



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

**Y Pwyllgor Deisebau
The Petitions Committee**

**Dydd Mawrth, 10 Tachwedd 2009
Tuesday, 10 November 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. Mae hon yn fersiwn ddrafft o'r cofnod. Cyhoeddir fersiwn derfynol ymhen pum diwrnod gwaith.

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. This is a draft version of the record. The final version will be published within five working days.

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
Val Lloyd	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)

Swyddogion y Cynulliad yn bresennol
Assembly officials in attendance

Alun Davidson	Clerc Clerk
Andrew Minnis	Dirprwy Glerc Deputy Clerk
Lisa Salkeld	Cynghorydd Cyfreithiol Legal Adviser
Naomi Stocks	Clerc Clerk

Dechreuodd y cyfarfod am 9.30 a.m.
The meeting began at 9.30 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Val Lloyd:** Good morning and welcome to this morning's meeting of the Petitions Committee. There are a few housekeeping announcements to make, as per usual. We are not expecting a fire alarm test today, so if you hear one, it is the real thing, and please exit via the door on the left. Please switch off all your mobile phones and such devices because they interfere with our broadcasting equipment. I remind everyone that you can hear the interpretation on channel 1 of the headsets and that there is amplification of the verbatim proceedings on channel 0.

9.31 a.m.

Deisebau Newydd
New Petitions

[2] **Val Lloyd:** We will move on to our new petitions. Before we start with what is on the agenda, I would like to ask our clerk, Alun Davidson, to say a few words.

[3] **Mr Davidson:** To update Members on the first new petition, P-03-255, we received more information from St Julian's Comprehensive School on this. Effectively, one driver behind this petition was concern over the loss of funding. Obviously, the petition, as worded, is broader than that, but the school wanted to let the committee know that it has now received funding via the Welsh Assembly Government and is content with the action that has been taken.

[4] As per the new protocol on writing to the Government, the committee has written to it to seek its position on this issue and that response will come to committee at a later date. So, it is for Members to decide as to whether they wish to take any other action in relation to this.

[5] **Andrew R.T. Davies:** Does the school want to withdraw the petition?

[6] **Mr Davidson:** No, it does not want to withdraw the petition.

[7] **Val Lloyd:** Are there any comments on that?

[8] **Andrew R.T. Davies:** The petition centres on mainstream education in Wales, does it not? So, if the school definitely does not want to withdraw the petition, we will leave it open and see what the Minister's response is. The Enterprise and Learning Committee looked into a facet of special needs education. It may not be this aspect of it, but the work that it undertook might complement what we find out from the Minister because that committee looked at post-19 education.

[9] **Val Lloyd:** I agree. We have written to the Minister and I am delighted that St Julian's Comprehensive School has received the funding that it wants, but I think that we will wait for the Minister's reply. Is everyone content with that? I see that you are.

[10] We will now move on to our second new petition, which is P-03-262, on the potential and practicality of Wales having a peace institute. This is the first time that this petition has been considered. We have written directly to the First Minister, in line with our protocol now. Would Members like to take any other action at this stage?

[11] **Michael German:** As I am a sponsor of this petition, along with Bethan, Christine Chapman and Nick Ramsay, I do not feel that we can vote in this matter. However, given that there is such a range of peace and human rights institutes around Europe, the appropriate action, in my view, would be to invite the sponsors of this petition, at some stage, to discuss the matter with the committee. That might take some time to organise, but I know that the sponsors of this petition would like the opportunity to discuss this, accompanied by someone from one of these international institutes to explain their work. It might take some time to do that. Therefore, is the committee minded to make such an invitation at some stage in the future? In order to give the relevant people a chance to get the organisation of it up and running, we could start that process now.

[12] **Val Lloyd:** Are there any comments?

[13] **Bethan Jenkins:** I would concur with that. My name is on the proposal, but as the petitioners have indicated in the letter, they have corresponded with the Flemish institute and it might be interesting for us to take evidence from there, given that it has been offered.

[14] I recently set up a cross-party group on human rights, therefore, could something be done on that? I know that cross-party groups are set up by individual Assembly Members, but could there be some interaction there? I do not know whether we have done that as a Petitions Committee before, but that may be something for us to consider.

[15] **Andrew R.T. Davies:** I have no problem with inviting the petitioners to give evidence. I suppose that the difficulty in taking the petition forward is that two of the committee members have a vested interest in it—although we do not have that much power.

[16] **Val Lloyd:** As I have been doing with the petition on the Cork ferry, those members can contribute but not vote.

