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## Letter from the Minister for Health and Social Services

**Edwina Hart MBE OStJ AM**

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

Our ref: EH/01154/10

Your ref: P-03-150

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Bae Caerdydd  
Caerdydd CF99 1NA  
Llinell Ymholiadau Cymraeg: 0845 010 4400  
Ffacs: 029 2089 8131  
E-Bost: Gohebiaeth.Edwina.Hart@cymru.gsi.gov.uk

Cardiff Bay  
Cardiff CF99 1NA  
English Enquiry Line: 0845 010 3300  
Fax: 029 2089 8131  
E-Mail: Correspondence.Edwina.Hart@Wales.gsi.gov.uk

13 April 2010

Thank you for your further letter dated 30 March asking about the work undertaken on the National Cancer Standards and whether action plans have been agreed by Local Health Boards (LHBs) to meet the Standards by September 2010.

The Cancer Services Co-ordinating Group report to me on performance against the National Cancer Standards which was based on the NHS self assessment in April 2009 showed varying levels of compliance across Wales. The updated report on performance in November, however, showed that improvements had been made.

All LHBs have produced action plans and are aware of my expectation that they will achieve the deadline of September 2010 for full compliance with the Standards. One of my senior officials is Chairing a group made up of the nominated executive leads for cancer in each LHB to monitor progress closely.

Letter from the Deputy First Minister

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-172  
Ein cyf/Our ref DFM/00367/10

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

11 March 2010

*Dear Christine*

Thank you for your letter of 10th February regarding the proposed re-introduction of the Swansea to Cork Ferry service.

The meeting with the Irish Prime Minister was positive and productive discussions ensued between Visit Wales and Fáilte Ireland. Both parties will continue to work together to maximise the tourism benefit that the reintroduction of the service will create.

Finance Wales has completed its due diligence and is prepared to provide financial support to the project subject to certain conditions being met, one of which involves the Irish Government's participation in this cross-border arrangement. I spoke to Mr. Michael Martin, Irish Minister for Foreign Affairs, on February 24<sup>th</sup> regarding the matter. The Irish Government has instructed Enterprise Ireland to consider the nature and extent of their participation and we are now in full discussion with them. Enterprise Ireland will be carrying out its own due diligence and Finance Wales has provided them with its own due diligence in the hope of accelerating matters.

We are hopeful of a positive outcome to the project and my officials will continue to work closely with the Co-Operative members and Enterprise Ireland to expedite matters.

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

**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 1NAW

11 April 2010

Dear Chris

**PETITION: European Funding**

Thank you for your letter dated 30 March concerning the above petition.

You asked to be kept updated about the findings of our inquiry into implementation of the 2007-13 programme of European Structural Funds. Our report is currently being drafted, and we shall send you a copy when it is finally published.

You also asked for clarification on the length and scope of our inquiry. We held four oral evidence sessions, from 25 February to 18 March 2010. Given the wide extent of our portfolio across education, transport and economic development, that is about the length of inquiry that our Members tend to prefer. I attach a copy of the terms of reference.

You also asked why our inquiry did not include within its scope the use of Objective One funding. As you know, the terms of reference for any Committee inquiry are decided by the Committee as a whole. We believed our time would be better spent scrutinising implementation of the current round of European Structural Funds in order to help inform and influence strategy and implementation moving forward, as opposed to a retrospective review of past Government policy.

Yours sincerely



**Gareth Jones AM**  
**Committee Chair**

Dr Siân Phipps  
Clerc y Pwyllgor / Committee Clerk  
Tel: 029 20 898582  
Fax: 029 20 898021  
sian.phipps@wales.gsi.gov.uk

## **Structural funds: implementation of the 2007-2013 programmes**

### **Terms of Reference**

The purpose of this inquiry is for the Committee to examine the implementation of the Structural Funds in Wales for the 2007-13 programming period, with a particular focus on the Convergence and Regional Competitiveness and Employment programmes.

Issues the Committee wishes to consider include:

- The application process
- Progress to date (e.g. outputs achieved against targets, actual expenditure to date) and a comparison with the 2000-06 programmes at the equivalent point
- The Welsh Government's arrangements for project and programme evaluations
- The spread of funding across projects led by the public, private and the not-for-profit sectors
- The level of engagement in the private and not-for-profit sectors
- The sustainability of projects post-2013
- An analysis of the ultimate project beneficiaries (by geographic location and by sector, including business, people, community regeneration, the environment and transport)
- The use of procurement in project delivery
- The Welsh Government's use of Structural Funds in responding to the recession
- The potential impact of tighter public sector budgets in the next few years
- Projects in the pipeline and the flow of projects. Areas of over- and under-subscription.
- The availability of match funding
- The impact of increased intervention rates announced in July 2009.

**Edwina Hart MBE OStJ AM**

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

Our ref: EH/01155/10

Your ref: P-03-219

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Bae Caerdydd  
Caerdydd CF99 1NA  
Llinell Ymholiadau Cymraeg: 0845 010 4400  
Ffacs: 029 2089 8131  
E-Bost: Gohebiaeth.Edwina.Hart@cymru.gsi.gov.uk

Cardiff Bay  
Cardiff CF99 1NA  
English Enquiry Line: 0845 010 3300  
Fax: 029 2089 8131  
E-Mail: Correspondence.Edwina.Hart@Wales.gsi.gov.uk

13 April 2010

Thank you for your further letter dated 31 March on behalf of the Petitions Committee asking for an update on the work of the Strategic Delivery Group in developing proposals for reviewing pharmacy regulations.

The Group has now drafted the remit, terms of reference and timescales of a Review Group to take this work forward and I will shortly be meeting with the Chair, Chris Martin, to discuss this proposal further. I will keep you informed of the outcome of this and the other workstreams of the Strategic Delivery Group as they progress.

## Supporting Information provided by the Petitioner

Thank you for your email.

I was unaware that the committee was waiting on a response from me, but I will be delighted to help the committee in any way I can.

A Charter for Grandchildren is really necessary to protect families in this modern age and I will explain why it so vital for our children and their wellbeing.

In doing so I hope to cover the points raised by Gwenda Thomas AM the minister for Social Services in her letter dated 18<sup>th</sup> November 2010.

I have enclosed correspondence that hopefully will prove that this is a generic problem across Wales and the UK which needs addressed by our government for the protection of children and families.

I have witnessed Private Law Court Orders issued by the Magistrates and County Courts being ignored and subsequently broken and now I am witnessing Public Law Court Orders being broken and wonder what is use of the Court's time in issuing such Court Orders and at what expense to the public purse.

The Children's Act 1989 needs amending so that it can incorporate a Charter for Grandchildren which would enhance the law and not confuse it, and I put it to you the Act is fine for the people who obey the laws of the land but what about the people who pay scant respect for the law and the children involved. Perhaps the committee could address or research the issues raised by the minister regarding human rights as we don't have the resources to relate to this or perhaps such matters should be brought to the attention of the Parliaments both National and European.

We accept the Welsh Government can only relate to these matters it has the devolved powers of authority and accept that the Charter in Wales would only extend to matters for which the Welsh Government has devolved powers.

The United Kingdom has precedent set up for the Charter for Grandchildren being recognised in Scotland by the Scottish Parliament and passed by the City of Glasgow Councillors to made mandatory for professionals working in the welfare of children.

We read in the papers that there are 160 children in care in the Borough of Conwy and 4705 in Wales in total so on that evidence alone we think there is a growing concern by grandparents on the laws that are failing to protect children in Wales and the UK.

The family starts when a child is born from the love two people have for each other, these two people have parents who are the loving dotting grandparents of the new born baby or child and society has its set of values and principles to protect the family enshrined in Family Law including the Children's Act 1989.

The tragedy in many cases for the child is when the parents fall out of love with each other but still love the child.

The two sets of grandparents still love the child and the child still loves his/her grandparents.

So the scenario is the only people who want change is the parents. The child still wants contact with his/her parents and grandparents. The child has not fallen out of love with anybody neither have the grandparents, in fact the grandparents now become vulnerable as does the child should the separation of the parents be anything other than civil.

In our experience as a charity and also personally the consequences for the child in many cases where the separation is not gracious and civil are, the children are immediately subject to emotional abuse by the resident parent who uses the child as a pawn or weapon in a futile battle for control. We have only to read in the daily papers what happens to many of our unfortunate children for evidence of this.

We need to change the culture and thinking in this so that when couples separate it is normal practice to allow the child contact with his/her parents and also the grandparents.

The authorities no doubt would argue that there are laws to protect parents rights of responsibility and contact but I would argue and can prove as in Emma's father's case that the law when not enforced is impotent to protect the wishes of the child who in Emma's case wanted to see her dad but the dad was denied access.

There are too many children in the country being denied access to their loved ones and this is a national disgrace because these children are being deprived of not only of their rights and desires to see their loved ones but denied in many cases of the knowledge of their families history and culture. They grow up asking the questions trying to gain the knowledge and understanding of their situation which in itself results in many cases to more heartache, as they realise what is and what could have been. Many children discover that their choices and options have been denied to them.

We must as a society learn to love our children and bring them up with open minds as to the concept of belonging to a family no matter what changes happen in that family.

The situation caused by the conflict in families today results in our children being suffocated and starved of the love and affection they so need and deserve to live full and normal lives.

This affects their physical and mental health, their education suffers resulting in many of them ending up unemployed some in magistrates courts or prison.

