

Petitions Committee – Briefing Paper

PET(3)-08-10: 15 June 2010

Part 1: New petitions

This paper provides brief background information on petitions to be given initial consideration by the Committee on 11 May 2010.

(1) P-03-272 Equines should not be utilised underground

Petition wording

We the undersigned, call upon the National Assembly for Wales to urge the Welsh Government to include in the Code of Practice for the Welfare of Equines that equines should not be utilised underground

Background

This petition was raised by the Pit Pony Sanctuary and collected 171 signatures. In accordance with Committee procedures the Chair has written to the Minister for Rural Affairs. A copy of this letter is included below along with supporting information provided by the petitioner.

Y Pwyllgor Deisebau

Petitions Committee

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Elin Jones AM
Minister for Rural Affairs
Welsh Assembly Government
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: P-03-272

8 June 2010

Dear Elin

P-03-272 Equines should not be utilised underground

The Petitions Committee is considering the following petition which was raised by the Pit Pony Sanctuary and collected 171 signatures:

We the undersigned, call upon the National Assembly for Wales to urge the Welsh Government to include in the Code of Practice for the Welfare of Equines that equines should not be utilised underground.

The Committee would like to seek your views on the petition and to ask if you would consider amending the Code of Practice to prohibit the use of equines underground.

Many thanks for your consideration of this issue. I look forward to receiving your response.

Yours sincerely

Christine Chapman
Chair, Petitions Committee

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Another opportunity to prevent Pit Ponies from being used again in Wales!

As a small Charity that has been caring for working Pit Ponies since the 1990's we provided a report on our experiences and the problems encountered during the course of our work. For consideration during the consultation of the new Animal Welfare Act and copied it to the discussion groups on the Equine Codes of Practice. We were very disappointed that the use of equines underground was not to our minds properly addressed when the Equine Code of Practice was drawn up. We have set this petition up to seek to address this issue. Many of our supporters will know we have already gathered and delivered a petition on the subject of Pit Ponies in 1998. We would ask them to please also sign this petition.

High unemployment! A cold winter! Lack of opportunities! The rising price of energy! All very good reasons to re-open small collieries.

Here is another chance to help Wales lead the world.

'We the undersigned, call upon the National Assembly for Wales to urge the Welsh Government to include in the Code of Practice for the Welfare of Equines that equines should not be utilized underground'

Please sign our petition online at

http://www.assemblywales.org/gethome/e-petitions/epetition-list-of-signatories.htm?pet_id=435&prncl_ptnr=The%20Pit%20Pony%20Sanctuary&clsd_dt=01/06/2010

In the next few lines we will try to tell you why you should sign. During the 1990's although we were assured there weren't any, our tiny Charity visited the Pit Ponies working in Wales. Our report on their welfare was entitled "Horse Power" Some extracts are reprinted here. The whole document can be obtained from the Centre or read/downloaded at www.visitpitponies.co.uk/horsepower

Workload. At all the collieries visited in our study the workload was haphazard. No apparent system for regulating the workload was ever seen. The piecework and casual work arrangements for the men meant that often the ponies worked double shifts. The average ratio of men to ponies was 9:1 in the study group. Generally there was no spare horse kept, so the ponies had to work whatever. In our study group coal drams (with small iron wheels) that were used were not designed for use with horses, making the work much harder for the ponies than it needed to be. Gradient, size of drams, length of haul, weight of empty dram, deep water underground, the unevenness of the track and the irregular spacing of sleepers made the work even harder again for the ponies. No system was ever observed for controlling the number or size of drams of coal that would be coupled together into a journey for the pony to pull. At a colliery in Wales a Pit Pony died when the huge load pushed her on into an underground ventilation door. At another a Pit Pony died when his huge journey of three drams pushed him over the trip where the coal drams are normally tipped and came over on top of him. ***Our study showed the workload to be very likely to cause the death or injury of the Pit Ponies. Surely it should be a basic right for all working animals not to be worked to death or injury.***

Veterinary Inspections. *Annual inspections are called for in the Act. “A vet as to their suitability and fitness should inspect Pit Ponies annually”.* In our study we found that vets were presented with ponies to examine that were not the pony in the register. It was quite easy for owners to present a pony and call it the name in the register. At a colliery in Wales the owner presented the pit pony to the vet late in the day when the colliery was closed and the men gone for the day. He told the Vet he worked alone and his old pony only pulled the few odd half-drams of coal for his home fires. The truth was that the colliery had only one pony and eleven men worked there and it produced 150 tons per week. All of which the pony hauled 400+yards to the surface. Bringing coal up the slope from the lower face was unbelievably difficult for the ponies. However with eleven men to make you do it, the ponies have no choice. The vets report noted the old injury to his hind leg. However based on the lies told allowed a certificate. The vet also gave a preparation as a painkiller for the working pony. *Our study has shown that had the ponies been identichipped or freezebranded the substitution of ponies would have been more difficult. Also ponies needed to have been assessed by the vet for suitability of purpose and a maximum gross weight to be applied. Also harness, age of the pony, “bone” or physical stature, should have been included. Annual inspections are not sufficient, at a typical colliery the Pit Pony hauled coal 400yards from the coal face to the surface, 150 tons/week were produced therefore 150 drams of coal +at least 150 drams of waste, = 300x400yards = 68 miles each week hauling a full dram, 68miles pulling an empty. All these journeys were made over an appalling roadway full of pot holes unevenly spaced sleepers rocks fallen from the roof and lumps fallen from overloaded drams.*

Dangers. The collieries in our study were generally messy with unfenced scrap heaps, open excavations, moving equipment, dangerous substances, discarded items abound. Presenting immense dangers to what is essentially a flight animal and naturally inquisitive grazer/browser. Often fuel, noxious substances have contaminated the ground. At a Welsh colliery a spillage of fuel oil contaminated the mud accumulated in the colliery entrance, the fuel contaminated the lower legs of the pit ponies causing hair loss and dermatitis. This situation was left untreated and unheeded for several weeks until eventually the National Rivers Authority to the Mines Inspectorate reported the contamination and a prohibition order was put on the colliery. Also food waste/rubbish was often observed and left to rot creating a real danger of poisoning. Poor maintenance of buildings/equipment adds to the dangers for the four-legged colliers as well. The piecework culture of the collieries visited created “a coal production at all costs” culture that was not conducive for safety. Underground roadways constantly become low and narrow from the up-heave and crush. At one Welsh colliery Ponies daily had to squeeze down under a low roof to pull up the coal dram from one face. The resultant strain this action put upon their bodies was unbelievable. All three Pit Ponies from this colliery are now retired at the Centre. They are all very head shy and show evidence of old injuries to their heads, necks & backs. Items on the roadway fallen from overloaded drams or from the roof add to the difficulties and cause a real risk in the total darkness underground. Safety/Risk management for the Pit Ponies was un-heard of. *Our study showed that in the 1990’s there was a serious risk of suffering by the acts and omissions of colliery owners. Surely working horses should be protected from the dangers highlighted above.*



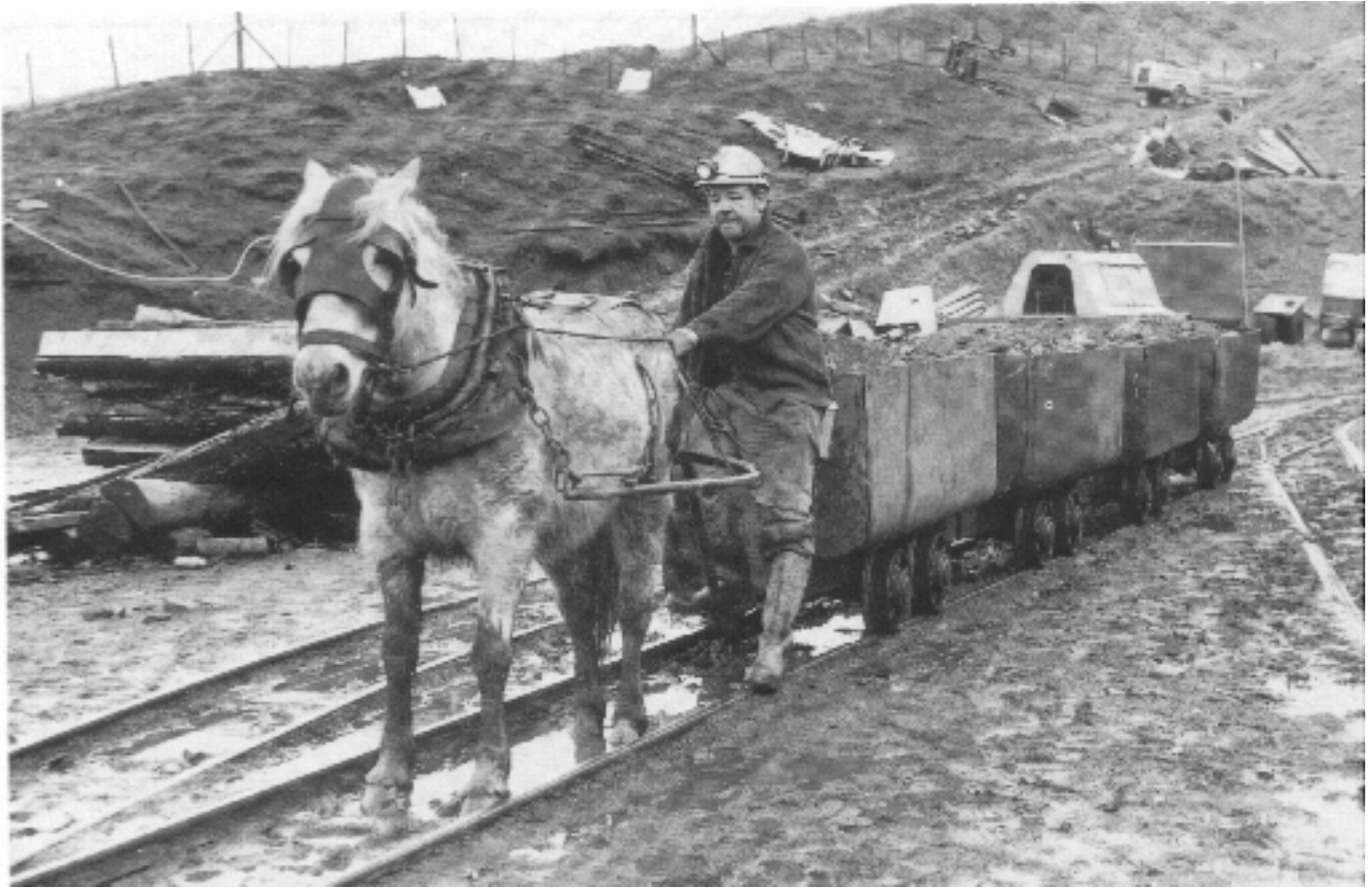
Picture courtesy of Simonin "Underground Life"

Q. How do you get a Pony to go down underground?

Ans. With enough manpower anything is achievable!

Go to <http://www.sgfnet.co.uk> or directly at

<http://www.vimeo.com/7957681> to hear a collier describe the screams of terrified Pit Ponies descending in the cage at a Welsh Colliery.



Picture courtesy of "Small mines of South Wales" Adrian Booth

A Pit Pony pictured here is pulling 4 full drams of coal and a collier, a combined weight of some 6+ tons, an unbelievable load for a 13hh child's size pony to pull. These drams were designed for mechanical haulage and their small iron wheels make it even harder for the pony to move the load.

(2) P-03-282 Continue Funding Early Onset Dementia Support Services

Petition wording

We the undersigned note the threat to the Early Onset Dementia support service at Oldwell Court, Roath and that this may be counter to Objective 26 of the National Framework for Older People.

We call upon the National Assembly for Wales to request that the Welsh Government ensure that funding for this vital service is protected and continued.

Background

This petition was raised by Dawn John and collected 36 signatures. A related petition collected approximately 1000 signatures. In accordance with Committee procedures the Chair has written to the Minister for Health and Social Services. A copy of this letter is included below.



Y Pwyllgor Deisebau

Petitions Committee

Mrs Edwina Hart AM OStJ MBE
Minister for Health and Social
Services
Welsh Assembly Government
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: P-03-282

8 June 2010

Dear Edwina

P-03-282 Continue funding Early Onset Dementia support services

The Petitions Committee is considering the following petition which was raised by Dawn John and collected 36 signatures, an associated petition collected over 1000 signatures:

We the undersigned note the threat to the Early Onset Dementia support service at Oldwell Court, Roath and that this may be counter to Objective 26 of the National Framework for Older People.

We call upon the National Assembly for Wales to request that the Welsh Government ensure that funding for this vital service is protected and continued.

The Committee would like to seek your views on the petition, and to ask whether the recently announced Dementia Action Plan specifically addresses the needs of those with early onset dementia.

Many thanks for your consideration of this issue. I look forward to receiving your response.

Yours sincerely

Christine Chapman
Chair, Petitions Committee

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(3) P-03-292 Public Toilet Provision

Petition wording

We, the undersigned, call upon the National Assembly for Wales to investigate the health and social well-being implications resulting from public toilets closures and to urge the Welsh Government to issue guidance to local authorities to ensure adequate public toilet provision.

Background

This petition was raised by Cllr Louise Hughes and collected 430 signatures. In accordance with Committee procedures the Chair has written to the Minister for Social Justice and Local Government. A copy of this letter is included below. Supporting information has been provided by the petitioner and is included below.



Y Pwyllgor Deisebau

Petitions Committee

Carl Sargeant AM
Minister for Social Justice and Local
Government
Welsh Assembly Government
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Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: P-03-292

9 June 2010

Dear Carl

P-03-292 Public Toilet Provision

The Petitions Committee is considering the following petition which was raised by Cllr Louise Hughes and collected 430 signatures:

We, the undersigned, call upon the National Assembly for Wales to investigate the health and social well-being implications resulting from public toilets closures and to urge the Welsh Government to issue guidance to local authorities to ensure adequate public toilet provision.

The Committee would like to seek your views on the petition, and to ask whether you would consider issuing guidance to local authorities that would help ensure adequate public toilet provision. The Committee would also be interested to know if the Government have undertaken any work looking at the impact of inadequate public toilet provision. I have enclosed supporting information provided by the petitioner for your information.

Many thanks for your consideration of this issue. I look forward to receiving your response.

Yours sincerely

Christine Chapman
Chair, Petitions Committee

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The state of public toilets in Wales

From research conducted by Age Cymru in Spring 2010, 434 older people from across Wales, with a representation from every local authority, were asked the following question:

'How good is the access to public toilets in your local area? Are they safe and of a high standard?'

- The average rating given to public toilets by 434 older people, from across Wales, is 3 out of 10
- 31 per cent (134 of 434) gave public toilets a rating of 0 out of 10
- 41 per cent (177 of 434) gave public toilets a rating of 0 or 1 out of 10
- 54 per cent of older people gave public toilets in their area a rating of 3 or below (out of 10).
- 61 per cent of older people gave a rating of less than 5 out of 10 for public toilets in their area.
- Only 3 per cent (12 people from 434) gave public toilets in their area a rating of 10 out of 10

Nowhere to Go report into public toilet closures in Wales published by Help the Aged in Wales in January 2009 states that:

1. 95 per cent of respondents found that their local public toilets are not open when they need them;
2. 79 per cent of respondents do not find it easy to find a public toilet;
3. 62 per cent of respondents agree that the lack of public toilets in their area stops them from going out as often as they would like;
4. 78 per cent of survey respondents told us that public toilet provision in their area does not meet their needs;
5. 80 per cent of respondents are frequently disturbed by the lack of cleanliness of their local public toilets;
6. 84 per cent of respondents find that safety concerns make public toilets unappealing;
7. 87 per cent of survey respondents felt that shops and businesses should make more effort to provide public toilet facilities;

Welsh Assembly Government: A statistical focus on Age in Wales states that in 2009 1 in 4 people are aged 60 or over. However by 2030, 1 in 3 people will be aged 60 or over.

Nowhere to Go in Wales



Public toilet provision

Cover photo

Paul Talling: www.derelictlondon.com

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Registered charity no 272786

Help the Aged in Wales

12 Cathedral Road

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Introduction

This report summarises a Help the Aged survey, carried out in 2006, of older people's views on public toilet provision in their local area and the current policy position.

Policy-makers, stakeholder groups and public toilet users all agree that Great Britain is witnessing a steep decline in the number of public toilets. Until 2001 the Audit Commission carried out surveys of Britain's public toilet provision, which showed that it was declining rapidly. Since then a campaigning organisation, the British Toilet Association, has estimated that public toilet provision has dropped a further 40 per cent to less than one public toilet for every 10,000 people in the UK, not taking visitors and tourists into account.

In a response to a Parliamentary Question in December 2006, the Department for Communities and Local Government announced that it was seeking to build up an evidence base for the issue of toilet provision in public places. While the guidance produced as a result of this research is a welcome step forward, it is clear that, in a climate of ever-tightening local authority budgets, public toilets as a discretionary service will continue to be reduced and marginalised. Without regular monitoring, such as the Audit Commission used to undertake, public toilet provision will continue to be eroded until we are left with, literally, **nowhere to go**.

In answer to a question asked in October 2007 by Jenny Randerson, Assembly Member for Cardiff Central, Brian Gibbons, the Minister for Social Justice and Local Government, made it clear that he had no plans to make toilet provision and cleaning a statutory responsibility for Local Government:

'This would require a change to primary legislation and the Assembly Government has no plans to seek such a change. The UK Government Department for Communities and Local Government is working to produce a Public Access to Toilets Strategic Guide by November. The UK Government also plans to introduce an amendment to section 87(3)(c) of the Public Health Act 1936 which will allow local authorities to charge for the use of public conveniences

including urinals. The amendment will cover England and Wales and is expected to be in place by December 2007.'

In some areas this erosion has already occurred, with some councils closing public toilets in an effort to save money. This has left many people, particularly those who have the greatest need for public toilets, restricted in how often and for how long they are able to leave their homes.

The equal provision of toilets for men and women is also an issue. Jenny Randerson questioned whether the Minister had *'any plans to issue planning guidance on the provision of equal and adequate accessible public toilets for men and women'*.

Brian Gibbons responded:

'Section 87(3) (c) of the Public Health Act 1936 is being amended by the UK Government to allow local authorities in England and Wales to charge for the use of all sanitary conveniences (lavatories and urinals). This will not only enable local authorities to apply the law equally should they decide to charge but will also allow them to recover the maintenance cost of providing such facilities to the public.'

Older people's forums across the country are campaigning to save their local public toilets, or lamenting their loss. This is an issue that has a massive impact on people's quality of life, and the passion and tenacity with which many older people campaign on this issue in their local area is a testament to the value they place on public toilet provision.

The response to the Help the Aged survey was overwhelming, with almost 1,000 people sending us their comments and experiences. The responses obtained from Wales were separated and the research findings provide the basis of this report.

Specific need for public toilets among the older population

There is no doubt that as we get older we become increasingly likely to develop continence issues, experiencing the need to use the toilet more often and with greater urgency. Many people

Survey findings



wrote to highlight this and explain why the issue of public toilet provision has become so important to them:

'Most men my age suffer from prostate complaints of one form or another – when desperate there are no toilets. I have seen men have accidents – very embarrassing for the person.'

'Like many elderly people I need to find a toilet frequently and sometimes quickly!'

It is clear that as we age we experience an increased dependency on public toilets. Many older people suffer from incontinence or have continence issues, such as the need to use the toilet more frequently and with greater urgency due to muscle weakness. It is estimated that 3–3.5 million people suffer from urinary incontinence in the UK. More than half are over 65 and the majority are women.

As one gentleman pointed out, this raises concerns for the future:

'I have a waterworks problem and need to urinate frequently and at short notice. This problem has arisen as I have got older. As the population ages, this problem will get more widespread and yet the provision and opening times [of public toilets] are reducing.'

Access to public toilets in Wales

79 per cent of respondents do not find it easy to find a public toilet

95 per cent of respondents found that their local public toilets are not open when they need them

Many of the people who responded to the Help the Aged survey saw the decline in public toilet provision as a reflection on society and the decline in community spirit.

'I have been both astonished and appalled at the neglect and abandonment of public facilities which were set up in a more thoughtful and magnanimous time. A succession of governments have done increasingly less and less to make our environment pleasant and hospitable. Lack of vision and agendas that do nothing to engender a community spirit and good manners are "doing" for the country. I feel ashamed to be British, actually.'

Age-related difficulties, including restricted mobility, make getting to a toilet more challenging and, coupled with the continence factors mentioned above, can add to the stress and worry of not being able to find a toilet:

'There are toilets in a local café but it is upstairs, which is no good for me as I have problems with muscles.'

One lady explained that the location of the public toilet in her area has become a problem:

'In town we now only have one public toilet. It is [at] the top end of the town, so should you get caught short at the other end of town, you've had it, especially if you are elderly or suffer with incontinence.'

Another lady who finds that the lack of public toilets restricts her from going out as often as she would like told us:

'The toilets in my library are for staff only – although as an emergency (!) I was allowed to use them once.'

Location

A major barrier preventing people from using public toilets is that they are often not located in places where older people need them, such as on trains, bus and transport terminals and in parks. Several people also mentioned the difficulties that the closure of public toilets in cemeteries has caused them.

'Toilets on trains are frequently a problem – on a recent journey from Cardiff to Bridgend, one of the toilets was out of order and the other was locked!'

'Although in the shopping centre there are good, clean toilets, there is a lack of provision in the wider area, e.g. parks and also outside of shopping hours.'

Times of opening

In our survey, 95 per cent of respondents identified short opening hours as a factor prohibiting them from using public toilets. If a toilet is not open, it is no use to anyone. In many respondents' areas the public toilets shut at 5.30pm, the same time as the shops, leaving the town centre with no evening provision:

'As I am quite fit and active for my age (78) I do not have much difficulty finding and using a public toilet, except in the evenings when they are sometimes closed.'

