport, health or education. In this instance, we are talking about transport, and if the Deputy First Minister chooses option A, given that you have had some sight of the evidence so far through the consultation process and so on, what other evidence would you like to see the Deputy First Minister make available to you that would perhaps allay some of your fears and persuade you that he has arrived at the right decision? I am unaware of all the evidence that the Deputy First Minister has, but he has looked at a whole range of avenues of evidence that would have been presented to him by various experts and community groups, such as yours.

[107] **Mr Fulgoni:** It would be very interesting if it were appropriate for the Deputy First Minister to show us what the options would be. It would be very good for the people of Wenvoe to know the reasons for whatever decision is made.

[108] **Andrew R.T. Davies:** That is a logical answer, but do I take it from that that what you would like to see is almost a consultation exercise focused on the preferred route, similar to that done for the whole route, with various public exhibitions, so that people could cross-examine the evidence? Hopefully, that would inform the community as to why it is going to be the host, if that is the right word, for the route.

[109] **Mr Fulgoni:** Yes.

[110] **Ms Davies:** It would be interesting to see the conclusions of the research and the survey that were carried out. We have not had full access to that information. We would like to see the rationale behind any decision reached. If we can understand why a decision has been reached, it will be that much easier for us to accept.

[111] **Mr Fulgoni:** If it were possible to have further consultation at that stage, it would be very much welcomed by the village.

[112] **Andrew R.T. Davies:** I am not sure whether the other members of the panel are aware, but knowing the area, option 8(b), which you mentioned relates to a route that is some distance from the village. However, there would be greater development consequences of that option with regard to any extension of the village, due to infill, for example. Once you create

a new boundary for the village—

[113] **Mr Fulgoni:** Is that not under your control?

[114] **Andrew R.T. Davies:** That is what I am coming to. If the Deputy First Minister were to choose an extended route away from the village, would you welcome that area being kept as green fields and community space, thus preventing considerable overdevelopment?

[115] **Ms Davies:** You have hit the nail on the head with regard to the main argument for the 4 per cent of people who were disinclined to choose the bypass option. There is a fear that Wenvoe might grow and become a suburb of Cardiff.

[116] **Michael German:** I will come back to that point a minute if I may. First, I wish to clarify that, in October, you wrote to the Minister and said that you believed that there was a need for an airport access road. Is that still the case?

[117] **Ms Davies:** We believe that there is a need for a road and those of us living directly on Port Road appreciate that it is an exceptionally busy road.

[118] **Michael German:** To be absolutely clear, you wrote to the Government in October and said that you believe that there is a need for an airport access road. Is that still your position?

[119] **Ms Davies:** That would not be my personal position. I am sorry; I do not have the facts to hand, so I do not know who contacted you providing that information.

[120] **Michael German:** That was in the letter that you wrote on 1 October to the Welsh Assembly Government. That is the issue that I am trying to get to the bottom of. Do you believe that there is a need for a road to the airport?

[121] **Ms Davies:** The belief expressed in the public consultations that we have had recently is that a road that is purely for airport access is not necessary.

[122] **Michael German:** Fine. Now let us move to the issue of the bypass. Do you believe that people in Wenvoe genuinely feel that their quality of life is harmed by the traffic that uses the current road and that a bypass would provide relief to the village? Is that what is behind this?

[123] **Ms Davies:** In some instances, that is the case, but people in more outlying areas of the village do not feel the impact of the current traffic flow, other than when it comes to access to Port Road.

[124] **Michael German:** I am trying to connect these two things together, as you probably realise. Do you think that the people of—

[125] **Ms Davies:** I think that it would be beneficial for the village as a whole for a bypass option to be chosen over the dualling of Port Road.

[126] **Michael German:** So, it is a question of whether the access road to the airport is a means of getting the bypass or whether the bypass is the best way to ensure that there is an access road to the airport. I gather from what you are saying that, for you, it is about the first of those options and you are really looking for a bypass to come out of this whole process.

[127] **Ms Davies:** What we are looking for more than anything else is not to have a dual carriageway along the existing Port Road.

[128] **Mr Fulgoni:** Having been a resident of the village for 25 years, I have seen a huge increase in traffic travelling along that road. Is the airport and getting people back and forth the issue? I will ask you: is the airport really the issue?

[129] **Michael German:** Fortunately, I am here to ask the questions and not answer them.