[17] **Michael German:** You may be forced to vote.

[18] **Val Lloyd:** It may be just the two of us. We will have to face that when we come to it. I do not think that it is permitted, under Standing Orders, for just two of us to vote.

[19] So, we will issue a pre-invitation, if I can call it that, intimating that we will be calling the petitioners at some point to give evidence.

[20] **Bethan Jenkins:** To clarify what Mike said, perhaps we could contact the petitioners to see whether people had time to come over from the Flemish Peace Institute. We were merely trying to imply that it would take some time to arrange that if representatives did visit to give evidence. Perhaps we could call for that, rather than just lay it down as a principle.

[21] **Val Lloyd:** This raises a point of information for me. I have read the different structures in different countries and I found it most interesting, but why are we settling on the Flemish Peace Institute?

[22] **Bethan Jenkins:** Because it was outlined in the letter that it would be useful to hear additional information from an existing institution, such as the Flemish Peace Institute. It is only because it was mentioned.

[23] **Michael German:** Given that it is the petitioners' model, it is considered the relevant model. Alternatively, we could do a trip to Catalonia, Norway, Ireland, Frankfurt, Bonn and other places to take evidence. [*Laughter.*]

[24] **Andrew R.T. Davies:** That would be a grand tour.

[25] **Val Lloyd:** I do not think that that is such a ludicrous suggestion, because this is quite a big step. I agree that we should invite someone over first, but if we are seriously considering it, we may want to consider a very short tour looking at other places. However, that would be for the future.

[26] **Bethan Jenkins:** Perhaps we could have a dialogue with them and ask whether they consider the Flemish Peace Institute, or another one on the list, to be the appropriate model.

[27] **Val Lloyd:** I am quite content with that. I just wanted to know why we had chosen that one. Video-conferencing is another alternative, of course.

[28] **Michael German:** Yes. Perhaps the clerk could communicate with the petitioners to see what is most appropriate.

[29] **Val Lloyd:** Yes. In another committee, we had an excellent three-way video-conference with two people in different parts of Sweden. The reception was fantastic. It was as though they were in the same room.

[30] **Michael German:** I do not know whether other Members have used it much, but the Committee on European and External Affairs uses video-conferencing virtually every week for meetings of all sorts, with all sorts of people. In fact, we had one with Rennes and another with Brussels at the same meeting.

[31] **Val Lloyd:** It is obvious that the technology has improved.

[32] **Andrew R.T. Davies:** It is also dependent on the other sites. I have sat in a couple of meetings where there was a video link with people just in north Wales, and it was nearly impossible to understand what the hell was going on.

[33] **Val Lloyd:** I think that I was at the same meeting. Right, I think that we have all agreed on that. We will issue that invitation without an actual date and wait to be advised. That completes our consideration of new petitions.

9.38 a.m.

Yr Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[34] **Val Lloyd:** We will start by looking at petition number P-03-099 on the multi-user pathway at Talybont-on-Usk, which first came to us in February 2008. We have had an update letter from the Deputy First Minister and Minister for the Economy and Transport, which is on page 18.

[35] **Michael German:** The letter dated either 21 or 27 October—I cannot read Ieuan Wyn Jones's writing correctly—states that he is unable to give us a further commitment regarding the schemes for inclusion in next year's budget. Clearly, it falls below the level of the budget that we see as Assembly Members. I wonder whether we could ask him when he will make a decision on this matter. Presumably, it falls after the debate and vote that we have here on the annual budget.

[36] **Val Lloyd:** I think that it is at the end of November.

[37] **Michael German:** It would be useful to know exactly when that will happen.

[38] **Val Lloyd:** That sounds like a sensible course of action.

9.40 a.m.

[39] **Andrew R.T. Davies:** The danger with petitions of this nature—and I am sure that Members all know of similar worthy schemes—is that, sadly, they slip outside the bracket of importance, and we then go on to deal with more important petitions. We always seem to be saying with this petition that, if it does not tick the boxes, it can come back the following year if there is space in the calendar.

[40] **Val Lloyd:** Or if there is a little bit of money left at the end of the year. I agree that we all have similar schemes in our constituencies.

[41] **Andrew R.T. Davies:** It is a question of how we crystallise it, because, as we can see, this petition was introduced in February 2008 and we are now in November 2009.

[42] **Val Lloyd:** We have considered the petition several times in the interim. However, I agree with Mike's suggested course of action. Is everyone in agreement? I see that you are.