In addition, opening hours need to be publicised, as a resident pointed out:

'The toilets are newly built and are accessible and generally clean. However, they are not open at convenient times. Actually, I have no idea what their opening times are, but they are rarely open when I visit!'

For people who find walking more difficult than they used to or those who find themselves needing the toilet more urgently, arriving at a toilet to find it shut can be a disaster. Regular opening hours and very clear signposting with opening times advertised on it are therefore essential.

Design

Locks on doors, where they exist, can be difficult to use for the many older people who suffer from arthritis:

'I have arthritis in my hands and wrists and find the fiddly little catches hard to grip. If the door is too tight-fitting as well, I've had it! Big, firm handles, please, and the doors checked to ensure smooth opening.'

The stress that the fear of being locked in a toilet causes will be familiar to most people, and for those with arthritis or difficulties with their hands such stress can be a frequent experience when using public toilets.

Alongside the difficulties of lack of space that many carers experience, a number of people find that, as a carer of the opposite sex to the person they care for, male and female toilets can be difficult.

Older people need toilets to be clean, safe, accessible, staffed, open and located in the wide variety of places where they go.



Safety of public toilets

84 per cent of respondents find that safety concerns make public toilets unappealing

Having toilets overseen by an attendant also serves to alleviate the safety concerns that 84 per cent of respondents told us they have about public toilets.

'I think all public toilets should have attendants. Most of them are rather threatening and people feel insecure.'

'My local toilets are clean, but none are manned. This can be frightening, so I would prefer to be able to use toilets in a shop.'

Antisocial behaviour measures are controversial. Blue lighting, which makes it difficult for injecting drug users to find veins and therefore deters them from using public toilets, is unpopular with older people:

'The supermarkets have nice toilets, but I can't see because the lights are all dark blue.'

Standards of public toilets

80 per cent of respondents are frequently disturbed by the lack of cleanliness of their local public toilets

Hundreds of people informed us that public toilets can be hugely off-putting if they are in a state of disrepair or unclean.

'Our nearest public toilets are about one and a half miles away. These are disgusting, filthy and smell awful. You have to be really, really desperate to go into them.'

'The public toilets almost always make me cringe – they make me want to rush home and have a bath. On my last visit to a public toilet I had to put my coat and shopping on the floor as there was no hook or shelf, and when I pulled the flush, someone had pulled the water pipe out of the back of the toilet and all my shopping and coat were washed under the door. It was terrible.'

Public toilets, including the floors, the seats and the walls, need to be clean. There needs to be toilet paper and hot water and soap for washing hands. There should be a hook for bags on the inside of the door, and enough space to manoeuvre if you have restricted mobility or find it difficult to balance in order to squeeze into a tight space between the door and a cistern, sanitary disposal bin or shelf.

'I recently visited Llanstephan with my family for an afternoon out and picnic, I did wonder before we left the house if there would be toilet facilities available. I was delighted to find that at either end of the village close to the estuary and the car parks there were public toilets which were open, clean, well lit and stocked with toilet paper, soap and hand dryers. Well done, Carmarthenshire County Council!'

Having toilets staffed by an attendant was an overwhelmingly popular suggestion, with many people commending the cleaners and staff at their local public toilets.



Photography: John Cobb

What are the consequences of inadequate toilet provision?

62 per cent of respondents agree that the lack of public toilets in their area stops them from going out as often as they would like

Evidence from the Help the Aged survey suggests that there are large numbers of people who are tethered by an invisible ‘bladder leash’ which restricts their movements to within easy reach of toilets. About half of the over-75 population of the UK lives alone, with studies showing that as many as 1.75 million older people report feeling lonely. Twelve per cent of older people (1.2 million) feel trapped in their own home, 13 per cent of older people (1.26 million) do not go out more than once a week and 3 per cent of older people never go out. Our evidence suggests that lack of public toilets is a significant contributory factor in the isolation of older people, and the situation will worsen as toilet provision continues to decline.

The cost of this isolation is not just a moral one. If older people are restricted to their own homes they are increasingly likely to suffer from depression, an extremely common condition affecting an estimated 1 in 8 people over the age of 65. The lack of public toilets in places where older people may otherwise take exercise, such as parks and promenades, means that many become inactive.

Physical activity is critical in later life in order to enable older people to remain independent in their own homes for as long as possible. These factors combine to place an economic burden on local health services that the provision of public toilets could help to avoid or delay. In addition, the absence of public toilets excludes older people from economic activities such as shopping that they would otherwise be undertaking, preventing them from engaging in the local economy.

Many of us take for granted the fact that when we need to use a toilet our bodies will give us enough warning to enable us to get to a toilet or allow us to hold on until we can. However, as we age this ability can decrease and many of us need to use the toilet more often and with a greater degree of urgency. This can make leaving the security of home a stress-laden experience, especially when going somewhere new:

‘I am a wheelchair user who travels into London frequently and it is always an issue – finding a toilet I can manage. I have to plan where I am going to go and if meetings are arranged in unfamiliar venues, it is a real worry, raising anxiety until I find out what the situation is like.’

To alleviate this worry, many people plan in advance where they can go to the toilet and what journeys they can make. Some live in fear of ending up in an embarrassing or humiliating situation, which restricts where, when, how far and for how long they can go out.

'I have a colostomy and have to plan my travel arrangements around toilets so as not to be caught short.'

'For those having to take diuretic tablets every day, one has to plan one's journeys where a toilet can be found.'

'There should be access to a toilet in the main library. I am unable to attend and read and study some days, due to water tablets. I don't take them if I want to read or use the computer in the library.'

Some public toilets are so unacceptable that people would prefer not to drink rather than to have to use a public toilet:

'I don't use public toilets ... I limit my fluid intake whenever I'm travelling.'

This can have very serious health consequences, including dehydration and urinary tract infections.

This is not the only respect in which the closure of public toilets has an unintended impact on public health. The benefits of physical activity to everyone, particularly older people, are well documented. Physical activity is a key component of growing old in good health, and walking is the most accessible way, for everyone, of taking physical exercise.

In the *Healthy Ageing Action Plan for Wales: a response to Health Challenge Wales*, the Welsh Assembly Government states that *'physical activity initiatives can help people retain their independence and provide opportunities for engagement with other people and their own communities, thus reducing isolation and loneliness. Physical activity schemes can include walking for health.'*¹ However, many older people who are used to walking as part of their daily routine find that as they get older their need to use the toilet while out of doors restricts how far they can go.

'Doctors tell the elderly to take a good walk every day, but many including myself and my twin brother carry excessive water. This means we have to urinate whilst out walking, particularly in winter.'

'I get very nervous if I'm somewhere new and I don't know where the nearest toilets are. Public toilets should be clearly signposted, telling you how far they are from your current location.'

These consequences have a serious and profound effect on the quality of life of many older people. Yet, very often, when local authorities need to make budget cuts, closing public toilets is seen as a victimless purge. This belief is shown to be without foundation by the overwhelming response to the Help the Aged survey, and the large number of older people's forums and organisations representing other interest groups around the country which are campaigning to keep public toilets open and reverse their decline.

¹ *Healthy Ageing Action Plan for Wales: a response to Health Challenge Wales*, p18, Welsh Assembly Government, October 2005



Photography: Liz Arindale

Case study: public toilets in Gorseinon

My name is Daniel. I am 74 and live in Gorseinon. I have a good standard of mobility and often go into Gorseinon by foot or car for shopping, to the bank or post office.

As I get older I have found that the provision and location of public toilets has become more important to me. I now plan my route around my location relative to Gorseinon's sole public toilet in the town centre. Its location is opposite the library adjacent to the Argyle Gardens park and to the bus station.

The public toilet is a few minutes' walk from the High Street, at one end of which we have a small Sainsbury and at the other end is Somerfield. Neither supermarket has public toilet facilities. Somerfield once had a public toilet in their car park but it has been out of use and fully boarded up for years – the result of repeated vandalism. To walk from one end of the High Street to another takes some 20 minutes but with stops and window-gazing this can be much longer. This can be too far, especially if you are on diuretics when location of the toilet and your distance from it can be critical. There is a pub/restaurant close to the Somerfield car park and I have occasionally been forced to use their facilities; whilst there isn't a sign that says toilets are for patrons' use only I feel uneasy about using them. My wife and I sometimes eat at the restaurant so I tell myself that I am a patron.

If I buy a drink at a pub, restaurant or café in order to use their toilet facilities it can be quite expensive and often means that I then have to find another toilet to use in a little while! I would be happy to pay 10 or 20 pence to use a toilet which isn't a public toilet if it meant that more toilets were accessible.

Having reasonable access to decent toilet facilities is very important to me and plays a key part in enabling me to leave home and get out within our local area.

My 'top toilet essentials'

For me, the most important issues in relation to toilet facilities are that:

1. they are open and available for use during the day and into the evening
2. the toilet door closes properly and can be locked
3. they are clean, including the floor, as often I need to put a bag down
4. there is toilet paper, soap, water and some method of drying my hands
5. there is adequate lighting inside and outside the toilets.

When considering toilets in the places that I visit I have found that:

- **public toilets in parks, beaches, car parks and those which can be accessed from the street** are usually in a poor state. Generally these are the most unclean toilets and often lack facilities such as toilet paper and bins
- **toilets in shops and shopping centres** are usually the most pleasant to use
- **toilets in restaurants, cafés and pubs** vary greatly – depending on the owner/manager's attitudes. Some are among the most pleasant toilets I have used.

I think that greater awareness of the problem caused by the lack of decent toilet facilities is needed; this is, after all, a basic need which is universally required. Of course, somewhere to go is better than nowhere when the need is great.

Possible solutions to the lack of facilities

'It is a sad fact that in my lifetime there has been a steady decline by most authorities in the extent and quality of provision. Time was when many municipalities prided themselves on having the best, and most generously provided for toilets in the area. Now it seems they are constructed as small as possible and the emphasis is all on saving money. The public deserves better.'

A number of initiatives aim to assist people in accessing public toilets.

National Key Scheme

The disability network RADAR administers a National Key Scheme that allows people who are disabled to apply for a key which opens 7,000 public toilets around the country. These are kept locked to prevent them from vandalism and misuse. However, many older people who would benefit from minor adjustments do not consider themselves disabled and therefore do not access this scheme.

'The toilets are few and far between and if you are not disabled and have not got a key you are at a disadvantage.'

As society ages, there will be more and more people who do not consider themselves disabled but for whom slight changes in the built environment would be of enormous benefit. Hand rails that help people lift themselves on to and off the toilet seat are an example of a simple modification that could be made to a public toilet to make it more accessible for older people. Both disabled and non-disabled toilets would benefit from wastepaper bins inside the cubicles to allow people using continence products to dispose of these in privacy.

'Just can't wait!' card

Many people referred to the 'just can't wait!' card, which is available to people who suffer from incontinence and can be presented at establishments that have toilet facilities which are not open to the public, explaining that they need to use a toilet urgently.

Although some older people are medically incontinent, many others have continence issues but do not consider themselves incontinent, and therefore do not take part in this card scheme.



Public toilets and dignity

A very large number of people felt that using the toilet should be a private and anonymous experience – they did not want to have to ask someone for a key, or explain to someone that their need is urgent, but felt that public toilets should be provided, open and easy to use.

Having to ask for permission to use the toilet removes from people some of the personal choice and control that adults are afforded in other areas of their life, causes people to worry that their request will be refused and extend the time it will take them to find a toilet they can use, and erodes the dignity that everyone has the right to. In the words of one respondent:

'Some of the toilets in town are of a new type that looks like a metal kiosk. I do not know how these work and so have not been able to use them. I feel embarrassed to stand and try to find a way in.'

'While we still need public toilets, please do not give us those big black boxes that remind me of Dr Who's Tardis. They are so in-your-face. If they are engaged you have to wait out on the pavement – so embarrassing.'

'The new toilet cubicles provided are not private. Everyone can see you going in.'

Who should provide public toilets?

The provision and maintenance of toilets in public places is at the discretion of local authorities, which have a power, under section 87 of the Public Health Act 1936, to provide public conveniences, but no duty to do so. Provision of such facilities is at their discretion, and has to be weighed in the balance against other local service demands.

Respondents had mixed views on the use of toilets in shops and pubs:

'I for one feel embarrassed when I am not buying anything.'

'After shops and malls close there are no public toilets available.'

'I have to buy a drink to find a toilet in Stourbridge – I have had to pay £1.70 to spend a penny in one coffee bar!'

'The council should not expect private businesses to provide facilities for the general public – nor put the general public in this awkward situation.'

However, a number of respondents to our survey felt that the UK should have a more open culture of allowing people to use toilets in business premises without feeling embarrassed or obliged to buy anything:

'There should be a campaign to encourage restaurants, cafés, hotels and pubs to welcome the use of their toilets by non-patrons, as is the case in Paris and other European cities.'

Others already feel comfortable about going into shops to use their loos:

'I have a mental list of big stores which provide facilities.'

Case study:

Wrexham Over-50s Forum

The Wrexham Over-50s Forum (WOFF) has been concerned about the lack of toilet facilities in the Wrexham town centre for some time. In an effort to bring this to the attention of the authorities a 'sub working group' was formed to address the issue. Lack of toilets is a persistent concern for older people who over the years have seen a decline in the number of toilets in the town centre, the cleanliness of the toilets and the opening hours.

Some time ago a new shopping complex was built adjoining the town centre and, almost unbelievably, no toilet facilities were included.

WOFF sent out a questionnaire to its 470 members, asking them to identify their top three concerns. From the replies a 'top ten' of older people's concerns was compiled. These included health, crime, benefits, transport, housing, street pride, mobility, car parking, social issues and, first and foremost, public toilets. Sub working groups were set up to focus on all these issues. The fact that the Wrexham Over-50s members rated public toilets as their prime concern added weight to what has become a local campaign.

The sub working group has been involved in investigative work, gathering and collating information about town centre toilet facilities which it has brought to the attention of the local newspapers, the Wrexham County Borough Council, local councillors and MPs. It has been very critical of the lack of toilet facilities at the new shopping complex and has taken every opportunity to raise this issue at meetings and keep it in the public domain.

For a while all the letters, the meetings attended, the articles in the WOFF newsletter, the newspaper coverage and other effort by the group seemed to have achieved nothing. In the end, however, its tenacity paid off. Another new

shopping complex (Eagles Meadows), also adjoining the town centre, is under construction and the members of the sub working group have been informed, and seen plans that confirm, that this complex will have toilet and baby-changing facilities, which were not included in the original designs.

The group is currently challenging the council's advertised opening and closing times of toilets in the town centre and is continuing to fight for suitable toilet facilities throughout the locality.

Changes have not happened overnight. The group has had to work hard to keep the issue in the public domain and embarrassing authorities.

87 per cent of survey respondents felt that shops and businesses should make more effort to provide public toilet facilities

However, many older people, particularly the most vulnerable, would be reluctant to enter business premises solely to use the facilities.

In 2004 the London Borough of Richmond upon Thames developed a Community Toilet Scheme to combat the problem of its declining and dilapidated public toilets. Through this scheme the council recruits local businesses to allow the public to use their toilets without having to buy anything. The council provides signs advertising the business's toilet to passers-by



and in return pays the owner £600 per year for maintenance.

The council found it easy to get businesses to sign up, and many owners found that the scheme was beneficial as the increased footfall due to people using their toilets led to an increase in sales. One-third of the businesses in Richmond's community toilet scheme have disabled access, and as they are open during business hours they are always staffed, alleviating safety concerns.

However, this scheme on its own may not meet all users' needs. In the evenings, after cafés and shops have closed, provision is largely limited to pubs and bars. This can be problematic, as one older woman told us:

'Going into pubs on your own is not desirable.'

Facilities under the scheme are restricted to shopping areas, and additional provision must therefore be made in park areas and other places where older people go.

Some people may also feel that going into business premises to use the toilet impacts on their ability to use the toilet anonymously, in privacy and with dignity.

Many of the people who responded to the Help the Aged survey felt very strongly that there should be a duty placed on local authorities to provide adequate public toilets for the community:

'Public toilets are not as convenient, clean and accessible as they should be. It is time that local authorities take serious notice of it and do something about it.'

'Perhaps there should be a special allocation from central government to create a national standard for public conveniences – something the country could be proud of and a contribution to public health.'

Other people felt that large stores and transport providers should contribute, and that it should be a planning condition that new developments have adequate toilet facilities.

Under a Welsh Assembly Government scheme, local authorities will be given up to £18,000 to

encourage filling stations, pubs and small businesses to open their toilets to the public.

A very large proportion of those who responded to our survey said that they would be happy to pay a nominal amount to have public toilets staffed, clean and in a good state of repair:

'I would rather pay 20p like at the train stations and them be clean and manned, rather than dirty and free.'

Public toilet provision should be tailored to the needs of the users in the area, constantly monitored to ensure that it is meeting needs, and sufficient to ensure that older people are not left isolated or constrained by a 'bladder leash'. The government has a responsibility to its older citizens to ensure that this basic need is met.

Recommendations

78 per cent of survey respondents told us that public toilet provision in their area does not meet their needs

While there were differences of opinion on some aspects of provision, the vast majority of respondents told us that toilets in their area are inadequate and more needs to be done.

Help the Aged in Wales recommends that the Welsh Assembly Government commit to commissioning a regular national mapping exercise to ascertain where toilet facilities are non-existent or declining. This exercise used to be undertaken by the Wales Audit Commission, and since it stopped provision appears to have spiralled downwards.

Local authorities should strive for excellence in public toilet provision, and involve local people and older people's forums in monitoring standards to ensure that their needs are being met. Performance standards for opening times, provision and quality should be set.

Under no circumstances should public toilets be closed without consultation with local residents,

and without due consideration to providing an alternative.

New developments such as transport interchanges, shopping centres and supermarkets should include toilet facilities in order to be accessible to all.

Adequate public toilet provision can make an enormous difference to older people, allowing them to retain an active independent life. Public toilet provision, long taken for granted, is under threat. Action must be taken to reverse the trend towards the disappearance of the local authority-provided toilet facility.

Local authorities should take pride in and responsibility for ensuring that vulnerable members of society are not excluded from taking part in their communities due to inadequate public toilet provision.

A survey was sent out to older people's forums via two Help the Aged newsletters, *Activate* and *Policy Update*.² Some monitoring data was included on the questionnaire which enables us to provide the following breakdown of respondents:

Residency

This report focuses on the respondents living in Wales:

- 56 per cent in rural areas
- 44 per cent in urban areas

Residency

- 2.5 per cent aged 59 and under
- 26 per cent aged 60–69
- 37 per cent aged 70–79
- 32 per cent aged 80–89
- 2.5 per cent aged 90 and over

Gender

- 32 per cent male
- 68 per cent female.

² To subscribe to either of these free publications please email info@helptheaged.org.uk

Fighting for disadvantaged older people in the UK and overseas,

WE WILL:

COMBAT POVERTY wherever older people's lives are blighted by lack of money, and cut the number of preventable deaths from hunger, cold and disease

REDUCE ISOLATION so that older people no longer feel confined to their own home, forgotten or cut off from society

CHALLENGE NEGLECT to ensure that older people do not suffer inadequate health and social care, or the threat of abuse

DEFEAT AGEISM to ensure that older people are not ignored or denied the dignity and equality that are theirs by right

PREVENT FUTURE DEPRIVATION by improving prospects for employment, health and well-being so that dependence in later life is reduced

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E infocymru@helptheaged.org.uk www.helptheaged.org.uk

Part 2: Updates to previous petitions

(1) P-03-065: NHS Dental Charges

Petition wording

We, the undersigned members of Severn Group WI are very disappointed with the current scale of NHS dental charges, in particular the huge difference in cost between the three treatment bands, especially bands 2 and 3 at £39 and £177 respectively.

There certainly cannot be any justification for such a huge price gap between these upper bands. Surely it must be possible to have an intermediate price range to accommodate the huge variety of treatments provided.

With this in mind it is strongly felt therefore that there ought to be a review of the existing scale of NHS dental charges and we ask you to bring this to the attention of the Welsh Assembly on our behalf.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-65.htm>

Petition raised by: Severn Group WI

Number of signatures: 1 (submitted by an organisation)

Previously considered by the Committee on: 20 September 2007, 8 November 2007 and 27 April 2010.

Update: A response has been received from the Minister for Health and Social Services and the British Dental Association. These are included below.

NS DM

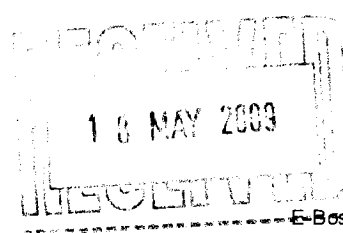
Edwina Hart MBE OStJ AM

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Our ref: EH/01577/10

Your ref: P-03-065

Christine Chapman AM
Chair
Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA



Llywodraeth Cynulliad Cymru
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13 May 2010

Dear ch

Thank you for your letter of 4 May about Petition: P-03-065 NHS Dental Charges which was considered by the Petitions Committee on 27 April.

The Welsh Ministers have the power to make Regulations to amend the dental charging system in Wales, provided the charges are relevant to dental services and do not relate to any of the exemptions from charging listed in the NHS (Wales) Act 2006.

A review subgroup which I established to look into contract currency issues recently examined the feasibility of the introduction of new charge bands. It identified a number of practical and operational constraints relating to such a change including concerns that it may encourage over treatment in some patient groups. There are currently no further plans to develop this particular model.

The patient charges system introduced in Wales in April 2006 set the three standard band charges at £12.00; £39.00; and £177.00 and importantly represents a reduction of half in the maximum cost of treatment under the previous system. The levels of patient charges in Wales are reviewed annually. It is worth noting that these charges are significantly less than those in England where the same standard charges are £16.50; £45.60; and £198.00. For the fourth successive year I have frozen patient dental charges in Wales to help maintain wider access to NHS dental services.