[130] **Mr Fulgoni:** Fair enough, but if that really is the issue, a road is necessary. The village of Wenvoe has said that, if the road is going to go in the Wenvoe direction, it would really like it not to be along the main road as it is at present. A road that is already busy will become busier. There is a lot of talk of other developments in the Vale of Glamorgan—the Defence Aviation Repair Agency developments and so on—which are bound to bring more traffic with them. If those developments are built, there will be a lot of servicemen working on the new site whose families will be travelling back and forth to Cardiff for work and leisure, so there will be a lot more traffic coming from that direction. Serious developments in the Vale of Glamorgan, which will hopefully happen, because they would be good for the area, would not be good for Wenvoe village, so if we are going to have a road, can we please take it as far away from the majority of the residents as possible? We fully accept that if it is better for the majority of the residents, there will be a minority who will be disadvantaged, and we will trust you good folk to choose a route that disadvantages as few people as possible.

[131] **Michael German:** That is pretty clear; thank you.

[132] **Bethan Jenkins:** The question of why you think that it should not happen in your area is well rehearsed. You mentioned the speed of construction and the fact that the cost would be reduced if the alternative option was put in place, but you will have heard the other petitioners talking earlier about the lack of evidence to show that that situation would be viable. So, how did you come to that conclusion?

[133] **Mr Fulgoni:** We did not hear the other petitioners.

[134] **Ms Davies:** We do not have funding to conduct research of our own, but we have spoken to a number of civil engineers, some of whom work for the Vale of Glamorgan council. Off the record, my father is a civil engineer, and the general opinion in the civil engineering community is that extending the existing road would require it to be completely rebuilt, that the time that it would take to do that would very much add to the costs, and that a new route would be cheaper in the long run and would definitely be far faster, barely affecting current traffic flow at all.

10.10 a.m.

[135] **Mr Fulgoni:** When we talk about costs, we are not just talking about the cost of physically building the road, as there will be disruption to businesses generally in the Vale from all the travelling backwards and forwards. They will incur costs, which, if we are looking at the full cost of building a road, must be taken into account as part of the package. We are suggesting that if an eastern bypass to Wenvoe were the preferred option, it could be built in much the same way that the new M4 was built up to the new bridge. That was built and we kept on using the old road, which is now the A48. Then, eventually, the switchover came. We can envisage the same thing happening here, so the traffic between the Vale of Glamorgan and Barry, and also that going into Cardiff, would be disadvantaged to the least extent possible.

[136] **Bethan Jenkins:** My final question is about enhanced rail links, which I mentioned earlier. Do you think that that is something that you could support as an alternative to any

new road development?

[137] **Ms Davies:** Absolutely, yes. We would very much welcome that.

[138] **Sandy Mewies:** With that I will bring this session to an end, otherwise we will not have time to discuss the evidence. Thank you very much indeed.

[139] **Ms Davies:** Diolch yn fawr am eich **Ms Davies:** Thank you for your time.
amser.

10.11 a.m.

Deisebau Newydd New Petitions

[140] **Sandy Mewies:** The first petition is P-03-222, from the National Osteoporosis Society. Do Members have any thoughts on that?

[141] **Andrew R.T. Davies:** As this is a new petition, Chair, unless the clerk has already undertaken this course of action, we need to ascertain the Government's position on this issue and what service provision is in place. I suggest that we write to the Minister.

[142] **Sandy Mewies:** Yes, okay. I see that no-one has any other suggested actions. The next is petition P-03-223 on section 6 of the Welsh Language Act 1993.

[143] **Michael German:** This one raises some interesting issues, not just about the House of Commons being regarded as a public body, but also about the National Assembly as a public body in respect of its legal position. It might be advisable for us to have a note on these matters from our legal team before we proceed to consider this any further. It has much wider implications than may first have been thought.

[144] **Bethan Jenkins:** I did not sit on the committee that discussed the LCO on the Welsh language, but would there be an enhanced role for that LCO if Parliament and the Assembly were to become part of this?

[145] **Sandy Mewies:** Those are two requests for legal advice. Do you want that to be circulated to you by e-mail, or are you willing to have it circulated in the normal way?

[146] **Michael German:** This is a discussion that we need to have, Chair, because there is a huge constitutional issue as to whether the National Assembly for Wales and the House of Commons are, jointly and separately, public bodies. That has implications, I understand, for requests under the Freedom of Information Act 2000 by individual Members, and it may imply the release of casework notes and all sorts of things that do not currently have to be done. It would be wise to wait for the advice and to have a discussion about it when we get it.