[43] We now move on to the next petition, which is P-03-170, on Mencap Cymru. This petition came before us first in January of this year. We have received an update from the Minister for Children, Education, Lifelong Learning and Skills, which is on page 34.

[44] **Andrew R.T. Davies:** I remember the petitioners coming in to give their evidence. Since then, we have collated quite a degree of evidence from the Minister and other interested parties. The petitioners spoke of the Assembly Commission, as they had sought some examples from the Commission on how it positively engages to promote employment opportunities. Perhaps we could ask the petitioners to come back in, to see how they feel our evidence gathering is going in relation to this petition, and to see whether they believe that we

are pressing the right buttons to get answers. It is ultimately up to employers to put positive measures in place in the workplace.

[45] **Michael German:** We have a letter from the petitioners, dated September. In the summary in the first paragraph on page 32, it states that there are still significant gaps in the DCELLS initiatives, as highlighted in the response given to the committee. That refers to the response given in September. We then have a letter from the Minister, dated 20 October. So, I suppose that we want to know whether there are still significant gaps in the initiatives highlighted, given the Minister's response on 20 October. If so, we will come back to the petition again. That seems to be the crucial issue for the petitioners. They did not get that in the first response, so, now that they have received a second response from the Minister, does it fill the gap?

[46] **Val Lloyd:** I agree with you, Mike. We have to give the petitioners an opportunity to comment on that. If they do not agree or if they raise other issues, we may then look for another way forward. So, I am very much in favour of writing back to them and asking their views on the Minister's letter, dated 20 October.

[47] **Bethan Jenkins:** For clarification, did we send a letter to the Committee on Equality of Opportunity to ask it to look at this? If so, have we received a response?

[48] **Mr Davidson:** Yes, we did, but I am not aware of any response.

[49] **Val Lloyd:** A response would have been included in the pack if it had come in recently.

[50] **Bethan Jenkins:** Given that we have received so much information from the petitioners and the Minister, it might make sense to do a piece of work on this. We will just have to await a response.

[51] **Andrew R.T. Davies:** Do you recall when the letter was sent to the Committee on Equality of Opportunity?

[52] **Mr Davidson:** I am not sure, but I can chase that up outside the committee meeting.

[53] **Val Lloyd:** Thank you for raising that, Bethan.

[54] We now move on to the next petition, P-03-172, on restoring the Swansea-Cork ferry, which is on page 37. We have received a letter from the Deputy First Minister, which is on page 47. It left his office on 21 October. The letter tells us what we already knew, really, namely that a boat has been bought and that they are in discussions over funding.

[55] **Andrew R.T. Davies:** Do Members recall the €3 million—

[56] **Bethan Jenkins:** It was €2.5 million, unless it has increased.

[57] **Andrew R.T. Davies:** Is it €2.5 million?

[58] **Bethan Jenkins:** Yes, according to the response in the papers for the Petitions Committee meeting on 20 October.

[59] **Andrew R.T. Davies:** The figure of €2.5 million is quite a significant jump from the original need for funding, which was some €0.5 million.

[60] **Val Lloyd:** There are now more difficulties with the docks. As you know, Swansea

docks are in my constituency, and, therefore, I talk on this issue but I do not vote. I have had a meeting with one of the principals, and I understand that the docks' board, the Associated British Ports, is seeking money, because the channel needs dredging. It has not been used because the ferry has not been operational, and improvements are needed to the ferry terminal, and so on. When I spoke with Mr Hosford, he told me that his group was in deep conversation with the Assembly Government and had been directed towards several opportunities for finance. That was about a month ago.

[61] **Andrew R.T. Davies:** Is that jeopardising the start date?

[62] **Val Lloyd:** It was not when I spoke to him, which was just prior to our previous meeting, about three weeks ago. He was optimistic and said that the Welsh Assembly Government had been positive. I cannot pre-judge the outcome but, at that time, I wrote in support of the campaign and received the usual reply that one gets from a Government Minister.

[63] **Michael German:** Presumably, we need to find out how the negotiations for funding are going, mentioned in the Deputy First Minister's letter of 21 October. The only additional information that I want to find out is what the Irish Government is doing. Clearly, this is a two-hander, and the campaign is looking for funding from Wales and Ireland, so I want to know how the Irish Government is proceeding, and whether it is giving support. Perhaps we could find that out from the Deputy First Minister when we write. If not, we have other avenues: we could table a question for the next meeting of the British-Irish Parliamentary Assembly, if we wish.

[64] **Val Lloyd:** That is a very good idea.