If governments were serious in trying to put a halt to the deterioration in families then having children brought up with the knowledge of family values would be a fit and proper place to start. The Charter for Grandchildren would be the first brick as every child loves to belong to a family and this should be nurtured and protected.

Many thanks Ryan to you and the committee for getting back to me on this issue. I could provide more case studies taken from cases here in Wales and have the permission of our friends and members to do so, but I thought was attaching enough.

Best wishes  
Frank Bradfield,

## **Case 19 Grandparents Can Make Life Safer For Children**

Baby David is in hospital he has broken ribs but he will survive. Children are being abused more often in one parent families because of alcohol and drugs with no one allowed to intervene until it is life threatening. Could this abuse be detected sooner? We believe grandparents could be the people to do this if the Charter for Grandchildren gave children the right for them to be relevant in their lives because of their unique relationship with them..

Grandparents are not a threat to anyone in asking for The Charter for Grandchildren to be made mandatory for professionals. They are not asking for personal rights like parental rights and don't want them to be. Grandparents support equal parenting and nothing delights us more than a happy family and for parents to have full access to their children. Equal Parenting would greatly reduce the using of children as weapons for revenge.

The Charter for Grandchildren is basically to make sure professionals dealing in the welfare of children acknowledge the role grandparents can play in their grandchildren's lives for their best interest especially if both parents are not in the picture. This is required because of social services and professionals cutting costs and skipping out on the real welfare of our children. It is an outside line to someone they trust if they are in care.

The Charter for Grandchildren would be advisory only but it would make a difference in the lives of grandparents and the children concerned because they would be recognised.

However it needs power behind it, for being advisory we feel the social services would not interrupt their programme of cost cutting for a charter that was advisory.

Children need and love both parents, and grandparents should be providing a caring supportive backup to them. We must not be divided in this; our children need us all on the same side. We have so much in common that it is madness not to work together to this end.

### **To parents.**

If you are separated at the moment your children are vulnerable to isolation, self blame, low self esteem and lack of stability in their lives. Separation or divorce changes you and your children's lives whether you like it or not... But do the children need to suffer altogether, would it not be reassuring for them to feel they are not completely isolated.. Would you not be happier to know someone who loves them is at least trying to keep an eye on their comfort at least until your own problems have been sorted out?

Our aim is to have 'The Charter for Grandchildren' made legal in the best interests of yours/our children.

Write to your local councillor and ask them to be in support of this and you will be helping protect the children that are most at risk. It could be your own!

Ends  
Jimmy Deuchars

### **Case 20 Child abuse. Grandparent's prevention is better than cure.**

The last Scottish Executive and our group as part of a Stakeholders Group on family law produced the 'The Charter for Grandchildren' although it is advisory only at the moment it is a first step in the right direction. Now we are lobbying to have the Charter made legal giving the legal right of contact to children with their grandparents which in our way of thinking is the same as grandparents having the rights. The last Scottish Executive saw fit to have the charter and our input in it is the main content. So we are going with the flow rather than against it. The aim now is to have the whole of the UK recognise the Charter.

Meanwhile, the guidelines in our book 'Grandparents Speak out for Vulnerable Children' have eased the situation quite a bit and have helped lots of grandparents back into their grandchildren's lives.

We have been attending the National Pensioners Parliament in Blackpool and Scottish National Pensioners conferences Edinburgh to gain support and we have done very well. The Town's Women Guild with 40,000 members in the UK has taken up our cause this year to raise awareness of the unfair family laws and the need for grandparents/grandchildren legal contact.

NSPCC admit they cannot cope with the increase in cases of abuse. Social services despite having over 5000 social workers in Scotland and loads more in training cannot cope according to the Daily Mail 29<sup>th</sup> May 2007 [quote] "Huge army of social workers tops 5,000".

The NSPCC and social work can only act after the abuse, grandparents could provide the protection to prevent, or stop the abuse at an earlier stage. Respect for others and good behaviour education comes from a child's upbringing taught in the family. Social services or NSPCC cannot possibly fill this gap. Grandparents could, if only they had the legal right to do so with the help of family mediation and be accepted as relevant persons in their grandchildren's lives.

Grandparents Apart Self Help Group Scotland does not want to intrude into anyone's lives but the way our children are treated determines how they behave in society, it really affects us all whether we have children or not. Please take a moment to support grandparents/grandchildren having the legal right of contact for children's protection and education in respect for others which is best taught in the early years of family life.

## Case 21 Couple jailed for child torture

A couple who subjected their four-year-old disabled daughter to a systematic campaign of cruelty have been jailed for a total of 22 years. S....., 27, and his 23-year-old partner, ....., kicked and scalded the girl, who has cerebral palsy, and also pulled out her hair.

They were sentenced to 10-and-a-half and 11-and-a half years respectively at ..... Crown Court. The couple, from ....., admitted three counts of child cruelty.

They had denied charges of causing grievous bodily harm with intent between 1 February and 18 March last year, but were convicted at the end of a trial last December. The little girl had boiling water poured over her hands, had huge clumps of hair ripped from her head, was kicked so hard in the groin she suffered internal injuries and was locked naked in the toilet each night. She was also forced to eat her own faeces.

Det Sgt Anthony ....., from the Child Abuse Team, said: "This is without doubt the worst case of child abuse I have personally had to deal with. "When I met the young girl she was in a terrible condition.

"But I'm now happy to report that she's improved dramatically with the care that she's now receiving."

'Would have died' Jurors heard the youngster was in almost constant agony until her grandmother began to suspect what was going on and called in social services. The little girl had suffered such "horrific injuries" that she would almost certainly have died without treatment, the court heard. She was in such pain that she had to be examined by doctors under general anaesthetic.

The court heard how the little girl, who cannot be named for legal reasons, was born prematurely and afflicted with cerebral palsy as a result.

Shortly after her second birthday she was taken into care following concerns about domestic violence.

'Mental scars' She was due to be fostered to a family but a report from the County Council in January last year recommended the girl be placed back into the care of S.....and .....

Although it is understood up to 20 visits were made to the family home by social services and other care professionals, no abuse was suspected.

But the court heard that, within a month of being placed back with her family, the girl was being abused by her carers.

Passing sentence, Judge Paul ..... told the pair: "The physical scars may well heal in time, but I doubt the mental scars ever will.

"No tear of remorse has been shown by either of you for what you did."

The girl's injuries have led to urgent calls for a full independent inquiry into the City Council's handling of the situation.

Councillor P..... D....., Leader of Council's opposition Labour Group, said: "We believe there needs to be an inquiry into the circumstances of how this baby girl was allowed to go back to her parents."

"There appears on this occasion to have been no shortage of experts involved but they appear to have got it very badly wrong."

## **Case 22 Grandson Stolen by The Social Services.**

Jack McConnell talked about how much he saw the worth of grandparents promising, Granny Grants, The Charter for Grandchildren, which was supposed to alert people working for the welfare of children to take more consideration of the role grandparent's can play in their grandchildren's lives. Behind our backs they were planning with social service to legally steal children without consent from their families to reach their bonus targets for adoptions.

**Now read the story below, it will show you how much good all his talking has meant.**

A phone call recently (in the past 6 weeks) to say the social services had adopted a grandmother's 4 year old grandson without letting her or her daughter (the child's mother) know anything about it. She was phoning the social worker to check that her meeting with her grandson the next day was still on when she was told the terrible news.

The heartbroken gran said "I knew something was wrong when I got put through right away and didn't get the usual rubbish, she is not at her desk, or she is not in. I was so shocked at her attitude when she said, "Have you not heard the adoption went through 3 weeks ago". I asked her if I was ever to see him again, the answer was, "what do you think?" Then "I don't think so! he is adopted you know" She was told it as if it was nothing to do with them as he is no longer a child in care.

The gran had just received a letter from the Clerk of the Court to tell her she would be getting a court date soon for a hearing to continue her contact with the boy. Even the Sherriff's Court had no idea this had happened and her own solicitor was totally shocked.

This is adoption without consent and it is a terrible horrible thing to happen to this little boy who loved his gran's visits and was looking forward to home visits with her. His young life has just been cut off from the person who really loved him. The gran believes this was because she could not take him to live with her as she has a job and mortgage to pay and the social services would

not assist her if she gave up work. The gran was willing to take all the children, if only she had been given the gran grant to keep a decent home for the kids. The grandson has two brothers that he will not see either, one older that does live with the gran and one younger that the gran has never seen or been allowed contact with.

Heartbroken Grandmother

### Case 23

This reflects the **unselfish** of the majority of grandparents who do not try for contact or give up because they know their own sons or daughters so well and how the children would suffer ingenious parental alienation. This is an ongoing case, so the names have been changed.

Grandparents! An **unselfish love**.

A dilemma of wondering if it is better to back off from their grandchildren haunts just about every gran & grandad, they are torn between abandoning the case because of the tension the children go through even after having obtained the legal right from a judge to see them on a regular basis. One gran, said, "I don't know what to do, if I leave them be, it will break their heart and if I don't, what kind of life are they having being subject to with parental hostility." The gran does not question the children but she senses a strain in their young lives.

The gran called Mary and her daughter had a normal relationship and had no problems like this until her daughter got involved with another partner. The new partner made it quite clear from the outset that he was now in charge and a gran was no longer required. The children, a boy aged 10 (from her daughter's first marriage) had lots of contact with his gran. The present partner is the father of the little girl and is not allowed a lot of contact.