Edwina Hart

National Assembly for Wales Petitions Committee

Petition P-03-065 NHS Dental charges.

The British Dental Association (BDA) is the professional association for dentists in the UK. It represents over 23,000 dentists working in general practice, in community and hospital settings, in academia and research, and in the armed forces.

We have always regarded charges for dental treatment as a matter for decision by the UK government for England and the devolved governments in Wales, Scotland and Northern Ireland.

Dentists do not benefit from the charges but as they are responsible for collecting them on behalf of the health boards, they are made liable for any charges which remain unpaid by the patient. The total of patient charges for NHS dentistry in Wales is around £30million per annum.

Dental care is one of the few services of NHS Wales where charges are levied on patients for their treatment and we regret that in some cases this represents a barrier to care.

Prior to the changes to the NHS dentists' contract in 2006, charges reflected the cost of the course of treatment. The NHS fee scale was made up of 400+ individual items and patients paid a proportion of the total cost of the individual items provided and there was a maximum charge of £375. The system change in 2006 was designed to make things simpler and more understandable for patients with just three charges, but it is obvious that confusion still occurs as, for example, the charge to the patient for a single filling is the same as for multiple fillings.

In Wales, prior to 2006, dental examinations were free to those aged under 25 or over 60. Whilst this continues in theory, should any treatment be provided, the full charge is levied so the financial benefit to the patient of the free examination is lost.

The difference between the charge for band 2 treatments – currently £39 in Wales and band three – currently £177, is to reflect the additional costs incurred in providing laboratory made appliances – crowns, bridges and dentures but does include all the other care provided in bands one and two.

Stuart Geddes MGDSRCSEd
Director – BDA Wales.

(2) P-03-150 National Cancer Standards

Petition wording

We call upon the National Assembly for Wales to investigate whether Local Health Boards have the necessary strategies and action plans in place to deliver the target to comply with the National Cancer Standards by March 2009 in RCT and throughout Wales, as a matter of urgency.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/eform-sign-petition-old/p-03-150.htm>

Petition raised by: Rhondda Breast Friends

Number of signatures: The e-petition collected 43 signatures. In addition Rhondda Breast Friends have developed a charter regarding improvements required to cancer care services, supported by 1,475 signatories.

Previously considered by the Committee on: 9 July 2008, 6 November 2008, 13 January 2009, 10 February 2009, 31 March 2009, 24 November 2009, 19 January 2010, 23 March 2010 and 27 April 2010.

Update: A response has been received from the Minister for Health and Social Services. This is included below.

Edwina Hart MBE OStJ AM

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Our ref: EH/01579/10

Your ref: P-03-150

Christine Chapman AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
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Welsh Assembly Government

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E-Mail: Correspondence.Edwina.Hart@Wales.gsi.gov.uk

17 May 2010

Thank you for your further letter of 5 May about the work undertaken on the National Cancer Standards.

Achieving compliance with the National Cancer Standards is the cornerstone of my policy on tackling cancer and improving outcomes for patients. To help the NHS achieve these Standards, I announced an additional £4.5m central recurrent funding in 2007-08.

The Cancer Services Co-ordinating Group's (CSCG) report to me last year on performance against the National Cancer Standards showed that non compliance was for a variety of reasons. In some cases this was due to missing data which is simple to remedy whilst other areas, such as waiting times for radiotherapy, are more challenging.

The Local Health Board (LHB) Executive Leads for cancer are leading the work on compliance with the National Cancer Standards, but each Board is accountable for ensuring cancer services for the LHB's resident population meet these Standards.

I should emphasise that while there is still room to improve cancer services in line with the Standards, our clinical outcomes are good and improving as shown by the regular reports from the Wales Cancer Intelligence and Surveillance Unit, and national clinical audit reports. Services are improving year on year with new technology, latest clinical practice and evidence.

(3) P-03-170 MENCAP Cymru Employment

Petition wording

We call upon the National Assembly for Wales to urge the Assembly Commission and the Welsh Assembly Government to take a lead in employing more people with a learning disability, and to encourage other public sector employers, such as the NHS and Local Authorities, to employ more people with a learning disability

Only 1 in 10 people with a learning disability who want to work are in any form of paid employment. This is unfair.

Link to petition: <http://assemblywales.org/gethome/e-petitions-old/eform-sign-petition-old/p-03-170.htm>

Petition raised by: MENCAP Cymru

Number of signatures: 134

Previously considered by the Committee on: 13 January 2009, 10 February 2009, 19 May 2009, 7 July 2009, 22 September 2009 and 10 November 2009.

Update: Responses have been received from the petitioner, the Assembly Commission and the Equality of Opportunity Committee. These are included below.

18.05.2010

Dear Christine,

Apologies for the lateness of our response to the Petitions Committee's letter, dated 17.11.2009, concerning our petition. Since our last response from the then Minister for Children, Education, Lifelong Learning and Skills Jane Hutt, we have been conducting several pieces of research around employment opportunities and transition for young people with a learning disability. We have also in this period, attempted to meet with the new Minister for Children, Education, Lifelong Learning & Skills, and Deputy Minister for Skills, Innovation & Science.

In our oral evidence session we stated that one of the major shortfalls in policy implementation was that young people with a learning disability were not getting access to work experience and careers advice. We have since carried out a small scale research project with service users of our *Cer Amdani!* project, that validates our initial assessment of work experience amongst young people with a learning disability.

The results show that of eighty two young people with a learning disability in Carmarthenshire, Ceredigion and Pembrokeshire, only twelve had had access to work experience whilst at school. Of these twelve pupils, only five said the experience was positive and the same amount had just one full week of work experience. This clearly demonstrates that policies are not reaching the people who most need support to enter the workforce, in stark contrast to the Minister's assertions otherwise.

Mencap Cymru are still of the belief that the policies, which are strong in the majority of their subject matter, are failing to be implemented fully among the people who need them the most.

Following our meeting with the Deputy Minister for Skills, Innovation and Science, we feel we are no closer to bringing

our petition to a close, as many of the policy and implementation changes we are looking for are not in her brief.

We have also been told that the Minister for Children, Education, Lifelong Learning and Skills, Leighton Andrews, will be unable to meet us at this time to discuss our campaign. This will obviously prove a stumbling block in our attempts to get the review of policies, designed to support people with a learning disability to train for and get paid employment, at a Welsh Assembly Government level.

It is for this reason that we ask the Petitions Committee to carry out a small review of the policies we highlighted in our Policy Risk Matrix, which was submitted as part of the oral evidence we gave on May 19th of last year. We believe that even a small review would highlight what we know to be true. Many of the policies that are designed to support people with a learning disability to train for and get paid employment, are failing to reach and support them.

Mencap Cymru, as an organisation that works extensively in the field of employment for people with a learning disability, would be happy to support you in whatever way you deem appropriate in conducting this review.

Yours Sincerely,

Simon Stranks
Campaigns Officer



Christine Chapman AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

28 April 2010

Dear Christine

Petition from Mencap Cymru – more employment opportunities for people with a learning disability (P-03-170)

On 29 January 2009 Lorraine Barrett AM, Commissioner for the Sustainable Assembly, wrote to Val Lloyd AM, the previous Chair of the Petitions Committee, about the Committee's consideration of Mencap Cymru's petition to:

“urge the Assembly Commission and the Welsh Assembly Government to take a lead in employing more people with a learning disability, and to encourage other public sector employers such as the NHS and local authorities to employ more people with a learning disability.”

Our Management Board recently considered proposals for a pilot work placement opportunity in the Assembly for a person with learning

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh

disabilities. I am pleased to say that the proposal was unanimously approved and we hope that the placement will begin this autumn.

The pilot placement is intended to enable an individual to gain valuable work experience in a paid, part-time post, the duties of which will be dependent on the service in which the individual is placed and the individual's ability and skill levels. Our HR and Equality Teams will work closely with Mencap and other partners to ensure that the person undertaking the placement is fully supported and empowered to realise their capabilities. If the pilot scheme is successful, our intention is to offer temporary work placements to other individuals in future.

We believe that the pilot scheme is a clear demonstration of the effectiveness of the Assembly's petitions process and we are delighted that we are able to provide this opportunity to an under-represented group in partnership with Mencap Cymru.

If you would like any further information about the pilot placement scheme please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink that reads "Claire". The signature is written in a cursive, flowing style.

Claire Clancy

**Prif Weithredwr a Chlerc/Chief Executive and Clerk
Cynulliad Cenedlaethol Cymru/National Assembly for Wales**

cc Lorraine Barrett AM, Commissioner for the Sustainable Assembly

**Equality of Opportunity
Committee**

Pwyllgor Cyfle Cyfartal

Val Lloyd AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Cardiff Bay
Cardiff
CF99 1NA

25 November 2009

Dear Val

Petition: Mencap Cymru

Thank you for your letter dated 24 November 2009 regarding the petition submitted by Mencap Cymru which was recently considered by the Petitions Committee.

I note with interest the issues raised by the petition in relation to the employment of people with a learning disability. The Equality of Opportunity Committee scrutinises the Welsh Assembly Government's Single Equality Scheme and the Assembly Commission's Equality Scheme on an annual basis. The Committee will be looking at these schemes again in the spring term and will focus part of the scrutiny on the issues raised in the petition.

I will write to you in due course with an update based on the evidence gained in these sessions.

Yours Sincerely

Ann Jones
Chair, Equality of Opportunity Committee

(4) P-03-183 Improving rail services in Aberystwyth

Petition wording

We, the students of Coleg Ceredigion ask the National Assembly for Wales to urge the Welsh Assembly Government to improve the rail service in Aberystwyth.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/dogfennau-busnes-deisebau/p-03-183.htm>

Petition raised by: Pupils of Coleg Ceredigion

Number of signatures: 10

Previously considered by the Committee on: 20 November 2008, 13 January 2009, 7 July 2009 and 22 September 2009.

Update: A response has been received from the petitioner. This is included below.

Hi Andrew,

I just wanted to keep you updated with the Coleg Ceredigion petition. Following the submission of the petition / evidence, the petitions committee suggested that students should meet with TRACC to discuss the obstacles they experienced using public transport.

TRACC have since organised a travel familiarisation event and the college have emailed the following feedback:

We had a very pleasant and informative visit, an excellent lunch and an information pack that was really useful. The students responded very well to the whole event and it really inspired them to consider using the train independently.

I think this is an example of a petition that has successfully stimulated collaboration between local partners.

Thanks
Sian

Sian Davies
Partners in Politics Manager / Rheolwr Partneriaid mewn Gwleidyddiaeth Mencap
Cymru

(5) P-03-206 Free swimming all year round

Petition wording

The Youth club of Ammanford Junior Gateway would like to ask if you would sign our petition which will be submitted to the Welsh Assembly and the local council.

For free all year round swimming Facilities for children and young people.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-206.htm>

Petition raised by: Ammanford Gateway Club

Number of signatures: 562

Previously considered by the Committee on: 05 May 2009, 19 May, 22 September 2009 and 23 February 2010.

Update: Responses have been received from the Minister for Heritage and the Welsh Local Government Association. These have been included below.

Alun Ffred Jones AC/AM
Y Gweinidog dros Dreftadaeth
Minister for Heritage



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref P-03-206
Ein cyf/Our ref AFJ/00302/10

Christine Chapman AM
Bank Chambers
28a Oxford Street
Mountain Ash
CF45 3EU

13 April 2010

Dear Christine,

Thank you for your letter of 1 March regarding a petition on Free Swimming and the 5x60 scheme.

Free Swimming plays a key role in our strategy to enable children and young people and older adults to be more active. To build on the success of the scheme so far, we have made a commitment to extend the existing scheme beyond the school holidays to provide opportunities for children to have access to a sport or leisure facility or a swimming pool free of charge at weekends.

I intend to make an announcement about the extension of the scheme within the next few months and I will ensure that your Committee receives full details of the revised provision and the associated guidance.

In relation to the 5x60 scheme, 5x60 officers are based in schools allowing them to consult with all pupils, listen to their individual needs and overcome the barriers which prevent them from participating in activity. The 5x60 officers are able to timetable a programme of activities that suit the pupils' needs. The activities mainly target individuals who currently do not participate or who are in danger of losing interest, and can take place before school, during lunch, after school and at weekends.

Yours sincerely
Alun Ffred Jones

Alun Ffred Jones AC/AM
Y Gweinidog dros Dreftadaeth/Minister for Heritage

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*Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)
paper*

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P-03-206
20 March 2010
Heledd Bebb
heledd.bebb@wlga.gov.uk



Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear Christine,

Re: P-03-206 Free swimming all year round for children and young people

In response to your queries regarding the Free Swimming Initiative, I can confirm that a minimum provision for 16 years and under has been added to the initiative and this is new from 2010. All local authorities in Wales have agreed to provide a minimum of:

- 14 hours of free swimming per week during all school holidays, of which at least 7 hours will be structured aquatic activities
- 1 dedicated structures session for disabled children per week during all school holidays; and
- 2 hours of free swimming or a dry side activity per weekend, throughout the year

This means that all local authorities now provide all year round access for children and young people. This extension of the free swimming initiative to the weekends means that there is more opportunity than ever before, for children to take part in regular, weekly exercise activity throughout the year, not only during school holidays.

In addition to the above, local authorities can, and do provide additional activities that best meet the needs of their local community. In particular, there is greater emphasis on structured activities to support the work undertaken via the school curriculum, to try to ensure that all children have the opportunity to learn to swim by the age of 11.

In terms of provision for disabled children, all local authorities are required to provide the minimum provision stated above. All children, regardless of age, ability, disability or gender are also encouraged to take part in any of the FSI 'structured' and 'splash' mainstream sessions across Wales.

Local authorities provide hoists to access the pools, specialist

Steve Thomas
Chief Executive
Prif Weithredwr

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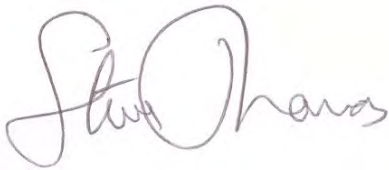
www.wlga.gov.uk

changing rooms and DDA compliant facilities in order to remove the barriers to accessing swimming. Local authorities swimming development officers work closely in partnership with 5x60 officers at special schools and with their disability sports development officers to identify and overcome any barriers to participation.

In addition, many local authorities provide additional opportunities specifically for disabled children. For example, some local authorities provide weekly disability swimming lessons. Others provide a variety of opportunities for disabled children including snorkelling, water confidence sessions, structured free play, ring water polo and even 'shoot and swim' (which is archery with adapted equipment and a swim activity).

I hope this information adequately answers the queries raised by the Petitions Committee. If you require any further information, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in blue ink that reads "Steve Thomas". The signature is written in a cursive style with a large, prominent 'S' at the beginning.

Steve Thomas
Chief Executive, Welsh Local Government Association

(6) P-03-207 Support for the unemployed in Monmouth

Petition wording

We, the undersigned urge the Welsh Assembly Government to investigate how to provide support and effective information to people in Wales, who are looking for employment, training or trying to initiate a business enterprise, locally.

Link to the petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-207.htm>

Petition raised by: Monmouth Town Council Community Affairs Committee

Number of signatures: 286

Previously considered by the Committee on: 31 March 2009, 19 May 2009, 23 June 2009, 7 July 2009, 22 September 2009, 10 November 2009 and 8 December 2009 and 19 January 2010.

Update: This petition is returning for further consideration by the Committee.

(7) P-03-211 Care facilities for dementia sufferers

Petition wording

The GMB – Britain’s General Union calls upon the Welsh Assembly Government to ensure that there is sufficient and appropriate provision of specialist EMI [Elderly Mentally Infirm] /Dementia Care & Homes/Centres across Wales

Link to the petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-211.htm>

Petition raised by: GMB Union

Number of signatures: 13

Previously considered by the Committee on: 5 May 2009

Update: A response has been received from the petitioner. This is included below.

Our ref: MJP/RG

mike.payne@gmb.org.uk

17 May 2010

Ms Christine Chapman
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Christine

Further to your letter of the 8th April 2010 where you ask on what basis does the GMB base its assertion that there are not enough services for the elderly, especially those that suffer from dementia, the source of the information comes from day to day information of GMB members, GMB Officers, professional contact and personal experiences passed to us.

It is clear that the Government's and the National Assembly's Policy are to allow elderly people to stay in their own homes for as long as possible.

The GMB is fully supportive of this policy, however, it is clear that the levels of support needed for the elderly at home is not sufficient to offer them sufficient support to meet all of their needs. There is a premise that the elderly have already in place a basic support from family and friends, etc., that does not always exist and it is this, in our opinion, that leaves them isolated and vulnerable.

The maximum levels of care vary but in most cases people receive maximum home care of four visits per day which in the majority of cases seems to be four times half an hour. This leaves elderly people alone for well over 20 hours per day. It is our view that these levels need to be extended and increased substantially.

In addition the number of Day Centres which could offer support is declining, because of closures, thereby taking away another source of support. It should also be added that there are a number of people, because of their conditions, who even if there were alternatives such as day centres could not attend them. These people are the ones who would definitely benefit from increased contact during the day and extra support at night.

I would now like to move onto the issue of Residential Care. Whilst it is an accepted policy that people should stay in their own home for as long as possible, it needs to be recognised that for some this is not the correct option. Those who suffer from the latter stages of dementia and/or who opt for the choice because of their personal circumstances

should have the option of moving into residential care. There are currently a number of problems with this choice the obvious one being cost but there are other issues also.

Residential Homes and EMI Homes are reducing and/or cutting beds at a time when the elderly population is increasing and when it is predicted that the increased numbers will also see an increased percentage of those numbers suffering from Dementia and at an earlier age.

This needs to be addressed as Wales already lags behind England in as much as we have 2 beds per thousand population already less and it is the GMB's view that this gap is widening not reducing. Elderly people are having choice taken away and at the same time quality is being compromised. Within the Public Sector Homes are closing to balance books and this is taking away choice and having the effect of pushing up costs. Private Sector Homes are also closing because they don't meet standards and do not have the capital to invest in the needed changes.

All of this is having the effect of people being left in their own homes without appropriate support, having to go in and out of hospital on a regular basis (the revolving door) thereby taking up valuable beds and costing the NHS substantially and creating bed shortages. Residential Care and Respite Care are a better alternative and in our view a less costly and more appropriate option.

Families have to bear the burden of care of their elderly relatives without much needed support, which has the effect of putting people under strain, affecting their health, careers and marriages.

The Assembly Government should be looking at an integrated strategy for care of the elderly in order that people are confident that when they need it, the appropriate care packages will be in place. Choice should also be available and at the heart of this the Assembly and National Governments need to resolve the longstanding issue of cost. It cannot be right that in the 21st century families have to sell homes to cover the cost of care. The balance is not right at the moment and there needs to be public debate on how we fund care of the elderly across the whole of Wales.

Yours sincerely

Mike Payne

Mike Payne
Membership Development Officer

(8) P-03-234 Wales Needs More Native Trees

Petition wording

Wales needs more native trees!

We, the undersigned, welcome the Forestry Commission Wales target to create 1,500 hectares of new woodland over the next three years and call on the National Assembly for Wales to urge the Welsh Government and the Forestry Commission to fulfill this target, as the first step towards a doubling of native woodland cover by 2050.

Wales is one of the least wooded countries in Europe. We support the ambition outlined in the Woodlands for Wales Strategy to create more woodland to benefit people and wildlife, to help avoid flooding, to absorb CO2 from the atmosphere and also provide a sustainable supply of timber for the future.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-234.htm>

Petition raised by: Coed Cadw / The Woodland Trust

Number of signatures: 2165

Previously considered by the Committee on: 22 September 2009, 10 November 2009, 19 January and 1 February 2010.

Update: Responses have been received from the Minister for Rural Affairs, the Rural Development Sub-Committee and the European and External Affairs Committee. These are included below.

NS AM.

Elin Jones AM/AC
Y Gweinidog dros Faterion Gwledig
Minister for Rural Affairs



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref NB/SMM
Ein cyf/Our ref EJ/00162/10

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

23 February 2010

Dear Christine,

PETITION P- 03- 234: WALES NEEDS MORE NATIVE TREES

Thank you for your letter of the 11th February regarding the need for more native trees in Wales. As the Minister with responsibility for forestry in Wales, I have also taken this opportunity to reply to your query on Forest Schools in your letter of the 29th January to my colleague the Minister for Children, Education and Lifelong Learning.

Forest Schools is an innovative approach to learning and development which offers people of all ages the opportunity to develop confidence and self-esteem through hands-on learning experiences at local woodland sites. Enabling people of any age to be exposed to woodlands and trees will give them a greater appreciation of the natural environment and woodlands in particular and can therefore contribute to their understanding of the benefits that trees provide. However, as the project is mainly aimed at education and awareness raising, it is not likely to make a significant contribution to the actual number of trees being planted in order to increase the area of native woodland in Wales.

I believe that any significant increase in new woodland can only be done through a range of measures aimed at supporting tree planting on the public woodland estate and privately owned land as part of an integrated approach to land use in Wales.

I am therefore pleased to say that as part of the Assembly Government's continued support for the management of woodland I recently approved the *Woodlands for Wales* Action Plan which describes in detail how Forestry Commission Wales will deliver the Government's strategy. This document will be published shortly and will enable everyone interested in this issue to see how progress will be made and monitored over the next 5 years.

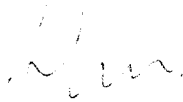
FC Wales is currently assessing the small amount of agricultural land within the public woodland estate in order to make an immediate contribution to increasing woodland cover. They are also considering the acquisition of small areas of land for woodland creation in targeted locations within their existing resources. However, these actions are only likely to

make a small contribution to the amount of new woodland needed to fulfil a target as demanding as the one called for by Coed Cadw.

