



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

**Y Pwyllgor Deisebau
The Petitions Committee**

**Dydd Mawrth, 8 Rhagfyr 2009
Tuesday, 8 December 2009**

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

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

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
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

Joanest Jackson	Cynghorydd Cyfreithiol Legal Adviser
Andrew Minnis	Dirprwy Glerc Deputy Clerk
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 everyone and welcome to this morning's meeting of the Petitions Committee. I have not received any apologies for absence or any substitutions.

Deisebau Newydd
New Petitions

[2] **Val Lloyd:** We have three new petitions this morning, the first of which is petition number P-03-243, which calls upon the National Assembly for Wales to urge the Welsh Assembly Government to formally withdraw from the West Cheshire/North East Wales sub-regional strategy. This petition was raised by the People's Council for North Wales and has over 15,000 signatures. According to our protocol, I have already written on your behalf to the Minister for Social Justice and Local Government, therefore we are awaiting a response. I suggest that we take evidence from the petitioners in the new year in north Wales.

[3] **Michael German:** I agree.

[4] **Bethan Jenkins:** I agree. We need to go out to take more evidence from people in different parts of Wales, therefore, this will be a good opportunity for the committee.

[5] **Val Lloyd:** Yes; it affords us a very good opportunity.

[6] Also, on behalf of the committee, I welcome Mr Johannes Fritz, who, on behalf of the petitions committee of the German Federal Parliament, the Bundestag, is conducting research into the petitions system in Europe. Mr Fritz is observing today's Petitions Committee meeting from the public gallery.

[7] Our second new petition is petition number P-03-265. It was raised by young volunteers on behalf of Shelter Cymru to ask the National Assembly for Wales to apply pressure on the Welsh Assembly Government to include leaving home information and related education in the national curriculum. I have written accordingly to the Minister for Children, Education and Lifelong Learning. Do Members have any comments to make?

[8] **Bethan Jenkins:** I think that we should wait for the Minister to respond, but I also believe that it would be interesting for us to hear from the petitioners why they feel that there is a need for this, considering the circumstances around homelessness in Wales, and perhaps where the gaps are in the education system. Obviously, I am happy to wait for the Minister's response but I would be interested to hear from the petitioners.

[9] **Val Lloyd:** Are there any further comments?

[10] **Michael German:** I absolutely agree with that. Our protocol, which I think is quite right, seems to be to write to the Minister so as not to waste any time, but I suspect that there will be more work to be done on this matter. We can hear from the petitioners at the same time. I think that that is perfectly right.

[11] **Val Lloyd:** I also agree. It would be very helpful to invite the petitioners in.

[12] **Andrew R.T. Davies:** A key partner in delivering advice and help to people who become homeless, particularly at a young age, is the local authority. Any views that local authorities might have on any support or potential support that could be in place to better educate and inform would be expressed via the Welsh Local Government Association and its member organisations. While we are seeking a point from the Minister, is there any point in us raising this petition with the WLGA to see whether it has a position on it, because education, social services and many of the support packages that are in place are delivered by local authorities?

[13] **Val Lloyd:** That seems to be a sensible way forward. Does everyone agree on that? I see that you do.

[14] Our third and final new petition for this meeting is petition number P-03-268, regarding the lack of an accident and emergency department at Ysbyty Aneurin Bevan. The petition calls on the National Assembly for Wales to urge the Welsh Assembly Government to provide such a unit at the new hospital. The petition was raised by Rhianydd Williams and collected 16 signatures, and in addition, an associated petition collected over 300 signatures. I have written to the Minister for Health and Social Services on the committee's behalf, and we are awaiting her reply. However, I remember that the Minister has spoken on this in the Chamber and has pointed out that the intention was for the Blaenau Gwent hospital to have a minor injuries unit rather than an accident and emergency department.

[15] **Michael German:** This is an issue of local concern, but it also applies to all of Wales. People do not understand the distinction between accident and emergency and other forms of injury. I once asked the chair of the trust what the difference would be and he said that if you broke your leg, you would go to the minor injuries unit, but if you broke it badly, you would not. What would be useful would be some form of boundary line. Someone, somewhere is making a decision as to whether this is appropriate and what is and is not a minor injury. Perhaps we could supplement the letter to the Minister by trying to have some form of definition. I know that it may not be as easy to do that as we might like, but I think that we should consider what is appropriate for a minor injuries unit and what is appropriate for an accident and emergency department. For example, sometimes, you might call an ambulance.

[16] **Val Lloyd:** Do you mean when a hospital is being planned?

[17] **Michael German:** Yes, because this building is now being built and it includes a unit that will deal with minor injuries. At the moment, I do not have a complete list of what that unit would treat, but clarity on that issue is helpful to people and that is all I ask for.

[18] **Val Lloyd:** There are two points there. What are the boundaries for usage, if I can put it that way, and how does one decide whether a unit will be a minor injuries unit or an accident and emergency department? I am sure that it is planned on a geographical basis, but it would be good for the committee to know that and for the public to be made aware of the fact that people should go to the minor injuries unit, if they are self-referring rather than calling an ambulance.

