

# **Petitions Committee – Briefing Paper**

***PET(3)-14-10: 16 November 2010***

## **Part 1: New petitions**

This section provides brief background information on petitions to be given initial consideration by the Committee on 16 November 2010.

### **1. P-03-305 Statutory School Libraries**

#### **Petition wording**

We the undersigned, call on the National Assembly for Wales to urge the Welsh Government to accept in principle that it will make schools libraries statutory and run by suitably qualified staff, and to prepare the necessary legislation in consultation with the appropriate professional associations and trade unions.

#### **Background**

This petition was raised by Alison Bagshaw and collected 313 signatures. In accordance with Committee procedures the Chair has written to the Minister for Children, Education and Lifelong Learning. A copy of this letter is included below.

## **Y Pwyllgor Deisebau**

### **Petitions Committee**

Leighton Andrews AC/AM  
Minister for Children, Education and  
Lifelong Learning  
Welsh Assembly Government  
Cardiff Bay  
Cardiff  
CF99 1NA

Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff CF99 1NA

Our ref: P-03-305

10 November 2010

#### **P-03-305 Statutory School Libraries**

The Petitions Committee has received a petition from Alison Bagshaw which collected 313 Signatures signatures:

We the undersigned, call on the National Assembly for Wales to urge the Welsh Government to accept in principle that it will make schools libraries statutory and run by suitably qualified staff, and to prepare the necessary legislation in consultation with the appropriate professional associations and trade unions.

The Committee would welcome your views on the issues raised by the petition, and specifically, if the Welsh Government will consider placing school libraries on a statutory footing.

Many thanks for your consideration of this petition.

Yours sincerely

**Christine Chapman AM**  
**Chair, Petitions Committee**

## **2. P-03-306 Save Barry Theatre**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Government to protect and preserve the Theatre Royal, Barry so that it can still be developed and used as a theatre, cinema and Community Arts and Cultural Centre.

### **Background**

This petition was raised by Theatre Royal Arts and Cinema Trust and collected 142 signatures. A related petition collected 470 signatures. Supporting information provided by the petitioner is provided below. In accordance with Committee procedures the Chair has written to the Minister for Heritage. A copy of this letter is included below.

## **Pwyllgor Deisebau**

### **Petitions Committee**

Alun Ffred Jones AC/AM  
Minister for Heritage  
Welsh Assembly Government  
Cardiff Bay  
Cardiff  
CF99 1NA

Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff CF99 1NA

Our ref: P-03-306

10 November 2010

#### **P-03-306 Save Barry Theatre**

The Petitions Committee has received a petition by the Theatre Royal Arts and Cinema Trust which collected 142 signatures (a related petition collected 470 signatures:

We call upon the National Assembly for Wales to urge the Welsh Government to protect and preserve the Theatre Royal, Barry so that it can still be developed and used as a theatre, cinema and Community Arts and Cultural Centre.

The petitioner provided additional information which is included below. The Committee would welcome your views on the issues raised by the petition, and specifically, if the Welsh Government plans to take action to protect and preserve the Theatre Royal Barry.

Many thanks for your consideration of this petition.

Yours sincerely

**Christine Chapman AM**  
**Chair, Petitions Committee**

Enc: Additional information provided by the petitioner

The Theatre Royal has been central to the community of Barry since 1910. It closed its doors in April 10<sup>th</sup> 2008 when the lease expired and since then has remained empty.

TRACT has campaign tirelessly to reopen the Cinema for the past three years which culminated into a offer at the full market value to purchase the property in 2009. Unfortunately this offer was rejected and the building remains boarded up and empty.

A statement was made on behalf of Hafod Housing regarding redeveloping the site as an Extracare Facility which has met with fierce opposition from the community as a whole however, no planning application has been filed to our knowledge.

The Theatre Royal was opened in 1910 provided an important role to the community firstly as a performing theatre staging a range of entertainment given by touring and local companies. The transition from stage to cinema use was made in the 1930's. In the 1900's the history of the building included visits from General Booth, the leader of the Salvation Army and Samson billed as the strongest man on earth.

Local connections included Victor Sylvester who was organist and musical director in the late 20's early 30's who is related to a local businessmen working in the town today. In 1910 completion of the Theatre Royal advertising curtain was given to Mr Leon Hook, sign artist. The Hook sign writing business is in its fourth generation in the town.

The Theatre Royal is older than the towns Memorial Hall. Parts of the old theatre still remaining include, the stage, proscenium, dressing rooms, basement corridors and the possibility of other undiscovered areas as they have been bricked up. When opened the theatre had a room garden on top of the shops to the side of the building. It was agreed to be entered on the Vale of Glamorgan Council County Treasure List in April 2008 and it is also on the at risk list with the Theatres Trust London.

Rather than see a change of use or redevelopment, we believe the buildings 100 year heritage is of a significant value that can be related through its history. In preserving this, it is something the community could fully recognise and appreciate while utilising the amenities it is still capable of providing.

### **3. P-03-307 Design for Innovation in Wales**

#### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Assembly Government to consider the potential significant role for design in future innovation, public service and social enterprise policies and programmes. This is in the light of increased commitment to design agenda by other nations around the world and in preparation for a new Innovation Policy due to be published by the European Commission. This imminent new policy is likely to include a broader definition of innovation that embraces services in the public & private sectors and social enterprise on equal terms with traditional research and development (R&D).