On visitation day after Mary had traveled 150 miles to see the children. The partner appeared and told Mary his daughter did not want to see her ever again. When they were alone her grandson said "Gran no matter what anyone says to me, I **love** you and I will always want to see you"

Mary has been accused of being insane, an alcoholic and unfit to have contact with her grandchildren. Her doctor of 24 years said there is no evidence of mental illness or alcoholism. Mary does not drink! When in court her daughter hangs her head and says nothing. Mary said "she knows her accusations are not true, and I cannot understand how she can allow these lies to be told, she is a very changed daughter. The partner glares at Mary throughout.

There is a very strong determination for the partner to win over a decision the judge arrived at when all evidence gathered pointed to continue contact was in the children's best interest.

Mary said "I would walk away if the children did not want to see me, if it was in

their best interests. I have no stomach for all these lies said about me and the pressure is taking its toll. If it was not for the support of Grandparents Apart I don't know how I would have coped"

We can only hope the judges involved stick to their guns and continue to make decisions in the best interests of the children. Mary wonders how many court cases they must go through before it is finalised or the judges get weary and give in to the partner's manipulation of the law.

We have grandmothers that have been told by judges 'you are a loving caring gran' but still gave a ruling against them because of animosity between the adults. This makes us wonder about the effectiveness of our courts when decisions made are really not in the best interests of the children.

The continuing story of Mary.

The court case continued last week. The Judge that animosity between them would rub off on the children. The daughter and her partner have confirmed that is the reason they are keeping going costing themselves a fortune because of the partners burning desire to win the case.

Under cross examination in court the daughter's witnesses have all proven to be to be unsure and unstable in their testimony and look across to the daughter for confirmation of what they were saying was correct.

The Judge had a long talk with Mary about animosity. Mary said she has never had animosity and has tried every way possible to bring this court case to an end by offering mediation on many occasions but the partner refuses point blank. Mary said she does not want to have a relationship with her daughter and partner if that's what they want but she has been a major part in the children's lives and knows the children **love** her otherwise she would walk away. (The Psychologist backed this up by saying it would be harmful to the children if contact was stopped)

Mary said the claims her daughter and partner have made are ridicules and very hurt full and are pure lies. "I cannot believe my daughter would go to these lengths on her own she was always brought up to tell the truth and is certainly not the girl she brought up.

The case continues. The best interests of the children have been proven that Mary should have contact but like so many cases before contact has been stopped because of animosity real or conjured up just to win the case of very bitter people. We pray that justice will prevail with this Judge The case continues

The ongoing case of Mary.

Mary has just received a call from her solicitor to say the person who interviewed her grandchildren had been speaking to her. Her report states that the children say they have a great time with gran but don't want to see

her again. Why not? I don't know was all they would say. The oldest boy said he will see his gran when he is old enough to protect himself. From what he was asked "I don't know" was the reply.

The same court reporter interviewed the children before and found them to be delighted with the contact and found it would not be in the best interests of the children to stop contact.

However the expected ruling will be to cancel the contact Mary has. Animosity from the new boyfriend will win the day with parental alienation a close runner up.

Phone call from a broken hearted Mary.

She has had contact withdrawn. Because of the kids saying they did not want to see her again and the mother was upset, no other consideration was taken into account. The judge said we have to live in the real world.

Once again the judgement was in the best interests of the partner who was not even the father of the boy. The children admitted they had a great time with the granny and remember the love they had.

Don't worry he's only a child. He'll get over it. Was he a fit man to father a child? His will be done, at any cost.

## **Case 28**

The rights of children.

The rights of children are being ignored and the family values that used to educate children to have respect and not to steal or mug vulnerable people, will be a thing of the past and we the public are allowing it to happen. We complain about how society is deteriorating but when it comes down to it we do not really want to know. You think if you ignore it, it won't affect us, but we are wrong. Violent crime is getting so bad nowadays nobody is safe in their own home. Every day more people are being conned, mugged and harassed.

The cause of the problem? The demise of family values due to past governments cost cutting policies. Children's welfare appears to have been very low on their list, very strange as they are tomorrow's voters. Grandparents being older and wiser are not legally recognized in their grandchildren's lives. We allow resident parents so much power over children that they are often used as weapons in divorces and contact issues. These children grow up with twisted values when they live deceit, lies, and manipulation.

The cure! A small change in the law to replace this dictator like power to fairer shared responsibilities would eliminate the reason for the use of children in these issues. Members of Parliament must restore real family values. Loyalty to the family unit must be encouraged to restore respect for grandparents.

Why grandparents especially? They are the largest group of carers of children from problem homes and usually love their grandchildren without reservations. They step in at a moments notice when needed and look after them mostly without assistance. They provide a warm loving home environment that children recognize and need when they are terrified and in trouble.

So you don't have children, not your concern? Think again. The treatment of children depends on how peacefully and safely we all live in the future, how can a child care or respect anyone when they do not learn this from us. High numbers of children from broken, drug and alcohol related homes are mostly affected. The children concerned are reported to be under-achievers and are associated with vandalism and crime incidences. These children are usually inflicted with a low self esteem and feel the whole world is against them. Their human rights are ignored and they are being treated like goods to be traded by Social Services (SS). SS have failed miserably in helping these families and now resort to turning children over for adoption as quickly and cheaply as they can. The word went out to SS from the government that big bonuses were to be won for achieving adoption targets. The methods they use are very clever and underhand.

Methods used. 'Alienation' They stop children's contact with their family at the flimsiest excuse and the child is left feeling unloved and rejected thinking nobody wants them making them easier to manipulate. Any opposition of concern from the family in the past has now been overcome by a recent new law of 'Adoption without Consent' from any member of their family to a newly created market of non traditional family people, opening the floodgates to paedophile rings. A paedophile has already been passed for fostering a child in Aberdeenshire.

You can help. Do something about it now. Please support our group for children to have the legal protection of their grandparents when faced with broken homes due to drug and alcohol problems. Join us in lobbying for the restoration of real family values. Care and respect the children and they will look after you in your old age because children learn what they live.

Ends

Subject: Case Study (1)

The 4 year nightmare of abuse for little Emma aged six.

The 4 year nightmare of abuse endured by a little girl called Emma is now over. Four years of hell just because the social services would not listen to her grandparents. Now the stepfather has been charged with assault and the mother with neglect. At last putting an end to 4 years of the horror the social Services said was not happening.

Emma has been disturbed by her experience and will need specialist help.

The story.

A couple split up in 2005 when Emma was just 20 months of age. At the time the mother said that she did not want Emma unless the father stayed too so the grandparents took Emma in and cared for her for 11 days before the police arrived to say that the child should be returned to the mother.

The grandparents and the father told the social services continually by telephone and letter about the emotional and physical abuse suffered by Emma but they were ignored.

That began a period when for 10 months they were denied access to their granddaughter.

In February 2006 the grandparents were given access to Emma but not so the father, who had in his possession Parental Responsibility and contact Court Orders. The grandparents kept reporting to the father that Emma had bruises and on one occasion because of the child's pain they had to take her to the local A&E as there was puss including blood droplets coming out of her ear where she had been allegedly slapped hard by the step father. So the child informed the medical team in the hospital.

While the grandparents were there they were told by the doctor that there were signs of an old injury to her other ear that he said had been the result of hitting over a period with no medical evidence that the injury had ever been attended to and still the social services after thorough investigations did nothing saying the injuries could have been caused accidentally and that they were not sure what Emma was saying as she didn't speak clearly. The social services said it was difficult to determine just how she came to get these bruises as the mother always maintained when asked, that Emma got them whilst playing with her siblings. Even when the hospital contacted the Child Protection Units of the police and Social Services and the subsequent videoed interview of Emma the social services still refused to accept these injuries were due to Emma being physically abused in her home.

This family has been the subject of social service scrutiny since 2002 and even although Emma was placed in the fathers care four times in one year and is now the subject of Child Protection Conferences the social services never once acknowledged until now the possibility that the mother or stepfather could have inflicted these injuries.

This came to a head when Emma attended the school with a large bruise on her forehead and informed her teacher that she had been hit by her step father. The Child Protection agencies were informed by the school and two days later Emma was placed again into the care of her father. Two weeks earlier Emma's brother had been placed in care after he complained that he had been physically assaulted by the step father.

The story told by Emma is that she was asleep when the step father entered the bedroom in an intoxicated state and hit her without reason. Emma was interviewed on camera and then subjected to another medical which surprisingly the Social Services had complained about to the grandparents previously in connection to the injury to Emma's ear saying it was very stressing for Emma to under go such medical procedures.

The Social Services never listened to the child or the grandparents and suggested she only made the stories up so that she could stay with her dad. We are extremely lucky that she had only a bruised face and nothing more serious but the physical and mental abuse she has suffered is beyond believe.

The couple responsible for looking after Emma have problems which are significant and in need of professional attention which is recognised by the protection agencies, they cannot control their tempers and have been advised to attend anger management sessions. Both have dependency on alcohol and the social services knew of the domestic violence in this house yet refused to acknowledge it or take any action to protect the children in it saying they had to be certain of their facts.