[19] **Andrew R.T. Davies:** On Mike's point about understanding and the petitioners' wish to have an accident and emergency department at the hospital, there must be a reason why this has not been considered and the Minister, as you rightly pointed out, Chair, mentioned having a minor injuries unit in that hospital instead. Would it be appropriate for us to write to the local health board to glean some insight into the accident and emergency provision in the area? That would hopefully better inform us as to why this new facility is not forming part of that geographical coverage for accident and emergency provision. Although the Minister commissioned the new hospital, in conjunction with local authorities, the provision of services is the responsibility of the health board and how it organises services over its area is of local interest. Hopefully, if there is not to be an accident and emergency department at this new hospital, as seems to be the case, an understanding of the accident and emergency provision in the area might better inform the petitioners.

[20] **Val Lloyd:** That backs up what I was saying; I agree.

[21] **Michael German:** However, this involves more than one health board. This hospital is located midway between Prince Charles Hospital, where there is an accident and emergency department, and Nevill Hall Hospital. They are in different health boards. I suspect that there probably needs to be some form of understanding as to who makes the decision. I know that one health board is concerned about how the ambulance service makes decisions as to which of the two hospitals in this area the ambulances go to. So, there is a fair deal of confusion about which health board is responsible and what level of service one can expect. It may well be that, because this is a new local general hospital—the second of its kind in Wales, because there is also one in Ystrad Mynach—the nature of minor emergencies and minor care that it deals with might be greater than in a normal cottage hospital.

[22] **Val Lloyd:** We need to do quite a lot of detective work on this to flesh it out. Shall we write to the local health board that is responsible for this hospital and ask what liaison it has with the other hospitals? We will include that in our query to give us a greater understanding of this. Mike, with his geographical knowledge, has indicated that this situation falls between two local health boards.

[23] **Michael German:** I met with the other health board yesterday; it raised this issue about ambulance drivers making decisions about which hospital they take patients to. I do not know how they do it.

[24] **Val Lloyd:** There is a lot more on this that we can take forward, which will benefit the petitioners and us. That concludes the new petitions for this meeting.

9.40 a.m.

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[25] **Val Lloyd:** We will start with P-03-187, which urges us to do everything that we can to abolish the two Severn bridge tolls. We have received a response from the Deputy First Minister and the Minister for the Economy and Transport, which is one of several. This is the fourth letter that we have received from him, in which he tells us that the introduction of credit and debit cards will now go ahead. Is there anything else that we can do with this petition, because the locus of this lies with the Westminster Government?

[26] **Andrew R.T. Davies:** The issue here is that the petition is calling for the abolishment of the Severn bridge tolls, yet the Deputy First Minister is telling us that what they are doing is making it easier for us to pay the tolls. That is, most probably, the second-best option, because most people are bemused, considering the level of the tolls, that you are unable to pay by credit card. There is an issue of competency, because the competency to get rid of the tolls or to buy out the contract, I believe, resides with Westminster. It is a question of whether we can take it any further.

[27] **Val Lloyd:** I do not think that we can take it further.

[28] **Michael German:** It is an issue of timing. These bridges will revert to public ownership when £1 billion at 1989 prices has been paid in tolls, plus a little more for the value added tax, which has also been passed on to the bridge owners, rather than to the motoring public. So, there will come a stage when they will come to public ownership, and I would have thought that the Welsh Assembly Government would want to take a position at that time on whether or not they should be toll free, whether the Government should retain ownership, whether there should be a concessionaire to charge tolls and so on. That may be some distance away, but it may be worthwhile asking when it is anticipated that these bridges will revert to public ownership. At one point, it was only going to be two or three years away, but then the VAT issue came along and a longer concession was given, so I do not know what the current position is. We then may know how long it is before this will become a reality, because I suspect that the Welsh Assembly Government will want to take a position at the point when these bridges revert to public ownership.

[29] **Val Lloyd:** I would have thought that the current Government would not want to take a position on it now.

[30] **Michael German:** No, not right now. We think that it will be in 2016, but we are not absolutely certain, because there have been two VAT decisions.

[31] **Andrew R.T. Davies:** It was 2014, but, with the VAT decisions, it is now approximately 2016, and, as Mike rightly pointed out, an amount of money must pass to the operators and to the builders to clear the contract agreement. I was led to believe by the Deputy First Minister, in response to a letter that I wrote to him when I was shadowing the transport portfolio, that 2014 was the original date by which they believed that the moneys would have been accumulated. However, because of the VAT decisions, it will now be approximately another two years, which will take it to 2016.

[32] **Michael German:** If we clarify that date, we will be able to tell the petitioners. This would be a useful discussion, two to three years—it will take that long—before the bridges revert to public ownership and when that decision will have to be taken by a Government in the UK.

[33] **Val Lloyd:** Andrew, when did the Deputy First Minister give you that date?