[65] **Michael German:** It is in February, by the way.

[66] **Val Lloyd:** Well, with the Christmas break—

[67] **Michael German:** If the campaign is still looking for money, we could table a question.

[68] **Val Lloyd:** Do committee members agree? I think that it would be a good idea.

[69] **Andrew R.T. Davies:** Given what you have told us, it might also be worth ascertaining whether the necessary dredging work would be mainly near the port of Swansea or on both sides of the channel. In addition, how is the €3 million shortfall in capital works funding to be met? Will it be a straight 50:50 split between WAG and the Irish Government, or is there a greater onus on the Assembly Government to fund the project? There are no figures out there, are there?

[70] **Val Lloyd:** I do not have the figures with me, but they are in my office, and when I discussed this with Mr Hosford, he was reasonably optimistic.

[71] **Andrew R.T. Davies:** I suppose that if he is content, then—

[72] **Val Lloyd:** I say 'reasonably' but you can never tell.

[73] Just to summarise, you will raise a question at the next meeting of the British-Irish Parliamentary group—

[74] **Michael German:** 'Assembly'. It is a formalised thing, with proper procedures and clerks, and all that stuff.

[75] **Val Lloyd:** I stand corrected. Did you want to take any other action?

[76] **Michael German:** We could ask the Deputy First Minister whether he will keep us updated as well.

[77] **Val Lloyd:** Yes, and of whether he is aware of any money coming from Ireland. Thank you.

[78] The next petition is P-03-181, on pernicious anaemia. We have had this since May 2009. We have had an update from the Minister for Health and Social Services.

[79] **Andrew R.T. Davies:** The letter sets out quite clearly that the Assembly Government does not believe that it has a commissioning role and that that is for Westminster. There is also an understanding that no trials are pending with various drug companies, and it would be worth asking the petitioners and the charity what sort of action they are undertaking to instigate these trials, to determine whether it should get a licence.

[80] **Val Lloyd:** I agree. That is our only course of action following the Minister's letter. It is very straightforward, as outlined in the letter. Does everyone agree? I see that you do.

[81] We now come to petition P-03-188 on the special care baby unit. This petition has broadened to take in the cause of the problem of why it had to close, has it not?

[82] **Michael German:** Yes, we now know that the cause is that we cannot get the doctors. It is not just a problem at this hospital but at several different hospitals and in several different disciplines. I was talking to some renal surgeons the other day, who said that they have the same problem, as does neurosurgery, of course. Really, we need to find out what the UK Government's work is in respect of the UK Border Agency and what its view is of the shortage of doctors and whether or not it is going to allow doctors to come to the United Kingdom to fill the gap in our health service.

9.50 a.m.

[83] **Val Lloyd:** I agree; that is where our problem is.

[84] **Michael German:** So, we need to know when it is going to do the review, and when it will finish it.

[85] **Bethan Jenkins:** We also need to know what consultation has taken place with devolved nations.

[86] **Michael German:** Yes, and, if necessary, we should invite representatives to come to talk to us—we should give them an opportunity to explain themselves. We cannot compel them but we can ask them.

[87] **Val Lloyd:** Do you want to pose those questions and ask them to come at the same time, or shall we ask them and then pose the questions when they are here?

[88] **Michael German:** If we are identifying this as a problem and we are going to question them, I would value a bit more information. I would like to know about the range of disciplines in which we are short of staff. If I could have that information and could be robust in questioning them, I would be quite happy to invite them in.

[89] **Val Lloyd:** So, we will await their reply and then proceed accordingly.

[90] **Andrew R.T. Davies:** I think that there is mileage in extending an invitation to them to come to address us. We can only address this particular petition and the staffing issues, but every time we look at disciplines—three or four disciplines are being talked about here—the border agency and new regulations are flagged up as being the problem. Someone has to instruct the agency in its regulation. It is important to understand how this has happened. If representatives came to visit us, they would get a feel for the direct impact on Wales. Other than people holding their hands up and saying how terrible many of these regulations are, I do not see a lot of steps being taken to address the situation.

[91] **Michael German:** It might be worth getting the Minister's view and hearing about the frustration that she might feel with regard to negotiations on this issue, because she has clearly put some pressure on too.

[92] **Val Lloyd:** So, we will write to the Minister and to the borders agency. I believe that we are agreed on that. As regards an invitation, shall we wait until we have that information and then ask—

[93] **Andrew R.T. Davies:** I think that we should extend the invitation.