#### **Background**

This petition was raised by Gavin Cawood and collected 233 signatures by 9 November 2010. Supporting information provided by the petitioner is provided below. In accordance with Committee procedures the Chair has written to the Deputy Minister for Science, Innovation and Skills. A copy of this letter is included below.

# **Y Pwyllgor Deisebau**

## **Petitions Committee**

Lesley Griffiths AC/AM  
Deputy Minister for Science,  
Innovation and Skill  
Welsh Assembly Government  
Cardiff Bay  
Cardiff  
CF99 1NA

Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff CF99 1NA

Our ref: P-03-307

10 November 2010

### **P-03-307 Design for Innovation in Wales**

The Petitions Committee has received a petition from Gavin Cawood which collected 233 signatures:

We call upon the National Assembly for Wales to urge the Welsh Assembly Government to consider the potential significant role for design in future innovation, public service and social enterprise policies and programmes. This is in the light of increased commitment to design agenda by other nations around the world and in preparation for a new Innovation Policy due to be published by the European Commission. This imminent new policy is likely to include a broader definition of innovation that embraces services in the public & private sectors and social enterprise on equal terms with traditional research and development (R&D).

The petitioner provided additional information which is included below. The Committee would welcome your views on the issues raised by the petition, and specifically, if the Welsh Government plan to consider the role of design in future innovation, public service and social enterprise policies and programmes.

Many thanks for your consideration of this petition.

Yours sincerely

**Christine Chapman AM**  
**Chair, Petitions Committee**

Enc: Additional information provided by the petitioner

# DESIGN FOR INNOVATION IN WALES: INDUSTRY, SERVICES & SOCIETY

## Manifesto

The world is changing faster than ever. And there are unprecedented crises – economic, social, health and environmental. As a creative and dynamic nation, we have the opportunity to be at the forefront of meeting those challenges in Wales.

But how?

Through innovation driven by design.

Design is a strategic discipline that can bring about positive and practical changes to our lives. By looking at things differently, design solves problems and transforms ideas into something tangible and viable. In the Council of the EU, innovation is recognised as the means to address a whole range of challenges: 'The Council invites the Commission and Member States to give special attention to design considering its leverage effect on innovation performance, taking into account economic, social and environmental sustainability aspects and stresses the need to establish platforms for exchanging knowledge, experiences and best practices on design issues as a competitive advantage for European companies.'<sup>1</sup>

As this policy remit expands, design proves it can realise ideas and add value to all aspects of our society. If Wales is to embrace design, it is imperative to engage with this EU policy.

Design can convert social concerns into economic opportunities. This can be seen across our three areas of focus - industry, services and social innovation:

- In **industry**, design enables companies to develop competitive products and services that respond to consumer expectations and also promote a culture of sustainability and innovation. This is evident in Sir James Dyson's 'Ingenious Britain Report', commissioned by the Conservatives, which makes proposals to boost British industry and technology.
- **Public services** can become sustainable through design by taking a user-centred approach, designing in better value, greater efficiency and accessibility.
- **Social innovation** is where a design process is applied to engage people in exploring local challenges. Design allows people to participate and implement solutions to improve social cohesion.

Design is already happening in Wales and accounts for the greatest proportion (22%) of Wales's creative industries (this is mirrored in the UK economy too). The creative and cultural industries contribute £465M to the Welsh economy, of which 36% comes from design.<sup>2</sup>

But this does not go far enough. Despite such encouraging figures, businesses in Wales take limited advantage of design; only 17% use product and industrial design in their business.<sup>3</sup> In the public sector design is used mainly for communication; its strategic potential to develop efficient systems, services, products and process is ignored.

Many countries across the globe have embraced design at policy level. If our nation is to excel as a competitive economy, create user-centred products and services and embrace social innovation, the National Assembly and Welsh Assembly Government must act now to harness the power of design for innovation.

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<sup>1</sup> Conclusions on Creating an Innovative Europe. Council of the European Union, 26 May 2010, p. 4.  
[http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/intm/114637.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/intm/114637.pdf)

<sup>2</sup> Creative and Cultural Industries Economic and Demographic Footprint. Creative and Cultural Skills, 2008 (Available from:  
<http://www.ccskills.org.uk/Industrystrategies/Industryresearch/tabid/600/Default.aspx>)

<sup>3</sup> The Value of Design Factfinder Report. Design Council, 2007, p. 97



## Definitions

**DESIGN** 'Design is what links creativity and innovation. It shapes ideas to become practical and attractive propositions for users or customers. Design may be described as creativity deployed to a specific end.'

*Cox Review of Creativity in Business: Building on the UK's Strengths. HM Treasury, 2005, p. 2.*

**INNOVATION** 'The implementation of a new or significantly improved product (goods or service) or process, a new marketing method, or a new organisational method in business practices, workplace organisation or external relations.'