- [34] **Andrew R.T. Davies:** It was about 12 months ago.
- [35] **Val Lloyd:** Do you think that we should get an update on that date?
- [36] **Andrew R.T. Davies:** Yes, it makes sense to get an update.
- [37] **Val Lloyd:** Okay, so we will get an update.
- [38] **Andrew R.T. Davies:** We are not looking at this happening imminently, but, given the charge that the tolls levy on businesses in south Wales, most of us would support some sort of understanding as to when they will be going. I am mindful of the wording of the petition, and the actions that we, as a committee, can undertake, rather than pushing petitioners towards other avenues. Those may be perfectly logical avenues, but they would, perhaps, need another petition to say, 'We call on the Welsh Assembly Government to explore—'.
- [39] **Val Lloyd:** I agree with you; we are moving away from what the petitioners originally said.
- [40] **Michael German:** We could just provide the information to the petitioners, and say to them that this may be something that they would want to come back to.
- [41] **Val Lloyd:** Could we not take Andrew's date, given that it was only given to him 12 months ago?
- [42] **Andrew R.T. Davies:** That was correspondence between the Deputy First Minister and me. I presume that it is in the library anyway.
- [43] **Michael German:** There has been another change since then, namely the alteration of the VAT level from 15 to 17.5 per cent. It has made a difference to the timing. We just need to find out about that.
- [44] **Val Lloyd:** Okay, if that moves the petition forward, we will get that information with a view to closing the petition once we have received it.
- [45] The next petition is P-03-204, which is on public accountability and consultation in higher education. The petition is asking us to urge the Government to introduce an open and transparent system to scrutinise the standards of service and value for money offered by the higher education sector in Wales, and to ensure that changes in service levels are subject to public consultation. We have had a letter from the relevant Minister, which highlighted certain issues. Shall we write to the petitioners asking for their views on the Minister's response, and if there is anything that they wish to take further as a result? Are Members content with that? I see that you are.
- [46] The next petition is P-03-207, on support for the unemployed in Monmouth. We have had several communications; we received the last one on 24 November from Jobcentre Plus—it is on page 51. Unless there is anything else that Members want to do, I suggest that we write to the petitioners to notify them of the district manager's response, which highlights the actions being taken.
- [47] **Michael German:** This has been an example of how exposure to the public gaze has made Jobcentre Plus look carefully at what it is doing. That is a wise thing for this committee to have done, and it is a good experience. According to the letter of 24 November, it is going to investigate the matter further. We should keep the petition ticking along and keep an eye on

it, as Jobcentre Plus has not yet reached the end of the road on this. We should just wait to see what its reaction is. It is a good example of how, by exposing something to the public gaze in this way, we are making public bodies look carefully at what they are doing.

[48] **Val Lloyd:** Yes, it is almost a classic example. We have had quite a few such petitions.

[49] Our next update is on petition P-03-215, which is on the prohibition of political events in schools. We first discussed this in September, and we have received an update from the relevant Minister.

[50] **Bethan Jenkins:** I just wanted to ask why you had raised it with Tomorrow's Wales, Mike. The letter from Tomorrow's Wales was written in response to this petition at the request of Mike German. I know that—

[51] **Michael German:** I thought that, as people are interested in engagement in political life in our country, and Tomorrow's Wales is interested in developing our constitution, I would copy it into the petition. I was wondering whether it had a comment to make. I have not seen this comment before.

[52] **Bethan Jenkins:** The only reason why I am saying this is that I was on a radio show and I had to complain officially about the petitioners, because I was implicated in their reason for submitting the petition. So, I do not feel that I can comment on it, because there is political reasoning behind the petition. It is the issue of more powers for Wales that has initiated the response and the petition. I note what the Minister has said, but I will not be commenting further on it.

[53] **Michael German:** I am a director of Cymru Yfory, so perhaps it would also be sensible for me not to take part in any voting that takes place on this.

[54] **Val Lloyd:** You know our regulations; you can take part in the debate, but you cannot vote—although I cannot remember the last time that we held a vote, can you?

[55] **Michael German:** It is important to state for the record that I am a director of Cymru Yfory.

[56] **Val Lloyd:** Yes, and I have done that on several issues. That leaves it to you and me, Andrew. Shall we write to the petitioners with the correspondence from the Minister and ask—

9.50 a.m.

[57] **Andrew R.T. Davies:** Yes, I think so, because the Minister, to be fair, has given a detailed protocol—if that is the right word—on how schools and educational establishments should operate. I note the e-mail from Tomorrow's Wales; it was a revelation to me that it was sufficiently funded to have development officers on the ground. However, that is just a comment in passing because the individual who wrote in said that she is a development officer for Tomorrow's Wales.

[58] **Val Lloyd:** I am pleased that everyone else was unaware of that, because I thought that I had missed something crucial, and I e-mailed the clerk to follow it up.

[59] **Bethan Jenkins:** If there is a concern with a particular Assembly Member or organisation, it should be made clear when a petition is submitted. The people who submitted the petition are clearly from True Wales. Rachel Banner was a supporter of the petition, as is

a Tory councillor who is a member of True Wales in south-east Wales. I would like us to be clear, in relation to future petitions, about the political motivations behind these petitions so as not to implicate AMs who sit on this committee.

[60] **Val Lloyd:** The point is that many of these petitions are political. They may not be overtly political, but they arise from a political issue. It is very hard, but I accept what you have said. There will be many such petitions, particularly as we approach an election. If you remember, it was like that in the period leading up to the local elections.

[61] **Michael German:** I remember now that the reason that I forwarded it to Tomorrow's Wales was because, somewhere, in the issues raised by the petitioners, there was a complaint about Tomorrow's Wales. It was an opportunity for it to put on record what it thought.

[62] **Andrew R.T. Davies:** If I could take that on, there was no formal request from the Petitions Committee for that information, was there? I appreciate that individual Members might wish to interact with organisations of interest, but what if information comes in that has not been formally requested? The author of this letter clearly identifies that she is responding to a request from Mike. I am mindful that, as we get closer to the election, regrettably, more petitions could be submitted that are not what they seem and which seek to raise the profile of whatever cause and in whatever corner.

[63] To date, as a committee, I hope that we have always tried to take things at face value. Some people might say that that is rather naive, but I hope that we have always tried to be objective, although it may go against some of the ideas held by some of us around the table, because the committee works in consensus. We need to be mindful of that, because we do not want to devalue the work of the committee and break that impartiality.