There is further work to do before I am in a position to set a meaningful, long term target for any increase in woodland cover in Wales and I believe I will only be able to do this when I have had the opportunity to consider the findings of the Land Use & Climate Change group (LUCC) group.

I expect to receive their report shortly and combined with the publication of the recent Read report on the role that trees and woodlands can play in combating climate change I expect to then be able to identify an appropriate target for increasing the amount of woodland in Wales.

I am hosting the launch of this report in Wales at a short event in Ty Hywel on the 16th March and would be very pleased if you were able to join me there to hear more about this important issue.



Elin Jones AC/AM

Y Gweinidog dros Faterion Gwledig
Minister for Rural Affairs

Elin Jones AM/AC
Y Gweinidog dros Faterion Gwledig
Minister for Rural Affairs



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref P-03-234
Ein cyf/Our ref EJ/00696/10

Christine Chapman AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

7 June 2010

Dear Christine

PETITION p- 03- 234: WALES NEEDS MORE NATIVE TREES

Further to my response dated 23 February 2010 I am also responding to the letter you sent to Jane Davidson AM on 10 February. Can I firstly apologise for the delay in responding which I understand was due to an administrative error.

In your letter you request a copy of the draft report on carbon abatement strategies currently being considered by the Land and Climate Change sub-group. I can now confirm that the Land Use Climate Change Group lodged its report with me on 5 March 2010. This is available on the Welsh Assembly Government web-site and can be accessed from the following link:

<http://wales.gov.uk/docs/drah/publications/100310landuseclimatechangegroupreporten.pdf>

Elin Jones AC/AM
Y Gweinidog dros Faterion Gwledig
Minister for Rural Affairs

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

IS-BWYLLGOR DATBLYGU GWLEDIG
RURAL DEVELOPMENT SUB-COMMITTEE

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



24 February 2010

Dear Christine,

Re: P-03-234 Wales needs more native trees

Thank you for drawing the Rural Development Sub-committee's attention to the above petition.

The Sub-committee is well aware of the issues surrounding trees and forests in Wales, having conducted several recent inquiries which touched on the subject.

In February 2009, the Sub-committee published its report on Review of Axis 2 of the Wales Rural Development Plan 2007 - 2013, which included consideration of the Better Woodlands for Wales strategy.

The Sub-committee's recent inquiry into the Future of the Uplands also heard evidence on the importance of woodlands both to the environment and economy of upland areas. We will publish our report on the Future of the Uplands within the next few weeks, and I hope your Committee will find it useful.

We also recently held a short inquiry into the Glastir scheme, which is in the process of being finalised by the Welsh Government. The scheme includes provision for supporting the planting of new trees. Again, the Sub-committee's report will be published shortly.

Yours sincerely

Rhodri Glyn Thomas AM
Chairman of the Rural Development Sub-Committee

Bae Caerdydd
Caerdydd
CF99 1NA

Cardiff Bay
Cardiff
CF99 1NA

**Y Pwyllgor Materion Ewropeaidd
ac Allanol
European and External Affairs
Committee**

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff
CF99 1NA

23 February 2010

Dear Christine

PETITION: WALES NEEDS MORE NATIVE TREES

Further to your letter of 29 January, I write to confirm that the European and External Affairs Committee has not considered the issue of bureaucracy in relation to agricultural support schemes for landowners to date. However, you may wish to be aware of related work carried out by the Rural Development Sub-committee.

I am informed that the Rural Development Sub-committee has recently completed an inquiry into the future of the uplands in Wales, and that the issue of support for the planting of new trees via European agricultural schemes, such as Glastir (the new agri-environment scheme), was considered as part of that inquiry. The report is currently being prepared. In addition, I understand that the Rural Development Sub-committee will be conducting inquiries into Glastir and the reform of the Common Agricultural Policy post-2013 during the spring and summer terms, and that bureaucracy in relation to these support schemes is likely to be considered in those inquiries.

You may therefore wish to pursue these matters further with the Rural Development Sub-committee.

Yours sincerely



Rt Hon Rhodri Morgan AM
Committee Chair

(9) P-03-243 Withdraw from the West Cheshire / North-East Wales Sub-Regional Strategy

Petition wording

We call upon the National Assembly for Wales to urge the Welsh Government to formally withdraw from the West Cheshire/North East Wales sub-regional strategy.

We the undersigned view the West Cheshire/North East Wales sub-regional strategy as ill thought out, extremely damaging and a subversive plan. The implications are huge, affecting many aspects of life in North Wales

- Identity and human rights (in terms of welsh identity, language, culture, character and expression),
- Environmentally (in terms of sustainability, ecology, natural habitat and the built environment); and
- Societal sustainability (in terms of demographics, economics, politics and communities).

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-243.htm>

Petition raised by: Cyngor Pobl Gogledd Cymru

Number of signatures: 15220 (In addition, the petitioners have collected a further 4500 signatures since submitting the petition)

Previously considered by the Committee on: 8 December 2009, 19 January 2010, 1 February 2010, 23 February 2010 and 23 March 2010

Update: Responses have been received Minister for Heritage, Minister for Business and Budget, Welsh Local Government Association and the Equality and Human Rights Commission. These are included below.

Jane Hutt AC/AM

Minister for Business and Budget
Gweinidog dros Fusnes a Chyllideb



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Eich cyf/Your ref P-03-243
Ein cyf/Our ref JH/003/09

19 March 2010

Dear Christine,

Petition: Withdraw from the West Cheshire/North-East Wales Sub-Regional Strategy

Thank you for your letter of 3rd March in which you raised supplementary questions and requested further information in relation to this petition and the Welsh Assembly Government's work in the cross border area of North East Wales.

In response, please find Annex 1 attached.

As I indicated in my evidence, I feel that the Committee's inquiry has provided a valuable opportunity for the Assembly Government and its partners to provide clarification and reassurance on the issues raised in this Petition and I look forward to learning the outcome of your deliberations.

*Jane,
Jane*

Jane Hutt AM

Minister for Business and Budget
Gweinidog dros Fusnes a Chyllideb

Bae Caerdydd • Cardiff Bay
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Annex 1

- 1. How successful do you think the consultation exercise on the 2008 Wales Spatial Plan Update was and do you feel that lessons can be learnt to help inform future consultation exercises?**

The 2008 Update of the Wales Spatial Plan and the Strategic Environmental Assessment were subject to a 12 week public consultation which included a number of events across Wales which over 800 people attended. In addition, we undertook a separate children and young people's consultation which involved 92 young people in 9 facilitated workshops across Wales. The revised Plan was then subject to debate and approval by the full Assembly. The production of the Update itself was led by each area's Ministerial partnership which included elected members from each Local Authority. AMs were invited to attend a technical briefing by officers on the Update consultation, chaired by Andrew Davies AM, at the time Minister for Finance and Public Service Delivery with responsibility for the Wales Spatial Plan.

The consultation was highly participative as the document was a co-production between the Welsh Assembly Government and a wide range of partners. It successfully provided many and varied opportunities for a diverse range of organisations and individuals to be involved and to feed in their views. Lessons to be learnt for the future might include the Wales Spatial Plan team sharing the working practices they developed to organise the many events and keep track of comments and input from a wide range of sources.

- 2. In your written evidence you state that detailed guidance is given through the Technical Advice Notes on issues such as the Welsh language. What sort of guidance is given to local authorities to ensure the protection of the Welsh language?**

The planning system is a tool that can be used to translate the land use implications of Welsh Assembly Government policy such as *laith Pawb*, to the local level through development plans and decisions on individual planning applications.

Policy and guidance on land use planning and the Welsh language is provided by Planning Policy Wales (2002) section 2.10 Supporting the Welsh Language, and TAN 20 The Welsh Language Unitary Development Plans and Planning Control. Both PPW and the TAN 20 explain how the Welsh language should be taken into account when development plans are prepared and decisions on individual planning applications made. This includes identifying communities where the use of the Welsh language is part of the social fabric that should be taken into account when developing appropriate planning policies.

- 3. How often are the Technical Advice Notes reviewed and how are these reviews conducted?**

Planning policy and advice is kept under constant review. Priorities are established by political commitments such as the *One Wales* agreement and the need to transpose European Community legislation. The review of Assembly Government policies can also give rise to a need to review planning policy to ensure effective implementation.

Reviews of planning policy are undertaken by the Minister for Environment, Sustainability and Housing. Officials from Planning Division manage the review process with assistance from a Technical Advisory Group made up of key external and internal stakeholders. The process usually commences with an evaluation of existing policy, research (if necessary) and identification of key issues that need to be addressed.

Draft policy or guidance is produced drawing from the evidence base. Draft policy or guidance is the subject of the Assembly Government's usual consultation arrangements. Views received during the consultation are considered before the final policy or guidance is published.

4. Does the Government acknowledge, given the evidence provided (labour Force survey data and references from the West Cheshire plan itself about immigration and erosion and dilution of Welsh identity), that Welsh identity is being eroded in North East Wales?

Any analysis of change in perceptions of identity in North East Wales would have to take account of a range of historic, cultural, social, demographic and linguistic factors, including the impact of devolution itself and successive policy interventions in fields such as Welsh language, education, provision of services, community cohesion etc. The issue of identity is particularly complex in border areas and there can be significant differences even within small geographic areas.

Levels of migration, ability to speak Welsh and perceptions of national identity can be quantified but are insufficient in themselves to fully describe the nature of changing perceptions of identity or of the underlying causes of change.

The statistics presented below suggest high levels of in-migration in Denbighshire and Flintshire. Levels of in-migration in Wrexham are only slightly above the Wales average. Wrexham and Flintshire have similar proportions of the population who speak Welsh but there is a marked difference in Welsh speaking capability among younger age groups in the two authorities, with greater capability among young people in Flintshire than in Wrexham. The reasons behind this variation are not clear.

There has been no significant change in perceptions of national identity over the past 5 years in Flintshire or Denbighshire. In Wrexham there has been a decrease in the number of school pupils aged 5 or over describing themselves as Welsh, and an increase in the number describing themselves as British. The reasons are not known. There has been no significant change in perceptions of national identity among the total population in Wrexham.

Born outside Wales

In general, for the whole of Wales, the percentage born outside Wales was higher in 2001 than in 1991: 22.8% born outside Wales in 1991, 25% born outside Wales in 2001. In North East Wales in 2001, the percentages born outside Wales were:

WALES	25.0%
Wrexham	28.8%
Denbighshire	43.2%
Flintshire	49.5%

Source: Census of population 2001 Table T39 © Crown Copyright

In general, the percentages born outside Wales are a reasonable proxy for in-migration from England but not necessarily for areas bordering England. It is known, for instance, that

mothers from Powys go to hospital in Shrewsbury for the birth. This could be a factor also in some areas of Flintshire and Wrexham.

Speak Welsh

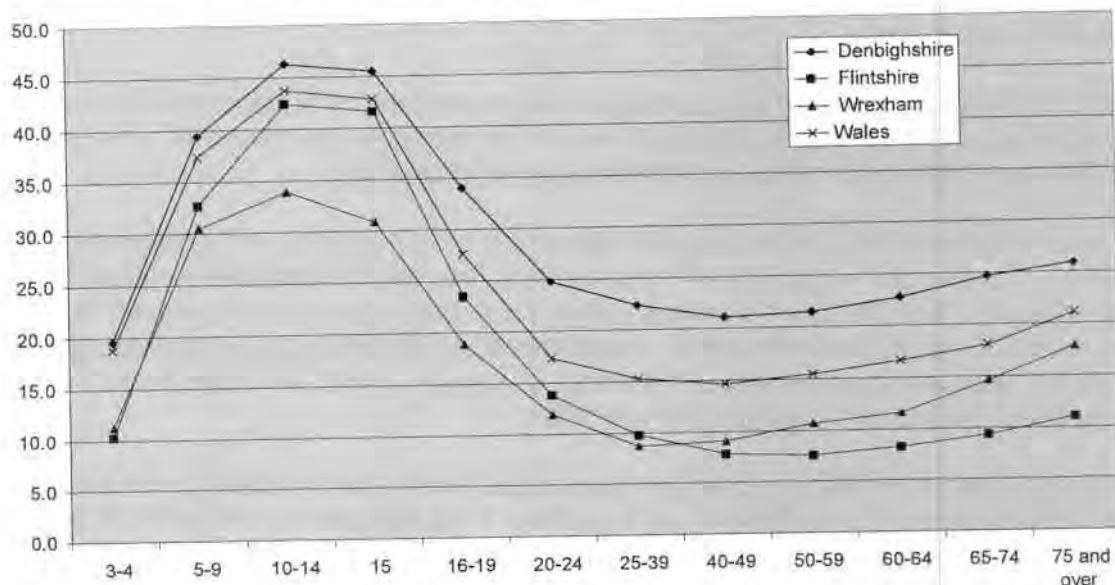
A greater percentage of the population in Denbighshire speaks Welsh than the Wales average. In Wrexham and Flintshire the percentage of Welsh speakers is lower than the Wales average but 'mid-table' in terms of ranking of local authority areas.

Flintshire	14.4%
Wrexham	14.6%
WALES	20.8%
Denbighshire	26.4%

Source: Census of population 2001 Tables UV84, KS25 © Crown Copyright

When broken down by age group, substantial differences can be seen between different local authority areas:

Percentage able to speak Welsh, by local authority, by age group



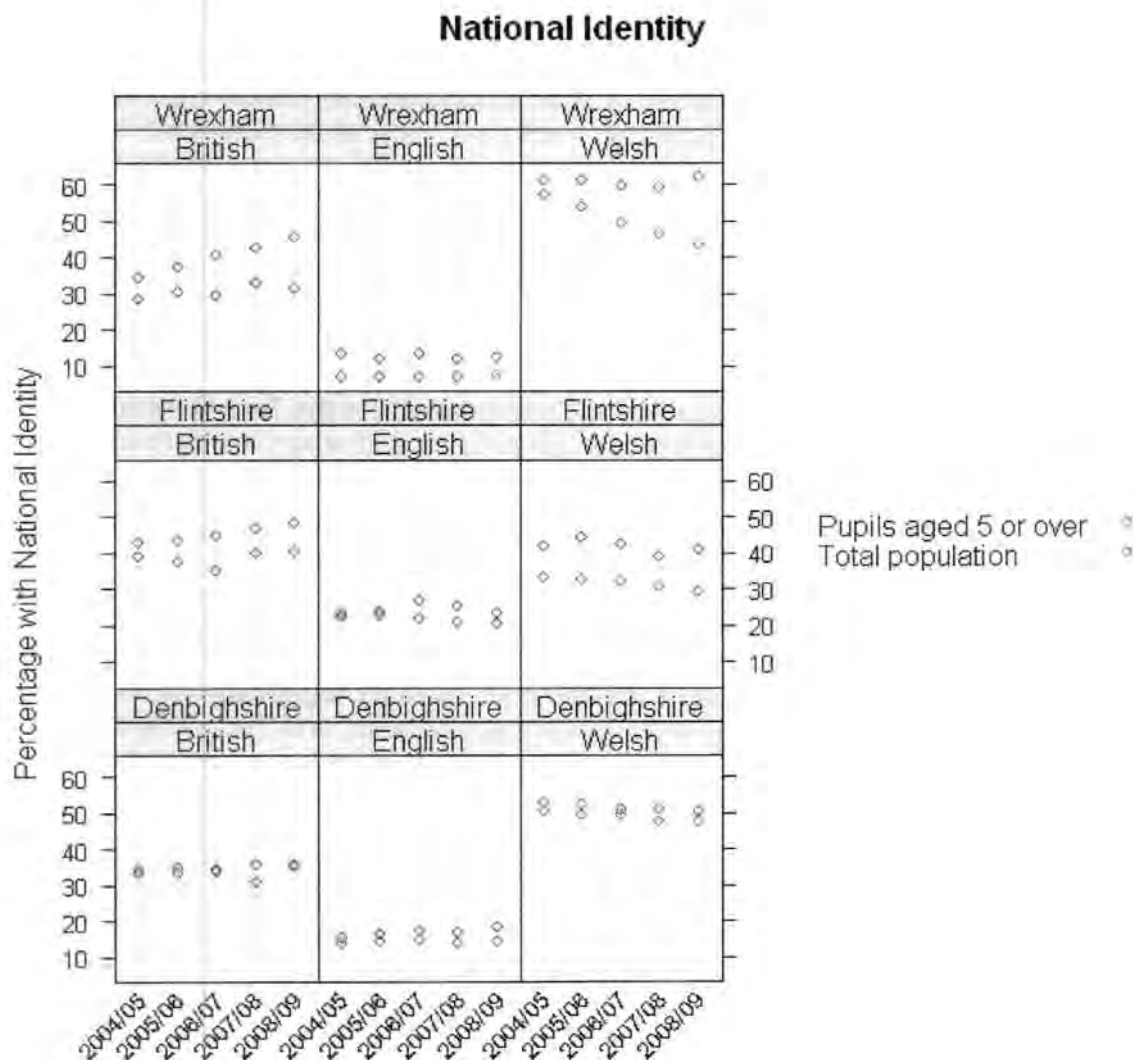
Source: Census 2001. Table CAS146. © Crown Copyright

In Wrexham, while the percentage born outside Wales is close to the Wales average the ability to speak Welsh in the younger age groups, especially ages 10-15, is significantly lower than either the Welsh average or the neighbouring authorities of Flintshire and Denbighshire. The reasons for the low percentage speaking Welsh in the younger age groups are not known but the evidence does not suggest that in-migration is the main cause.

By contrast, in Flintshire the percentage born outside Wales is much higher, almost equivalent to the percentage born in Wales, but for younger age groups, especially ages 10-24, ability to speak Welsh is similar to the Wales average. For younger age groups at least, this suggests in-migration is not having an excessively deleterious effect on Welsh language capability.

National identity

The issue of national identity is included in the Annual Population Survey (APS) and the Annual Schools' Census (PLASC now ASC) for primary, secondary and special schools. The chart shows the percentages who described their identity as British, English or Welsh. Few of the changes shown over a 5 year period are statistically significant. The series for Wrexham pupils show more change than the others, with the percentage who say they are Welsh declining and the percentage saying they are British increasing.



Source: APS (year to March shown) and PLASC (school year shown)

- When the Government signed up for the plan, can you provide any evidence that human rights issues and legislation were taken into consideration? (The plan talks about immigration and dilution of Welsh identity, culture and language).

The Welsh Assembly Government is bound by the Human Rights Act 1998 and the European Convention on Human Rights. Section 81 of the Government of Wales Act 2006 states that the Welsh Ministers have no power to do any act which would be incompatible with any of the convention rights. New policies are developed in accordance with this limitation.

6. Given that these rights exist (and have been provided as evidence), is the Welsh Government confident that the West Cheshire plan does not breach these human rights?

The SRSS is a high level document which seeks only to provide integrated, guiding spatial principles for development at the sub-regional level. In doing so, it has sought to strike a proportionate balance between all the issues of which planning policy needs to take account in the public interest. The SRSS is in any case a non-statutory document and is not legally binding on the actions of others. Although it will be a material consideration in the preparation of local development plans in Wales by Local Planning Authorities, they are also prevented by law from acting incompatibly with the Convention rights, and therefore could not give the SRSS such effect in applying its principles to their areas. The Welsh Assembly Government therefore believes that the SRSS does not breach any human rights legislation.

7. Further clarity on the consultation undertaken on the Sub-Regional Strategy, including details on how this was organised and who was consulted.

The **Sub-regional spatial strategy** underwent a formal public consultation, launched by Ann Jones AM in December 2005.

Over three hundred invitations to the consultation event were sent to key partner organisations from all sectors, and over a hundred people attended. 36 formal responses were received from a range of public, private and voluntary organisations. Individual responses were published on the strategy partners website, and the Sustainability Appraisal Report, publish as part of the Strategy sets out how the opinions expressed during the consultation were taken into account.

Please find attached details of those organisations and individuals who were invited to the consultation event, along with those who attended, and the details of who sent in formal written responses to the consultation process.

Further details of the consultation process can be found within the strategy document (pg 78-80), along with the consultation on the Strategic Environmental Assessment (pg 16-19 of the SEA Publication Document),

The consultation activities were organised and delivered jointly by the partners.

8. Clarity on who is responsible for establishing the need for housing in localities.

In planning the provision for new affordable and market housing Ministerial Interim Planning Policy Statement 01/2006 - Housing, which supersedes Planning Policy Wales (2002) Chapter 9 Housing, states that local planning authorities must work in collaboration with housing authorities, registered social landlords, house builders, developers, land owners and the community and take account of the following:

- *People, Places, Futures - The Wales Spatial Plan;*
- *Statutory Code of Practice on Racial Equality in Housing - Wales;*

- the Assembly Government's latest household projections;
- local housing strategies;
- community strategies;
- local housing requirements (needs and demands);
- the needs of the local and national economy;
- social considerations (including unmet need);
- the capacity of an area in terms of social, environmental and cultural factors (including consideration of the Welsh language) to accommodate more housing;
- the environmental implications, including energy consumption, greenhouse gas emissions and flood risk; and
- the capacity of the existing or planned infrastructure.

The latest Assembly Government National and Sub-National Household Projections for Wales should form the starting point for **assessing housing requirements**. Within each region local planning authorities should work together collaboratively, and with appropriate stakeholders (for example House Builders and Utility Companies) as necessary, to apportion to each authority the Assembly Government household projections, or agree their own regional policy-based projections. The Assembly Government encourages the development of this process wherever possible under the auspices of the Wales Spatial Plan regional groups.

Where local planning authorities seek to deviate from the Assembly Government projections, by using their own policy-based projections, they must justify the reasons for so doing and explain the rationale behind their own preferred projections, showing how this requirement has been derived in terms of the issues listed above. In estimating housing requirements local planning authorities should integrate the provisions of their local housing strategies with the relevant provisions of their development plans. Effective monitoring of these issues is essential in order to ensure that there is an adequate and continuing supply of land and buildings for housing and to enable their managed release.