[94] **Val Lloyd:** Okay. So, we will write to the borders agency and to the Minister and we will extend an invitation.

[95] **Andrew R.T. Davies:** Perhaps, in writing, we could ask the Minister to provide information on the type of lobbying that her officials have undertaken to highlight the impact in Wales.

[96] **Val Lloyd:** Perhaps we should ask about the types of approaches taken.

[97] **Andrew R.T. Davies:** Yes, and we should ask for hard and fast examples of how she has done that.

[98] **Val Lloyd:** We now move to petition P-03-207, which is on support for the unemployed in Monmouth. This petition has been with us since March this year. We have had a letter back from the petitioners.

[99] **Michael German:** I am grateful for the petitioners' letter, as it is helpful. I think that we should make the petitioners' response available to Jobcentre Plus and ask it how the additional money that has been talked about has benefited unemployed people in Monmouthshire. The objectives for that money seem to be quite appropriate for this problem, but it is about whether further assistance might be on its way.

[100] **Val Lloyd:** That is a direct action. Are we all agreed on that? I see that we are.

[101] The next petition is P-03-208 on historic counties. We have had an update from the Minister for Social Justice and Local Government telling us that this is the duty of the local government boundary commission, so we could write to the petitioner to notify him of that.

[102] **Michael German:** I am a little unclear on this. I understand that the Minister for Social Justice and Local Government—and I am asking a question more than anything else—can instruct the commission to do things. He can say that he would like it to investigate this, that or the other. So, we ought to give the petitioners a chance to respond to the letter of 26 October from the Minister. The key to this is in the last line:

[103] 'I have no plans to instruct the Commission to review them'.

[104] Clearly, we want to hear the arguments that the petitioners would put to the Minister as to why he needs to commission a review. What is wrong with the one that we already have? The Minister is basically saying, 'The one that we have is fine; I have no intention of reviewing it again'. We need to know how the petitioners feel about that, and what is wrong with what we have.

[105] **Val Lloyd:** It has been seven years since it was reviewed. It is not as if it took place last year or the year before; it was done in 2002. So, I think that that is a fair request.

[106] **Andrew R.T. Davies:** It is the Minister's prerogative to commission it or not, but there should be a reasoned argument as to why he has not done so. The petitioners have felt strongly enough to submit the petition, so obviously they have good reason for wanting to follow this course of action.

[107] **Val Lloyd:** So, we will write to the Minister.

[108] **Andrew R.T. Davies:** We will write to the petitioners.

[109] **Val Lloyd:** Sorry, yes, to the petitioners.

[110] **Michael German:** We can ask them to give us some bullets—

[111] **Val Lloyd:** Yes, if they want to. We must not judge in advance.

[112] We shall now look at two petitions on abandoning the badger cull, P-03-213 and P-02-235, from the Secret World Wildlife Rescue and the Royal Society for the Prevention of Cruelty to Animals. Before we start discussing them, could Lisa give us an update or any legal information that is relevant?

[113] **Ms Salkeld:** We have considered whether the committee can consider the petitions or whether they would be sub judice. Given that a letter before action, as I understand, has been sent to the Welsh Ministers to conduct a judicial review of the decision, and that no court proceedings have begun yet, it should not be an issue for the committee to consider the petitions.

[114] **Val Lloyd:** So, we can go ahead. Thank you.

[115] **Michael German:** The problem is that we have just voted on it in Plenary.

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

[117] **Michael German:** We can only point out to the petitioners that this matter has followed its full legal course, and that the Assembly has voted on it for a second time. Unless there is an avenue that the petitioners feel that the Assembly can take, beyond having a vote, which it has already done, I do not see how we can go any further.

[118] **Bethan Jenkins:** I know that it was the Government's decision, but—

[119] **Michael German:** No, it was the Assembly's decision.

[120] **Bethan Jenkins:** Yes, sorry. Would the Rural Development Sub-committee be able to look at it? I do not know whether it has any intention to monitor the process that the Minister will follow. Perhaps we could close the petition here and refer it to the sub-committee, so that, when the cull has taken place, it can take evidence from the petitioners to see whether their

views are justified, or whether they have changed their mind. I do not see how we can take it further as a committee.

[121] **Val Lloyd:** I do not think that we can. However, if we close it, the petitioners would have to submit another petition before they could come before us. I am not certain that we should keep it open; the Assembly has voted on it, and we would be hard-pressed to justify not closing it.