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

[65] **Michael German:** I agree with that; I am not disputing that at all. I am sorry, I was a bit slow in working out why I did it in the first place, because it was so many weeks ago. There was criticism in the original documentation that Tomorrow's Wales had given a presentation to school pupils. The information that we have now been given explains the context and, in fact, Tomorrow's Wales was invited to do that by the Bevan Foundation. We should, perhaps, have been alert to the fact that it might have been appropriate for us as a committee to ask for the context. I have provided the opportunity to get an answer, but it would have been much better had the request come from the committee. I think that that is the point that Andrew was making and I think that that is probably right.

[66] **Val Lloyd:** The general thrust of Andrew's point is that we have always done it that way and I think that we should continue doing it in that way, otherwise we devalue the committee itself.

[67] **Michael German:** I know that, had I said that at the meeting, we would probably have got the same answer, but it would have come through the clerk. So, I apologise for asking for the information directly. However, we have to be alert and request such information as a committee.

[68] **Val Lloyd:** I think that we have all learned a lesson: we must do it via the committee secretariat.

[69] We will move on to page 60 and petition P-03-219, pharmacies in Barry. We have received a letter from the Minister for Health and Social Services and an e-mail from Community Pharmacy Wales. The Minister tells us that there is a task and finish group working on the issue raised by the pharmacists. The petition raises a specific incident. It

relates very much to the way that pharmacists are governed as to where they can relocate. That is what the Minister's task and finish group is about.

[70] **Bethan Jenkins:** It seemed odd to me that Community Pharmacy Wales did not have a position on that. Could we write back and probe further as to why it does not have a clear position? I would have thought that it would have a position on something that is obviously of importance to it. That is my comment on that discussion.

[71] **Val Lloyd:** Are you referring to the e-mail? It is very terse, is it not?

[72] **Bethan Jenkins:** The e-mail from Community Pharmacy Wales is along the lines that it does not have a position on the regulations. It seems to me to be a matter of duty that it would have a position on this.

[73] **Val Lloyd:** However, it is not a Government organisation and I do not think that we can ask it for its rationale.

[74] **Andrew R.T. Davies:** No, but it is an umbrella organisation of community pharmacists. I think that we all recall the excellent event that it held some three weeks ago.

[75] **Val Lloyd:** Yes, I was there.

[76] **Andrew R.T. Davies:** The people there were going on about the wonderful services that community pharmacists offer. You have to have a location in which to offer those services, do you not? If there is to be a descriptive protocol that community pharmacists can operate under, you would have thought that the organisation would have had a view on it, especially as the Minister's task and finish group is to report in December.

[77] **Val Lloyd:** You would have thought that the organisation would have made representations to the Minister's task and finish group. I am sure that it is one of the first organisations that would have been written to for evidence.

[78] **Andrew R.T. Davies:** I concur with Bethan's point about seeking to understand why the organisation has no view on this, or whether it is an oversight and it has submitted evidence to the task and finish group. Ultimately, I think that this petition would benefit from the findings of that task and finish group. I think that that group is either due to end or to report in December.

[79] **Val Lloyd:** It is to report in December.

[80] **Michael German:** The e-mail from Community Pharmacy Wales states, in the second paragraph, that it does not have a position on the regulations. As the task and finish group has not yet reached a position where it can recommend changes to the regulations, is Community Pharmacy Wales saying that it does not have a position on the current regulations or on the proposals for change that the task and finish group is working on? I presume that it is looking at the National Health Service (Pharmaceutical Services) Regulations 1992. However, I presume that the task and finish group is looking at amendments to those regulations. Obviously, if it is not, perhaps we ought to find that out.

[81] **Bethan Jenkins:** So, we could find out whether the organisation has an opinion on the amendments—

[82] **Michael German:** Yes, whether it has an opinion on the amendments that the task and finish group is considering. Is the organisation represented on the task and finish group? I do not know.

[83] **Val Lloyd:** The world has changed since 1992. I was just thinking that a considerable amount of time has passed since the regulations were set down in 1992 and population centres and so on will have changed. I would have thought that it would be quite feasible to be looking at amending, revising and updating those regulations now.

[84] **Michael German:** I presume that that is what the task and finish group is doing. It was looking at regulation changes. Presumably, Community Pharmacy Wales should be engaged with that. I do not know whether it is or whether it has a representative on the task and finish group. It is not clear.

[85] **Val Lloyd:** We will have to wait to find out. This will be for our January meeting because the Minister's task and finish group is reporting in December. We could write to Community Pharmacy Wales asking for a more detailed response on why it does not have a position on the regulations. Its reply would probably be with us at the same time as the Minister's report.

[86] **Michael German:** We could ask whether it is aware of the task and finish group.

[87] **Val Lloyd:** I am sure that it is.

[88] The next two petitions are linked—they are separate, but have a link. The first is P-03-220, on lowering the speed limit on the A40 near Abergavenny. We have had a briefing from legal services on setting local speed limits, which was very helpful.

[89] **Bethan Jenkins:** It seems to me that this would be the responsibility of the Welsh Government. The legal note says that it would have to make changes by 2014, in accordance with the guidance. I guess that we would need to ask the Deputy First Minister when he will be reviewing this.