Essentially, any projections issued by the Welsh Assembly Government are the starting point for local authorities. If they choose to deviate from these projections, which they are entitled to do so, they should be able to justify any deviation through robust evidence. This could be achieved by undertaking further work on the projections to better reflect local circumstances.

All local authorities have access to the methodology upon which the projections are derived which would enable them to vary the projection, based on evidence. There may also be a policy decision taken which again could vary from the projections. The key point in all cases is that a local authority must have robust evidence to justify its level of housing provision and any deviation from the household projections. This will ultimately be tested through the LDP examination and it will be the Inspector who will determine whether the plan is found 'sound' and hence adopted.

The responsibility for establishing the need for housing in localities resides with the relevant local planning authority, based on evidence. If this deviates from the household projections this again must be justified by robust evidence.

9. A copy of the letter referred to in the meeting that was sent to local authorities from the Head of Planning, about population projection figures.

Attached

10. Whether Planning Policy Wales is compatible with the *One Wales* agreement.

Planning Policy Wales is compatible with the *One Wales* agreement. The *One Wales* agreement has identified a number of areas where planning policy and guidance will be reviewed. This includes a review of TAN20.

11. Whether similar strategies for the English authorities that are included within the Sub-Regional Strategy are subjected to similar sustainability appraisals as those in Wales are.

Organisations in both England and Wales are bound by a European Directive which sets out the criteria under which a plan or strategy document should be subject to a Strategic Environmental Assessment during its development.

12. Copies of the Sustainability appraisals for both the Sub-Regional Strategy and Wales Spatial Plan.

Please find below the link to the West Cheshire - North East Wales Sub-Regional Spatial Strategy Strategic Environmental Assessment:

http://wales.gov.uk/location/north_east_wales/spatial/meetkeydocs/documents/sea/?lang=en

This document, along the strategy itself, has been publicised and made available on the websites of the strategy partners.

In hard copy, the strategy document was bilingual, and had attached a CD-Rom of the full SEA report. The strategy document was titled 'West Cheshire/North East Wales Sub-Regional Spatial Strategy and Strategic Environmental Assessment Process Report', and it included details about the consultation process, and the SEA Publication Document. This is a key component of the information provided to the public and the consultation authorities following adoption of a plan. It sets out clearly how the consultation comments were taken into account.

Below is the link to the Strategic Environmental Assessment Statement (March 2008) which was produced following adoption on the Wales Spatial Plan 2008 Update. The Habitats Regulations Assessment and Appropriate Assessment Report can also be found here.

<http://wales.gov.uk/location/strategy/spatial/documents/?lang=en>

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Contact Name	Title	Organisation
Geoff Webber	Business Manager - Environment, Planning	Hyder Consulting
Tom Stokes	Managing Director	Evans Easyspace Ltd
Ian Wray		North West Development Agency
David Hughes	Senior Property Development Manager	Welsh Development Agency
Martin Lee	Chief Executive	Cheshire & Warrington Economic Alliance
Katy Hipwell	Regeneration Officer	Mersey Dee Alliance
David Jones	Principal Chief Executive	Deeside College
Sarah Mogul	Principal	West Cheshire College
Stephen Millett		A51 Environmental Group
Janet Williams	Secretary, Wrexham Branch	Campaign for the Protection of Rural Wales
Nick Thomas	North Wales Operations Coordinator	Countryside Council for Wales
Engineer Klaus Armstrong-Braun		Enviro Watch-Wales and The Borders
Dr Ken Jones	Planning & Corporate Services Manager	Environment Agency
Peter Crompton	Director	Business Environments Planning
Ann Jones AM	Assembly Member - Vale of Clwyd	National Assembly for Wales
Tony Parker	Chief Highway Engineer, Head of Major Road	Welsh Assembly Government
Paul Byrne	Senior Spatial Development Manager	Government Office North West
David McLean		David McLean
Christine Quinlan	Chief Housing Officer	Chester City Council
Mark Dixon	Principal Regeneration Manager	Denbighshire County Council
Paul Ince	Principal Housing Officer	Ellesmere Port & Neston BC
Huw Evans	Chief Planning Officer	Flintshire County Council
Phill Bamford	Development Plan Manager	Vale Royal Borough Council
Isobel Watson	Urban Development Manager	Wrexham County Borough Council
Jane Lovibond		North Wales Economic Forum
Tim Hill	Director of Planning, Housing, Transport	North West Regional Assembly
Rhys M Davies	Director	CDN Planning
David Nicholas	Director	DJN Consulting Ltd
Gareth White		Gareth White's Partnership
Nick Roberts	Director	AXIS
Brendan O'Herlihy	Partner - Development Agency	NAI Fuller Peiser
Stephen Gibbins		The Compton Group
Simon Parker	Managing Director	UK Land & Property Ltd
David Newman	Industrial Agent	Matthews & Goodman
Simon Bolton	Partner	Bolton Birch Limited
John Fifield	Chairman	Fifield Glyn
Peter Johnston	Chartered Surveyor	Legat Owen

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Dewi Davies	Regional Strategy Director	Tourism Partnership North Wales
David Blainey	Executive Officer for the TAITH Partnersh	TAITH
Sandra Hughes	Community Development Officer	Association of Voluntary Organisations in
Alan Ramsay		A51 Environmental Group
John Wesencraft	Planning Adviser	Campaign to Protect Rural England
Lillian Burns	Vice Chairman	Campaign to Protect Rural England
Lindsey Jones		Campaign to Protect Rural England
Ann Jones		Campaign to Protect Rural England-Che
David Horstead	Director of Strategy & Intelligence	Cheshire & Warrington Economic Allianc
Greg Yates	Acting County Transport Co-ordinator	Cheshire County Council
Peter Cocker	Director of Environment	Cheshire County Council
Chris Leicester	Local Area Officer	Cheshire County Council
Louise Robertson	Environmental Planning Officer	Cheshire County Council
Steve Kent	County Engineer	Cheshire County Council
Peter Bulmer	Policy & Information Manager	Cheshire County Council
Tim Harrison	County Economic Development/Environm	Cheshire County Council
Murray Graham	Environmental Planning Manager	Cheshire County Council
Sara Lewis	Principal Planning Officer	Cheshire County Council
Cllr Andrew Needham	Executive Member for Environment	Cheshire County Council
Ted Cleaveley	Economic Development Manager	Chester City Council
Charlie Seward	Regeneration Manager	Chester City Council
Cllr David Evans	Leader	Chester City Council
Cllr David Evans	Planning Policy Manager	Chester City Council
Mike Dix	Local Distinctiveness and Place Marketin	Chester City Council
Martin Cooil	Neighbourhood Manager	Chester District Housing Trust
Iwan Prys Jones	Corporate Director - Environment	Denbighshire County Council
Cllr Stuart Davies	Deputy Leader	Denbighshire County Council
Mike Pender	Principal Planning Officer	Denbighshire County Council
Mike Worden	Planning Policy Manager	Ellesmere Port & Neston BC
Cllr Joe O'Rourke		Ellesmere Port and Neston Borough Cou
Ian Williams	Senior Manager Learning Networks Deve	ELWa
Helen Barrett	Planning Liaison Officer	Environment Agency-North West Region
Laila Smith		Environment Agency-North West Region
Douglas Akehurst	Regional Manager	Evans Easyspace Ltd
Phillip McGreevy	Chief Executive	Flintshire County Council
Andy Roberts	Head of Planning Policy	Flintshire County Council
Mervyn Davis	Planning	Flintshire County Council
John Hoogerwerf	Head of Customer and Housing	Flintshire County Council

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Dave Heggarty	Chief Regeneration Officer	Flintshire County Council
Malcolm Crow	Head of Traffic & Highway Services	Flintshire County Council
Chris Kay	Director of Environment & Regeneration	Flintshire County Council
Cllr Peter Macfarlane		Flintshire County Council
Rod Taylor	Head of Policy and Strategy	Flintshire County Council
Cllr Aaron Shotton		Flintshire County Council
Neal Cockerton	Head of Technical Services	Flintshire County Council
Lynda Healy	Planning and Policy Advisor - Wales	Homes Builders Federation
Gill Williams	Senior Regeneration Officer	Mersey Dee Alliance
Gemma Easter	Regeneration Projects Officer	Mersey Dee Alliance
Michael Gallagher	Regional Planning Manager	North West Regional Assembly
Ian Pritchard	Development Manager	Pochin Rosemound (Deeside) Ltd
Peter Roberts		Pochin Rosemound (Deeside) Ltd
Ian Sherry		UK Land & Property Ltd
Professor Sian Hope	Pro-Vice Chancellor for Knowledge Trans	University of Wales, Bangor
Matthew Quinn	Head of Strategic Policy Unit	Welsh Assembly Government
Bill Atwill	Director - North Wales	Welsh Assembly Government
Abigail Hoban	Wales Spatial Plan Unit	Welsh Assembly Government
Vernon Pownall	Area Manager - Network Management 6	Welsh Assembly Government Transport
Chris Tollitt	Project Director - Rail and New Roads	Welsh Assembly Government Transport
Carole Weller	Area Development Manager	Welsh Development Agency
Chris Farrow	Regional Strategy Director	Welsh Development Agency
Debbie Waddington	Strategy & European Executive	Welsh Development Agency
Bryn Richards	Acting North Wales Strategy & Programm	Welsh Development Agency
Kathryn Beard		Welsh Development Agency
Jan Watkins		Welsh Development Agency
Sara Roberts		Welsh Development Agency
Angella Davidson		Welsh Development Agency
Karen Hirst	Investment Director	Welsh Development Agency
Imogen Sherriff	Area Development Manager	Welsh Development Agency
Wyn Roberts	Area Development Manager	Welsh Development Agency
Trefor Jones	Area Development Manager	Welsh Development Agency
Gwenllian Owens	Environment Manager	Welsh Development Agency
Terry Stevens		Welsh Development Agency
Jacqui Hill	Inward Investment Executive	Welsh Development Agency
Steve Bayley	Chief Economic Development Officer	Wrexham County Borough Council
Wynford Rowlands		Wrexham County Borough Council
Cllr Bob Dutton OBE	Lead Member: Economic Prosperity and	Wrexham County Borough Council

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Contact Name	Title	Organisation
Sal Deangelo	Chief Corporate Finance Officer & Senior	MBNA Europe Bank Ltd
Jill Jones	Partner	Baker Tilly
Stephen Welch	Chief Executive	North Wales Chamber of Commerce
Craig Sparrow		Pennaf (Clwyd Alyn Housing)
Bryn Davies		Tai Clwyd
Ian Rooks		Pricewaterhouse Coopers
Gareth Middleton		Lambert Smith Hampton
Neil Lamont		Lamont Commercial Ltd
Paul Brereton		Merchant Developments Limited
Simon Simcox		Pritchards Commercial
Jim Spencer		Spencer Holdings plc
Colin Flanagan		St David's Commercial
Danny Coulston	General Manager	CBI North Wales
James Nicholson	Property Development Director	Pochin Developments Limited
Robert Diggle	Associate	Edward Symmons & Partners
Geoff Webber	Business Manager - Environment, Plannin	Hyder Consulting
Mark Braithwaite	Director	The Easter Group
Tom Stokes	Managing Director	Evans Easyspace Ltd
David Gladman		Gladman Homes
Matt Marsden		Lancroft Developments Ltd
Ian Wray		North West Development Agency
David Hughes	Senior Property Development Manager	Welsh Development Agency
Martin Lee	Chief Executive	Cheshire & Warrington Economic Allianc
Sally Gosmore		Chester and Ellesmere Port Enterprise A
Peter Caldwell		Mostyn Estates Ltd
Katy Hipwell	Regeneration Officer	Mersey Dee Alliance
Huw Evans	Principal	Coleg Llandrillo College
Fred Cunningham	Principal	Coleg Llysfasi
David Jones	Principal Chief Executive	Deeside College
Geoff Owen	Head of Partnership Development	ELWa
Professor Mike Scott	Principal	North East Wales Institute
Charlie Woodcock	Business Development	University of Chester
Sarah Mogul	Principal	West Cheshire College
Paul Croke	Principal	Yale College
Stephen Millett		A51 Environmental Group
Jo Woodward	Flintshire Business Environment Coordin	ARENA Network
Lowri Owain		CADW

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Janet Williams	Secretary, Wrexham Branch	Campaign for the Protection of Rural Wa
Claire Mumford		Countryside Agency North West
Nick Thomas	North Wales Operations Coordinator	Countryside Council for Wales
David Jeffreys		English Nature
Engineer Klaus Armstrong-Braun		Enviro Watch-Wales and The Borders
Dr Ken Jones	Planning & Corporate Services Manager	Environment Agency
Steven Edwards	Environmental Planning	Power Systems
Peter Crompton	Director	Business Environments Planning
Justin Rice-Jones		Beresford Adams
Nigel Bruce	Principal	Bruce & Partners
David Pearse		David Pearse & Co
David Rowley		FPD Savills
Rob Salisbury	Partner	Gamlins
Graeme Wood		Knight Frank
Jonathan Young		Strutt & Parker
Simon Kendall		Robertson Research International
Rachel Brisley		Merseyside Policy Unit
Ann Jones AM	Assembly Member - Vale of Clwyd	National Assembly for Wales
Tony Parker	Chief Highway Engineer, Head of Major F	Welsh Assembly Government
Paul Byrne	Senior Spatial Development Manager	Government Office North West
Gren Kershaw	Chief Executive	Conwy & Denbighshire NHS Trust
Hilary Peplar	Chief Executive	North East Wales NHS Trust
Dave Clark	Network Manager	Highways Agency
Mark Johnson		Home Builders Federation
Paul Knight	Executive Manager Housing Managemen	Chester District Housing Trust
Kevin Bygate		Corus Housebuilders Federation
David McLean		David McLean
Kerry Jones	sent to Peter Jenkins in Development	Wales & West Housing Association
Peter Roberts		Rosemound Developments
Liz Davies	Executive Director	Learning and Skills Council
Gill Phillips	Structure Plan Officer	Cheshire County Council
Christine Quinlan	Chief Housing Officer	Chester City Council
Derek Barker	Chief Executive	Conwy County Borough Council
Mark Dixon	Principal Regeneration Manager	Denbighshire County Council
Paul Ince	Principal Housing Officer	Ellesmere Port & Neston BC
Huw Evans	Chief Planning Officer	Flintshire County Council
Andrew Pannell	Forward Planning Manager	Halton Borough Council
Cllr W J Williams	Chairman - TAITH	Isle of Anglesey County Council

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

John Kelly	Assistant Executive Director, Regeneratio	Liverpool City Council
Andy Wallis	Director of Planning and Economic Devel	Sefton Metropolitan Borough Council
Phill Bamford	Development Plan Manager	Vale Royal Borough Council
Kate Bentley		Warrington Borough Council
Richard Lewis	Principal Forward Planning Officer	Wirral Metropolitan Borough Council
Isobel Watson	Urban Development Manager	Wrexham County Borough Council
Jane Lovibond		North Wales Economic Forum
Tim Hill	Director of Planning, Housing, Transport	North West Regional Assembly
Jeff Chambers	Town Planning Consultant	BE Group
Rhys M Davies	Director	CDN Planning
David Nicholas	Director	DJN Consulting Ltd
Gareth White		Gareth White's Partnership
Doug Hann		Indigo Planning Ltd
Jeremy Gibbins		North Wales Working Party on Aggregat
Steve Thomas	Government Affairs Executive	Airbus UK
Graham Anwyl	Managing Director	Anwyl Construction Company Ltd
Nick Roberts	Director	AXIS
Huw Watkin	Marketing Director	Bic Eryri Ltd
Mark Ford		Vauxhall
Steve West	Company Secretary	Worldspan International
Ben Fallows		Drivers Jonas
Mike King		DTZ
Gareth Williams		Gareth Williams & Co
Clive Perrin		HBG Properties
Colin Chivers		Jones Lang La Salle
Phillip Morris	Managing Director	Liberty Properties Plc
Keith Williams		Morbaine Ltd
Brendan O'Herlihy	Partner - Development Agency	NAI Fuller Peiser
Robert Blackwell	Director	Site Quest Ltd
Stephen Gibbins		The Compton Group
Simon Parker	Managing Director	UK Land & Property Ltd
Julien Kenny-Levick		Colliers International Property Consultan
David Todd	Associate	Dixon Webb
Simon Williams		Donaldsons Property Consultants
Iain Jenkinson		GVA Grimley
Chris Prescott	Partner	King Sturge
Geoff Mason		Mason & Partners
David Newman	Industrial Agent	Matthews & Goodman

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Mike Bell	Director	BELL Developments Ltd
Rob Lloyd	Managing Director	Eatonfield Holdings
Steve Parry	Development Director	Neptune Developments Ltd
Basil Whitley		Whitley Estates Ltd
Mike Webb	Senior Reserves Manager	RSPB
Grant Anderson	Planning Department	Kent Jones & Son Solicitors
Simon Bolton	Partner	Bolton Birch Limited
Tom Davis	Partner	DGI Davis George
Richard Potter		Edwin Hill & Partners
John Fifield	Chairman	Fifield Glyn
Mike Roocroft		Gerald Eve
Chris Armstrong		Guy Woodcock & Co
Nick Rice		Irving Rice & Partners
Peter Johnston	Chartered Surveyor	Legat Owen
Richard Baddeley		Richard Baddeley & Co
William Hall		William Hall & Co
Dave Moorcroft	Director of Policy and Economic Develop	The Mersey Partnership
Dewi Davies	Regional Strategy Director	Tourism Partnership North Wales
Steve Cook		Merseytravel
David Blainey	Executive Officer for the TAITH Partnersh	TAITH
Tom Jones		Transport and General Workers Union
Sandra Hughes	Community Development Officer	Association of Voluntary Organisations in
Graham Gladen		Mersey Basin Campaign
Chris Mahon	Manager	Cheshire Wildlife Trust
Adrian Lloyd Jones	Conservation Officer	North Wales Wildlife Trust
Alan Ramsay		A51 Environmental Group
Brian Fleet	Manufacturing Director	Airbus UK
Tom Anwyl		Anwyl Construction Company Ltd
David Jones		AXIS
Dave Bell		BELL Developments Ltd
Peter Ogden	Director	Campaign for the Protection of Rural Wa
John Wesenraft	Planning Adviser	Campaign to Protect Rural England
Lillian Burns	Vice Chairman	Campaign to Protect Rural England
Lindsey Jones		Campaign to Protect Rural England
Ann Jones		Campaign to Protect Rural England-Che
Tim Dean	Head of Planning Department	CB Richard Ellis
David Rosser	Director, Wales	CBI Wales
David Horstead	Director of Strategy & Intelligence	Cheshire & Warrington Economic Allian

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Greg Yates	Acting County Transport Co-ordinator	Cheshire County Council
Peter Cocker	Director of Environment	Cheshire County Council
Chris Leicester	Local Area Officer	Cheshire County Council
Louise Robertson	Environmental Planning Officer	Cheshire County Council
Steve Kent	County Engineer	Cheshire County Council
Peter Bulmer	Policy & Information Manager	Cheshire County Council
Tim Harrison	County Economic Development/Environment	Cheshire County Council
Murray Graham	Environmental Planning Manager	Cheshire County Council
Sara Lewis	Principal Planning Officer	Cheshire County Council
Cllr David Rowlands		Cheshire County Council
Cllr Andrew Needham	Executive Member for Environment	Cheshire County Council
Cllr Lynn Hardwick	Chair of Mersey Dee Alliance	Cheshire County Council
Clive Sproule	Planning Advisor	Cheshire County Council
Jeremy Taylor	Chief Executive	Cheshire County Council
Alan Thornley	County Planner	Cheshire County Council
Julian Pellatt	County Rural and Recreation Officer	Cheshire County Council
Harold Collin	County Waste Manager	Cheshire County Council
Cllr Colin Bain		Cheshire County Council
Cllr Derek Bateman		Cheshire County Council
Paul Findlow	Leader	Cheshire County Council
Ted Cleaveley	Economic Development Manager	Chester City Council
Charlie Seward	Regeneration Manager	Chester City Council
Cllr David Evans	Leader	Chester City Council
Cllr David Evans	Planning Policy Manager	Chester City Council
Mike Dix	Local Distinctiveness and Place Marketing	Chester City Council
Dave Cotterill	Planning Manager	Chester City Council
Paul Durham	Chief Executive	Chester City Council
John Price	Cnclr	Chester City Council
Chris Hardy	Deputy Chief Executive & Chair of Mersey	Chester City Council
Andy Farrell	Director of Development	Chester City Council
Cllr Brian Bailey		Chester City Council
Cllr Jim Latham		Chester City Council
Cllr Mia Jones		Chester City Council
Cllr Reggie Jones		Chester City Council
Martin Cooil	Neighbourhood Manager	Chester District Housing Trust
John Denny	Chief Executive	Chester District Housing Trust
Damien Waters	Regional Director	Confederation of British Industry
Sheila Potter	Head of Regeneration	Conwy County Borough Council