*Guidelines for Collecting and Interpreting Innovation Data (Oslo Manual), OECD, 3<sup>rd</sup> Edition, 2005.*

## Recommendations for Action

How can we secure the vision of a design-led Wales? Our tangible and realistic recommendations are as follows:

### Immediate actions

Encourage individual Assembly Members to form a cross-party group for design and innovation, in order to:

- Create a platform and bring together stakeholders
- Map design stakeholders across Wales.

### The group's key responsibilities

- Develop a vision of design in Wales
- Drive design into public procurement
- Ensure design is included in future innovation policies
- Co-ordinate an annual design summit.

### Long-term goals

- Engage the wider community with design
- Develop an export programme to sell Welsh design in Wales and abroad
- Realise the Welsh design sector's potential and raise their capability to address the skills gap
- Pilot design-led schemes in public services.

## OUR PETITION: Design for Innovation in Wales

We call upon the National Assembly for Wales to urge the Welsh Assembly Government to consider the potential significant role for design in future innovation, public service and social enterprise policies and programmes.

This is in the light of increased commitment to design programmes by other nations around the world and in preparation for a new Innovation Policy due to be published by the European Commission. This imminent new policy is likely to include a broader definition of innovation that embraces services in the public & private sectors and social enterprise on equal terms with traditional research and development (R&D).



### Design Wales

PDR, UWIC, Western Avenue,  
Cardiff, CF5 2YB

T: 029 2041 7028

E: [enquiries@designwales.org](mailto:enquiries@designwales.org)

W: [www.designwales.org](http://www.designwales.org)

## **Part 2: Updates to previous petitions**

This section provides brief background information on updates to petitions to be considered by the Committee on 16 November 2010.

### **1. P-03-081 Student Loan Regulations / P-03-296 Unfair Proposals on Student Loans**

#### **P-03-081 Student Loan Regulations**

##### **Petition wording**

Currently, the Student Support Regulations prohibit mature students who already hold an honours degree from applying for a student loan for living expenses. There is, however, an exemption from this rule for students studying for a degree which ultimately leads to qualification as a medical doctor, dentist, veterinary surgeon, architect, landscape architect, landscape designer, landscape manager, town planner or town and country planner.

No facility exists for any mature student for the provision of student loans to pay for fees.

We, the undersigned, call upon the National Assembly for Wales to extend the aforementioned exemption to include any undergraduate degree course which is a mandatory legal prerequisite for qualification and registration in a given profession.

Examples of such courses include:

- BSc/Op for registration as an Optometrist
- MPharmacy for registration as a Pharmacist

We strongly urge the National Assembly for Wales to implement these changes as a matter of priority, retrospectively enacting these changes if permissible.

The motivation for this petition is to ensure that mature students, particularly those from less affluent backgrounds, are not excluded from admittance into professions which are not included in the current regulations, and which have no other route of registration.

In addition, we would ask that the National Assembly for Wales give due consideration to the possibility of the provision of student loans for part-payment of fees for such qualifications.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-081.htm>

**Petition raised by:** Mr Deri Burgess

**Number of signatures:** 16

**Previously considered by the Committee on:** 06 December 2007, 10 April, 22 May and 02 October 2008, 27 January, 31 March, 5 May, 7 July 2009, 27 April, 13 July and 28 September 2010

## **P-03-296 Unfair Proposals on Student Loans**

### **Petition wording**

We call on the National Assembly for Wales to urge the Welsh Government to resist the Russell Group of Universities' unfair proposals to force graduates to repay student loans at a faster and steeper rate.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-296.htm>

**Petition raised by:** Mr Cerith Rhys Jones

**Number of signatures:** 146

**Previously considered by the Committee on:** 28 September 2010

**Update:** Correspondence has been received from the Minister for Children, Education and Lifelong Learning and is included below. Additionally, the committee will consider the petitions in the light of the Independent Review of Higher Education Funding and Student Finance (the "Browne Review").

NS

**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 P-03-296  
Ein cyf/Our ref LA/02777/10

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

19 October 2010

*Dear Chris*

Thank you for your letter dated 05 October 2010 asking whether the Welsh Government would consider the petition submitted by Cerith Rhys Jones, concerning student loans, when preparing our response to the Browne review. In response to your previous correspondence dated 22 September 2010, you should have received my letter dated 30 September 2010.

Lord Browne issued his report on the 12 October and I made a statement to Plenary in which I outlined my initial response to the proposals. As I made clear in my statement, Lord Browne's review covers English universities only. I intend to consider the report very carefully alongside the response from the UK Government and the outcome of the Comprehensive Spending Review when they are known.

In One Wales we committed ourselves to do whatever is possible to mitigate the effects on students ordinarily resident in Wales if the Westminster government lifts the cap on fees. We made it clear that our policies would widen participation in education; would maximise the economic, social and cultural impact of universities on learners and the wider community; and will require universities to work together to make the most of their resources and provide the widest possible range of opportunities for students.

The UK Government is scheduled to publish its response to Lord Browne following the Comprehensive Spending Review announcements on 20 October 2010. The One Wales Government will consider the issues over the next few weeks and we will set out our response in due course.