There is a lot more to this story but it is cloaked under the veil of confidentiality and public law. The question needs answering why when the Social Services knew of the physical and emotional abuse these children were suffering did they not take action sooner to protect them. Social Services failed to believe the father was the birth father preferring to believe the step father who said he had a DNA test which proved conclusively that he was Emma's birth father, they did not engage with the real father until late 2008. Even after the real father had produced evidence of Court Orders the Social Services still preferred to believe the step father who had tried to change Emma's name claiming he was the father

This case is well documented by the amount of correspondence written to the Social Services case workers and their superiors highlighting the concerns of the father and grandparents regarding the child but sadly they have mostly been ignored.

The Social Services are having trouble with the complexities and magnitude of this case which is of their own doing having not listened to the grandparents over the past five years and now they have to deal with the uncooperative attitude of the mother regarding the children's arrangements and welfare.

Emma is safe now but had there been a Charter for Grandchildren which was mandatory for Children's agencies then this story would not have happened nor Emma's story needing to be told.

Dear sir/madam  
10<sup>th</sup> April 2010

We are Emma's grandparents and have been working with Grandparents Apart UK and the people associated with it for many years.  
We are campaigning for a Charter for Grandchildren here in Wales to help children to keep up with their family connections in the event of their parents separating.

Naturally this brings a new concept into family culture, but one we feel should be recognised for the protection of children and the strengthening of the family unit. Our reason for saying this is quite simple and it is this, had we been involved and consulted at the start of this case then Emma would have been spared both physical and emotional abuse. Emma's grandparents both maternal, and paternal would have been there to support the parents, and the Social Services and could have forged a partnership with them improving the welfare and interests of Emma, saving her a lot of trauma and unhappiness. As it was we had no idea of what actually happened in the UK when couples split up and thought that the different factions in conflict, mainly fathers who were fighting to see their children were just a few and that on the whole everything was civil and enshrined within our family law.

We were soon to learn different as away back in 2005 we were informed that we had no rights as grandparents and our concerns were irrelevant to the proceedings when we brought them to the attention of the Social Services. We of course did report our concerns to the Child and Protection Agencies including the NSPCC and have recorded and documented the path taken by Emma from March 2005 until now and sadly as we feared all these years ago the situation has developed exactly as we thought.

It is sad to say but, we were lucky that the last attack on Emma happened without our knowledge and that the gutsy wee lass had the courage to state what actually happened to her teacher or Emma would still be a prisoner in that house under the strict control of her mother and step father.  
Emma has been freed for some 142 days now and is improving well at school, having changed her attitude to learning, however she still is delayed in many areas although extremely bright.

This I appreciate is a contradiction but had Emma been given the same opportunities as children of similar ages she would be at the top end of her class rather than attending a class that caters for her special needs which we are so glad she attends.

This is a massive case, and one that had the father equipped with Court Orders for Parental Responsibility and access to Emma spending a fortune over three and a half years just to have restricted contact which had no stay over's for his daughter.

The father never saw Emma at all for over three years but the little girl never forgot her dad and suffered as a result as the guardians tried to persuade through force that the step father was actually her dad.

We are told that the court proceedings that were near conclusion regarding the residency of Emma between the father and the mother were now unnecessary as public law had superseded the private law action. This has been brought about by the Social Services applying and succeeding in obtaining an interim Court Order on Emma and placing her in the care and protection of the father which both he and Emma had been fighting for since March 2005.

We send this attachment to help you and the committee in your deliberations Emma is not her real name but the name we use for her.

Name and Address supplied  
Grandparents Apart Wales

ws A-7

## Letter from Traffic Wales

**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](mailto:info@traffic-wales.com) [www.traffic-wales.com](http://www.traffic-wales.com)  
Customer Information Line: 0845 602 602 0



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

Date: **10<sup>th</sup> February 2010**  
Your Reference: **P-03-246**  
Our Reference: **5083687/1/01/29384**



For the attention of Christine Chapman

Dear Madam

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

With reference to your letter dated 2<sup>nd</sup> February 2010, requesting information regarding the impact of the 50 mph speed limit has on average journey times. Please find listed below our findings:

- [70mph] Normal Motorway Regulations from 1 January 2009 to 20 March 2009: 7.7 minutes;
- [50mph] Speed Limit 21 March to 31 July 2009 : 7.5 minutes;
- [50mph] Speed Limit 1 August to 31 August 2009: 5.3 minutes;
- [50mph] Speed Limit with operational Average Speed Cameras from 1 September to 31 December 2009: 6.8 minutes.

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

Yours sincerely  
For and on Behalf of Traffic-Wales

MR.R.WEBSTER  
Capital Projects Manager

**ATKINS**

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## Letter from the Deputy First Minister

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-246  
Ein cyf/Our ref DFM/00282/10

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

16 March 2010

*Dea Christine*

I am responding to your letter of 2 February requesting further information on the 50mph speed limit operating on the M4 at Newport.

The temporary 50mph speed restriction between Junctions 24 and 28 came into force on 6 April 2009. Prior to this, we published the proposed Order as part of the statutory process and this made it clear that the Order was temporary. On the 3 of April, we put out a press release explaining the planned works and the reason for the limit. This made it clear that the limit related to the works, after which a new variable speed limit system (VSL) would take over. You have already received information on the average journey time between Junctions 24 and 28.

Temporary traffic signs indicate the section of M4 over which the 50mph limit applies; contractors' signs indicate that works are under way. To enforce the temporary limit we introduced average speed cameras along the 50mph section and signs inform drivers that this is operating.

Once complete, the VSL will be a permanent feature. The aim is to reduce the number of collisions, improve safety and smooth traffic flow during periods of congestion. The default will be derestricted, that is the national speed limit for motorways – currently 70mph. The system will be able to detect the onset of congestion and reduce the limit to suit the prevailing conditions. New electronic signs will display the mandatory speed limit that applies.

Work on the concrete barrier is due for completion in spring 2011 and this is when we can lift the temporary 50mph limit in its entirety to let the VSL take over. However, later this year we plan to commission the VSL system, so where the new barrier works are complete, the default of de-restriction will apply and the VSL will only override this as dictated by traffic conditions.

*Ieuan*

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

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Caerdydd • Cardiff  
2d CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Ffacs \* Fax 029 2089 8198  
PS.DeputyFirstMinister@wales.gsi.gov.uk

**Written response to the Health, Wellbeing and Local Government Committee's report  
on its Inquiry into the use and regulation  
of Sunbeds in Wales**

**January 2010**

**Executive Summary**

I welcome the Committee's report on its Inquiry into the use and regulation of Sunbeds in Wales. I fully agree that the use of unsupervised tanning salons by children has been an issue of particular public concern. There have been a number of high profile cases recently involving harm to children and young people from using sunbeds. This has raised questions about the effectiveness of current regulatory procedures and calls for tighter regulation of tanning facilities. I am also concerned to hear of recent, apparently authoritative, evidence indicating a clear link between sunbed use and an increased risk of skin cancers.

I welcome the Committee's central conclusions which found that there is good evidence to suggest that use of sunbeds causes skin cancer; while there is no wholly safe dosage, children and young people are particularly at risk and that the current regulatory framework provides insufficient safeguards against misuse, particularly by children and younger people.

I have set out below my response to the Committee's individual recommendations:

The Committee recommends that:

1. The Welsh Government establishes from the UK Government whether the SCCP's recommendations, on irradiance standards for sunbeds, are being enforced in the UK and if they are not makes appropriate representations.

**Response: Accept**

I accept this recommendation. I will write to the appropriate Minister at the Department of Business Innovation and Skills to ascertain the status of the SCCP recommendations in the UK and the extent to which the British Standard (BS EN 60335-2-27:2003) is being enforced in the UK. Health and Safety Executive Guidance states that when replacing UV tubes operators should make sure the right type are fitted and reassess the exposure requirements of their customers when subsequently using the equipment.

**Financial Implications:** - None. This activity is the responsibility of the UK Government.

The Committee recommends that:

2. The Welsh Government seeks as a matter of priority the legislative competence to introduce new laws to license, regulate and, if necessary, impose liabilities and create offences in relation to sunbed facilities and their operators.

**Response: Accept**

I accept this recommendation in that new laws are required to regulate sun bed facilities including prohibition of use for those people under 18 years of age. All legislative means are currently being considered. In addition to the option of seeking legislative competence, my officials have been working with the Department of Health to develop options for primary legislation with the UK Government made through the Westminster Parliament with the intention that it will include regulation making powers to be exercised by Welsh Ministers in respect of Wales; and investigating the scope for regulations to be made by the Welsh Ministers under the umbrella of existing primary legislation.

In my evidence to the Committee, I reported that we could not rule out licensing. That said, Scotland did not pursue a registration and licensing scheme as recommended by COMARE<sup>1</sup>. I understand there are some concerns surrounding the resource implications of introducing a licensing scheme on local authorities and businesses. My intention is to introduce laws to regulate the sun bed industry but these may be restricted by the legislative options open to me and may not include licensing or registration. My initial view is that we might reasonably achieve our objectives on sunbed use through controls other than licensing and registration.

**Financial Implications:** - If legislation were introduced there would be additional costs to local authorities in undertaking additional inspections of sunbed salons and costs associated with any legal action being taken against operators acting unlawfully. While inspections do take place now they are usually infrequent unless a premises is of higher risk. The costs would likely to be more significant once the legislation was first introduced and until the new requirement for inspection of such businesses was built into existing local authority inspection programmes. Based on figures provided by LACORS officials estimate that the additional cost to Local Authorities of introducing new legislative controls on sunbed use for under 18 year olds would be around £100K for the whole of Wales. These costs include Local Authority enforcement, some training events for Local Authority Enforcement Officers, the provision of information and signs, but not a registration and licensing option. A transfer of resources to the Local Government Settlement would be necessary to meet the additional work being put on local authorities in Wales.