[147] **Sandy Mewies:** I have no problems with that at all. The next petition is P-03-225, on Gorseinon College.

[148] **Michael German:** What was the position that was announced yesterday? I understand that the Ministers—Andrew Davies and Jane Hutt—announced something about additional funding for colleges, but I think that that is only capital funding. We need to know a bit more about the additional funding before we can go any further on this. I believe that there was an announcement yesterday, although I did not see it.

[149] **Andrew R.T. Davies:** It was about Bills—*[Inaudible.]*

[150] **Michael German:** I am only drawing on second-hand opinion, but if no-one knows, that is interesting. Some £12 million was made available to FE colleges in Wales by the Minister for Finance and Public Service Delivery. I am not certain whether that was capital or revenue funding, and what implication it would have. I am suggesting, Chair, that what we need to do is to find out what the Government has announced, find out what Fforwm and colleges think of the announcement—we have time to do that because we do not have another meeting until September—and consider whether that will make a material difference to the issue in the petition.

[151] **Sandy Mewies:** Should we also write to the principal?

[152] **Michael German:** Yes, we need to ask the principal about it, but we need to know that the Government has announced first.

[153] **Sandy Mewies:** So, it is the Minister for Finance and Public Service Delivery as well as the Minister for Children, Education, Lifelong Learning and Skills.

[154] **Andrew R.T. Davies:** [*Inaudible.*]

[155] **Michael German:** No, it is not; it is Andrew Davies who made the announcement.

[156] **Sandy Mewies:** I said ‘yes’.

[157] **Michael German:** Sorry, I was answering Andrew who was saying, ‘No, it shouldn’t be’.

[158] **Andrew R.T. Davies:** Yes, but he would be making the money available to the Department for Children, Education, Lifelong Learning and Skills, would he not? The money would be coming via DCELLS.

[159] **Sandy Mewies:** I do not know. I do not think that we know the answer. So, it would be a matter of finding out from Andrew Davies what has been said on that, if anything, and the effect that it will have. We also need to write to the Minister for Children, Education, Lifelong Learning and Skills, the principal of Gorseinon College and you mentioned Fforwm as well.

[160] **Michael German:** Yes, to let it know what has been announced.

[161] **Bethan Jenkins:** I just wanted to say that I have been involved in the campaign, so I will not be saying anything, but I do know that lots of the problems are to do with accessing European money—to pre-empt what the principal will say. Perhaps we should write to Ieuan Wyn Jones also, because I know that freeing up that money is something that the college is very concerned about.

[162] **Michael German:** While we are at it, we might as well as ask about the availability of ProAct and ReAct money to the college.

[163] **Sandy Mewies:** We will ask about any moneys available from any funding source. What about P-03-226 from Sands, the Stillbirth and Neo-natal Deaths Charity?

[164] **Michael German:** Again, this is the first time that we have had this, is it not, Chair?

[165] **Bethan Jenkins:** The Lib Dems had a debate on this. Can you remember what was said?

- [166] **Andrew R.T. Davies:** Three weeks ago, we had a debate on this.
- [167] **Michael German:** I was not there at the time.
- [168] **Andrew R.T. Davies:** The organisation made a formal presentation in the Assembly. It would be good if the clerking team could have a look at the transcript of the debate, because a lot of information was released through that debate via contributors and the Minister herself. Thankfully, some figures released last week showed that the graphs are finally coming down.
- [169] **Sandy Mewies:** The suggestion is that we write to the Minister and ask a series of questions, bearing in mind what was said and the decisions that were taken, because it was a debate. If we ask these questions, do you have any to add to those?
- [170] **Andrew R.T. Davies:** I think that they are comprehensive, Chair.
- [171] **Sandy Mewies:** Okay. The next petition is P-03-231, on the proximity of wind turbines to residential dwellings, submitted by Glyncorrwg Action Group.
- [172] **Michael German:** I think that we already have a policy on this. I suspect that we need to check whether the Minister is thinking of altering the policy and ask for some rationale behind the current distance that is required, which is 500m.
- [173] **Sandy Mewies:** I think that there is a question that the petitioners would like the answer to, on the differences and why there is a difference.
- [174] **Michael German:** What about Scotland as well?
- [175] **Sandy Mewies:** Yes. Are we all happy with that?
- [176] **Andrew R.T. Davies:** Yes.
- [177] **Sandy Mewies:** Thank you. Petition P-03-232 is on Ffynnone and Cilgwyn woods.
- [178] **Andrew R.T. Davies:** There are various organisations involved here, Chair. Obviously the Minister has the ultimate responsibility, but Forestry Commission Wales does have a role to play in this. As public money is involved, the Auditor General for Wales also has a role to play in see whether that money has been best spent. Could I suggest that we write to the Minister for Rural Affairs and the forestry commission? Above all we should make a request to the auditor general to see if he has a view on it or not.
- [179] **Sandy Mewies:** Should we be writing to Calon yn Tyfu as well?
- [180] **Michael German:** Yes. The auditor general has produced a report on Forestry Commission Wales. Before writing to him, it might be worthwhile reading that report, just to check whether it covers the points raised. We already have his report and we do not want to ask for things that he has already written and that we have already considered. I would suggest that the clerk contacts the clerk to the Audit Committee, or the public accounts committee as it will be known.
- [181] **Sandy Mewies:** Will it?
- [182] **Michael German:** Yes.
- [183] **Andrew R.T. Davies:** Are they renaming it?