[90] **Michael German:** They have been around for some time. Now that they have the guidance—

[91] **Val Lloyd:** Yes, the guidance—

[92] **Michael German:** We have the guidance and they have the guidance—

[93] **Bethan Jenkins:** Yes, but on the second one, P-03-240, there are alternative proposals for the road in question. In light of the fact that there have been quite a lot of accidents since the petition has gone in, perhaps we could ask for the Minister's opinion on those particular proposals.

10.00 a.m.

[94] **Val Lloyd:** Are you talking about the first petition?

[95] **Bethan Jenkins:** I thought that we were taking them together.

[96] **Val Lloyd:** They are slightly different, but I agree that they are similar and I did say that at the beginning. I am sorry if I confused you. I agree that we should write to the Minister to ask when the A40 near Abergavenny will be reviewed. Joane, were you involved in this briefing?

[97] **Ms Jackson:** I do not think there is anything further to add. It is a comprehensive briefing. I do not think that I need to add anything to it.

[98] **Val Lloyd:** Will you thank the people who put this together on behalf of the committee?

[99] **Ms Jackson:** I will.

[100] **Val Lloyd:** Now we can move to the second one, P-03-240, Bethan. Again, I agree with you. We will write to the Deputy First Minister, seeking his views on the alternative proposal put forward by the petitioner, because there was a difference in the action.

[101] **Michael German:** Without being too presumptuous, could we say that we have been sitting on these petitions? When did they originally come in?

[102] **Val Lloyd:** The first one came in a long time ago; the second one only came in last September.

[103] **Michael German:** People have been very patient and it would be helpful if a quicker decision could be made on these because they have been subject to our gaze and we would like to bring them to a conclusion.

[104] **Val Lloyd:** The first came in in May and the second came in in September.

[105] **Andrew R.T. Davies:** Given that the guidance exists now, there is little reason why some firm decision could not be made.

[106] **Michael German:** Nor is there any reason why a decision could not be made in principle and then brought forward whenever the finance becomes available. The decision could be made in principle.

[107] **Val Lloyd:** We now move on to petition P-03-236, on a charter for grandchildren. We have received a detailed letter from the relevant Deputy Minister in which she makes several points. Basically, she explains what is done in Wales and why she does not feel that adopting the charter would move things forward. The charter is based on the Scottish charter and it is only voluntary in Scotland. However, at the same time, the Deputy Minister points out the issues for Wales.

[108] **Bethan Jenkins:** Could we suggest to the petitioners that they adapt their petition to say that it would be acceptable on a voluntary, good-practice basis, which reflects Scotland's situation? That would obviously change the petition, but it seems that the Deputy Minister would be more inclined to consider it if it were voluntary. The mandatory aspect seems not to sit easily with the Deputy Minister. Is that within our ability?

[109] **Val Lloyd:** We could certainly write to the petitioners with the Deputy Minister's letter.

[110] **Michael German:** Perhaps I have not read through things properly, but I do not think that I have seen a copy of the charter. Has that been circulated?

[111] **Ms Stocks:** I am not sure whether it was circulated when the petition was submitted. I can certainly make sure that it is.

[112] **Michael German:** I do not think that it was. It would be useful to know what that charter says so that we can judge the Deputy Minister's letter against the charter. She says that she has attached an electronic copy as an annex to her letter, but we do not have that. Committee service must have that.

[113] **Val Lloyd:** I do not remember printing it out.

[114] **Andrew R.T. Davies:** If we could see the charter and then, in parallel, write to the petitioners, we would then, hopefully, shorten the process for the petitioners. Obviously, what the petitioners want is an outcome and the Deputy Minister has provided an extensive letter, which will be food for thought.

[115] **Michael German:** At least we will have the charter in front of us then, with the petitioner's response. We will then be able to look at the letter from the Deputy Minister, the petitioner's response and the charter all at the same time.

[116] **Val Lloyd:** Fine, we will do that. Is everyone content with that? I see that you are.

[117] We are now on page 102 and petition P-03-253 on the adoption of private sewers for Carmarthenshire residents. Again, I seem to remember an excellent reference paper from the Members' research service on this for which I would publicly like to thank the staff. I would also like to thank the Assembly Members who sent in examples of the cases that they had dealt with.

[118] **Andrew R.T. Davies:** That list of Assembly Members who sent in cases of issues in their areas is quite extensive. From looking at the responses, however, the one area that does not seem to be covered is north Wales.

[119] **Val Lloyd:** I notice that Peter Black has covered an area that I also covered.

[120] **Andrew R.T. Davies:** Should we send those responses en bloc to the Minister to get her view, and to see whether Dŵr Cymru will address the issues raised, along with the work that the constituency and regional AMs have done?

[121] **Val Lloyd:** It has been a long, ongoing battle for many of the residents whom I have dealt with, and I am sure that they would appreciate it.

[122] **Michael German:** The key issue in the very good briefing paper that we have from the Members' research service is the third bullet point of the conclusion, which says that the adoption process appears to be unclear about the requirements on water companies, and the fact that separate sewerage networks are approved that do not function effectively when linked together. That seems to be a regulatory problem that needs to be addressed. Can we direct that specific comment, among others, to the Minister? I do not know where the legal powers lie in this regard—and I am looking at Joaneest in the hope that she knows.

[123] **Ms Jackson:** If drainage systems are adopted, the agreements are made by the builders, and the local authorities will deal with that. A thought has just occurred to me of whether any powers or provisions are contained in the Flood and Water Management Bill, part of which deals with sustainable drainage systems. Perhaps we could look at that to see whether it will have any implications.