The Committee recommends that:

3. Any new laws should be based around recommendations 1 and 2 of the thirteenth COMARE report on 'The health effects and risks arising from exposure to ultraviolet radiation from tanning devices'.

**Response: Accept.**

I accept this recommendation with the proviso that the legislative options open to us might not allow us the flexibility to introduce a licensing and registration scheme. Please see response to recommendation 2 above.

**Financial Implications:** - Please see the response to the financial implications paragraph above to recommendation 2.

---

<sup>1</sup> Committee on Medical Aspects of Radiation in the Environment (COMARE) – Thirteenth Report “The health effects and risks arising from exposure to ultraviolet radiation from artificial tanning devices.” Health Protection Agency, June 2009.

The Committee recommends that:

4. Any regulatory regime introduced in Wales should set 18 as the minimum age for use of a sunbed.

**Response: Accept**

I accept this recommendation. Prohibiting the commercial use of sunbeds by under 18s is in line with World Health Organization and Committee on Medical Aspects of Radiation in the Environment recommendations. Introducing an age restriction of 18 years also brings the use of sunbeds in line with the sale of a number of other age restricted goods e.g. tobacco and alcohol. The age of 18 seems appropriate to me and I therefore endorse this recommendation.

**Financial Implications:** - Please see the response to the financial implications paragraph above to recommendation 2.

The Committee recommends that:

5. The regulatory regime should ensure that all premises providing sunbed use should be subject to full-time supervision by trained staff.

**Response: Accept**

I accept this recommendation. I have previously made it clear that my intention is to ban the operation of unstaffed sunbed salons in Wales. The Committee on Medical Aspects of Radiation in the Environment recommend that a sunbed outlet is staffed at all times with trained competent personnel. If we are to protect adults and young people from the risks associated with sunbed use then it is important to have sunbed salons staffed. It will also ensure compliance with the under 18 ban.

**Financial Implications:** - Please see the response to the financial implications paragraph above to recommendation 2.

The Committee recommends that:

6. Welsh Ministers should prescribe through regulations the information that should be provided to users of sunbeds and that this information must be also be prominently displayed in sunbed facilities.

**Response: Accept**

I accept this recommendation. The report noted that on 29 July the International Agency for Research on Cancer (IARC) raised the classification of ultraviolet-emitting tanning devices from 'probably carcinogenic to humans' to 'carcinogenic to humans' the highest risk category. It is important that information is displayed to all users of sunbeds to warn the general public of the risks they take when using a sunbed.

**Financial Implications:** - Please see the response to the financial implications paragraph above to recommendation 2.

The Committee recommends that:

7. The regulatory regime should ensure that clients should only be allowed to use sunbeds after having given written informed consent based upon information setting out the potential health risks involved.

**Response: Do Not Fully Accept**

I do not accept this recommendation in its entirety. I need to consider the benefits of introducing such a system in more detail, the implications for members of the public in being asked to give written consent and what would be gained in terms of public safety in addition to that gained by a ban on unstaffed salons and a requirement that warning signs be displayed in staffed sunbed salons. I do not wish to introduce an uncontrolled system of written informed consent if there is little to be gained in doing so. I am in agreement with the promotion of informed decision making but in this context I would need to ensure the adequate disclosure of information, its comprehension and the implications of agreement (for the individual and also the business) are fully understood by those giving their written informed consent.

**Financial Implications:** - Please see the response to the financial implications paragraph above to recommendation 2.

The Committee recommends that:

8. The regulatory regime should ensure that protective eyewear is compulsory for those using sunbeds.

**Response: Accept**

I accept this recommendation. I am seeking for this to be included in the regulation making powers. It is important that we do what we can by legislative means to protect people's eyesight if they choose to use such equipment.

**Financial Implications:** - Please see the response to the financial implications paragraph above to recommendation 2.

The Committee recommends that:

9. The regulatory regime should prescribe guidance to ensure that use by high risk groups is identified and discouraged.

**Response: Accept**

I accept this recommendation. The use of sunbeds by vulnerable persons and those with at risk phenotypes should be discouraged.

**Financial Implications:** - Please see the response to the financial implications paragraph above to recommendation 2.

The Committee recommends that:

10. The regulatory regime should ensure that sunbeds which do not comply with both the British and European Standards on sunbed irradiance levels should be banned from use in commercial tanning outlets.

**Response: Agree**

I agree this recommendation but recognise that this is for the UK Government to accept and address. I will write to the appropriate UK Government Minister to convey the Committee's recommendation to them and provide to the Chair of the Committee a copy of their reply.

**Financial Implications:** - None. This is for the UK Government to address.

The Committee recommends that:

11. The Welsh Government consider with the relevant authorities whether any of the health benefit information provided by sunbed operators contravenes existing trading and advertising legislation.

**Response: Accept**

I accept this recommendation. A number of agencies are involved in regulation and self-regulation of misleading advertising. I have asked my officials to explore how we might best meet this recommendation and to seek advice from the Department for Business Innovation and Skills (BIS), the Office of Fair Trading (OFT), the Advertising Standards Agency and the Trading Standards Institute.

**Financial Implications:** - This is for the UK Government, Trading Standards Institute and Local Government working within their existing resources.

The Committee recommends that:

12. The Welsh Government considers, along with the other UK health Departments, significantly increasing the funding it provides for the SunSmart campaign, particularly in relation to young people.

**Response: Accept in Principle**

I accept this recommendation in principle. I will ask my officials to write to our UK counterparts to gauge their views on this recommendation. This would require a commitment from all four countries. I will keep the Committee Chair apprised of developments.

**Financial Implications:** - This might have wider financial implications for other UK countries. Any additional costs will be drawn from existing programme budgets.

**Edwina Hart MBE OStJ AM**  
**Minister for Health and Social Services**

**January 2010**

Letter from the Minister for Environment, Sustainability and Housing

**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-03-260  
Ein cyf/Our ref JD/00602/10

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

16 March 2010

*Dear Chr,*

Thank you for your letter of 2 March following receipt of a petition on light pollution and supporting information submitted by the Campaign for Dark Skies.

The Welsh Assembly Government recognises that light pollution can be both a natural environment and a climate change issue. Although it is not an area on which a formal position has been developed the Assembly Government is taking steps to tackle it by promoting energy efficiency. To this end, I am developing a Climate Change Strategy for Wales which will show not just how the Assembly Government but all sectors in Wales will contribute to reducing emissions and adapting to the impacts of climate change. Local authorities in Wales have already received guidance and support on energy demand reduction strategies from the Carbon Trust's Local Authority Carbon Management scheme. Most local authorities in Wales will be included in the new Carbon Reduction Commitment Energy Efficiency Scheme which starts on 1 April this year. It is a new scheme for the UK which will drive energy efficiency through behaviour and infrastructure change.

The Welsh Assembly Government is also responsible for establishing the planning framework in Wales and our policies are set out in Planning Policy Wales. Our policy recognises that there is a need to balance the provision of lighting to enhance safety and security to help in the prevention of crime and to allow activities like sport and recreation to take place. This is with the need to protect the natural and historic environment including wildlife; retain dark skies where appropriate; prevent glare and respect the amenity of neighbouring land uses. The impacts of any proposed development should be assessed by a local planning authority in coming to its decision. We expect local planning authorities to include policies for lighting and the control of light pollution in their development plans.

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Llinell Ymholiadau Cymraeg 0845 010 4400  
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In summary, the Welsh Assembly Government supports the Campaign for Dark Skies' objective of switching off unnecessary or wasteful lighting, and measures are already in place to address the issue.

Yus,



**Jane Davidson AM**

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

Our Ref/Ein Cyf:

Your Ref/Eich Cyf:

Date/Dyddiad:

Please ask for/Gofynnwch am:

Direct line/Llinell uniongyrchol:

Email/Ebost:

P-03-271

30<sup>th</sup> March 2010

Tim Peppin

029 20 468669

tim.peppin@wlga.gov.uk



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

Dear Christine

### **P-03-271 Business rates in Narberth**

Thank you for your letter to Steve Thomas dated 11<sup>th</sup> February. Can I apologise for the time it has taken me to respond on this important issue.

I understand that the issue of business rates was raised at Pembrokeshire's full Council meeting in December 2009 and their Economic Overview and Scrutiny Committee has discussed the situation with the Valuation Office Agency.

As part of the Council's response to the economic conditions they have introduced a number of specific initiatives to assist local businesses e.g. they have increased tourism marketing spend, increased local procurement, improved prompt payment performance and brought forward some capital schemes.

On the broader regeneration front the Council has a number of regeneration projects including Townscape Heritage Initiative programmes (with Heritage Lottery funding), European Convergence Programme funded projects and town centre improvement (public realm) schemes in Haverfordwest and Tenby.

In relation to business rates specifically, under the Local Government Finance Act 1988 local authorities can provide discretionary rate hardship relief (which is 75% funded by WAG). However, they are not able to operate a 'blanket policy' to target particular geographical areas, such as Narberth, or specific categories of business.