[184] **Bethan Jenkins:** We are announcing things in Petitions Committee now, are we?

[185] **Michael German:** No. If we accepted yesterday's report, which I believe that we did—I understand that we will hear from you two later—it is part of the recommendations of the Roger Jones report.

[186] **Sandy Mewies:** Fine. I will ask the clerk to look at that. There is a very specific question in this petition about investigating the administration of the scheme by the forestry commission. May I ask the clerk, after looking through what has come out, to circulate that question to you very quickly before it goes out?

[187] **Andrew R.T. Davies:** It is specific to the—

[188] **Sandy Mewies:** If there is a very specific—

[189] **Andrew R.T. Davies:** Rather than the wider forestry commission, which I presume—

[190] **Michael German:** No, it is the Cydcoed scheme.

[191] **Andrew R.T. Davies:** It is specifically that.

[192] **Sandy Mewies:** So, if there is a revision on that, we will send that to you before it goes out.

10.20 a.m.

Trafod y Dystiolaeth Discussion of Evidence

[193] **Sandy Mewies:** I think that all our petitioners have taken their seats in the public gallery now, so I invite Members' views.

[194] **Bethan Jenkins:** I just want to clarify the point I made about St Athan. The letter before us is from the Deputy First Minister, and it says that 'One Wales: Connecting the Nation—The Wales Transport Strategy' includes preparation of a surface access strategy for Cardiff international airport as well as the planned defence training academy at St Athan, which was published in May 2008. I would want to write to the Minister asking for clarification with regard to the disparity between statements, as one says that it has nothing to do with the completion of St Athan, yet this report is one of the main points that he makes in the letter to Val Lloyd as Chair of the Petitions Committee. We need to be clear—if it is not just about access to the airport, what is it about? Some of the petitioners are saying that John Smith, the MP, had been asking questions on his web page about all of this, including St Athan. For public openness, we need to be aware of what the real issues behind this are.

[195] **Andrew R.T. Davies:** I declare an interest, and I will not be voting on the decision as I have been involved with both petitions. I will pass observations on the evidence that we have had this morning, however, Chair.

[196] In the first place, what is critical is that the evidence that has been gleaned here must be passed on to the Deputy First Minister as a matter of urgency, because his decision is being made next week. The Deputy First Minister has indicated that he is still receiving evidence, although, admittedly, that was some two or three weeks ago in Plenary. I would hope that he would be prepared to listen to the evidence that has been presented at this morning's meeting.

[197] Secondly, I hope that we can make a recommendation to the Deputy First Minister that, whatever his decision, he will offer a comprehensive debriefing for the communities affected so that, should one or none of the options be taken up, people will understand how the decision was reached and, above all, they can go forward without having to suffer anything up to 20 years of blight on their area. I hope that the Deputy First Minister is able to come back to us and say in outline what type of debrief he envisages via his consultants or his officials. If we can follow those two courses of action—obviously, this is a Government decision—hopefully, the evidence that we have gathered will help to inform his decision.

[198] **Michael German:** The interesting letter is the one from the Deputy First Minister on 20 May to the committee, the last paragraph of the first side of which says:

[199] ‘Both the Metrix development at St Athan and the proposed International Business Park at Junction 33...do not...have planning and therefore their traffic impacts cannot be taken into account as part of this study. However, the...Assembly Government’s consultants [have] incorporated the flexibility to test these and other various development scenarios by way of a sensitivity analysis.’