[122] **Michael German:** The petition to abandon the badger cull has clearly passed its time, as the Assembly has voted on that issue. However, another petition to say that the situation should be monitored—

[123] **Val Lloyd:** That is in the hands of the petitioners.

[124] **Michael German:** I would be very surprised if the Rural Development Sub-committee did not monitor it.

[125] **Val Lloyd:** I am pretty sure that it will.

[126] **Andrew R.T. Davies:** May I make a suggestion? As this issue was voted on in the Assembly last week, petition P-03-213 has gone as far as it can, irrespective of which side of the fence you sit on. It calls for stopping the cull, full stop. The Assembly has now voted, and actions have been taken. However, petition P-03-235 is more interesting—if that is the right word—because it talks about a wider issue, of which the Rural Development Sub-committee should perhaps be made aware. I might have misread the petition in some way, but it does not say, ‘Stop the cull;’ it highlights various aspects and sources of evidence that the petitioners believe call into question the ability to justify the cull.

10.00 a.m.

[127] Perhaps, as the eradication policy regarding wildlife unfolds, it might be of use for that petition to be held by the sub-committee as a piece of evidence if it is going to monitor the situation—and, like Mike, I would be surprised if it did not monitor it, because it undertook an extensive piece of work in gathering evidence to see whether the ability to try to contain TB in wildlife was a sensible course of action. So, I certainly think that there is mileage in that second petition going forward to the sub-committee, or the sub-committee being made aware of it, so that, if it is to constantly monitor the policy, the petitioners can have confidence that their petition is being held for future reference.

[128] **Val Lloyd:** Thank you; I think that that is sensible. I agree with closing the first petition. Does everyone agree on that? I see that you do. In view of the vote taken in the Assembly, there is nothing more that we can do with it. We will close the second petition, but we will send it to the Rural Development Sub-Committee with the remit that Andrew has outlined. Is everyone content? I see that you are. So, we have closed both of them, but with different endings.

[129] We will now move to P-03-220, a petition to lower the speed limit on the A40 near Abergavenny.

[130] **Andrew R.T. Davies:** I was a little surprised by the Deputy First Minister’s letter on this—the last letter that he sent to us. I am trying to find a copy of it among my papers.

[131] **Val Lloyd:** It is on page 92.

[132] **Andrew R.T. Davies:** His letter of 30 June indicated that he had signed off guidelines

for the setting of local speed limits. However, there seems to be a delay in getting these out to local authorities. Once the Deputy First Minister has signed this off, I am not quite sure how extensive a delay should be tolerated in getting such information out as guidance. We still have no definitive date, because we seem to have slipped from summer to autumn now, with the summer recess being blamed for the delay in getting these guidelines out. I am not sure why the summer recess should obstruct the flow of that information.

[133] **Michael German:** There is a second issue—

[134] **Val Lloyd:** June to October is a long time.

[135] **Michael German:** I absolutely agree with Andrew that we cannot hang around for guidelines of this sort, but I suspect—I am not certain—that setting local speed limits in Wales does not refer to trunk roads. That is something that we need to find out. If it does not, then this refers to the A40, which is a trunk road. In his letter of 16 June, Ieuan Wyn Jones said that

[136] ‘it may be possible that resources become available later in the year to progress this signage work at Abergavenny’.

[137] So, we should also ask the Deputy First Minister whether he has found the available resources, as he indicated he might in his letter, in order to do this work.

[138] **Val Lloyd:** Lisa would like to come in on a legal point.

[139] **Ms Salkeld:** The guidelines went out on Friday, so they have just been published. They deal with trunk roads as well, but I have not had a chance to go through them. I can write a note if the committee wants one.

[140] **Val Lloyd:** I think that we do. Shall we wait until we get that note from Lisa and consider this at the next meeting? I see that you agree that we should. Thank you, Lisa, that is very helpful.

[141] **Andrew R.T. Davies:** Could you also follow up Mike’s point about the letter of 16 June that indicates that, perhaps towards the tail-end of the year, resources might become available? Has that ‘might’ turned into reality, is it, sadly, a negative, or is it still a ‘might’?

[142] **Michael German:** Has a ‘might’ become a ‘may’?

[143] **Val Lloyd:** I do not know what slight difference exists between ‘might’ and ‘may’. It is an emphasis or a nuance of some kind.

[144] **Andrew R.T. Davies:** It might be a change in words but not in substance.

[145] **Val Lloyd:** We will write to the Deputy First Minister on that point and we will also wait for the note from the legal team. Thank you, Lisa.

[146] We will now move to petition P-03-234, Wales needs more native trees.