[124] **Michael German:** If nothing else, if we could make the process clearer using that third bullet point, it would be very helpful.

[125] **Bethan Jenkins:** Could we not ask the Minister to respond to the conclusions in our paper, namely the points that were raised by AMs? It is a piece of work that we could do as a committee, as a small inquiry.

[126] **Michael German:** The Assembly's legal department also needs to look at it.

[127] **Val Lloyd:** The cases that Assembly Members have referred to us are just the tip of the iceberg, from my experience. Sometimes, people can be caught out and severely disadvantaged by it. We will send the Minister our summary of the responses, and we will ask for her comments on the conclusion of the Members' research service paper. If we could also have some legal clarity from our legal services, we would appreciate it.

[128] **Michael German:** We should also ask who has the power. It is like everything else, in that we never know until we have gone down the fields. It is a bit of pot luck as to whether we have the power.

[129] **Val Lloyd:** The next petition is P-03-255 on special needs education provision in mainstream schools. We have received a letter in response to this from the Minister for Children, Education, Lifelong Learning and Skills.

[130] **Bethan Jenkins:** The letter seems to indicate that the provision is the same in the school in question, so perhaps we should send a copy of the letter to the petitioners to ask whether they know anything that the Minister is not directly aware of, such as a threat to the provision. The second paragraph of the letter confirms that the special educational needs unit at St Julian's school continues to provide high-quality support for all pupils currently placed there. So, it seems that there might be more information than we are aware of. I do not know.

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

[132] **Michael German:** From the petition, it looks as though people were worried that the unit might close, but the letter from the Minister says that it is not going to close.

[133] **Val Lloyd:** I have just been informed that we did have an update of the previous Minister—a meeting that it was safe.

[134] **Andrew R.T. Davies:** Did you just say 'the previous Minister'? Do you know something that we do not? [*Laughter.*]

10.10 a.m.

[135] **Val Lloyd:** Sorry. No, we are all waiting for that information. What I meant to say was that we received an update at a previous meeting that the unit was safe.

[136] **Bethan Jenkins:** Perhaps we should generalise it, if we have had that guarantee.

[137] **Val Lloyd:** That is what I was thinking about. I thought that we had heard that it had been secured at St Julian's school and that Mike might know that, because it is in his region.

[138] **Michael German:** Yes, I was told that that was the case.

[139] **Andrew R.T. Davies:** Could the petitioners be sent a copy of the Enterprise and Learning Committee's inquiry into special needs provision? Its inquiry was held relatively recently and I believe that a Plenary debate was also held on the matter, which might cover some of their concerns. I appreciate that this petition is about the provision at this individual school, but it might be informative to the petitioners, because it addresses special needs provision on a wider basis, looking at the whole of Wales. Gaining an understanding of what is going on in the rest of Wales might be beneficial and might inform a more localised campaign, if they feel that such a campaign needs to be organised.

[140] **Val Lloyd:** Fine. I think that they are content with their provision, but it might help

them to have that.

[141] **Andrew R.T. Davies:** It just might be of interest to them. They might be unaware that that work was undertaken.

[142] **Val Lloyd:** We will also ask the Minister in more general terms about local authorities' support.

[143] Next is P-03-262 on the Wales peace institute, which we first heard about in November. We have had a response from the First Minister. Should we invite the petitioners to come to give us evidence on this? It is an important issue.

[144] **Michael German:** I must say again, for the record, that I am named as a sponsor of this, as is Bethan, at the bottom of the leaflet. It would be wise to invite the petitioners to talk to us about this matter, because the letter from the First Minister has slightly missed the point. The petition is not about peace studies, it is far more about human rights and how that works. So, it would be useful to get them in.

[145] **Bethan Jenkins:** It is also about Government practice. It is not just about people learning about peace, but about how Governments act in certain ways and how that can be reflected in policies. I do not know whether it is worth our writing again to reiterate that.

[146] **Val Lloyd:** Let us get the petitioners in to give evidence. We should also think about having a video link to take evidence from one or two of the peace institutes in Europe, as mentioned in the literature that we received with the petition. We will also write to the Minister for education to see whether support can be given to develop a programme of relevant research across the higher education sector. Would that necessarily be for the Minister, though? The key phrase there is 'giving support'.

[147] **Andrew R.T. Davies:** I appreciate that there will be quite some time between our next meeting and whenever we can slot in the witnesses, but can a paper be prepared along the lines of what you suggested, Chair, looking at other aspects around Europe? I have to say that I am not too familiar with this type of work, although I attended the reception that was held here some weeks ago by the organisation, hosted by David Melding. So, I ask for an MRS brief to be prepared to inform us of the situation better, pulling all the strands together about what goes on in other countries and what would be considered a suitable or ideal model for us in Wales.

[148] **Val Lloyd:** All my information has come from the pen portraits in the literature accompanying the paper.

[149] **Bethan Jenkins:** Before writing to the Minister for education, we should ask the petitioners whether that was what they thought the petition asked. If they do not believe that the petition was asking for more studies relating to peace, I do not see the point of pursuing that particular agenda. That action point has come from the First Minister's response, but it may not be a useful way forward if it has nothing to do with what they are requesting. So, I suggest that we hang fire on that particular letter.

[150] **Michael German:** In other words, she may not be the appropriate Minister; it might be the First Minister again. It depends on what the petitioners are looking for.