[200] If that is true, then next week’s announcement will only be on the airport access road. It will not take account of the other two proposals, although they have the ability to do that later, if they so wish. I think that we need to clarify that point, if we can, before next week’s announcement.

[201] On the second page, the Minister says that he will give details of the reasons for taking forward any new transport proposals when the announcement has been made. Also, traffic modelling will be available when that announcement takes place.

[202] One of the issues that we heard about this morning is that traffic modelling ought to be available not just for the preferred option, if there is one, but for all options. Can we therefore communicate very rapidly to the Deputy First Minister that when he fulfils the promise that he made to this committee in his letter of 20 May, the traffic modelling should be for all the options, and not just for the one that he prefers?

[203] **Sandy Mewies:** Okay. So, what we have now is: clearing up the disparity; a full debrief for all petitioners; the points you made about the decision being on airport only; and the availability of traffic modelling for everything. I am quite sure that the clerk has heard your message that it needs to be done as quickly as possible so that we can get a response.

[204] **Bethan Jenkins:** I just want to add one little thing. I asked the questions about public transport. We should look at that further, if we have time, to see how hard it has been looked at.

[205] **Andrew R.T. Davies:** Hence my recommendation that the evidence gathered at this meeting be sent to the Deputy First Minister as a matter of urgency.

[206] **Michael German:** In the light of the comment made by the airport management yesterday, I wonder whether it has a view on the railway airport spur. Maybe we could write to the airport management and ask it for its view on the whole issue, but also on that matter in general.

[207] **Sandy Mewies:** Are you all happy with that? Have we covered all of the points that you wanted to be covered?

[208] **Bethan Jenkins:** Did we not say something about the Environment Agency and the

flooding risks, and whether or not we needed to contact it?

[209] **Sandy Mewies:** There is a suggestion that the agency's modelling was not correct. Should we put that to the agency and ask it to come back to us on it?

[210] **Bethan Jenkins:** On the PM10s and the pollution levels, could the agency compare how it would affect different areas? From my experience of dealing with this issue in Port Talbot, I am aware of how the rise in PM10s contravenes European Union law. We could ask the agency how it will affect those communities if there is a new development of this type.

[211] **Andrew R.T. Davies:** Hence the need to send the evidence from the committee to the—*[Inaudible.]*

[212] **Bethan Jenkins:** To the Environment Agency.

[213] **Sandy Mewies:** We have said that that will happen. So, there are two issues for the Environment Agency—the microparticulation and the flooding risk. I do not know when we will receive a response, but we will send the full evidence to the agency today, Andrew, as you stated, and we will seek those replies as a matter of urgency.

[214] **Andrew R.T. Davies:** I do not mean to labour the point, but as we are going into recess next week, and pieces of evidence might well come back during the recess, is it in order for that evidence to be sent back to the petitioners over specific issues that have been raised during the meeting, such as the Environment Agency's response to the pollution particles?

[215] **Sandy Mewies:** Are Members content for that to happen? I see that you are.

[216] **Andrew R.T. Davies:** It is just that we will not meet next until September.

[217] **Sandy Mewies:** If we send the evidence to the petitioners as and when we receive it, that is fine by me.

[218] **Michael German:** I realise that we took both sets of evidence together, but on the Wenvoe community action evidence, the position that we were given at the end of the evidence was that this is a road that will have more traffic, so, whatever happens, we need to ask the Deputy First Minister what his proposals are for alleviating local traffic concerns, particularly at Wenvoe.

[219] **Sandy Mewies:** There was a general opinion that there was a need for improvements in some areas.

10.27 a.m.

Yr Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[220] **Sandy Mewies:** Are there any comments on petition P-03-081 on student support regulations? We are awaiting an update from the Minister.

[221] **Michael German:** We are waiting, like *Waiting for Godot*.

[222] **Bethan Jenkins:** Perhaps we could ask the petitioner for an update on its views on the current situation, and the recent correspondence that we have received in relation to this.

[223] **Sandy Mewies:** I see that Members are content with that. The next petition is P-03-099 on the multi-user path at Talybont-on-Usk.

[224] **Michael German:** I welcome the statement from the Deputy First Minister, but this matter goes on and on. Can we urge some progress on this matter from the Deputy First Minister?

[225] **Sandy Mewies:** Okay, we will ask him for a swift update.

[226] **Michael German:** We should ask him to make his announcement so that we can move on, rather than waiting for it.

[227] **Sandy Mewies:** We will ask him what progress has been made.