[147] **Michael German:** The Minister has answered the first bit of the petition, which is about creating 1,500 ha of new woodland over the next three years. The bit that has not been answered is the doubling of native woodland cover by 2050. I know that this sounds a long way away, but, as I have been told many times by forestry people, it takes a long time to grow a lot of trees. It is much slower than the slowest tanker to get organised, so if 2050 is the target, a start needs to be made now to get the trees policy in place.

[148] Could we take some evidence from the petitioners on what it would mean to double woodland cover by 2050? We could put that to the Minister, to gain an understanding of what timescales we are talking about and what sort of decisions would have to be taken and when.

[149] **Val Lloyd:** It is a good idea to ask the petitioners to come and give evidence. Is everybody content for us to do that?

[150] **Andrew R.T. Davies:** I am more than happy for us to do that. I was just wondering whether Forestry Commission Wales should be invited to complement the evidence. Two things strike me about this. The first is that, when we talk of new woodland, do we mean the replanting of felled woodland? I am led to believe that Forestry Commission Wales, like all Government departments, is subject to—perhaps pressure is the wrong word—a plan at least to dispose of assets to raise capital. One woodland in the Vale of Glamorgan, in my region, has recently been disposed of. Trying to reconcile this commitment with the disposal plan will prove challenging, and it would be interesting to find out from the Forestry Commission how its business plan is configured to meet this aspiration.

[151] Secondly, what are the criteria? Is it just to replant areas that could historically have been woodland, or, as I understand the meaning of the word ‘new’, to create new, virgin woodland?

[152] **Val Lloyd:** Would it be sensible to see if we can have the Woodland Trust at our next meeting? If that is too soon, we can move the matter on to the following meeting. We can hear from the Forestry Commission in the meeting after that, as we will have assimilated the information from the Woodland Trust. We may need two more meetings this term, and we may even have to wait until the final meeting, but whichever way it goes, we will have them in sequence.

[153] **Michael German:** As they say in the tree world, time is on your side. [*Laughter.*]

[154] **Val Lloyd:** We will all be hugging trees before long.

[155] **Michael German:** With forestry, you are talking about such long timescales. It is amazing.

[156] **Val Lloyd:** The next petition is P-03-237 on the Welsh countryside. We have had a reply from Jane Davidson, the Minister for Environment, Sustainability and Housing. Shall we seek the lead petitioner’s response to the Minister’s comments? I see that Members agree.

[157] Next, we take two petitions together, P-03-238 on pollution of the Burry inlet and P-03-241 on the *Llanelli Star* save our sewers campaign. These two are connected, are they not?

[158] **Michael German:** I read reports over the weekend that the Assembly Government is to be fined a certain amount per day because of pollution of the Burry inlet by the European Commission for breaching water regulations, so this is an urgent matter. We need as much information on this matter as possible, and because it now looks as if it will cost taxpayers money to rectify this matter, we could do with a bit more of an investigation into it. When we get a reply from the Minister, perhaps we ought to call the Environment Agency in, as well as the petitioners and others to give us evidence.

[159] **Val Lloyd:** It may be useful to know that the Sustainability Committee is to meet in Llanelli. Is it going to take evidence on this matter? I think that its members are going to see the problem for themselves.

[160] **Michael German:** Fine; that is all right, then.

[161] **Mr Davidson:** It has met in Llanelli earlier in the year, when it looked at this matter as part of its work.

[162] **Michael German:** Let us put it the other way around, then. If the Sustainability Committee is not going to do any more work on this issue, it may be worth while giving it priority, given the danger of the taxpayers having to pay the fines incurred by this problem not being solved, which is the matter that this petition addresses.

[163] **Val Lloyd:** Shall we do the two? We will write to the Minister to ask for further details, but shall we also write to the Chair of the Sustainability Committee to find out where they are with it and what results they had from their visit earlier in the year and whether they are pursuing the matter? We will then have as much information as possible. Are Members content with that approach? I see that you are.

10.10 a.m.

[164] The next petition is P-03-239, lifelong learning in Welsh universities. We have had a response from the relevant Minister that says that it is the responsibility of the Higher Education Funding Council for Wales.

[165] **Andrew R.T. Davies:** Therefore, it would be logical for us to make contact with the higher education funding council to ascertain its views on the petition. On the basis of its reply, we could see whether we could facilitate a way forward on it.

[166] **Val Lloyd:** Are you all content with that suggestion?