Charities are entitled to relief from rates of any non-domestic property which is wholly or mainly used for charitable purposes. Relief is given at 80% of the rate bill. The billing local authority has discretion to remit all or part of the remaining 20% of a charity's bill on such property. It can also give relief in respect of property occupied by certain other bodies not established or conducted for

Steve Thomas  
Chief Executive  
Prif Weithredwr

Welsh Local Government  
Association  
Local Government House  
Drake Walk  
CARDIFF CF10 4LG  
Tel: 029 2046 8600  
Fax: 029 2046 8601

Cymdeithas Llywodraeth  
Leol Cymru  
Tŷ Llywodraeth Leol  
Rhodfa Drake  
CAERDYDD CF10 4LG  
Ffôn: 029 2046 8600  
Ffacs: 029 2046 8601

[www.wlga.gov.uk](http://www.wlga.gov.uk)

profit. In addition to this rate relief is granted to community amateur sport clubs, provided that clubs are defined and registered as such with the Inland Revenue.

I understand that the Leader of the Council wrote to Brian Gibbons AM on 13<sup>th</sup> November highlighting concerns over the discretionary rate relief system and its limitations in terms of being able to assist businesses during the recession. The (then) Minister's response referred to c£1m being made available by WAG to assist the tourism sector and the new Small Business Rate Relief System (c£20m). Since then, as you will be aware, on 9<sup>th</sup> February the Non-Domestic Rating (Small Business Relief) (Wales) (Amendment) Order 2010 was laid before the National Assembly by Carl Sargeant. This Order raises thresholds for relief with effect from 1 April 2010, in response to the non-domestic rating revaluation in 2009. It means that businesses within the relief thresholds whose valuations have increased in line with the national average should remain within the relief thresholds. Whilst welcome, this may be of limited help to areas such as Narberth because of the *above* average valuations that have been experienced. Likewise, whilst WAG has reduced the multiplier for rates based on the average increase across Wales, areas which have experienced above average increases (including, it would appear, many rural areas) are amongst the 'losers'.

Finally the recent budget announcements included mention of a temporary increase in small business rate relief although the implications for Wales have yet to be confirmed.

I hope that the above comments are of some help, and also provide evidence that Pembrokeshire County Council takes the issue seriously and is endeavouring to do what it is within its powers to assist the businesses in its area.

Yours sincerely



Tim Peppin  
Director of Regeneration and Sustainable Development

**Leighton Andrews AC/AM**

**Y Gweinidog dros Blant, Addysg & Dysgu Gydol Oes  
Minister for Children, Education & Lifelong Learning**



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref  
Ein cyf/Our ref SF/LA/159/10

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

29 March 2010

*Dear Chris,*

Thank you for your letter of 1<sup>st</sup> March concerning a petition submitted by the Universities and Colleges Union (UCU) on 24<sup>th</sup> February about the funding of Higher Education in Wales.

You may wish to be aware that I have received similar correspondence from Assembly Members on behalf of their constituents, also members of the UCU, on this issue.

My Remit Letter to the Higher Education Funding Council for Wales (HEFCW), issued on 10<sup>th</sup> March, established the Welsh Assembly Government's priorities for the Council for the coming year. The letter also sets out the Welsh Assembly Government's funding allocations to the Council for 2010-11. Our revenue budget allocation for 2010-11 means that the funding for higher education in Wales is broadly flat-lined with last year. Allocations to individual higher education institutions are a matter for HEFCW, operating within the guidance of its Remit Letter.

I expect higher education institutions to continue to seek efficiencies to release resources for the delivery of front line services. This is particularly important in the current economic climate. Indeed, the need to target resources on front line delivery is a key driver for the independent review of education funding which I announced on 18 January, which will include the higher education sector.

With regard to the petition's reference to the perceived funding gap, it is worth noting the extent of investment in the higher education sector in Wales. In 2010-11, the Welsh Assembly Government will make available capital and revenue funding of approximately £450m to higher education institutions via HEFCW. In addition to this, approximately £388m will be provided via student finance. When taken together, the level of higher education institution funding and student finance is on a par with levels in England. Furthermore, the changes we are implementing to student finance from the new financial year will gradually release additional revenue for higher education institutions. This is forecast to be approximately £31 million per annum by 2015-16.

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

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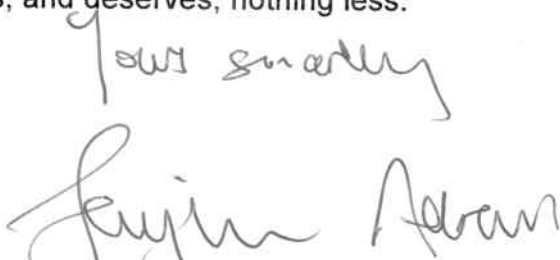
Correspondence: Leighton.Andrews@wales.gsi.gov.uk

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Overall, Welsh Assembly Government funding for higher education via HEFCW has increased from around £335m in 2002-3 to approximately £450m in 2010-11. This is an increase of over one third in 9 years.

With its current level of annual contribution, the Assembly Government will always be a significant stakeholder in higher education and recognises the sector's achievements. Nevertheless, the new Higher Education Strategy and Plan for Wales, *For Our Future*, makes clear that higher education needs to change radically and rapidly to make the best use of the public investment it receives; so it is able to compete with the rest of the world, and deliver the transformation we seek in the social and economic prospects of Wales. Higher education providers and HEFCW need to respond imaginatively and quickly, and not just try to tighten belts whilst adopting a "business as usual" approach. I think we are all in agreement that the current model is unsustainable. However, by working together, seizing opportunities, maximising effectiveness and making best use of all the resources available to us, we are confident that we can deliver a high quality sector that meets the needs of Wales, is internationally outstanding and maintains effective high quality front line provision of education.

Earlier this month, I announced my intention to convene a thorough Review of HE Governance that will ensure that HE institutions have the proper governance structures in place to equip them for the demands of a more accountable age. I believe that the public expects, and deserves, nothing less.

A handwritten signature in dark ink, appearing to read 'Leighton Andrews', written in a cursive style.

**Leighton Andrews AM/AC**

**Y Gweinidog dros Blant, Addysg & Dysgu Gydol Oes  
Minister for Children, Education & Lifelong Learning**

**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 1NAW

11 April 2010

Dear Chris

**PETITION P-03-279 Save Welsh Universities**

Thank you for your letter dated 30 March, asking whether the Enterprise and Learning Committee's report on the Economic Contribution of Higher Education made any recommendations relevant to the above petition.

Paragraphs 25 to 35 and Recommendations 2 to 6 of the report related to investment in higher education, all of which the Welsh Government accepted.

I attach a hyperlink to the report and the Government's response below:

<http://www.assemblywales.org/bus-home/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-els-home/bus-committees-third-els-report/bus-committees-third-el-report-el3-08-r09.htm>

<http://www.assemblywales.org/bus-home/bus-guide-docs-pub/bus-business-documents/bus-business-documents-doc-laid.htm?act=dis&id=154038&ds=12/2009>

I am also aware that the Finance Committee is currently looking at the funding of higher and further education in Wales and that on 18 January 2010 the Minister announced he had commissioned an independent review of how education funding in Wales is allocated to schools, colleges and universities.

Yours sincerely



**Gareth Jones AM  
Committee Chair**

Dr Siân Phipps  
Clerc y Pwyllgor / Committee Clerk  
Tel: 029 20 898582  
Fax: 029 20 898021  
sian.phipps@wales.gsi.gov.uk

sectors have a weaker relationship with Welsh higher education institutions which in turn diminishes their contribution to the economy

- The sector is **developing its relationship with the private sector** to commercialise knowledge and to spin out companies and patent rights using leading edge techniques. Wales is in an excellent position to maximise benefits and take an international lead as the UK is second only to the United States in commercialising research. While Welsh higher and further education institutions play a significant part in this, they need to do more to maximise income from these sources.

24. Two targets identified in the strategy were to:

- **Increase top-level research ratings** achieved by higher education institutions in Wales by at least a third by 2007
- **Double the number of profitable spin out companies** produced annually by 2010.

### **Investment in higher education**

25. The economic climate has changed since we first started this inquiry and there has been even further economic downturn since we published our Interim Report last January. It is significant, for example, that universities now have an important role in supporting employees, companies and graduates hit by the recession through projects funded through the Higher Education Funding Council for Wales's Economic Support Initiative.

26. The Minister's written evidence to this final phase of our inquiry stated that higher education has a "critical role" to play in delivering the Welsh Government's vision, as set out in One Wales, of a strong and enterprising economy and full employment based on long-term, high quality jobs.