[228] **Michael German:** Yes. We know that he is going to make his announcement, but can he make it on the speedier side of slow?

[229] **Sandy Mewies:** The third petition is P-03-137 on hypothyroidism in Wales, raised by Dr Sarah Miles.

[230] **Michael German:** I have a technical question on this one.

[231] **Sandy Mewies:** I will refer you to the department. [*Laughter.*]

[232] **Michael German:** Yes. It is about the role of the National Institute for Health and Clinical Excellence. Essentially, the petitioners take the Royal College of Physicians to task—I am not in a position to judge that, and I do not think that I would ever want to be. Will NICE be the arbiter in this matter? Is it NICE's role to state how the care and management of different types of conditions should be dealt with? The petitioners are saying that the Royal College of Physicians has got it wrong, but is NICE the arbiter? I do not know the answer to the question.

[233] **Sandy Mewies:** I think that that is highly unlikely—I would not have thought that it would be within NICE's remit. However, we can find out, because I do not know who the arbiter would be.

10.30 a.m.

[234] **Andrew R.T. Davies:** We should ask for a Members' research service brief on it and find out who looks into these types of things.

[235] **Sandy Mewies:** We will inquire into that. I would not have thought the arbiter was NICE, but the next question is: who is it?

[236] **Michael German:** Should there be one? I do not know.

[237] **Sandy Mewies:** Possibly. Are you happy if we do that? I see that you are.

[238] The next petition is P-03-144, from Guide Dogs for the Blind Association, which is about shared streets.

[239] **Michael German:** I welcome the letter from the Guide Dogs for the Blind Association, which is helpful, but we should not confuse this one with the other, similar petition. We are looking at the narrow issue of taking away kerbstones. I think that we will have to wait for the research study, but, perhaps, once again, we could get some timescale for

when that is likely to happen.

[240] **Sandy Mewies:** Okay.

[241] The fifth petition is P-03-153 on body piercing.

[242] **Andrew R.T. Davies:** We never had our trip.

[243] **Bethan Jenkins:** Val was against it.

[244] **Michael German:** The committee took the view that we should investigate this matter by observing what happens in an establishment that offers body piercing. For most of us it is somewhere that you go past and move on. This is rather like the issue of suntanning beds and under 16-year-olds. There are some big issues around this. The Government's view was that banning piercing for under 16-year-olds would lead to under 16-year-olds piercing themselves. That is a bald assumption, and perhaps we need to get the views of people in the industry on this matter to check that. Perhaps Joanest can help me with this, but the current legislation is about the quality of the place at which it happens, not about whether it should happen, to whom it should happen, or the issue of whether it is a good or a bad thing. It raises some strong moral issues.

[245] **Sandy Mewies:** There is probably some sort of association of tattooists—

[246] **Michael German:** Piercers, not tattooists.

[247] **Sandy Mewies:** I am sorry, whatever you call them.

[248] **Michael German:** The petition is on piercing.

[249] **Sandy Mewies:** Yes, but tattooists offer piercing. There must be some sort of standard for the people who do these things. I do not know; we will ask the clerk to find out—

[250] **Michael German:** If there is the option of a visit, we could have a quick look.

[251] **Sandy Mewies:** Val will be back by then.

[252] **Bethan Jenkins:** Three of us are saying 'yes'.

[253] **Sandy Mewies:** To a visit? Okay, but not necessarily to watch.

[254] **Andrew R.T. Davies:** If it is like the suntanning salon issue, the Assembly has little or no control over this.

[255] **Sandy Mewies:** We will ask the clerk to find out the details, first of all, and he can circulate them to you. If you wish to visit, that will be fine, because it will be after the recess.

[256] **Michael German:** It could be during the recess.

[257] **Sandy Mewies:** It could. The clerk will circulate that, but we would have to know where and who we were dealing with.

[258] **Andrew R.T. Davies:** If it is during recess we can go on our own.

[259] **Sandy Mewies:** The sixth petition, P-03-181 is on pernicious anaemia—I got so excited over the piercing that I cannot find it. I am sorry; the next petition is P-03-170,

Mencap Cymru. That is why I could not find it. We are invited to consider writing to Mencap Cymru, asking whether it is content.

[260] **Michael German:** Yes, to see whether it is happy with what we have done so far.

[261] **Sandy Mewies:** Or not. The thought of the visit has thrown me completely.

[262] P-03-181, on pernicious anaemia, is the seventh petition. It has been raised by the Pernicious Anaemia Society.