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Goronwy Edwards		Conwy County Borough Council
Peter Detheridge		Conwy County Borough Council
Cllr Goronwy Edwards	Leader	Conwy County Borough Council
Cllr Tony Tobin		Conwy County Borough Council
Iwan Prys Jones	Corporate Director - Environment	Denbighshire County Council
Cllr Stuart Davies	Deputy Leader	Denbighshire County Council
Mike Pender	Principal Planning Officer	Denbighshire County Council
Cllr Rhiannon Hughes	Leader	Denbighshire County Council
Ian Miller	Chief Executive	Denbighshire County Council
David Farquhar	Head of Transportation & Infrastructure	Denbighshire County Council
Sue Haygarth	Principal Business Development Officer	Denbighshire County Council
Jonathan Cawley	Senior Planning Officer	Denbighshire County Council
Gareth Evans	Head of Development Services	Denbighshire County Council
Cllr Eryl Williams	Cabinet Lead Member Environment	Denbighshire County Council
Cllr Richard Jones	Chair Environment Scrutiny Committee	Denbighshire County Council
Mike Worden	Planning Policy Manager	Ellesmere Port & Neston BC
Charles Holmes		Ellesmere Port & Neston BC
Steve Cranmer	Regeneration Manager	Ellesmere Port & Neston BC
Cllr R B Chrimes	Leader	Ellesmere Port & Neston BC
Cllr Joe O'Rourke		Ellesmere Port and Neston Borough Council
Stephen Ewbank	Chief Executive	Ellesmere Port and Neston Borough Council
Ian Williams	Senior Manager Learning Networks Development	ELWa
Katie Whitaker	Director	ELWa
Joanne Tincello		ELWa
Mike Young		English Nature - North Wales Region
Steve Moore	Area Manager North	Environment Agency
John Thompson	Strategy Manager	Environment Agency
Helen Barrett	Planning Liaison Officer	Environment Agency-North West Region
Laila Smith		Environment Agency-North West Region
Douglas Akehurst	Regional Manager	Evans Easyspace Ltd
Phillip McGreevy	Chief Executive	Flintshire County Council
Andy Roberts	Head of Planning Policy	Flintshire County Council
Mervyn Davis	Planning	Flintshire County Council
John Hoogerwerf	Head of Customer and Housing	Flintshire County Council
Dave Heggarty	Chief Regeneration Officer	Flintshire County Council
Malcolm Crow	Head of Traffic & Highway Services	Flintshire County Council
Chris Kay	Director of Environment & Regeneration	Flintshire County Council
Cllr Peter Macfarlane		Flintshire County Council

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Rod Taylor	Head of Policy and Strategy	Flintshire County Council
Cllr Aaron Shotton		Flintshire County Council
Neal Cockerton	Head of Technical Services	Flintshire County Council
Cllr Alex Aldridge	Leader	Flintshire County Council
Kevin Edwards		Gladman Homes
Peter Styche	Director	Government Office North West
Gill Ayres	Team Leader Regional Spatial Policy	Government Office North West
David Higham	Director-Business and Regional Issues	Government Office North West
Nick Whipp	Partner	GVA Grimley
Simon Reynolds	Partner	GVA Grimley
Trevor Sloan	Partner	GVA Grimley
Lynda Healy	Planning and Policy Advisor - Wales	Homes Builders Federation
Alison Powell		Hyder Consulting
Lynette Day		Kent Jones & Son Solicitors
Gordan Hood		King Sturge
Alistair Newman	Partner	King Sturge LLP - Liverpool
Ian Ruff		Learning and Skills Council
Stephen Wade		Legat Owen
Sophy Krajewska	Head of City Region Policy	Liverpool City Council
Lee Randle		Mason & Partners
Bruce Bott		Mason Owen & Partners
Bob Parker		Matthews & Goodman
Gill Williams	Senior Regeneration Officer	Mersey Dee Alliance
Gemma Easter	Regeneration Projects Officer	Mersey Dee Alliance
Abigail Howarth	Director	Merseyside Policy Unit
Sarah Jane Preston		NAI Fuller Peiser
Myfanwy Morgan		North Wales Chamber of Commerce
Henry Roberts	Co-ordinator	North Wales Economic Forum
Chris Koral	Cheshire Manager	North West Development Agency
Peter White	Director of Strategy	North West Development Agency
Alistair Hoyle		North West Regional Aggregates Workin
Michael Gallagher	Regional Planning Manager	North West Regional Assembly
Peter Hart	Communities Plan Manager	North West Regional Assembly
John Woodcock	Chairman	Pochin Developments Limited
Ian Pritchard	Development Manager	Pochin Rosemound (Deeside) Ltd
Peter Roberts		Pochin Rosemound (Deeside) Ltd
Ken Poole		Pricewaterhouse Coopers
Richard Farmer	Senior Reserves Manager	RSPB

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Tracy Mawson	Senior Economic Development Officer	The Mersey Partnership
Ian Sherry		UK Land & Property Ltd
Tim Wheeler	Vice Chancellor	University of Chester
Professor Sian Hope	Pro-Vice Chancellor for Knowledge Trans	University of Wales, Bangor
Professor Merfyn Jones	Principal	University of Wales, Bangor
Matthew Quinn	Head of Strategic Policy Unit	Welsh Assembly Government
Bill Atwill	Director - North Wales	Welsh Assembly Government
Abigail Hoban	Wales Spatial Plan Unit	Welsh Assembly Government
Huw Brodie	Director of Strategy and Communications	Welsh Assembly Government
Marion Davies	Wales Spatial Plan Unit	Welsh Assembly Government
Grant Duncan	Strategy & Communications Directorate	Welsh Assembly Government
Steff Whitfield	Department for Transport Rail Group	Welsh Assembly Government
Bob Newton		Welsh Assembly Government
Vernon Pownall	Area Manager - Network Management 6	Welsh Assembly Government Transport
Chris Tollitt	Project Director - Rail and New Roads	Welsh Assembly Government Transport
Carole Weller	Area Development Manager	Welsh Development Agency
Chris Farrow	Regional Strategy Director	Welsh Development Agency
Debbie Waddington	Strategy & European Executive	Welsh Development Agency
Bryn Richards	Acting North Wales Strategy & Programm	Welsh Development Agency
Kathryn Beard		Welsh Development Agency
Jan Watkins		Welsh Development Agency
Sara Roberts		Welsh Development Agency
Angella Davidson		Welsh Development Agency
Karen Hirst	Investment Director	Welsh Development Agency
Imogen Sherriff	Area Development Manager	Welsh Development Agency
Wyn Roberts	Area Development Manager	Welsh Development Agency
Trefor Jones	Area Development Manager	Welsh Development Agency
Gwenllian Owens	Environment Manager	Welsh Development Agency
Terry Stevens		Welsh Development Agency
Jacqui Hill	Inward Investment Executive	Welsh Development Agency
Sioned Rees	Enterprise Director	Welsh Development Agency
Janice Burnie	Director - Business Support	Welsh Development Agency
David Pilkington	Regional Land Development Director for	Welsh Development Agency
Glyn Pittendreigh	Property Development Manager	Welsh Development Agency
Fiona Evans	Property Development Manager	Welsh Development Agency
John Adshead	Area Development Manager	Welsh Development Agency
Gareth Hall	Chief Executive	Welsh Development Agency
Penny Horsfield	Deputy Principal	West Cheshire College

Invitation List for West Cheshire-North East Wales Sub Regional Spatial Strategy Consultation Launch

Alan Evans		Wirral Metropolitan Borough Council
Steve Bayley	Chief Economic Development Officer	Wrexham County Borough Council
Wynford Rowlands		Wrexham County Borough Council
Cllr Bob Dutton OBE	Lead Member: Economic Prosperity and	Wrexham County Borough Council
Cllr Mark Pritchard	Lead Member: Waste and Environment	Wrexham County Borough Council
Paul Roberts	Strategic Director	Wrexham County Borough Council
Isobel Garner	Chief Executive	Wrexham County Borough Council
Martin Wright	Chief Transport and Asset Management	Wrexham County Borough Council
Malcolm Phillips	Planning Policy Manager	Wrexham County Borough Council
Cllr Aled Roberts	Leader	Wrexham County Borough Council

Draft West Cheshire – North East Wales Sub Regional Spatial Strategy and Strategic Environmental Assessment (SEA)

Responses to consultation received by:

No	Organisation:
1.	A51 Environmental Group & SEA
2.	AXIS
3.	Barton Wilmore Planning Partnership–Northern
4.	Boyer Planning
5.	BROCKWAY DUNN Ltd (obo Anwyl Construction)
6.	Cheshire County Council, Environmental Planning Service
7.	Chester City Council
8.	Compton Group
9.	Countryside Council for Wales (response=Annex 1)
10.	CPRE North West Regional Group & CPRE Cheshire Branch
11.	Denbighshire County Council
12.	Denbighshire County Council (General Comments)
13.	Ellesmere Port & Neston Borough Council
14.	Enviro Watch–Wales and The Borders
15.	Environment Agency, North Wales Region–South Area
16.	Flintshire County Council
17.	Government Office for the North West (letter and comments)
18.	Halton Borough Council
19.	Handbridge Residents Council
20.	Highways Agency, Network Strategy North
21.	Home Builders Federation
22.	Indigo Planning Ltd (obo Commercial Estates Group)
23.	Indigo Planning Ltd (obo Peel Holdings Ltd)
24.	Merseyside Policy Unit
25.	Mr Paul D W Jones
26.	National Trust
27.	North West Development Agency
28.	North West Regional Assembly

29.	Peacock and Smith (obo Morrison Supermarkets) <i>Town Planners & Development Consultants</i>
30.	Pegasus Planning Group LLP (obo Glenside Recycling Ltd & letter)
31.	Power Systems
32.	Royal Town Planning Institute in Wales (General comments & letter)
33.	RPS Manchester (obo Persimmon Homes)
34.	RSPB North Wales Office
35.	Wrexham County Borough Council (x 2)

Alun Ffred Jones AC/AM
Y Gweinidog dros Dreftadaeth
Minister for Heritage



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref
Ein cyf/Our ref:SF-AJ-0028-10

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

23 March 2010

Dear Christine,

Thank you for the opportunity to respond to your request for information on the petition submitted to the Petitions Committee to withdraw from the West Cheshire-North-East Wales Sub-Regional Strategy.

The Minister for Business and Budget has written to you regarding the substantive points raised following your recent meeting. I endorse her comments, and would like to take this opportunity to update you on the Assembly Government's proposals in support of the Welsh language.

The Assembly Government recognises the Welsh language as one of the defining characteristics of our shared cultural heritage, which is a source of pride for everyone in Wales. Although the census of 2001 indicated a period of growth for the language over recent years, the sustainability of Welsh as a living language of our communities remains under threat. The reasons for this, as the Minister for Business and Budget indicated, are many and complex.

The Assembly Government has recently concluded a 'call for views' on a new Welsh language strategy, which we look forward to publishing for consultation later in the year. The call for views, which received a good response, recognises the role played by a wide range of factors in determining the health and vitality of the language: the use of Welsh in the home, its use by children and young people, its use as a community language and its use in the public, private and voluntary sectors. Supporting and nurturing the use of Welsh in these circumstances, in all parts of Wales, will play an important part in safeguarding the future of the language. Doing this will, in turn, protect and enhance this unique and integral part of our national identity.

The wide-ranging debate on conferring legislative competence on the Welsh language to the National Assembly for Wales demonstrated that there is a general acceptance that the action taken by public, private and voluntary agencies can play a key role in securing the

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future of the language. As you know, legislative competence has now been conferred on the National Assembly and the proposed Welsh Language Measure has been introduced.

The proposed Welsh Language Measure contains provisions that will confirm the official status of the language and establish a Welsh Language Commissioner to promote and facilitate the use of Welsh. It also contains provisions that will improve the delivery of Welsh language services by public authorities and others. Through this, and the Welsh language strategy, the aim is to safeguard the language and increase its use by Welsh speakers throughout Wales.

Yours sincerely



Alun Ffred Jones AC/AM

Y Gweinidog dros Dreftadaeth/Minister for Heritage

Christine Chapman

Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

19 April 2010

Dear Ms Chapman

**Re: P-03-243 Withdraw from the West Cheshire / North-East Wales
Sub-regional Strategy**

Thank you for your letter dated 31st March.

I have looked at the issues raised, and I do not think that the West Cheshire / North East Wales sub regional spatial strategy raises specific human rights issues.

The strategy is a non statutory framework that depends for implementation upon, amongst others, local authorities. It would seem any challenges based on alleged infringements of human rights would need to be dealt with on a case by case basis against the authority alleged to be in breach.

I note the strategy was consulted upon in December 2005, and as local implementation occurs local involvement and consultation should take place, providing for those with concerns to raise them.

I see the strategy specifically notes local distinctiveness (including heritage) as being an important environmental factor that should be considered at a local level and we would expect that this should be done by those authorities implementing the strategy.

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3 Callaghan Square
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Fax/Ffacs: 029 2044 7712
wales@equalityhumanrights.com

In terms of the United Nations Declaration of the Rights of Indigenous Peoples I would draw the committee's attention to comments made by the United Kingdom delegation to the United Nations at the Declarations adoption.

The United Kingdom's representative *"emphasized that the Declaration was non-legally binding and did not propose to have any retroactive application on historical episodes. National minority groups and other ethnic groups within the territory of the United Kingdom and its overseas territories did not fall within the scope of the indigenous peoples to which the Declaration applied. The United Kingdom had, however, long provided political and financial support to the socio-economic and political development of indigenous peoples around the world"*.

We trust this assists the Committee in reaching its decision.

Yours sincerely,

A handwritten signature in black ink that reads "Kate Bennett". The signature is written in a cursive style with a large initial 'K' and a long horizontal stroke at the end.

Kate Bennett
EHRC National Director for Wales

Our Ref/Ein Cyf: ST/SJ
Your Ref/Eich Cyf:
Date/Dyddiad: 4 June 2010
Please ask for/Gofynnwch am: Steve Thomas
Direct line/Llinell uniongyrchol: 029 2046 8610
Email/Ebost: steve.thomas@wlga.gov.uk



WLGA • CLILC

Christine Chapman AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear Christine

P-03-243 Withdraw from the West Cheshire/North-East Wales Sub-Regional Strategy

The Merseyside Alliance was formed by the relevant authorities in North East Wales and bordering England in 2007. We understand that the Welsh Assembly Government is a key partner.

While the WLGA has a regional board in North Wales it has no locus in this Alliance which we understand leads on key economic development issues.

As such we have no comment on this Petition.

Yours sincerely

Steve Thomas
Chief Executive / Prif Weithredwr

Steve Thomas
Chief Executive
Prif Weithredwr

Welsh Local Government
Association
Local Government House
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www.wlga.gov.uk

(10) P-03-246 Abandon the 50mph speed limit on the M4 at Newport

Petition wording

We call upon the National Assembly for Wales to urge the Welsh Government to conduct a review of the need for a 50 mph speed limit between Junctions 24 and 28 on the M4. We would like the Welsh Government to present evidence of the need for this speed limit, and to provide details of the impact this speed reduction, and the consequent increase in journey times between South Wales and England, will have on inward investment and tourism.

Link to the petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-246.htm>

Petition raised by: Arfon Hughes

Number of signatures: 53

Previously considered by the Committee on: 24 November 2009, 19 January 2010 and 27 April 2010

Update: A response has been received from Traffic Wales. This is included below.

T

Traffig-Cymru, Canolfan Rheoli Traffig, M4 Cyffordd 32 (De Cymru),
Coryton, Caerdydd, CF14 7EF
Traffig Wales, Traffic Management Centre, M4 Junction 32 (South Wales),
Coryton, Cardiff, CF14 7EF
Gen Fax: 029 2062 9423; Gen Tel: 029 2062 9420
E-mail: info@traffic-wales.com www.traffic-wales.com
Customer Information Line: 0845 602 602 0



**National Assembly for Wales
Petitions Committee
Cardiff Bay
Cardiff
CF99 1 NA**

Date: 18th May 2010
Your Reference: P-03-246
Our Reference: 5083687/261/01/30780

For the attention of Christine Chapman

Dear Madam

Re: Petition: Abandon the 50 MPH speed limit of the M4 at Newport

Thank you for your letter of 5th May 2010. The works to install the variable speed limit scheme include changes to the system which records the data, and as a result, we are unable to provide the breakdown of information as requested.

The information provided in our letter of 10th February is as much detail as we are able to provide until the works are complete.

If we can be of any further assistance, please do not hesitate to contact us.

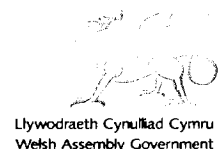
Yours sincerely
For and on Behalf of Traffic-Wales

A handwritten signature in black ink, appearing to read "Rob Webster".

**Rob Webster
Senior Project Manager**

ATKINS

*A Welsh Assembly Government / Atkins Consultants Limited Partnership
Partneriaeth Y Llywodraeth Cynulliad Cymru/ Atkins Consultants Cyfyngedig*



(11) P-03-248 Improved Access to Public Transport for People with Disabilities

Petition wording

We, the undersigned, believe that public transport should be available for people with disabilities. We therefore call upon the Welsh Assembly Government, to bring forward an action plan to make public transport in Wales accessible for all.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-248.htm>

Petition raised by: Multiple Sclerosis Society Cymru

Number of signatures: 789

Previously considered by the Committee on: 6 October 2009, 23 March 2010 and 25 May 2010.

Update: An update has been received for consideration by the Committee.

(12) P-03-253 Adoption of private sewers (Carmarthenshire residents)

Petition wording

To the Welsh Assembly, the petition of residents of Carmarthenshire request that the Welsh Assembly Government speed up negotiations with Welsh Water and agree the earliest possible date for all private sewers on existing housing estates to be adopted by Welsh Water and that sewers on future developments be likewise adopted.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-253.htm>

Petition raised by: Tracy Thomas

Number of signatures: 260

Previously considered by the Committee on: 20 October 2009, 8 December 2009 and 23 March 2010

Update: A response has been received from the Minister for Environment, Sustainability and Housing. This is included below.

Jane Davidson AC/AM

Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai
Minister for Environment, Sustainability and Housing



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref P-03-253

Christine Chapman AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

29 April 2010

Dear Christine,

Thank you for your letter of the 30 March 2010, requesting an update about developments arising from the Strategic Policy Position Statement on Water and the Flood and Water Management Bill, in relation to private sewers and lateral drains.

As outlined in my letter of the 25 January 2010, the Welsh Assembly Government continues to work closely with key stakeholders to identify what action is most needed to progress the transfer of private sewers and lateral drains in Wales.

My officials continue to work closely with the Department for Food, Environment and Rural Affairs (Defra) to develop Regulations which will facilitate an overnight automatic transfer of private sewers and lateral drains to public sewer networks in 2011 in England and Wales.

In order to give key stakeholders and customers appropriate time to consider and comment on the proposed Regulations before they are implemented, we intend to issue a in the summer. This consultation will also set out how the transfer of private sewers and lateral drains in England and Wales will be implemented.

With regard to progress on the Flood and Water Management Bill, the Flood and Water Management Act 2010 gained Royal Assent on the 8 April 2010. The Act will implement several key recommendations of Sir Michael Pitt's Review of the summer 2007 floods in England, protect water supplies to consumers and protect community groups from excessive charges for surface water drainage.

Section 42 of the Flood and Water Management Act 2010 entitled 'Agreements on new drainage systems' contains a provision to ensure that new sewers are built to an adoptable standard and then subsequently adopted. This Section also requires developers and the sewerage undertaker to enter into a binding agreement under Section 104 of the Water Industry Act 1991 for the adoption of sewers serving the development. This agreement will contain provision in relation to the standards which new sewers and lateral drains are built to and to the subsequent adoption of these assets. For sewers and lateral drains that are to be adopted by sewerage undertakers operating wholly or mainly in Wales the provisions on

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standards must either be in accord with standards published with the Welsh Ministers or depart from these by agreement.

Work has started to put in place the associated Regulations and Guidance for this provision.

I hope this is helpful.

Yours,

A handwritten signature in black ink, appearing to read 'Jane Davidson', written in a cursive style.

Jane Davidson AM

Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai
Minister for Environment, Sustainability and Housing

(13) P-03-256 Additional Trains to Fishguard

Petition wording

We call upon the National Assembly for Wales to urge the Welsh Government to provide funding for 5 additional trains per day to Fishguard

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-256.htm>

Petition raised by: Sam Faulkner and Joanne Griffiths

Number of signatures: 10 (in addition an associated petition collected 1317 signatures)

Previously considered by the Committee on: 24 November 2009, 1 February 2010 and 23 March 2010

Update: Responses have been received from the Deputy First Minister and SWWITCH. These are included below.

Ieuan Wyn Jones AC/AM
Dirprwy Brif Weinidog /Deputy First Minister



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref P-03-256
Ein cyf/Our ref DFM/00880/10

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
CF99 1NA

30 April 2010

Dear Christine,

Thank you for your further letter of 30 March, on behalf of the Petitions Committee, about additional trains to Fishguard.

We set out our plans for improving rail services in the Rail Forward Programme which was published in 2008. We are committed to delivering the Programme and have already made progress in a number of key priority areas. Our priority is to fund and deliver projects within the Programme ahead of any other rail schemes.

The four Regional Transport Consortia have now finalised their respective Regional Transport Plans. These include proposals for new rail services and some of these are not included in Rail Forward Programme as it predates the Regional Transport Plans, as with SWWITCH's proposals for a better train service to Fishguard. We have a system in place to look at all of the different proposals in the Regional Transport Plans to prioritise them into a realistic, integrated and affordable programme. As part of this, we are currently looking at the proposal for better services to Fishguard alongside other proposals, and this process will inform our approach towards new rail schemes for inclusion in future iterations of the Rail Forward Programme. In the case of Fishguard, we will work closely with SWWITCH and local groups.

In terms of the Enterprise and Learning Committee, I rejected the recommendation in relation to Fishguard because it was asking me to prioritise it ahead of other rail schemes in the Plans. I was not prepared to do this because we are looking at potential schemes across all of Wales for inclusion in future iterations of the Rail Forward Programme. This is very much an ongoing process and I can assure the Committee that the Fishguard proposal, along with other rail proposals in Wales, are being actively looked at to evaluate whether they should be taken forward in the future.

Ieuan Wyn Jones
Gweinidog dros yr Economi a Thrafnidiaeth
Minister for the Economy and Transport

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Caerdydd • Cardiff
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(14) P-03-261 Local Solutions to Newtown Traffic Congestion

Petition wording

We call on the National Assembly for Wales to urge the Welsh Government to defer a decision on the proposed bypass of Newtown until it has developed and trialled a set of sustainable measures in the town itself to address traffic congestion.