[151] **Val Lloyd:** I will just get a timeline from the clerk. When will we be able to ask the petitioners to come to give evidence?

[152] **Ms Stocks:** We will be looking at a meeting in February, because we are taking

evidence from the Woodland Trust and the Forestry Commission in the first few meetings of the new year. We are also planning a meeting in north Wales to take evidence, so I think that we will be looking at 23 February as a potential date. That is just off the top of my head.

[153] **Val Lloyd:** This is not time limited, though, is it?

[154] **Michael German:** No, it is not. Give peace a chance.

[155] **Andrew R.T. Davies:** You are showing your hippy days now, Michael. [*Laughter.*]

[156] **Michael German:** We remember it, but it was before Bethan's time.

[157] **Andrew R.T. Davies:** Twenty-five years ago today, John Lennon died. There we are. He was the same age as Rhodri Morgan.

[158] **Val Lloyd:** Thank you for that information. [*Laughter.*] We will take evidence on this from the petitioners before we do anything else. I think that that is the consensus opinion.

[159] **Andrew R.T. Davies:** Could I seek clarification on the timelines, but feel free to slap me down, Chair? Why are we taking evidence from the Woodland Trust and the Forestry Commission on separate days? Why can we not take evidence from both on the same day?

[160] **Ms Stocks:** It was an issue of fitting in the evidence sessions along with the business of the committee.

[161] **Andrew R.T. Davies:** We have taken two sets of evidence on the same day before. When it is fresh in your mind and you are dealing with the same petition, splitting it by two weeks can be difficult, although I am sure that our minds are capable of that. If it could be accommodated on the same day, it would be a more efficient use of time.

[162] **Ms Stocks:** We can certainly look at that.

[163] **Val Lloyd:** We did it successfully with the petition on the airfield at Llanbedr. The Snowdonia Society did not want the airfield, and we heard both sides of the argument at the same time. I am sure that our secretariat will do its best to do accommodate that, but it must have looked at it in the beginning. That concludes the item on the updates.

10.16 a.m.

Adolygu Hynt Deisebau Blaenorol Review of Progress

[164] **Val Lloyd:** We have five petitions to review. The first, which we first received in October 2007, is P-03-072 on a young carers Measure. We now have a proposed Measure on young carers, so I think that it is appropriate that we close this petition, as we have taken it as far as we can and have achieved a satisfactory outcome.

[165] The second petition is P-03-092 on the relief road to Tafarnaubach industrial estate. This petition first came before us in March 2008, and Bethan and I visited the site on the committee's behalf. We have not had any communication on this since June 2008.

[166] **Bethan Jenkins:** To clarify the situation, we sent our report to the Government, so are we awaiting a response from the Government on that or did the petitioners not get back to us? I cannot remember exactly.

[167] **Ms Stocks:** I will need to check that.

[168] **Bethan Jenkins:** If the Government has not responded with the various alternatives, we cannot really close it, can we?

[169] **Michael German:** The last letter that we received from the Government said that Mr Harris's latest option was being considered on its behalf by Capita Symonds and that the final report was expected shortly. I do not know whether we have received the final report. If we have not, we need to. If we have, we need to see it again before we can seek to close this petition.

[170] **Bethan Jenkins:** I cannot recall seeing anything.

[171] **Val Lloyd:** Are you talking about the letter dated 3 June, on page 139, Mike?

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

[173] **Val Lloyd:** I believe that Mr Harris has changed the proposal, has he not? I think that we need an update from the Deputy First Minister on that.

[174] The next petition is P-03-094, on Edwardsville swimming pool. This was received in January 2008. We have not heard anything—

[175] **Bethan Jenkins:** I think that they are pursuing a community-based fund, are they not?

[176] **Val Lloyd:** I do not think that there is anything else that we can do.

10.20 a.m.

[177] **Andrew R.T. Davies:** The sad fact is that the pool was closed, I believe.

[178] **Val Lloyd:** The pool was closed before this matter came to our attention.

[179] **Andrew R.T. Davies:** It was the responsibility of the local authority to determine that. We may take one view or another, but the authority, or whichever body it is, has a right to make its own decisions. We tried, and we took evidence, but, sadly, the decision had already been taken.

[180] **Val Lloyd:** I think that we have no option but to close this petition.

[181] **Michael German:** What was the date of the final e-mail from the petitioner, who informed us that they were going to seek to purchase the pool from the local authority? How long ago was that?

[182] **Val Lloyd:** There is no date on that.

[183] **Ms Stocks:** It says that the petition was last considered on 13 January, so I would presume that it was from January this year. I would need to check that.

[184] **Bethan Jenkins:** The other issue that they raised related to the bus service to the pool in Merthyr, but there is nothing that we can do about that.

[185] **Val Lloyd:** There is nothing that we can do because—I think that Andrew summed it up—it was a local authority decision all along, and we facilitated some communication

between the petitioners and the authority.

[186] **Andrew R.T. Davies:** I believe that I am right in thinking that there was a little bit of argy-bargy.

[187] **Val Lloyd:** Some people wanted it, and some did not.

[188] **Andrew R.T. Davies:** It was not long after that that our protocol was drawn up.

[189] **Val Lloyd:** I think that we need to close this petition. Is that agreed? I see that it is.

[190] The next petition is P-03-134. This relates to a Welsh honours system.