[263] **Michael German:** Again, we will write to the petitioners to see whether they are happy with what the Minister has said so far.

[264] **Sandy Mewies:** Okay.

[265] The next petition is P-03-183 from students at Coleg Ceredigion about improving rail services in Aberystwyth. The suggested action is to write to TraCC.

[266] **Andrew R.T. Davies:** We should, because it is important that the officers understand exactly what we have talked about. We get an inordinate amount of petitions relating to transport issues and if the petitioners, in the first instance, could interface with the people who are charged with delivering the service, that would be beneficial. Could we arrange that?

[267] **Bethan Jenkins:** I would like to thank petitioners for providing a DVD response to us because it is an innovative way for them to correspond. If we can follow this through, I am sure that they would be grateful.

[268] **Michael German:** The key issue is that a huge amount of money is being put into the signalling on this line. It is an experiment that is being paid for, thankfully, through a lot of European support, and also by Network Rail. It is being seen as an exemplar of how to create new traffic and rail signalling. It then produces the opportunity to have an improved rail service. This work will be concluded in the next few months. Waiting until there will be a railway line with the ability to provide a much improved service before we decide whether there should be a much improved service does not seem sensible. I wonder whether we should write to Ieuan Wyn Jones again to ask whether he has made progress with the business case, because we know that the signalling will be ready.

[269] **Sandy Mewies:** It is a timeline issue, is it not?

[270] **Michael German:** Yes. Why wait for the business case when you could start work on the business case early?

[271] **Sandy Mewies:** It is also a matter of how they compare.

[272] **Michael German:** I would like to know whether he has got on with it.

[273] **Sandy Mewies:** The next petition is P-03-187 on abolishing the Severn bridge tolls. Again, we can consider writing to the Deputy First Minister with a proposed date, namely 22 September.

[274] **Michael German:** Can we ask him to respond on the quicker side of slow again, please?

[275] **Andrew R.T. Davies:** The Deputy First Minister seems to be having a deluge of letters from us.

[276] **Sandy Mewies:** I suppose that that reflects the concerns of people. The next petition is P-03-197, Save the Vulcan.

[277] **Michael German:** We have not done this before, but could I suggest to the clerk that it would be useful for us to have the papers relating to the meetings to which the Deputy First Minister refers in his letter dated 10 June 2009 between his officials and Severn River Crossing plc? There was a meeting on 3 June 2009.

[278] **Mr Davidson:** Yes.

[279] **Michael German:** Perhaps you could circulate the notes of those meetings so that we at least know the direction that they are taking.

[280] **Sandy Mewies:** The next petition is P-03-197, Save the Vulcan.

[281] **Michael German:** Hurrah.

[282] **Bethan Jenkins:** Is it saved?

[283] **Andrew R.T. Davies:** We have some good news for you, Bethan.

[284] **Sandy Mewies:** It has been saved for three years.

[285] **Michael German:** It is a stay of execution, I think, Chair.

[286] **Sandy Mewies:** We are still awaiting the Welsh Local Government Association's advice.

[287] **Michael German:** Yes. I think that we need to know what its attitude is towards local listing and the issues that are being raised.

[288] **Sandy Mewies:** We should then revisit the petition, I think. I am advised that the petitioners have asked to keep the petition open.

[289] **Michael German:** Yes; it should be kept open.

[290] **Andrew R.T. Davies:** Although this petition was specific to the Vulcan, the issue around local listing and listing per se has opened a whole can of worms. While we are aware that the Minister will be opening a consultation in November, I think, we need to be informing that consultation with the evidence that we gathered on this specific position.

[291] **Sandy Mewies:** Okay. The eleventh petition is P-03-207 on support for the unemployed in Monmouth. We are invited to consider writing to Jobcentre Plus.

[292] **Michael German:** It is quite unsatisfactory. If you are unemployed, you can get on a bus and you can travel between 14 and 22 miles to the county town. I do not think that we should let Jobcentre Plus off the hook. Perhaps they could run outreach services—a one day a week scheme to enable people not to have to make expensive bus journeys to get somewhere. There are not frequent bus services to all of these places, particularly if we are asking people from Wales to go to England.

[293] **Sandy Mewies:** Therefore, we will ask it to consider the point raised by the petitioners. Jobcentre Plus is not a devolved organisation.

[294] **Michael German:** Perhaps we could ask it to consider a better way for supporting people.

[295] **Sandy Mewies:** Okay.