*Yours sincerely*

**Leighton Andrews AM**  
Minister for Children, Education & Lifelong Learning

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Ffacs \* Fax 029 2089 8129

Correspondence: [Leighton.Andrews@wales.gsi.gov.uk](mailto:Leighton.Andrews@wales.gsi.gov.uk)

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## **2. P-03-092 A465 Relief Road to Tafarnaubach**

### **Petition wording**

'Petition to Welsh Assembly

A465 relief road to Tafarnaubach Industrial Estate, to take HGV's off old Merthyr Road O/S Bryn Bach School & Princetown Village'

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-92.htm>

**Petition raised by:** Doug Harris

**Number of signatures:** 624

**Previously considered by the Committee on:** 6 March 2008, 10 April 2008, 22 May 2008, 23 July 2008, 20 November 2008, 8 December 2009, 1 February and 13 July 2010.

**Update:** Correspondence has been received from the petitioner and is included below.

Rhodri, Thank you for the email, I am now in a position having read the letters from Ieuan Wyn Jones AM and Mr John Parsons, Since these letters a meeting was convened by representatives of Blaenau Gwent Council, Trish Law AM and myself, progress was made in the way that speed strips were placed along Merthyr Road outside the school with a view to have in place a 20 MPH speed introduced. I am awaiting the result. Furthermore another officer has been appointed in place of Don Wilcox who is more understanding.

A meeting has been called by the leader of the council for November 5th those in attendance will be Nick Smith MP, Alun Davies AM and Trish Law AM, Alun Davies AM is continuing to seek a face to face meeting with Ieuan Wyn Jones. I quote from an email sent to me by Alun Davies

We are trying to establish a clear strategy from Blaenau Gwent on trunk roads. At present everything continues to seem somewhat confused. From my conversations with the Assembly Government, they seem content to move forward with a scheme and to investigate a scheme but will not commit funding until it has the support of the local authority. In my view, the continuing economic uncertainty means that this sort of scheme is essential to maintain jobs and competitiveness.

We will continue pressing people and will keep you informed.

Rhodri, I respectfully ask you to contact either Trish Law or Alun Davies after the Nov 5th meeting for any update, or if I am informed I will send you the result of the meeting.

I can confirm that improvements were made to the footpath, on inspection by myself a further improvement was carried out as engineers of BGC had botched up their plans, contractors were recalled to the site to carry out further work to make it safe for the children..

Doug

### **3. P-03-136 Parking in the Heath and Birchgrove areas of Cardiff**

#### **Petition wording**

‘We would ask the Welsh National Government to:

1. Advise the Cardiff and Vale NHS trust to:

- provide sufficient parking on site for its staff and visitors by seeking suitable areas for hospital parking on site and on land such as the derelict area north of the allotments opposite Heath Hospital on the other side of Eastern Avenue
- decentralise some of the services already on the Heath site and
- cease selling hospital land in Cardiff and the surrounding area for housing.

2. Recommend Cardiff County Council to:

- refuse planning permission for further development on the Heath Hospital site unless a unit is removed from the site which has an equal traffic impact
- discourage multi-occupation development in the area and
- introduce limited time parking in streets within walking distance of Heath hospital.

3. Consider within the Assembly the introduction of a system which would allow local groups to appeal to the Assembly when the council gives planning permission for a development which residents consider will exacerbate the problem of parking in the area.’

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-136.htm>

**Petition raised by:** Cllr. Ron Page

**Number of signatures:** 500+

**Previously considered by the Committee on:** 22 May 2008, 09 July 2008, 02 October 2008, 06 November 2008, 27 January 2009, 17 March 2009, 8 December 2009, 23 March and 13 July 2010.

**Update:** Correspondence has been received from Cardiff and Vale Local Health Board and the petitioner. These are included below.

Dear Ms. Chapman

**P -03-136 Parking Heath and Birchgrove**

I am in receipt of your letter to Mr. Jonathan Morgan AM dated 17<sup>th</sup> August 2010, relating to the above mentioned petition.

You state that confusion over the role and remit of the Petitions committee may be at the heart of the petitioner's frustrations.

Over the past five years the people of Heath have requested various bodies including the Welsh Assembly, Cardiff Council and the University Hospital of Wales to find a solution to the ongoing problem of vehicles causing congestion on our roads. **Nothing has been achieved by these efforts.** This in itself is frustrating when 500+ households sign a petition, which is presented to the Petitions committee, and we are no further forward, after 2 years, than we were on the first day.

Not only is the problem still there but it is getting worse. What is the committee doing other than requesting documents that seem to take forever to get to them but have been in possession of the Heath Residents' Association from the time published. These documents have been offered to the committee but the clerk's office have declined saying they prefer to get them from official channels.

The latest delay now, having waited an eternity for the Sustainable Travel Plan, is to ask for an update. We, the HRA, have had a meeting with the hospital, prior to your last meeting, when we were given an update and reported this to your committee. None of the objectives or targets has been met and many of them have not and will never get off the ground.

It is refreshing to see that at least one member of the committee, Mr. Andrew R.T. Davies, recognises that there is a problem in his article in the South Wales Echo of 23<sup>rd</sup> September 2010.