[191] **Bethan Jenkins:** We held a discussion on this issue on the website forum, but it was not taken up by the general public. It would be good for us to look at ways of expanding that forum so that, when we have interesting petitions like this one that can be discussed by the public, we have a comprehensive way of communicating it. The public can then take part and put ideas forward. As far as I can see, that opportunity was not fully taken advantage of in this instance.

[192] **Michael German:** I feel genuinely dissatisfied with this conclusion, in that we had a short debate—I think that it was David Melding who presented it—that received considerable support from Assembly Members across the piece, but was resisted by the Government in the letter from the First Minister. I still feel that there is merit in this argument, and, if put to the test in our National Assembly, I dare say that Members would probably say—as they did in that debate—that they would like to see an outcome where a Welsh form of recognition would be possible. That was what the online activity also said. I know that we have had resistance, but it strikes me that there is a fair degree of support right across the piece in the National Assembly.

[193] Perhaps we ought to be looking more widely at what we mean by an honours system, and not with the same formality with which people are talking about it here. There are many early stage considerations, and the Presiding Officer will let this be noted. I think that we have a bit of a role to play in ensuring that this is not left behind because the Government has decided that it does not want to proceed with it. Perhaps we should write to the Llywydd saying that there was a debate, which had considerable approval from the Members; that there has been an online discussion forum that has had this level of discussion—perhaps not enough discussion, but some discussion nonetheless; and that we believe that a debate ought to continue. We can also ask his opinion on how that debate ought to continue in relation to the petition.

[194] **Val Lloyd:** The second paragraph from the Presiding Officer says that, in its meeting on 2 February, the Assembly Commission decided not to introduce such an award. I think that he was quite firm in that. Do you want us to reopen this subject?

[195] **Michael German:** Am I wrong in my reading of what the Assembly discussed, and the mood?

[196] **Val Lloyd:** I was not at that debate.

[197] **Andrew R.T. Davies:** David's debate was probably one of the more better-attended short debates late on a Wednesday evening. I note the letters that the Right Honourable the Lord Dafydd Elis-Thomas, the Presiding Officer—talking of honours, the first part is longer than the name—came up with. While I am instinctively happy with the Union's system of honours, recognised within the current system, I think that it is a good way of encouraging

debate when people put forward petitions like this. Maybe it is an opportunity for this committee to challenge the status quo in an objective way, given what the Government and the Presiding Officer have said. Are we able to bring a committee debate to Plenary, Chair?

[198] **Val Lloyd:** I do not know; I would have to look into that.

[199] **Andrew R.T. Davies:** We have never done so before, but, given the interest expressed in David Melding's short debate, which was very much at the tail end of the day, I wonder if there might be merit in moving that debate to give us a better opportunity for discussion.

[200] **Val Lloyd:** I am just re-reading the First Minister's letter of 19 February, which is quite a while ago, but he says that he explained in a letter of 28 August 2008 that:

[201] 'the Welsh Assembly Government does not have the power to establish a separate Welsh Honours System but I do want to establish arrangements that enable us to recognise significant achievements by Welsh men and women. We have been giving consideration to the best way of doing this and I hope to be in a position to say more about arrangements in the near future'.

[202] We have not had any more from him, so I think that we need to pursue that, first of all. Admittedly, he will not be in office by the time our letter is sent, but we could write to the new First Minister.

[203] **Michael German:** I read the Presiding Officer's letter carefully, and what it is saying, if I paraphrase, is that he put forward a scheme to the Commission, but the Commission rejected it. However, he notes that we, as a committee, have established a discussion forum online, and the Commission would like to hear the results of that.

[204] I understand that we have not had a proper online discussion—

[205] **Bethan Jenkins:** That is the issue. We would have had more basis for arguing our case if we had had a comprehensive discussion online.

[206] **Michael German:** I was about to suggest that we should therefore reinvigorate the online discussion forum in whatever way is appropriate, and inform the Presiding Officer that we are doing so, and that we will inform him of the outcome in due course. This is one that we should not—

[207] **Bethan Jenkins:** I am happy with that, if we do it properly. We could ask the Commission whether it could advertise, and perhaps someone in its communications team could assist us in doing that.

[208] **Michael German:** That is a very good idea.

[209] **Val Lloyd:** Yes, I am sure that the communications team would do that very well; that is what it is set up to do.

[210] **Michael German:** That is what we mean by doing it properly.

[211] **Val Lloyd:** We do not have the time to do it, do we? If we could find someone with the time to do it, then it would be more worthwhile. That would also tie in to the letter from the First Minister in February, because we would be giving more consideration to the issue.

[212] **Michael German:** No doors would have been closed.

[213] **Val Lloyd:** No, and we could then send the First Minister the views that we have gathered in the online discussion. That would be proactive.

[214] The next petition is P-03-136, on parking in the Heath and Birchgrove areas of Cardiff. We are still waiting for the travel plan from the local health board. It was due in April.

[215] **Michael German:** In Facebook terms, could we give the LHB a poke?

[216] **Bethan Jenkins:** I do not think that anyone does poking on Facebook anymore, do they? Poking is passé now, Mike.

[217] **Val Lloyd:** So, we will write to the LHB requesting a copy of the travel plan because there is nothing more that we can do without it—we really need to have that travel plan to either close this petition or take it further. Are you content with that? I see that you are.

10.29 a.m.

Cynnig Trefniadol Procedural Motion

[218] **Val Lloyd:** I move that

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

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

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.29 a.m.
The public part of the meeting ended at 10.29 a.m.*