[296] **Andrew R.T. Davies:** Could we also raise it with the Government? I know that it is not a devolved issue, but could we ask whether it has a view and whether it could lend weight to the outreach programme that Mike was suggesting? It is quite scandalous that people are expected to travel 20 miles or so.

[297] **Sandy Mewies:** We could ask whether there have been any consultations between the relevant Ministers, and what discussions have taken place.

[298] **Andrew R.T. Davies:** I am sure that it is not unique to Monmouth. I imagine that it also happens in other areas.

[299] **Sandy Mewies:** We could do that.

[300] The twelfth petition is P-03-220 on lowering the speed limit of the A40 near Abergavenny, and it comes from Councillor Maureen Powell. We can write to the Deputy First Minister asking for updated guidance on speed limits. This seems to have been a long time coming. I cannot remember, but it is imminent, is it not? Was it not going to be in September?

10.40 a.m.

[301] **Andrew R.T. Davies:** I heard something about it the other day.

[302] **Michael German:** I am not breaching any confidence in saying that I have a letter on the same road with regard to getting a pedestrian crossing to at least allow people to get across this section of road. That has been going on for four years. I had a letter back then saying that that stretch of road would be dealt with imminently. It is a major trunk road that goes through a residential area.

[303] **Sandy Mewies:** Mike, I am sure that we all have similar examples. In my constituency, I have several examples, going back years. I have had letters saying that something will be done—

[304] **Andrew R.T. Davies:** Then you get another letter saying that priorities have changed.

[305] **Sandy Mewies:** So, I think we should write to find out what the position is now and to ask for a definitive answer on whether it has been issued.

[306] **Michael German:** We want to know what is meant by the phrase 'later in the year'. The Deputy First Minister says that it may be possible later in the year to progress this work.

[307] **Sandy Mewies:** We want a definite time; we want to know what is going to happen and when, and we want him to outline the circumstances under which he would consider ordering a review of speed restrictions on a stretch of trunk road. The speed guidance being issued is about the setting of local speed limits, is it not?

[308] **Michael German:** Yes, and this is a trunk road.

[309] **Sandy Mewies:** Thank you all for attending today. The next meeting is on 22

September.

[310] **Michael German:** If we all accept the report from Roger Jones, we are going to have to work an extra three weeks.

[311] **Sandy Mewies:** Well, I am certainly not on holiday during the recess. I do not know about the rest of you. [*Laughter.*]

[312] **Michael German:** I meant that we would have to work an extra three weeks here. When that might be, I do not know.

[313] **Sandy Mewies:** I think that there is an issue with this, and we are going to have to ask the Deputy First Minister for some timings on some of these matters in writing. Otherwise, these things are going to hang around for a long time without any resolution.

[314] **Andrew R.T. Davies:** Would it be possible over the recess for the clerking team to do some work on departments' response times to this committee and looking at what correspondence is still outstanding. Some departments are considerably slower than others. Perhaps that could be a regular piece of work, to see the level of responses coming back. We have dealt with about 25 petitions today. It is hard work to keep track of those individually, but it is depressing for the petitioners when they have to wait for information. It would be helpful if we could have a periodic snapshot of the amount of correspondence that is still in the pipeline, including information on which Ministers are responding to us.

[315] **Mr Davidson:** We have that information, so we could put that together.

[316] **Bethan Jenkins:** I wanted to ask about the petitions website. As Members, we are still receiving quite a lot of complaints about the registration process. People are being put off submitting petitions. I am the first person to say how great it is, but if problems are putting people off, we need to have a serious look at this. I think that there have been problems with the site for the past year now. I do not want to put people off submitting petitions.

[317] **Michael German:** We have complained about that as a party.

[318] **Bethan Jenkins:** Yes, we have too.

[319] **Mr Davidson:** We have been working with our colleagues in information and communications technology to try to improve the system. Some improvements have been made, but it is an ongoing bit of work. We are trying to make it easier to use.

[320] **Michael German:** The key issue is registration. You have to register your name, address and all of that information before you can sign a petition, which is not the case in Scotland. In order to sign a petition you have to provide data about yourself. That was the fundamental issue. Has ICT moved on that issue?

[321] **Sandy Mewies:** We will find out and write to you. I am sure that you will also be welcoming back your regular Chair to the next meeting.

[322] **Michael German:** Do we know how she is?

[323] **Sandy Mewies:** The last I heard, she was making a good recovery. I close the meeting.

*Daeth y cyfarfod i ben am 10.44 a.m.
The meeting ended at 10.44 a.m.*