We pointed out to you at a very early stage that we thought the Sustainable Travel Report was not going to take us forward to finding a solution. Have we been proved right? Yes and in a very big way. A lot of emphasis was made on the number of permits to be issued, no more than 3500, but this has been greatly exceeded running at 6500 and rising. The park and ride system that was to help alleviate the problem was a non starter as not one of the systems pass through or anywhere near the hospital. I could go on but I have previously submitted details concerning this subject and I am not sure what attention has been paid to it.

I have forwarded a letter to Ms. Stocks via an email to Mr. Rhodri Morgan (clerk to the Petitions committee) and I would like you to have sight of this.

**Two years plus and what has been achieved, if you could just tell me that so I can pass on the information to those who signed the petition?**

At the present time all they see is the cars parked outside their homes from Monday to Friday, and getting worse, the risks they have to take even to pull out of or on to the driveway, congestion so much so that if there is a cyclist traffic on one side of the road will be held up, nowhere for visitors or workmen to park, difficulty in pedestrians crossing the road, continuous parking on bus stops so that the drop down system for the elderly is useless, even a part of Heath Park has been turned into a car park for Heath Hospital etc. and nothing apparently being done to alleviate the problem.



There are changes going on within Cardiff and Vale health Board and we have already had a meeting with an Assistant Director to discuss these matters. It will not bring about any change for the better in relation to parking.

It is not expected that this issue will be resolved overnight but it would be encouraging if somebody suggested a way forward, breaking it down into short, medium and long term. I and the residents look forward to hearing from you in the near future when I hope there will be something more positive to report.

Yours sincerely  
John Jones



**GIG**  
CYMRU  
**NHS**  
WALES

Bwrdd Iechyd Prifysgol  
Caerdydd a'r Fro  
Cardiff and Vale  
University Health Board

## **Ysbyty'r Eglwys Newydd** **Whitchurch Hospital**

Park Road, Whitchurch.  
Cardiff, CF14 7XB  
Phone 029 2069 3191

Heol Parc, Yr Eglwys Newydd  
Caerdydd, CF14 7XB  
Ffôn 029 2069 3191

Eich cyf/Your ref:  
Ein cyf/Our ref: DF/jb/11/589  
Welsh Health Telephone Network:  
Direct Line/Llinell uniongychol: 02920 745684

**David Francis**  
**Chair**

3 November 2010

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

Dear Ms Chapman

I am writing further to recent correspondence in which you were seeking an updated position report in respect of the Petitions Committee reference P-03-136 Parking in Heath and Birchgrove.

I am now pleased to be able to update you by providing the following information in respect of Cardiff and Vale UHB:

- We have continued to promote the car share scheme regularly throughout the organisation. During car share week (w/c 4<sup>th</sup> October) we had SEWTA in the University Hospital Wales (UHW) concourse for the day also promoting.
- We have improved cycle storage facilities on site – improved security of main cycle compound and provision of sheltered storage opposite Children's Hospital.
- Active Travel Maps have been produced and distributed in conjunction with Sustrans improving cycle route signage from the Taff Trail to the site.
- We have provided cycle training and maintenance lessons for staff
- The salary sacrifice scheme has not yet been implemented but will be as part of our health strategy. The recent HMRC advice on residual value now needs to be also taken into account
- We have dedicated bus timetables for the UHW site
- There have been no further detailed discussions with Cardiff Council but we aim to do so particularly with reference to the East Cardiff Park and Ride facility which we believe could easily offer a service into UHW

I trust you find this information sufficient for your requirements, should you seek any additional clarity in respect of this matter please do not hesitate to contact me further.

Yours sincerely

**David Francis**  
**Chair**

#### **4. P-03-143 Ysgol Penmaes**

##### **Petition wording**

We the undersigned request that the National Assembly for Wales urge the Welsh Assembly Government to invest in better transport links in rural areas like Powys.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-143.htm>

**Petition raised by:** Catherine Lewis

**Number of signatures:** 15

**Previously considered by the Committee on:** 23 July, 20 November 2008 and 31 March 2009 and 29 June 2010

**Update:** Correspondence has been received from the Deputy First Minister and TRACC. These are included below.

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-143  
Ein cyf/Our ref DFM/01636/10

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

11 August 2010

Thank you for your letter of 12 July, on behalf of the Petitions Committee, in response to the petition submitted to the Committee by Catherine Lewis and Ysgol Penmaes, and which was about improving transport links in rural Wales.

You asked a number of specific questions arising from the petition, and I shall answer in the order in which they were raised.

The review of financial support to the bus industry is continuing. This exercise is considering how we can achieve the optimum outcome for each pound of public money that we spend. The review is looking at our funding to bus companies that helps to keep down fares, and to local authorities to subsidise bus and community transport services. You may be assured that the work will take fully into account the transport issues facing rural communities, including the typically less frequent provision of local bus services, and the importance of those services to people who live in such communities.

In March 2010 I approved the Year 1 programme of the Regional Transport Plan for Powys that includes the following sustainable transport schemes:

- Newtown Interchange
- Community Transport enhancement
- Smarter Choices travel to school / work cycle parking programme
- Welshpool – Buttington cycle route
- Welshpool, Newtown to Llanidloes and Hay-on-Wye to Glasbury cycling schemes

Further details can be found on the TraCC website - <http://www.tracc.gov.uk/>. My officials are monitoring Regional Transport Plans to ensure that they deliver the intended improvements locally.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
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

Innovative transport services, such as the Bwcabus service in Carmarthenshire, are often more appropriate and affordable in meeting the public transport needs of rural communities. Bwcabus is proving to be hugely successful with demand more than 45% higher than last year. We are currently working with our partners to identify opportunities for expanding the scheme, and my officials have encouraged other rural local authorities to learn more about the Bwcabus approach, to see what lessons it has to offer them.