Link to the petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-261.htm>

Petition raised by: Gary Saady

Number of signatures: 37

Previously considered by the Committee on: 19 January 2010 and 23 March 2010

Update: Responses have been received from the Deputy First Minister and the Finance Committee. These are included below.

Ieuan Wyn Jones AC/AM
Dirprwy Brif Weinidog /Deputy First Minister



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref P-03-261
Ein cyf/Our ref DFM/00878/10

Christine Chapman AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

26 May 2010

Dear Christine

Thank you for your letter of 31 March regarding the Petition: Local Solutions to Newtown traffic congestion and enclosing a summary of the key questions raised by the petitioner's submission. Enclosed is a response to the questions raised.

The appraisal of options for a bypass of Newtown is nearing completion and I plan to announce my decision for a preferred solution later this year.

A handwritten signature in black ink, appearing to read 'Ieuan'.

Ieuan Wyn Jones
Gweinidog dros yr Economi a Thrafnidiaeth
Minister for the Economy and Transport

DFM/00878/10

Petition: Local Solutions to Newtown Traffic Congestion

The paragraph numbering and references used match those in the petition evidence as far as possible.

General

The principles underlying the work looking at traffic congestion in Newtown are those in the Welsh Assembly Government's appraisal tool – WelTAG (Welsh Transport Planning and Appraisal Guidance). This creates a platform for looking broadly at the issues and potential solutions and a process to sift out those that would not perform well.

At Newtown we started by identifying the issues and defining the objectives. To do this we held a local planning workshop with key stakeholders, including representatives from Welsh Assembly Government (WAG), Powys County Council (PCC), TraCC, TrawsCambria Development and the Mid Wales Trunk Road Agency (MWTRA). The group identified the issues and opportunities within the study area and identified seven broad transport planning objectives (TPO).

We then looked at a variety of potential interventions that would deliver against the planning objectives and appraised them against the key Welsh impact areas within WelTAG:

- The economy - reflecting the importance of a strong and developing economy for Wales and particularly European Union Objective 1 and Objective 2 areas;
- The environment - reflecting the legal requirements and desire to protect and enhance the condition of the built and natural environment; and
- Society - reflecting the desire to address issues of social exclusion and to promote social justice and a high quality of life for people in Wales.

Appraisal started with a WelTAG Stage 1 workshop attended by key stakeholders from the planning workshop, plus representatives from the following bodies:

Ambulance Service
British Waterways Board
Cadw
Clwyd-Powys Archaeological Trust
Countryside Council for Wales
Dyfed Powys Police
Environment Agency
Freight Transport Association
Mid Wales Fire Service
Mid Wales Manufacturing Group
National Public Health Service Wales
Network Rail
Newtown & Llanllwchaiarn Community Council
Powys Association of Voluntary Organisations
Powys County Council
Road Haulage Association
Sustrans Cymru
Welsh Health Impact Assessment Service

The workshop developed a Stage 1 Appraisal Summary Table (AST) for all twenty-one options, later refined into final Stage 1 ASTs. The team then compared the ASTs for all options and sifted them down to those that performed best and met all seven TPOs. All six options taken forward for WelTAG stage 2 appraisal included local transport measures and three included on-line improvement of the existing A483/A489 trunk road through the study area.

The Deputy First Minister will decide on the final package of measures following the outcome of Public Consultation. Should we take forward a new bypass, we would need to develop the case for this in detail and this would be scrutinised as part of the statutory process. For a scheme of this size, a Public Inquiry would be quite normal, but this would depend upon the level and nature of objections.

Argument A – Insufficient Investigation of Transport Measures

TPO 2: Meeting relevant environmental targets

Question 1 How can Option 6 be assessed as having a neutral effect on TPO 2 given that this option when assessed against TPO 4 indicated a likely modal shift away from car usage within and outside the town?

The key issue is the potential impact of Option 6 on the Air Quality Management Area (AQMA). As this option does not take the main traffic out of Newtown there is the potential for impacting on the AQMA which is potentially in breach of national and EU legislation. Even if there is the potential of a modal shift there is a requirement to improve air quality in the AQMA which cannot be guaranteed. Improvement in local air quality would require significant modal shift.

TPO 3: Removing through traffic from local roads

Question 2 Why is raising the Nant Oer bridge not a reasonable option?

Raising Nant Oer Bridge to allow high sided heavy goods vehicles (HGVs) under the railway line would address part of TPO 3 by removing HGVs from Plantation Lane. However, this would not address TPO 2. Providing a link from Dolfor Road to Heol Ashley to allow high-sided HGVs approaching northwards from the A483 to avoid Plantation Lane would address TPO 3, but again would not address TPO 2.

TPO 6: Improve journey time consistency (north-south, east-west)

Question 3: Why was a quantitative assessment not undertaken?

WelTAG does not require quantitative assessment of journey times at Stage 1. This is part of Stage 2, when we have sifted down the options.

Question 4: How was a qualitative assessment of journey time savings possible and a basis for reliable conclusions?

We assessed journey time savings for all options based on engineering judgement and input from stakeholders and comparison with similar completed schemes.

The conclusion drawn was that online improvements combined with modest modal shift from local transport measures would not be sufficient to reduce journey times throughout the town. Many of the online improvements would improve safety, but would not necessarily improve capacity.

Question 5: How did the consultants conclude the effect of option 6 was neutral, when traffic flow measures would generally be expected to achieve benefits?

Because the proposed online improvements would mainly improve road safety and access, not increase capacity.

Linking traffic signals could reduce journey times through the town to some extent, but with the predicted traffic growth, many of the junctions within the town would be significantly over capacity and delays would still occur. Consequently, key stakeholders determined that Option 6 would not meet the requirements for TPO 6

TPO 7: Reduction in accidents

Question 6: Why is it reasonable to contend that accidents within the Newtown settlement boundary limit will reduce because of the by-pass rather than modal shift?

This is mainly because of the quantity of traffic that would transfer from the town centre route onto a safer new road. We would design a by-pass to modern safety requirements detailed in the Design Manual for Roads and Bridges. It would have fewer junctions, reducing the potential for conflict.

Removing a significant element of traffic travelling through the town would improve the environment for pedestrians, cyclists and other road users.

Forecast traffic growth indicates that there will be more traffic on the roads in the future. Greater levels of traffic would result in more accidents. Modal shift is unlikely to reduce a reduction in traffic beyond that of the predicted growth; therefore, without a bypass there would be more accidents in the future.

Removing long-distance traffic from the town would facilitate de-trunking. PCC could then introduce improve safety further by introducing physical measures along the route (e.g. speed limits, gateways/build outs, cycle lanes etc).

OTHER ISSUES

Investigation of soft measures to promote modal shift

Question 7: Was consultation sufficient in this area given that the objectives of local public transport operators do not necessarily coincide with the public interest?

The main issue resulting from the WelTAG Stage 1 workshop was that we should remove through traffic from Newtown and that on-line and local transport measures should be provided to ensure a comprehensive response to the traffic issues in Newtown. We would develop the local transport measures with PCC and TraCC through Key Stage 3 of the highway process.

We contacted local public transport operators as part of the study process together with the regional transport planning body TraCC and PCC to determine any proposed improvements to local transport services in the study area. The public transport operators develop a local plan for their operations based on feasibility studies. Due to low demand, public transport operators deemed that expansions of the services would not be financially viable.

Question 8: Why have sustainable travel options not been considered given that Newtown lends itself so well to sustainable travel options?

The potential for sustainable travel options have been considered

- Encouragement of private companies to adopt travel plans,

- Public transport time tables in offices,
- Staggered school opening times,
- Car clubs and car pools,
- Relocation or reduction of on-street car parking along A483 / A489 and more parking at the railway station
- Consideration of flexible working hours.

All proposed options include local transport measures, which incorporate sustainable travel options. The on-line and local transport measures (Option 6) were assessed as a stand alone option, as were the proposed bypasses. These were deemed not to meet the required TPOs set out for the WeITAG study, therefore a combination of the two has been presented as proposed options for the study.

Realising the Potential of the Cambrian Railway Line

Question 8 (sic): Is it not prudent to wait for the introduction of the hourly service and monitor its effect closely before a decision is made in relation to the construction of the by-pass?

The hourly service will come in before the DFM takes the decision whether to proceed with the construction of a bypass. At this stage, it is unrealistic to expect that this will induce sufficient modal shift to reduce car usage on the A483/A489 through Newtown. Also, the hourly passenger service will not address the objective to reduce HGV traffic through the town.

Question 9: Why will a properly incentivised rail freight service not achieve an equivalent reduction in HGV traffic to that of the bypass?

Transfer of freight from road to rail can achieve economic, environmental and social benefits; this is a key objective in the Wales Transport Strategy. To serve freight customers effectively freight trains need to use routes with capacity which provides time-tabled pathways for predictable, consistent and reliable train operation. To achieve this on the Cambrian line would require very significant investment, to allow freight paths to be incorporated within the proposed hourly timetable.

Also, to be effective, terminals to be served by rail freight must:

- Be on the existing network since building of new routes is extremely expensive.
- Have good road access suitable for HGVs. 16.5m articulated lorries would need to serve the railheads safely and with minimal impact on other road users, residents etc.
- Be large enough – today's freight trains are up to and sometimes over 500 metres in length, and safe working areas and storage need sufficient space.
- Be capable of 24 hour operation, often requiring transshipment from train to lorry and vice versa at all hours, with potential disturbance to residents and others.

These issues are capable of resolution but only with very significant investment, as former goods yards at the stations on the line have been lost to car parking and other development

Road transport currently accounts for over 64% of goods moved and upwards of 83% of goods lifted in the UK. The apparent disparity of these figures is accounted for by the average haul length of goods by road being (generally) shorter than other modes. Rail freight in small wagonloads is uneconomic because of the additional handling costs, although there may be scope for improving the cost-effectiveness of this type of operation.

The majority of new rail freight movements will generate additional HGV trips to get goods to their final destination.

Argument B – The Bypass Option does not satisfy some of the TPOs

TPO2: Meeting relevant environmental targets

Question 10: How can substantial reductions be achieved given that any improvement would be limited, since only a third of existing traffic is through traffic, and there is every danger that local traffic would grow to fill the space vacated?

The first part of the TPO 2 relates to all environmental legislation and policies. Besides the TPOs, the WelTAG process appraises the impacts of options against a number of environmental criteria, which are contained within the ASTs to include:

- Noise
- Air quality
- Greenhouse gas emissions
- Landscape and townscape
- Biodiversity
- Heritage
- Water environment and
- Soils

In addition to these specific environmental criteria, we also addressed the following WelTAG “social” criteria:

- Transport safety
- Personal security
- Permeability
- Physical fitness
- Social inclusion

The issue of air quality is particularly important and we incorporated it into the TPO because of the AQMA along New Road. A reduction in traffic of 1/3 is a substantial reduction in the context of the extent of the traffic contribution to local air quality issues and the current exceedence of the air quality standards.

A bypass would form part of the Trunk Road network. Consequently, the A483/A489 through Newtown would be de-trunked and responsibility would pass to PCC. With a new strategic route in place, PCC would be more able to impose capacity restraints on the highway network throughout the town to ensure that traffic does not simply grow to fill the space. PCC could implement gateways/build outs, speed restrictions and reallocate road space.

Similarly, although only about one third of the traffic in Newtown is through traffic, the bypass would also carry some local traffic, for example via Dolfor Road (A483) and Kerry Road (A489) junctions. Through traffic does not have either an origin or destination in Newtown. Whilst many of the internal trips would continue to use the existing highway network, detailed modelling indicates that many inbound and outbound trips would make use of the bypass, reducing traffic within the town centre.

Question 11: Will the trunk road itself not simply generate extra traffic?

Because of the rural nature of Newtown and the local nature of the proposed bypass, it is unlikely to attract much new long-distance traffic.

Question 12: How can the assessment of the bypass option as being moderately beneficial in relation to TPO 2 be adequate given that the greenhouse gas emission reduction target is a fraction of UK targets, no mention is made of noise pollution, and consideration of environmental impacts is limited to within 200 metres of the bypass (the petitioners suggest trunk road noise pollution has much wider effect)?

The key issue in terms of air quality is to improve local air quality and the reduce impact on AQMA. The changes in greenhouse gas emissions with the bypass elements are not significant on the regional scale, whatever metric is considered i.e. total emissions or the required reductions to hit targets etc.

We carried out the assessments according with WelTAG. This refers to detailed assessment methodology in Transport Appraisal Guidance (WebTAG) and the Design Manual for Roads and Bridges (DMRB).

Assessments on environmental impact include:

- 300m for noise and vibration;
- 200m for air quality as any impacts at 200m from a road is negligible
- 500m for cultural heritage and the wider context is reviewed
- Generally 250m for specific ecological surveys but these are species dependant (in accordance with DMRB guidance and good practice) although the wider context and records are reviewed
- The area of Landscape Effects assessment relates to the visual envelope or limit of visibility
- The proposed scheme corridor affected for Land Use/Agriculture
- The water environment: the assessment area is dependant upon the location and is undertaken in accordance with DMRB
- Geology and soils, reviewing the context of the area in respect of the corridors

TPO 4: Increasing usage of non-car modes

Question 13: Why does TPO 4 restrict modal shift targets to traffic with origin and/or destination in Newtown and ignore through traffic?

Consultation with local stakeholders identified the primary problem was with local traffic, rather than inter-urban travel. Therefore, we targeted this for modal shift targets. Long distance public transport through Newtown is limited and consultation with operators indicated no distinct plans to improve services.

Question 14: Why does the modal shift target of a 2% reduction for car journeys either with an origin or a destination of Newtown ignore cycling?

When considering overall modal split the likely number of long distance trips undertaken by cycling would result in minimal impact on the overall modal split.

The Montgomery Canal cycle path offers direct access from Newtown to Welshpool and spans over 9 miles, however this route only offers northbound travel by cycling from Newtown.

TPO 5: Integration of Public Transport

The petitioners argue the bypass clearly does nothing to satisfy TPO 5 objectives:

We identified this during phase 1 of the study. Options 1, 2a, 2b and 2c were all purely bypass options and we discarded them.

Local Environment

Question 15: Why is there no TPO relating to the localised environmental impact?

The response to Question 10 identifies that TPOs are not the only factors in the appraisal.

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

National Assembly for Wales
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1 April 2010

Dear Christine,

Petition: Local Solutions to Newtown Traffic Congestion

Thank you for your letter of 31 March in relation to the above petition which your Committee is considering.

The Finance Committee did recently undertake an inquiry into the funding of the road infrastructure in Wales and considered a large amount of evidence. However, the focus of the inquiry was the allocation of funding for the development of Wales' road infrastructure and it did not look in any detail at individual schemes within the trunk road programme.

The petitioner raises some interesting issues but, I am sorry. I do not think our inquiry can throw any light on them.

Yours sincerely,



Angela Burns
Chair, Finance Committee

(15) P-03-263 List Stradey Park

Petition wording

We call upon the National Assembly for Wales to urge the Minister for Heritage to grant listed status to Stradey Park, in order to protect the heritage of this world famous rugby ground and cultural icon for the people of Wales.

Link to the petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-263.htm>

Petition Raised by: Mr V Jones

Number of signatures: 4383

Previously considered by the Committee: 11 May 2010

Update: A response has been received from the Minister for Heritage and additional information has been submitted by the petitioner. These are included below.

Alun Ffred Jones AC/AM
Y Gweinidog dros Dreftadaeth
Minister for Heritage



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref P-03-263
Ein cyf/Our ref MB/AJ/119/10

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

24 May 2010

Dear Christine,

Thank you for your letter of 4 May seeking my comments on the petition by Mr Vaughan Jones to list the playing surface of Stradey Park, Llanelli to safeguard it from development. There can be few who do not know of Stradey or of the place it occupied in the affection of many so I can understand the support shown for its cultural significance to be marked in some way.

The site, as you will know, has been sold and, following a decision in 2007 to call-in the planning application, the Welsh Assembly Government granted outline planning permission for the redevelopment of the area for housing. The local planning authority will soon be considering a detailed application in respect of the reserved matters which I understand provides for a small area to be set aside within the development as a memorial garden.

The petitioners' focus is centred on protecting the pitch rather than the built structures around it and proposes that the playing surface should be listed using powers – the Planning (Listed Buildings and Conservation Areas) Act 1990 – which provide the means to list *buildings* of special architectural or historic interest. The petition recognises that items which are not built structures in the conventional sense cannot be listed but suggests that existing guidelines should be changed to permit this.

Introducing a provision to permit the listing of items which are not buildings would require primary legislation and I cannot see how extending statutory planning controls in the way suggested would work in the case of items without a built component. Listing is not a preservation order but a mechanism to provide the planning authority with guidance on the special interest of the designated asset and introduces a requirement that listed building consent is applied for in the case of works affecting its character. This is separate from and additional to planning permission, which is required where development is proposed and which, in the case of Stradey, already exists in outline.

My officials in Cadw have considered whether as an alternative to statutory designation as a listed building, there is another mechanism which would help to identify the significance of

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Correspondence.alun.ffred.jones@Wales.gsi.gov.uk
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the site so that its potential wider cultural significance can be recognised and taken into account by the Council and the developer as the final plans for the site are considered. One possible option which may present itself would be for Cadw to evaluate the site as a candidate for possible inclusion in the non-statutory Register of Parks and Gardens of Special Historic Interest. Again, this would not imply preservation of the pitch; inclusion on the Register would simply help inform the planning authority's assessment of development affecting such culturally significant areas, although the value of this would be limited in the case of Stradey given the outline consent which already exists.

No historic sporting grounds are currently included on the Register in their own right and Cadw has yet to devise specific criteria to help inform an evaluation of the potential of grounds such as Stradey and others for possible inclusion. Such an assessment of Stradey cannot be undertaken before the local authority considers the reserved matters under the planning consent but my officials have confirmed to the planning authority's officers the ground's undoubted local - and doubtless wider - historic interest. It would of course be open to the Council to defer consideration of the planning application to permit Cadw to undertake a full assessment if that was thought helpful or to permit the authority to examine the scope for voluntary changes to the current proposals to set aside all of the pitch from the area to be developed. The Council has however indicated that, unless the site were to be included on the Register, there is currently no basis for the authority to reconsider the historic importance of the site which, it advises, was examined as part of the approved outline application.

I hope this is helpful.

A handwritten signature in blue ink, appearing to read 'Alun Ffred Jones'.

Alun Ffred Jones AC/AM

Y Gweinidog dros Dreftadaeth/Minister for Heritage

Hi Gareth,

I'd like to thank you, Naomi and Andrew for coming to meet me last week and helping me along the way in getting this far with the petition. I hope the contents of the submission box were OK.

I've seen the Senedd TV coverage of yesterday's meeting and I feel I may have failed to get the message across about what I am trying to achieve.

Although many people would like to see the whole stadium protected I doubt that the stands warrant listed building status (although I am happy to be proved wrong). Due to that, what I have been trying to achieve since 2005 is to have the pitch recognised by Cadw, as it is the pitch that is the main focus of Stradey's fame. In 2005 I made contact with Cadw and an officer agreed that Stradey Park had the history that warranted recognition – probably as part of the "Historic Parks and Gardens" Register - but that the pitch did not meet the criteria as they currently stood. The Cadw officer mentioned that it is possible that the criteria may be amended in the future, but suggested that at that time I should contact Carmarthenshire County Council and make an application for the pitch to be made a Conservation Area. This I did, with support from Llanelli Town Council, but it was promptly refused by the County. It was clear that the County Council would not consider protection of the pitch due to the heavy reliance on the sale of the Stradey Park site to finance the new stadium, so I decided not to pursue it any further at that time.

The reason for this petition goes back to that contact with Cadw in 2005 and the suggestion that Stradey Park should be added to the register of Historic Parks and Gardens. As Cadw are unlikely to start that process themselves, the best course of action I could think of was to petition the Minister for Heritage to direct Cadw to change their listing criteria.

I am not sure that I have worded the petition very well as it would appear that the word "listing" might be confusing the issue. I probably should have said "amend the criteria of Historic Parks and Gardens to allow Stradey Park to be added to that register", but that would have caused a lot of confusion to those signing it, as many people have never heard of the Register of Historic Parks and Gardens. The word "listing" was used as a generic term referring to Cadw recognition and protection, in this case either adding it to the Register of Historic Parks and Gardens or creating a new category for such pitches.

This is outlined in this extract from my 1000 word submission:-

To list a sports pitch would probably require a new listing category or an amendment to an existing category. As tourism becomes ever more important in Wales, key locations of modern Welsh heritage such as Stradey Park need to be protected, so the need for the National Assembly to direct Cadw to create or adapt a listing category for sports pitches is evident.

I am familiar with the Vulcan petition which was mentioned at the Petitions Committee meeting, but the Vulcan is obviously a building and Stradey concerns an area of land. I can't see that the findings of the Vulcan report will be particularly relevant.

I can see that Stradey Park, just as the Vulcan, could be considered a "local matter" which should be afforded local protection. However, the Council have confirmed that they do not hold a "List of Buildings and Places of Local Interest", as exists in other towns and cities. In Llanelli if a building or area does not have Cadw protection then it has no protection. Perhaps the Assembly should compel all local authorities to draw up such a list?

Although there is obvious support locally to retain the pitch and it is an emotive subject, the pitch is known worldwide, particularly in the Southern Hemisphere. Stradey is synonymous with the image of Welsh Club Rugby in the 20th century and due to this worldwide significance it requires Cadw recognition.

My concern, obviously, is that the Minister for Heritage will look at the Stradey Stadium, decide that the stands do not warrant listing and write back to the Committee without understanding the aims of the petition.

Thanks again for arranging the presentation of the petition last week and please get in touch if you need any more information.