27. The Minister's response to the report of Professor Merfyn Jones and the task and finish group was to argue that "we need to make progress faster if we are to achieve our goals", and she wanted "to take [Professor Jones's] ideas further." She stated that her ambition is,

"For higher education to deliver a prosperous, vibrant economy with higher-level skills that can enable Wales to compete internationally... under-pinned by a commitment to social justice, where more people will be inspired to higher education."<sup>13</sup>

28. The four policy priorities that the Minister outlined in her statement to Plenary on 23 June 2009 were to develop a revised approach to a national bursary framework for students; developing new ways of providing Foundation Degrees; the creation and development of new higher education provision in the Heads of the Valleys; and driving forward the "Coleg Ffederal" concept for Welsh-medium higher education provision in the light of Professor Robin Williams's independent report. The Minister

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<sup>13</sup> Record of Proceedings column 108, 2 July 2009, Annex C

also indicated her intention to supply funding to support closer collaboration both within the sector and with other sectors, such as further education.<sup>14</sup>

29. The Minister stated that in 2009/10 the Welsh Government will fund higher education by £461 million a year, which is more than 40 per cent of the total income of the Welsh higher education sector. There will also be additional investment following the release of funds resulting from the Government's review of student finance - in excess of £31 million a year by 2015/16.<sup>15</sup> Witnesses to our inquiry still referred, however, to the funding "gap" between English and Welsh universities<sup>16</sup> - let alone the funding gap between the UK and the rest of Europe, and the USA.
30. As mentioned in paragraph 9 above, the multiplier effect of public investment in higher education is currently about five to one. While the Higher Education Funding Council for Wales considered this "a very good return,"<sup>17</sup> we would like to see it doubled, and we wondered whether European Union money could be used to drive up the multiplier index, and whether universities could be better at attracting income from their alumni, as suggested to us by witnesses.<sup>18</sup>
31. We welcome the additional investment the Welsh Government has announced for higher education, but we believe it amounts to half of what is needed to close the funding gap. We fully accept that these are difficult economic times and that public funding settlements are tight, but **we recommend that the Welsh Government should view higher education as an economic development tool and allocate its resources accordingly. We also recommend a culture change in the language used - words such as "investment" in and "return" from funding higher education, as opposed to references to expenditure and costs.**
32. **We recommend that higher education should be much more closely bound into the strategies and thinking of the Department for the Economy and Transport, as well as the Department for Children, Education, Lifelong Learning and Skills. We also recommend that universities make more effort to exploit alternative sources of income such as their alumni.**
33. We were interested in an idea suggested by Professor Board, non-executive director of Enfis Ltd, to cut the base level of universities' Third Mission<sup>19</sup> funding to 10 per cent but to offer Vice Chancellors a financial incentive to match fund every pound they create out of their Intellectual Property by another pound.<sup>20</sup> **We recommend that the Welsh Government consider a match funding scheme that would create a**

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<sup>14</sup> Record of Proceedings column 109, 2 July 2009, Annex C

<sup>15</sup> Record of Proceedings column 144, 2 July 2009, Annex C

<sup>16</sup> Record of Proceedings column 171, 10 July 2008, Annex C

<sup>17</sup> Record of Proceedings column 76, 2 July 2009, Annex C

<sup>18</sup> Record of Proceedings column 28, 21 May 2008

<sup>19</sup> HEFCW's Third Mission Fund requires institutions to produce strategies which outline how they will benefit higher education and the economy, and support social and cultural well-being in the local community and Wales as a whole

<sup>20</sup> Record of Proceedings column 101, 9 April 2008

**financial incentive for universities to develop their Intellectual Property.**

34. We appreciate that multiplier effects are wider than this, however. **We recommend that more complex modelling be developed to measure adequately the multiplier impacts of Welsh universities, not just according to a narrow economic agenda.**
35. **We also recommend that higher education institutions should aspire to increase their procurement locally, within European Union procurement rules, in order to maximise and recycle public investment<sup>21</sup> and increase their local impact as consumers and employers.**

**Configuration**

36. Professor Merfyn Jones's report envisaged fewer higher education institutions in Wales in future but with broader geographical provision, as well as "systematic integration between providers" through shared services, joint strategic planning and collaboration. The Minister's written evidence agreed that "we need to go further" in order to address issues over capacity and inefficiencies owing to size and duplication. The Minister referred to the need,
- "To reduce overlap and competition and to ensure that we have world-class research and innovation that derives economic benefits with particular reference to science, technology, engineering and mathematics and medical subject areas."<sup>22</sup>
37. We believe that the higher education sector in Wales needs to be cohesive and resilient and that there should be a continuum, not a mutually exclusive approach, to achieving excellence and to widening access and improving skill levels across Wales. We have therefore addressed this duality of purpose in terms of "aspiring to excellence" and "aspiration and social justice".

**Aspiring to excellence**

Postgraduates

38. The economies of China and India are likely to be strengthened as they emerge from the global recession, and it is significant that both of those powers are not letting up, either on a radical expansion of their universities or on a heavier emphasis on high-level skills.<sup>23</sup> We believe this poses both challenges and opportunities to higher education in this country.
39. Wales is weak in terms of companies that form in Wales, stay here and generate profits here. We therefore agree with the Higher Education Funding Council for Wales that Wales needs to go faster if it is to catch up

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<sup>21</sup> Record of Proceedings column 47, 2 July 2009, Annex C; column 179, 5 March 2008

<sup>22</sup> Record of Proceedings column 110, 2 July 2009, Annex C

<sup>23</sup> Higher Education Wales written evidence, Annex B

## **Summary of Recommendations**

### **Recommendation 1**

We recommend that the Welsh Government's proposed higher education strategy and action plan, due for completion by the end of 2009, should take forward the findings of our report, and that the Minister update us on progress achieved in a follow-up scrutiny session at an agreed future date.

### **Recommendation 2**

We recommend that the Welsh Government should view higher education as an economic development tool and allocate it resources accordingly. We also recommend a culture change in the language used – words such as “investment” in and “return” from funding higher education, as opposed to references to expenditure and costs.

### **Recommendation 3**

We recommend that higher education should be much more closely bound into the strategies and thinking of the Department for the Economy and Transport, as well as the Department for Children, Education, Lifelong Learning and Skills. We also recommend that universities make more effort to exploit alternative sources of income such as their alumni.

### **Recommendation 4**

We recommend that the Welsh Government consider a match funding scheme that would create a financial incentive for universities to develop their Intellectual Property.

### **Recommendation 5**

We recommend that more complex modelling be developed to measure adequately the multiplier impacts of Welsh universities, not just according to a narrow economic agenda.

### **Recommendation 6**

We recommend that higher education institutions should aspire to increase their procurement locally, within European Union procurement rules, in order to maximise and recycle public investment and increase their local impact as consumers and employers.

### **Recommendation 7**

We applaud the achievements of the Graduate Opportunities programme (GO Wales) in linking students with local small and medium-sized enterprises, and we recommend that it continue to be expanded in the future.

# **Response to the National Assembly for Wales Enterprise and Learning Committee**

## **The Economic Contribution of Higher Education in Wales**

**November 2009**

**This is a joint response by the Minister for Children Education Lifelong Learning and Skills and Deputy First Minister.**

The Welsh Assembly Government welcomes the main thrust of the report and supports the key themes of;

- a greater investment in Higher Education in Wales for economic impact and benefit
- building a higher skilled enterprising and entrepreneurial workforce,
- increasing the research base and levels of commercialisation
- improving links to business and knowledge exchange at all levels.

We commend the Enterprise and Learning Committee members for the depth and breadth of information reviewed, the weight of evidence, hearings and research undertaken and the recommendations put forward.

Successful implementation will require actions by the Assembly Government and also adoption by the sector and action by businesses.

These recommendations are timely in view of the wider debates taking place in the Welsh and UK context.

The report and recommendations are considered in the context of:

- The Higher Education Strategy/ Action Plan to be presented by the Minister in Plenary on 25 November which will set out the direction of travel for Higher Education in Wales and gives clear messages in terms of the Assembly Governments expectations in strategically investing in an Higher Education system to facilitate change with shared responsibility clear outcomes and benefits;
- The need for a Higher Education sector that operates within an international framework that requires Universities to maintain and achieve recognition for intellectual excellence and research to partner with the best internationally and be attractive to international students. At the same time Universities must ensure that national educational needs are met and the system is flexible enough to provide access and opportunity for all capable of benefiting;
- The current economic climate which provides increased challenges in terms of reducing levels of both public and private sector funding at the very time when increased employer /business engagement, a dynamic and responsive academic sector and drive to increase research capacity and innovation is required:

- The need to ensure efficiency and performance indicators outputs and impacts are maximised and collected – and any opportunities to work collaboratively (academia, business and public sector) are maximised to leverage external funding opportunities:

The recommendations also need to be considered in the context of other reports and reviews taking place which will impact on Higher Education structure and funding:

At the UK level these include;

- UK Commission for Employment and Skills Report (pending UKCES)
- Department for Business Innovation and Skills- Skills for Growth, White Paper
- Department for Business Innovation and Skills – Framework for the Future of Higher Education
- ESRC Research Venture looking at the impact of HE on Regional Economies HEFCW is part funding
- The development of the UK Research Excellence Framework to replace the Research Assessment Exercise
- Sir Adrian Smith review of Post Graduate Funding in England

In Wales these include;

- Review of Reaching Wider programmes
- Review of Careers Wales
- Work of the Wales Employment and Skills Board
- HEFCW is consulting on Third Mission Funding
- Review of the use of Graham funding for part time Higher Education

Key actions already underway or pledged;

- Identification of research priorities
- Alignment of EU Frameworks ERDF and ESF
- Academia for Business Programme
- Business Innovation Programme
- Foundation Degrees
- National Bursary Framework
- University of Heads of the Valleys
- Technium
- Youth Entrepreneurship Strategy Action Plan 2010-15