Finally, the National Transport Plan will take forward the process of achieving an effective integrated transport system in Wales. As you know, it builds on previous initiatives to better integrate public and community transport along with walking and cycling so that investment in the transport system helps us to deliver One Wales. The Assembly Government's established Rural Proofing process will help to ensure that the Plan will improve the accessibility of key services and facilities by people who live in rural Wales. As you know, the Assembly Government's consultation on rural health planning looked at how core services could be delivered closer to patients. The report "Deep Rural Localities" by the Wales Rural Observatory acknowledges that rural residents need to travel if services cannot be provided locally, and in such circumstances there is a clear role for demand responsive and community transport schemes. Further detail is contained within the Plan, available via <http://wales.gov.uk/docs/det/publications/100329ntpen.pdf>.

I hope that this is helpful.

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

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

Cyng / Cllr Trevor Roberts, Cadeirydd / *Chairman*

Swyddfa TraCC Office, Canolfan Rheidol, Rhodfa Padarn, Llanbadarn Fawr, Aberystwyth, Ceredigion SY23 3UE

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

Eich cyf / *Your ref:*  
Ein cyf / *Our ref:* P-03-143

Ffôn / *Phone:* 01970 633431/ 077814 473632  
Ffacs / *Fax:* 01970 633 430

Dyddiad / *Date:* 12<sup>th</sup> August 2010

e-bost / *e-mail:* enquiries@tracc.gov.uk

---

Dear Ms Chapman

**RE: Petition P-03-143 Ysgol Penmaes**

Thank you for your letter of 12<sup>th</sup> July 2010 addressed to Cllr Jeffrey James, Chair of the South East Wales Transport Alliance (Sewta) which has since been forwarded to me.

As you will hopefully be aware, Trafnidiaeth Canolbarth Cymru (TraCC) is the regional transport consortium for Mid Wales - a voluntary partnership between the three Mid Wales local authorities of Ceredigion, Powys and Gwynedd. TraCC published its first Regional Transport Plan (RTP) in September 2009 (approved by the Minister in December 2009) having been adopted by the three Mid Wales local authorities and TraCC Board. A copy of the TraCC RTP is available on the website: [www.tracc.gov.uk](http://www.tracc.gov.uk).

TraCC and its local authorities have recognised that there is a need to work together to improve passenger transport provision and promote environmentally sustainable and accessible travel choices. There is full recognition of the distinct needs of rural areas as identified early on in the RTP development process through extensive stakeholder and public engagement. As well as developing the RTP, TraCC has commissioned and published two key reports which will now guide provision of local and regional passenger transport services and infrastructure in Mid Wales and will also be used to influence the delivery of the Assembly Government's National Transport Plan commitments in the Region (such as the provision of an hourly passenger service on the Cambrian Main Line Railway by 2011).

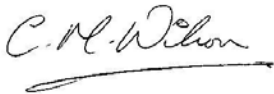
The local authorities individually (or in collaboration) manage and deliver the operational (revenue) aspects of contracting operators to provide public local bus services but the TraCC RTP provides the strategic direction/ context and planning for the delivery of these services and seeks to fund associated Capital infrastructure. Local authorities have the statutory responsibility for providing home to school transport in their administrative areas.

In the region of 95% of local bus services rely upon local authority revenue support for their operations. This is largely provided by the Welsh Assembly Government to local authorities on an annual basis as Local Transport Services Grant (LTSG), a portion of which is also provided to support Community Transport in Mid Wales. There has been some concern expressed that the formula used to allocate this funding now provides greater benefit to the

more urban and populous areas of Wales but which are served by a greater proportion of commercially-run bus services. In this sense, rural areas where there is a greater need for public subsidy to support and provide services, appear to be losing out. Clearly, there is merit in investigating the distribution of LTSG so as to ensure both equity and value for money.

Representatives of TraCC and its local authorities would be pleased to expand on this reply or provide further information should the Committee wish them to do so.

Yours sincerely



Chris Wilson  
TraCC Co-ordinator  
On behalf of the Chairman

**Cc Councillor Jeffrey James O St J, Chairman of Sewta**

---





## **5. P-03-162 Road Safety in Llanspyddid**

### **Petition wording**

We, the undersigned, hereby petition the Welsh Assembly Government to improve road safety in the village of Llanspyddid, Brecon, Powys through implementation of traffic calming measures such as a reduction in the current speed limit, improved roadside lighting and improved signage on the A40.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/dogfennau-busnes-deisebau/p-03-162.htm>

**Petition raised by:** Llanspyddid Residents Association

**Number of signatures:** 67

**Previously considered by the Committee on:** 06 November 2008, 13 January, 2 March, 24 November 2009, 19 January, 23 March and 25 May 2010

**Update:** Correspondence has been received from the Deputy First Minister, which includes the completed safety review, and is included below.