[167] **Bethan Jenkins:** Would it be worth contacting not Universities UK, but the body that represents universities in Wales? HEFCW makes the funding decisions, but I would have thought that the universities decide on the strategic—

[168] **Michael German:** It is called, 'HEW', namely Higher Education Wales.

[169] **Bethan Jenkins:** Yes, it is HEW; sorry about that. The universities make strategic decisions about the courses and how the money is spent in conjunction with the decision that HEFCW makes. I would have thought that it would be appropriate to contact HEW as well.

[170] **Val Lloyd:** When HEFCW allocates its funding, does it say, 'X amount is for this course' and 'Y amount would be for lifelong learning courses'? I do not think that it is as specific as that.

[171] **Andrew R.T. Davies:** I think that it identifies the priorities, does it not?

[172] **Val Lloyd:** I would think so.

[173] **Andrew R.T. Davies:** The universities tailor their courses according to the boxes that they need to tick to get funding.

[174] **Val Lloyd:** The funding will be for courses and then the universities would adjust it according to what they need to do. So, you think that we should write to HEW and to HEFCW.

[175] **Michael German:** I think that the clue, Chair, is in the last line of the third paragraph of Jane Hutt's letter to you, which says that

[176] 'the Welsh Assembly Government cannot set terms and conditions of grant which require HEFCW to spend a specific proportion of the grant which the Council administers on 'lifelong learning' programmes.'

[177] So, essentially, it is HEFCW's call; that is what she is saying. We can challenge HEFCW on that.

[178] **Val Lloyd:** We can ask HEFCW what its call was. Thank you.

[179] The next petition, P-03-240, is another on improvements to the A40. This time, it is on improvements in Llanddewi Velfrey in Pembrokeshire. We have received a very long letter from the petitioner and a letter from the Deputy First Minister.

[180] **Andrew R.T. Davies:** We have heard today that the second guidance document, 'Setting Local Speed Limits in Wales' was made available last Friday. I would have thought that that would have an impact on this particular petition. We are going to get a briefing note on that. There are various calming measures that could be made available and I am led to believe that a feasibility study is to be commissioned. If the Deputy First Minister is not prepared to commission a feasibility study, we need to know why not.

[181] **Val Lloyd:** Shall we wait for our briefing note and consider it again?

[182] **Michael German:** I also think that we have got some success for the petitioners here. On 16 October, the Deputy First Minister said that he is putting up, I do not know what they are called, but the signs that tell you what speed you are doing, which flash red and green as you pass them. That would be a start. He also said that he is going to investigate whether he can lower the threshold speed at busier times of the day. That seems to be a start, does it not?

[183] **Val Lloyd:** Yes, in view of the fact that the Deputy First Minister has said that there could be further changes soon. That brings us to the end of the petitions that we had received an update on. However, before you, there is another petition that we have brought forward for a reason and I would like to ask Alun to elaborate on that.

[184] **Mr Davidson:** This petition was received last week. In the normal course of things, it would have arrived too close for its initial consideration to be at this meeting and it was scheduled to be considered at the meeting on 24 November. However, we are aware that the Enterprise and Learning Committee is currently conducting an inquiry into the future of rail infrastructure in Wales and is holding a joint evidence session with the Welsh Affairs Committee of the House of Commons on 23 November to scrutinise the regional transport consortia, Arriva Trains Wales and First Great Western. This seemed to be an appropriate opportunity for the Petitions Committee to make the Enterprise and Learning Committee aware of this petition so that it could be considered as part of that scrutiny session.

[185] **Andrew R.T. Davies:** I agree with that.

[186] **Michael German:** Yes, so do I.

[187] **Val Lloyd:** I think that we all understand why we took this extra petition. Before I close the meeting, is there any other business?

[188] **Michael German:** I just want to say that I hope that this petition is not in competition with the Swansea to Cork ferry. [*Laughter.*]

[189] **Val Lloyd:** I hope not. I think that it is to help people who are travelling up from

Milford Haven.

[190] I wish to draw Members' attention to the fact that this is Alun Davidson's last meeting as our committee clerk. He has been with us since the committee's inception, and it is due to his wise counsel that the committee has achieved the successes that it has and has such an excellent name among petitioners and in the Assembly. Alun, on behalf of the committee, I thank you for your work and wish you well in your new post with the Public Accounts Committee.

[191] **Mr Davidson:** Thank you, Chair.

[192] **Val Lloyd:** I declare the meeting closed.

Daeth y cyfarfod i ben am 10.16 a.m.
The meeting ended at 10.16 a.m.