Recommendation	Response
<p><b>1</b> We recommend that the Welsh Government's proposed higher education strategy and action plan, due for completion by the end of 2009, should take Forward the findings of our report, and that the Minister update us on progress achieved in a follow-up scrutiny session at an agreed future date.</p>	<p><b>Accepted</b></p> <p>The Minister for Children, Education, Lifelong Learning and Skills will announce the new Higher Education Strategy/ Action Plan in Plenary on 25 November. Her Plenary statement will describe how the strategy/action plan is to be taken forward.</p> <p>The recommendations in this report will be taken into account during the detailed development of the national aims and themes for action, with in the context of the Higher Education Strategy.</p> <p>The Minister will provide an update on progress as the action plan develops.</p>
<p><b>2</b> We recommend that the Welsh Government should view higher education as an economic development tool and allocate its resources accordingly.</p> <p>We also recommend a culture change in the language used – words such as “Investment” in and “return” from funding higher education, as opposed to references to expenditure and costs.</p>	<p><b>Accepted</b></p> <p>As stated in the Enterprise and Learning Committee statement in July 2009, one of the principal benchmarks which underpin the new Higher Education strategy will be delivering a sustainable and buoyant economy. Higher education must be the engine of prosperity through generating and exploiting knowledge and through the development of skills.</p> <p>The Assembly Government wants to see higher education raise its contribution to economic life and performance in Wales. Our aim is to ensure that there is:</p> <ul style="list-style-type: none"> <li>• Wealth generation from knowledge exploitation which raises overall economic performance;</li> <li>• Regular and effective business spin out activity;</li> <li>• Graduate opportunities and employability;</li> <li>• A positive international profile of Wales as a business destination; and</li> <li>• Relevant, timely and tailored workforce development.</li> </ul> <p>The Department for Economy and Transport [DE&amp;T] interface with and support for academia is focused on maximising the economic impact of expertise, know-how, Intellectual Property [IP] and specialist facilities in Universities and Further Education Colleges in Wales. Potential economic impact is the single major consideration when considering in which projects to invest DE&amp;T support.</p> <p>We endorse the proposal on the language used to reinforce cultural change.</p>
<p><b>3</b> We recommend that higher education should</p>	<p><b>Accepted</b></p>

Recommendation	Response
<p>be much more closely bound into the strategies and thinking of the Department for the Economy and Transport, as well as the Department for Children, Education, Lifelong Learning and Skills.</p> <p>We also recommend that universities make more effort to exploit alternative sources of income such as their alumni.</p>	<p>The need for a whole Government approach is accepted and consistent with the joint Departmental approach to supporting key sectors and private sector growth.</p> <p>In a recent National Economic Summit, the CELLS Minister identified the central role education and training has in addressing Wales' current economic issues, meeting skills needs and driving future business change. Higher Education in Wales must play a significant part in building a workforce with the relevant skills, developing businesses with the relevant technologies and promoting entrepreneurs with the relevant competitive acumen to succeed.</p> <p>The Deputy First Minister is also supporting greater investment and support for Research and Development [R&amp;D] which leads to commercialisation and economic impacts. This policy has been clearly communicated through recent statements on the Economic Recovery programme.</p> <p>Higher Education is fundamental to the growth of the knowledge economy with in Wales and is bound into the strategies and thinking of both Departments. This is evidenced not only in the specific strategies of both Departments but in the increased cross departmental working.</p> <p>The following are just a few examples:</p> <ul style="list-style-type: none"> <li>• The establishment of Ministerial Bilateral Directors and Officers groups;</li> <li>• Cross departmental reviews of all major investment proposals and bids coming out of the Higher Education sector including much closer consultation with Higher Education Funding Council for Wales [HEFCW];</li> <li>• The joint working to identify the R&amp;D Priorities for Wales following the mapping of research excellence and sectoral priorities. These priorities will guide our future use of EU Structural Funding across Departments working with the Wales European funding Office [WE FO];</li> <li>• Explicit linkage between R&amp;D undertaken in our Universities, how this is translated into IP or knowledge capable of exploitation for wealth creation. The recognition and development of a whole system an "end to end" approach for R&amp;D;</li> </ul>

Recommendation	Response
	<ul style="list-style-type: none"> <li>• Both departments worked together with Airbus to secure the £358m investment in the UK. Airbus has started work on the constructing the 46,000 sq m factory in Broughton. The new facility will help secure 10,500 jobs over the next decade and has involved considerable work from both departments in regard to skills development, capital investment, innovation especially in composite materials, and supply chain support and development;</li> <li>• Joint working on other major strategic alliances with companies investing in Wales which require total solutions involving HE and Government (EADS Innovation Works);</li> <li>• Joint DE&amp;T/DCELLS Youth Entrepreneurship Strategy Action Plan 2010-15;</li> <li>• Cross-departmental working is continuing as the intelligence gained from Research Councils and HEIs is also fed into the work of Department of Health, in particular with WORD which leads on MRC links and DE&amp;T. A good example of this is the converging Research Council and Technology Strategy Board priorities;</li> <li>• There are opportunities to lever in additional funding to Wales from the UK Research Councils, Technology Strategy Board, and EU Framework 7 Programmes. The Assembly Government works directly with Higher Education and private sector to develop projects which attract funding from these sources. In addition the Assembly Government works with private sector Trusts and Charities – Wales has recently won Wellcome Trust, Cancer and Alzheimer's Research monies.</li> </ul> <p>The Assembly Government works directly with Universities and the private sector to develop projects and develop the profile of recognised centres of expertise in Wales.</p> <p>As directed by the Assembly Government, HEFCW have introduced several funding initiatives intended to enable higher education institutions to exploit other sources of revenue and target the needs of the Welsh economy. These include the Matched Funding initiative which will encourage Welsh universities to increase and expand their fundraising capacity and incentivise voluntary giving by guaranteeing</p>

Recommendation	Response
	<p>additional government match funding. This will help to ensure that the Welsh sector is not disadvantaged in a wider UK context.</p>
<p><b>4</b> We recommend that the Welsh Government consider a match funding scheme that would create a financial incentive for universities to develop their Intellectual Property.</p>	<p><b>In place</b></p> <p>Universities &amp; colleges are supported to protect and commercialise IP through the WEFO funded A4B programme. To October '09 A4B had already supported eight proof of concept projects with a total value of £400K. Following extensive consultation with academia and relevant expert groups an improved level of support has just been introduced. Institutions can now obtain enhanced funding to support such activities as discovering new ideas, obtaining specialist third party advice and developing proof of concept projects. This support is intended to enable a more speedy and flexible response to developing academic ideas for commercial exploitation.</p> <p>The HEFCW Third Mission Funding also provides financial incentives for interaction with business. The Third Mission Funding is currently under review. This may provide an opportunity to consider further this recommendation.</p>
<p><b>5</b> We recommend that more complex modelling be developed to measure adequately the multiplier impacts of Welsh universities, not just according to a narrow economic agenda.</p>	<p><b>Accepted</b></p> <p>The Economic and Social Research Council is leading a Research Venture looking at the impact of Higher Education on Regional Economies. This project is in its third year and will report in Wales via HEFCW. We will, through Higher Education Wales, look to see whether existing models and previous work undertaken in this area requires revision and if necessary commission through the Assembly Government's Economic Research Unit</p>
<p><b>6</b> We recommend that higher education institutions should aspire to increase their procurement locally, within European Union procurement rules, in order to maximise and recycle public investment and increase their local impact as consumers and employers.</p>	<p><b>Accepted</b></p> <p>We have remitted HEFCW to work with the higher education sector to improve procurement, including:</p> <ul style="list-style-type: none"> <li>• Monitoring of Sustainable Procurement Assessment Framework action plans and Sustainable Risk Assessment template statistics, to ensure that Assembly Government targets are met;</li> <li>• Implementation of Business Procurement</li> </ul>

Recommendation	Response
	<p>Taskforce recommendations arising from “Barriers to procurement opportunities research project” when published;</p> <ul style="list-style-type: none"> <li>• Meeting “Making the Connections” procurement efficiencies target;</li> <li>• Extending the use of e-technology to improve the procurement process and to ensure prompt payment, including the use of purchasing cards; and</li> <li>• Use of Buy for Wales.</li> </ul> <p>The Universities have brought forward capital works and refurbishment projects during the economic recession employing local contractors.[FORMAT</p> <p>For example ,Aberystwyth University refurbishment of Cledwyn Spur new facility for students local architect designed and local contractor £2m</p> <p>Bangor University has undertaken refurbishment works to the value of £3.8m and new student accommodation to the value of £40m over the last 18 months in partnership with Gwalia Housing Association.</p> <p>University of Newport construction of City centre campus with Cowlin Ltd.</p> <p>Swansea Metropolitan 100 approved contractors for delivery of goods and services of which 80% are from the South West Wales area.</p>
<p><b>7</b> We applaud the achievements of the Graduate Opportunities programme (GO Wales) in linking students with local small and medium-sized enterprises, and we recommend that it continue to be expanded in the future.</p>	<p><b>Accepted</b></p> <p>GO Wales is a successful programme which supports the knowledge economy through the deployment, development and retention of graduates' high level skills, knowledge and innovative potential in businesses in Wales, particularly small and medium sized enterprises across Wales, funded by the Welsh Assembly Government via HEFCW's core grant and by European Social Fund [ESF] Convergence Funding</p> <p>Three types of GO Wales interventions have work experience at their heart:</p> <ul style="list-style-type: none"> <li>• Work placements;</li> <li>• Work tasters; and</li> <li>• Graduate Academy</li> </ul> <p>The Go Wales programme has successfully been expanded, with an investment of £17,092,258 for 2009 – 2011 and new strands of</p>