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-162  
Ein cyf/Our ref MB DFM 0568 10

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

25 October 2010

*Dea Christine*

I wrote to you on the 5 May regarding petition P-03-162: Improvement to the A40 near Llanspyddid, where you asked for a copy of the safety review that we carried out on this part of the trunk road network.

The report is now finalised, and as previously advised I attach a copy for your information.

*Ieuan Wyn Jones*

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

*Asiantaeth Cefnffyrdd Canolbarth Cymru*  
Mid Wales Trunk Road Agency



**Raglan – Llandovery Trunk Road A40  
Llanspyddid Preliminary Investigation**

September 2010

Report Prepared By: Powys County Council



Report Ref: 1913/DAP



**Asiantaeth Cefnffyrdd Canolbarth Cymru**  
**Mid Wales Trunk Road Agency**

Partneriaeth Cyngor Sir Ceredigion & Powys County Council  
Partnership

Mike Steward, BSc., C.Eng., MICE, MHT, TechIOSH  
*Rheolwr Cefnffyrdd Trunk Road Manager*

Council Offices  
Spa Road East,  
Llandrindod Wells  
Powys LD1 5LG

**Raglan – Llandovery Trunk Road A40**

**Llanspyddid Preliminary Investigation**  
September 2010

**AUTHORISATION SIGNATURES:**

Prepared by:

Date: 28<sup>th</sup> September 2010

*Derek Price, Project Engineer*

Checked and Approved by:

Date: 28<sup>th</sup> September 2010

*Gareth Price, Project Manager*

Issued by:  
*Powys Engineering Design Services*  
Southern Area Design Office  
Neuadd Brychleniog  
Cambrian Way  
Brecon LD3 7HR  
Tel:- 0845 607 6060

Issued to:  
*Mid Wales Trunk Road Agency*  
Automobile Palace  
Temple Street,  
Llandrindod Wells  
Powys LD1 5HU  
Tel:- 0845 607 6060

## **INDEX**

- 1. Introduction**
- 2. Existing Layout**
- 3. Traffic & Accident Data**
- 4. Proposals**
- 5. Conclusions**

**Appendices**

**Raglan – Llandovery Trunk Road A40**  
**Llanspyddid Preliminary Investigations**

**1. Introduction**

- 1.1 The Community has raised concerns with regard to the safety of trunk road highway users in the vicinity of the side road junction at Llanspyddid. Issues raised include: the high speed of trunk road vehicles through the village; RTCs; lack of street lighting. This study reviews the trunk road environment through the village, with particular focus at the junction, to determine if further measures are required in accordance with current highway authority guidelines and to improve safety.

**2. Existing Layout**

**2.1 Geometry**

- 2.1.1 The layout, as shown in Appendix 1, has a carriageway width of 6.9 metres generally running east/west through a curve radius 400 metres with a forward visibility of 120 metres. These values approximately relate to criteria for one departure and one step below desirable minimum for a design speed of 50mph. The whole of the village (except for the Vicarage) is located on the South side of this section of Trunk Road, over which the National Speed limit applies.

**2.2 Signs and Road Markings**

(See site photographs – Appendix 2.)

- 2.2.1 The A40 is a designated clearway with the centreline indicated by a 6 metre line and 3 metre gap with solid edge of carriageway line except at junctions and lay-bys, etc.
- 2.2.2 At 100 metres to east and west of the C0160 junction are "Junction Ahead" warning signs above a "Pedestrians in Road" warning sign, the latter being in existence prior to the provision of a footway and is no longer required.
- 2.2.3 Adjacent to the signs are ARAF/SLOW carriageway road markings.

### **3. Traffic & Accident Data**

- 3.1 Annual average daily traffic (AADT) flows are shown to be 4900 vehicles with an 85%ile speed of 55.9mph, 50m west of the carriageway junction and 62.2mph, 500 metres north west of the junction.
- 3.2 Accident records from 1988 to date show that there have been 17 personal injury collisions in total within a 200 metre length either side of the junction. (See location plan in Appendix 3)

To summarise:

1. At the junction – 4 slight, 1 serious
2. East of the junction – 7 slight
3. West of the junction – 1 slight, 4 serious

Whilst it is more usual to report a 3 or 5 year accident history, the longer term helps to give a better indication of the types of collision occurring at the junction and its approaches.

- 3.3 The 3 year accident record shows 4 slight and 1 serious personal injury collisions and the 5 year accident record, 6 slight and 1 serious.
- 3.4 It is worth noting that all the slight collisions in the last 3 years occurred over 100m to the east of the junction and there was only 1 slight collision at the junction in the past 5 years.
- 3.5 Collision details generally indicate the likelihood of driver error at the junction, the majority of collisions being shunts. The junction approaches possibly indicate inappropriate speeds resulting in "loss of control" or by crossing the centre line.
- 3.6 Collisions to the west of the junction have a higher severity designation to those on the east, which may be attributed to the higher 85%ile speeds.
- 3.7 Based on the last 5 year accident history, the collision rate equates to 76 injury collisions/100 million.veh.km.
- 3.8 Turning counts at the junction were carried out at peak AM and PM periods – data is provided in Appendix 4.