Vaughan

(16) P-03-270 Action for Children

Petition wording

We call on the National Assembly for Wales to urge the Welsh Assembly Government to provide more work based learning provision that better meets the needs of more vulnerable young people, that really moves them on and ensures they achieve at least NVQ2 level qualifications. We would particularly like to see more provision for homeless young people seeking training who are not in the care of a local authority.

Link to the petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-270.htm>

Petition raised by: Action for Children / Gweithredu dros Blant

Number of signatures: 1 (the petition was submitted as an organisation)

Previously considered by the Committee on: 19 January, 23 March 2010, 11 May 2010 and 25 May 2010

Update: A response has been received from the Children's Commissioner, the Enterprise and Learning Committee and the Children and Young People Committee. This is included below.



Children's Commissioner for Wales

Oystermouth House, Charter Court, Phoenix Way, Llansamlet, Swansea SA7 9FS
Penrhos Manor, Oak Drive, Colwyn Bay, Conwy LL29 7YW

Comisiynydd Plant Cymru

Tŷ Ystumllwynarth, Llys Siarter, Phoenix Way, Llansamlet, Abertawe SA7 9FS
Maenor Penrhos, Oak Drive, Bae Colwyn, Conwy LL29 7YW

10 June 2010

Dear Christine

Thank you for your letter dated 18 May regarding a petition organised by Action for Children – Gweithredu Dros Blant.

The general definition of children for the purposes of the Commissioner's exercise of my functions is children and young people under the age of 18 years. However, his remit extends to 18-24 year olds in respect of young people who are care leavers within the definition of the Children (Leaving Care) Act 2000.

Below is the relevant excerpt from the legislation in relation to the children and young people to whom the functions of the Commissioner applies:

“(1) This Part applies to a child—

(a) who is ordinarily resident in Wales;

(b) to or in respect of whom services are provided in Wales by, or on behalf of or under arrangements with, a person mentioned in Schedule 2B; or

(c) to or in respect of whom regulated children's services in Wales are provided.

(1A) Regulations may provide that, for the purposes of this Part of this Act, “child” includes a person aged 18 or over who falls within subsection (1B).

(1B) A person falls within this subsection if he is a person to or in respect of whom services are provided in Wales by, or on behalf of or under arrangements with, a county council or county borough council in Wales by virtue of—

(a) section 23C, 24, 24A or 24B of the Children Act 1989 (c. 41) (which provide for the continuing duties of such councils towards young persons); or

(b) regulations made under section 23D of that Act (which may provide for the appointment of personal advisers for certain young persons).”¹

In response to your particular question of whether or not my remit covers young people over the age of 18 who are homeless and not in the care of a local authority – the answer is no. Therefore it would not be within my competency to undertake an inquiry into the issues which Action for Children - Gweithredu Dros Blant has raised.

¹ http://www.opsi.gov.uk/acts/acts2001/ukpga_20010018_en_1

The issue of appropriate education and training and the support needed, especially for the most vulnerable young people is, however, something in which I take an active interest.

The consequences of not meeting the needs of those on work based learning provision are extremely negative and could lead to many young people not accessing education, training or employment. I'm sure the National Assembly's Enterprise and Learning Committee inquiry into Young People not in Education, Employment or Training (NEET) would benefit from receiving the evidence provided by Action for Children – Gweithredu Dros Blant.

One of the key drivers of vulnerability identified in relation to this particular petition is poverty and the financial support available and I have particular concerns in relation to young people's poverty in Wales. I sent an additional paper to the scrutiny of the Children and Families (Wales) inquiry outlining my concerns in this regard.

I noted that more work is needed to address particular issues in relation to young people's poverty (16+):

*'Whilst many of the levers of change we would like to see are in non-devolved areas, we feel that the issues need to be given a higher profile, that the Welsh Assembly Government should lobby Westminster colleagues to act on issues such as benefit discrepancies and that WAG themselves, wherever they can, look to alleviate the symptoms of what is often severe poverty amongst this specific age group.'*²

My paper (annex 1) referenced particular issues regarding housing benefit and other support.

It is also worth noting that not all homeless young people under the age of 18 will be incorporated into the care of a local authority.

I stated in the submission:

*I am interested in those young people who are perceived to have become intentionally homeless and, as a result of that, the extent to which they cannot access services.*³

'An unnatural disaster – Report of the Commission of Inquiry into homelessness and poor housing conditions in Wales, June 2007' also referred to the ease at which young people are identified as 'intentionally homeless' within a context that does not consider the vulnerability of the young person. As a result the local authority will not always recognise their obligations to them as vulnerable children, leaving them without the support and services they need which exacerbates this continued spiral of deprivation. We have also been told that youth workers and other agencies find it difficult to place young people who have found themselves intentionally homeless.⁴

I believe that there are particular areas of inconsistencies in support for those aged 16 who have left care, those under 18 who are vulnerable, those under 18 who are looked after and

² http://www.assemblywales.org/cf6 - childrens_commissioner_for_wales_supplementary_evidence.pdf

³ ibid

⁴ An unnatural disaster – Report of the Commission of Inquiry into homelessness and poor housing conditions in Wales, June 2007

those between 18 and 24 who have been looked after. In March 2009 in Wales, 494 young people aged 16 or over left care. Of these young people, 45% had no GCSE or GNVQ qualifications.⁵

I do, however, concur with the sentiment within the petition, that there is another group of young people between the ages of 18 and 24 who, due to a number of reasons, usually underpinned by poverty are extremely vulnerable.

The young people who appear in the Action for Children DVD are obviously living in extreme poverty and have multiple difficulties, including housing issues. There is a clear message in the evidence submitted that improvements are needed in assisting training providers to deliver effective support to address the needs of these young people. The anecdotal evidence I have collated during my visits to various projects would also suggest this.

Whilst the particular issue relating to those over 18 and are homeless (unless having been in care) is outside my remit, I welcome the discussion on the issue. I also believe it is worthwhile shining a light on the provisions of wider support for young people on work based placements. I commend Action for Children – Gweithredu Dros Blant and the young people involved for their work on this petition and encourage the Petitions Committee to seriously consider any actions they may take to progress the issues identified.

I wish the Committee well in their deliberations.

Yours sincerely

A handwritten signature in black ink that reads "Keith Towler". The signature is written in a cursive style and is positioned above a horizontal line that extends to the right.

Keith Towler
Children's Commissioner for Wales

Pwyllgor Menter a Dysgu
Enterprise and Learning Committee
Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Christine Chapman AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

7 June 2010

Dear Chris

Petition P-03-270 Action for Children

Thank you for your letter dated 28 May 2010 informing the Enterprise and Learning Committee about the above petition. Please find below our response to the issues you have raised with us.

Not in Education, Employment or Training Inquiry

You outline a number of important issues concerning support offered to vulnerable young people, work placements and robustness of assessments. We may not be able to examine in detail all of the points you raise, but we shall endeavour to cover as many of them as we can in our scrutiny of witnesses during our inquiry. Given our other commitments, it is unlikely, however, that we would consider a further targeted inquiry into the issues facing vulnerable young people. We shall of course keep you updated about progress with our final report.

The Transformation Agenda

Although we are not producing a report from our recent inquiry into the Transformation Agenda for post-16 education, we are writing to the Minister for Children, Education and Lifelong Learning to ask him to respond to some of the issues that have emerged during our scrutiny. We have therefore incorporated your suggestions into that letter, and have asked him to outline (a) what kind of support is currently offered to young people who are living independently or are homeless for them to be able to make informed choices about the training and learning options available to them, and (b) what

Dr Siân Phipps
Clerc y Pwyllgor / Committee Clerk
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sian.phipps@wales.gsi.gov.uk

evidence is there that this support is working effectively across the whole of Wales. We shall let you know the Minister's response when he replies to us in due course.

I hope this information is helpful to the Petitions Committee and I would be grateful if our response could be conveyed to the petitioners.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gareth Jones', written in a cursive style.

**Gareth Jones AM
Committee Chair**

Children and Young People Committee

Y Pwyllgor Plant a Phobl Ifanc

Christine Chapman AM, Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff
CF99 1NA

9 June 2010

Dear

P-03-270 Action for Children

Thank you for your letter of 28 May regarding a petition raised by Action for Children.

The Children and Young People share the concerns raised by Action for Children. Appropriate support and development opportunities for the most vulnerable young people in Wales are essential if we are to motivate and inspire all young people to reach their full potential.

The Committee would welcome further work in this area but due to the work the Committee already has planned, we would be unable to carry out an inquiry at this time.

The Committee will, however, include the issue in its legacy report which will inform the work of any successor Children and Young People Committee.

Helen Mary Jones
Chair, Children and Young People Committee

(17)P-03-277 Change the Decision to Sell Alcohol at Urdd Eisteddfod

Petition Wording

We call upon the National Assembly for Wales to urge the Welsh Government to only provide future funding for the Urdd Eisteddfod on the condition that alcohol is not sold on-site at the Eisteddfod.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-277.htm>

Petition raised by: Cyngor Cymru ar Alcohol a Chyffuriau Eraill / The Welsh Council on Alcohol and Other Drugs

Number of signatures: 114

Previously considered by the Committee: 23 March 2010

Update: A response has been received from the Minister for Heritage. This is included below.

Alun Ffred Jones AC/AM
Y Gweinidog dros Dreftadaeth
Minister for Heritage



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Ein cyf/Our ref AFJ/00274/10

Christine Chapman AM
Chair of the Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
CF99 1NA

12 May 2010

Dear Christine,

Thank you for your letter, dated 15 March, regarding the petition submitted by the Welsh Council on Alcohol and Other Drugs (P-03-277).

Urdd Gobaith Cymru, hereafter referred to as the Urdd, receives funding from a number of Welsh Assembly Government portfolios, including the core grant channelled through the Welsh Language Board. However, the Urdd is independent from the Welsh Assembly Government with regards to the general conduct of its affairs, including the organisation of the youth eisteddfod and the decision regarding the sale of alcohol in the restaurant on the Maes. The Welsh Assembly Government has not been involved in the arrangements for this year's eisteddfod at Llanerchaeron but my officials have been in direct contact with the Urdd following the approach we received from your Committee. The Committee will wish to decide whether it wishes to approach the Urdd for further information regarding this matter.

Our Health Improvement Division has been working with the Urdd for the last three years to introduce aspects of healthy living into the Eisteddfod. As a result there has been the successful introduction of healthy cookery competitions alongside the traditional arts and sports programme, with finals held on the Maes in our Cooking Bus. During this time we have also stressed the importance of role modelling, and we encouraged the Urdd to source healthy catering, as far as possible, for the Maes; and specifically in the Urdd residential centre at Llangrannog. Further to this our Food, Fish and Market Development Division has provided the Urdd with advice on food retailers and suppliers.

The Welsh Assembly Government is also developing a public awareness programme that aims to encourage parents to talk to their children about alcohol. The programme will build on the three guiding principles regarding young people and alcohol consumption that have been drawn up by the Chief Medical Officer for Wales, Dr Tony Jewell.

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The three guiding principles are:

- Children under 15 should not drink alcohol. There is clear evidence that alcohol can harm the developing brain, bones and hormones;
- Binge drinking and heavy alcohol use puts young people in peril – from injuries, fights, regretted sexual activity, and other substance misuse; and
- If parents use alcohol responsibly, it's more likely their children will too. Parents and carers can protect children from misusing alcohol by maintaining a close relationship with their children, setting clear rules about alcohol, and supervising their children's drinking

There are also a number of programmes in place, as part of the Substance Misuse Strategy and Our Healthy Future, which aim to introduce children and young people to the issues surrounding alcohol use.

The Government believes that organisations like the Urdd have an important contribution to make in promoting these messages to young people. We will continue to work with the organisation with a view to identifying ways in which this contribution might be maximised.

Yours sincerely,



Alun Ffred Jones AC/AM

Y Gweinidog dros Dreftadaeth/Minister for Heritage

(18)P-03-278 Vitamin B12 Deficiency

Petition wording

We the undersigned petition the National Assembly for Wales to undertake a review of the way in which Vitamin B12 Deficiency is detected. The current test is over fifty years old and does not differentiate between 'Active' B12 and 'Inactive' B12 and this results in many people not being diagnosed with B12 Deficiency even though they present with all of the symptoms of B12 Deficiency.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-278.htm>

Petition raised by: Pernicious Anaemia Society

Number of signatures: 54

Previously considered by the Committee: 11 May 2010

Update: A response has been received from the Minister for Health and Social Services. This is included below.

Edwina Hart MBE OStJ AM

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Our ref: EH/01546/10

Your ref: P-03-278



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Christine Chapman AM
Chair
Petitions Committee
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E-Mail: Correspondence.Edwina.Hart@Wales.gsi.gov.uk

13 May 2010

Thank you for your letter of 4 May about the petition submitted by the Pernicious Anaemia Society.

It would not be appropriate for me to dictate the detail of clinical practice. Should the Pernicious Anaemia Society wish to forward details of peer-reviewed published research evidence for the effectiveness of the new test to my Chief Scientific Adviser, Dr Owen Crawley, he would bring this to the attention of pathology laboratories in Wales.

Dr Crawley could also put the Pernicious Anaemia Society in touch with a suitable expert in this field from NHS Wales pathology services if that would be helpful. Dr Crawley may be contacted at:

Dr Owen Crawley
Chief Scientific Adviser (Health)
Department for Public Health and Health Professions
Health and Social Services Directorate General
Welsh Assembly Government
Cathays Park
Cardiff CF10 3NQ

(19) P-03-284 Brynmawr Social Housing Petition

Petition wording

We the undersigned ask that the National Assembly for Wales calls on the Welsh Government to reconsider the use of Welsh Government owned land at Factory Road, Brynmawr, for the provision of social housing.

Link to the petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-284.htm>

Petition raised by: Malcolm Broderick

Number of signatures: 10 (166 for a related petition)

Previously considered by the Committee on: 27 April 2010

Update: A response has been received from the Deputy Minister for Housing. This is included below.

Jocelyn Davies AC/AM
Y Dirprwy Weinidog dros Dai ac Adfywio
Deputy Minister for Housing and Regeneration



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref:p-03-284
Ein cyf/Our ref:JAD/00301/10

Christine Chapman AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

13 May 2010

Dear *Christine*

Thank you for your letter of 20 April regarding the Petition reference P-03-284 Brynmawr Social Housing.

Your letter asks for my specific views on both the issues raised by the Petition and the plans for the site. As the Factory Road development may be subject to a current or future planning application and possibly a subsequent planning appeal, it is not appropriate for any view to be given at this time as planning appeals are dealt with by the Welsh Ministers. I can, however, provide you with some background to the proposed development.

The site was identified as being suitable for affordable housing through the Assembly Government's Land Release Protocol which deals with the disposal of publicly-owned land and buildings for the provision of affordable housing.

In January 2009, officials from the Housing Directorate met with Blaenau Gwent County Borough Council who confirmed the need for an affordable housing scheme in the Brynmawr area as a result of a recent Local Housing Market Assessment which confirmed there was housing need in that area.

The next step was for the Local Authority to appoint a Registered Social Landlord (RSL) who would be responsible for delivering the scheme. There had been previous interest from a number of RSLs and it was therefore agreed that the interested RSLs would be invited to compete for the scheme via a presentation to local Ward Councillors and housing staff. As a result of the presentation, the local Ward Members appointed Melin Homes as the preferred RSL to take the scheme forward.

Following the appointment of Melin Homes, the Department of Economy and Transport, as land owners began negotiations with Melin Homes to discuss the terms of the disposal and scheme options. Any scheme proposed by the RSL would have to be in line with housing need as determined by the Local Housing Market Assessment. This would take into account housing size and type, mix of tenure and our Design Quality Requirements. Our own best practice would suggest that a mixed tenure scheme would be most appropriate

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with provision for both older people and First Time Buyers. It is my understanding that the scheme includes at least five bungalows for older people.

Officials were made aware that there was some opposition to the development by local residents and advised Melin Homes to engage with the community as early as possible to discuss any concerns. An informal question and answer session was held in the autumn of 2009 whereby Melin Homes were available to answer any specific queries. At this time a detailed scheme could not be presented to the local community as Melin Homes were still in the process of developing the scheme jointly with the planning department of the Local Authority. My officials have spoken to Melin Homes and stressed to them the importance of undertaking a further community consultation session to try to address concerns.

The planning process is designed to give the opportunity to local people and other agencies to comment on local scheme proposals. I would suggest that any further concerns are channelled through this process.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jocelyn', written in a cursive style.

Jocelyn Davies AM

Part 3: P-03-197 Save the Vulcan – Government Response

Petition wording

Built in 1853, The Vulcan Hotel in Adam Street is one of Cardiff's oldest pubs. It is scheduled for demolition in June 2009 to make way for a multi-storey car park and flats. Please help make the developers incorporate The Vulcan into their designs and stop this unnecessary vandalism of Cardiff culture and history.

There is talk of moving the pub to St Fagan's Museum but The Vulcan doesn't belong in a museum; it belongs where it has been for 155 years – the heart of Cardiff.

We, the undersigned, believe that The Vulcan Hotel is worth more to Cardiff standing than demolished, and worth more where it stands than in a museum. We urge the developers to respect Cardiff's culture and history and preserve this historic building on its present site

We also urge Cardiff Council and the Welsh Assembly Government to use all their power to ensure that The Vulcan remains where it is – at the heart of Cardiff.

Link to petition: <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-197.htm>

Petition raised by: Rachel Thomas

Number of signatures: 5,000

Previously considered by the Committee on: 02 March, 17 March, 5 May, 19 May, 9 June, 7 July and 22 September 2009

Update: The Welsh Assembly Government have responded to the Committee report. This is included below.

Alun Ffred Jones AC/AM
Y Gweinidog dros Dreftadaeth
Minister for Heritage



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref yourref
Ein cyf/Our ref ourref

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

12 May 2010

Dear Christine

Thank you for your letter of 10 February enclosing a copy of the Committee's report *Save the Vulcan: Protection of historic buildings*.

The report is, I believe, an important contribution to policy development for the protection of our historic environment and I am grateful to the Committee for the consideration it has given to the matter.

The Committee makes two recommendations, the first asking for guidance or legislation on the protection of buildings that are important for social or cultural reasons and the second suggesting consultation with a view to strengthening the powers of local authorities to prevent the demolition of buildings which have a local importance.

As the Committee is aware, the current primary legislation provides that a building must be listed if it is found to have special architectural or historic interest. Published criteria support this legal provision by illustrating what is meant by special architectural or historic interest. Social and cultural significance is included as part of the criteria for historic interest but this would need to be in an historic context and not relate to more contemporary value.

In the case of the Vulcan pub, although there is this historic interest, particularly in the association with the former Newtown area of Cardiff, the linkage is more local in nature and not of national significance. The current legislation and supporting criteria focus very strongly on the need for a national perspective and I do not consider we would want to seek new legislation which would give central Government duties to extend listing beyond buildings of national importance. Nevertheless, I support the concept of recognising buildings which have a local importance, such as the Vulcan, and the development by local authorities of local lists, if they so wish. I would not want to seek further regulation by making local lists a statutory requirement - and this was not envisaged in the proposals for a Heritage Protection Bill.

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My Historic Environment Strategic Statement Action Plan indicated that my officials in Cadw would review the selection criteria for designation. This process is underway and we are keeping in view how best to reflect in the national criteria the significance of a building's social and cultural history and how it links with the historic development of an area. As part of the process, we are also seeking to consider criteria for local authorities on identifying buildings of local interest.

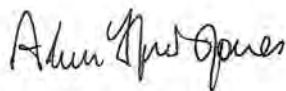
I have sympathy for the position of locally important buildings and issues around local distinctiveness. Cadw is undertaking significant work on characterising landscapes and urban areas across Wales to trace how they developed and to assess their historic significance. That work is being used to help support redevelopment and regeneration schemes so that the historic perspective is taken into account from the outset and to try and avoid situations such as arose in Cardiff. I am therefore very happy to agree the Committee's recommendation 1. My officials, by the early Autumn, will be preparing advice on listing criteria and local lists and, within that, will include specific guidance on buildings with social and cultural interest.

Turning to recommendation 2, I appreciate the concern about the precipitate demolition of locally important buildings which do not reach the standard for national listing although, it would not be possible, of course, to proscribe the demolition of locally listed buildings in any circumstance. I agree there is a need for discussion on ways locally important buildings might be better safeguarded and I would like to consider how we might move forward in the light of what we are doing to promote local distinctiveness.

Demolition is a complex area in terms of consents and it may help if I briefly summarise present provisions. Conservation area consent is needed to demolish unlisted buildings in conservation areas. For other areas the demolition of dwelling houses comes within planning control, but the demolition of other types of building is not currently classed as development requiring planning permission. Of course, demolitions are often associated with redevelopment schemes and, in the case of the Vulcan, its demolition did have planning permission as part of the St Davids 2 redevelopment.

The question of giving stronger powers to better control demolition of locally important buildings was raised in the context of the heritage protection reforms and the proposed Heritage Protection Bill, which was not introduced in the last session of the UK Parliament because of lack of time. With DCMS Ministers I am committed to introducing a joint Bill at the earliest opportunity. It may be possible to provide safeguards for buildings on local lists through the land use planning system but this will need further consideration with the Minister for Environment, Sustainability and Housing and her Planning officials.

I should say too that, although as indicated, above my officials are preparing guidance on criteria for local lists, it is currently open to authorities to prepare such lists if they so wish and support them with policies in their Local Development Plans. Again, the effectiveness of this approach is something I will ask my officials to discuss with Planning colleagues. In respect of the committee's recommendation 2, therefore, I shall, in the first instance, arrange for my officials to discuss these matters further with their Planning colleagues.



Alun Ffred Jones AC/AM

Y Gweinidog dros Dreftadaeth/Minister for Heritage