#### **4. Proposals**

- 4.1 It is proposed to visually enhance the trunk road signing and lining as shown in Appendix 5.
- 4.2 This consists of a centreline hatching for 200 metres either side of the junction which coincides with the accident boundaries and frontage development.
- 4.3 At the extremities it is proposed to erect new yellow backed junction ahead warning signs with "reduce speed now" plates (both sides of the road). Adjacent to the sign, in the approach lane, it is proposed to install an ARAF/SLOW road marking on a red patch with the same road markings repeated 100 metres from the junction.
- 4.4 Estimate cost for these measures are as follows:-

TS&M	500
4 signs @ £500 supply and erect	2,000
4 Red Patch/ARAF/SLOW	2,000
400metres C.L. hatching	2,400
80 road studs unidirectional	<u>1,000</u>
	7,900
Contingencies	<u>800</u>
	8,700
Design and Site Supervision	900
<b>Total</b>	<b><u>£9,600</u></b>

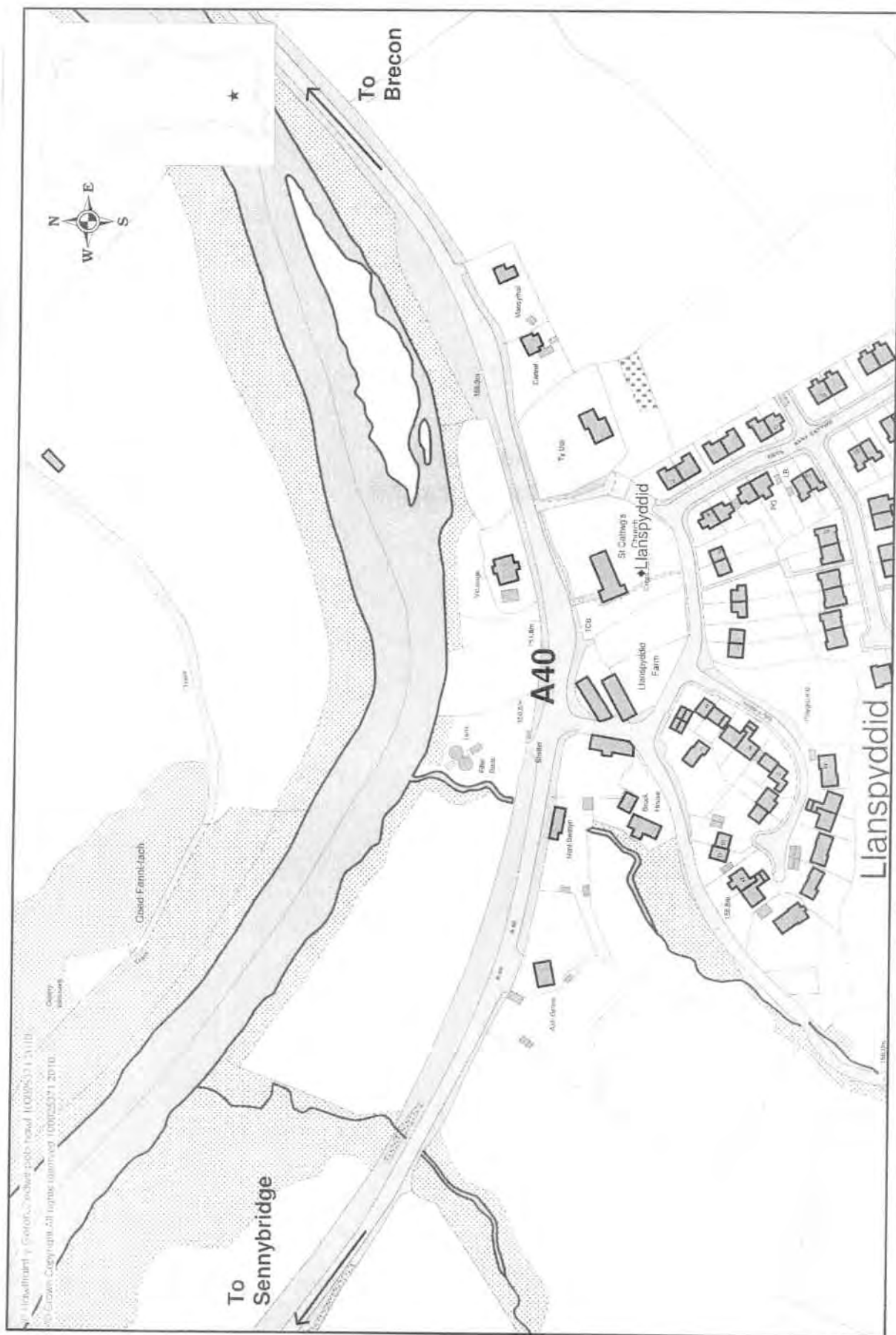


## **5.Conclusion**

- 5.1 The proposals are measures to improve driver awareness in the immediate vicinity of the junction, and are similar to measures introduced at various locations in the County with great success.
- 5.2 Consideration has been given to provision of a 50mph speed limit, in accordance with the DMRB and the road geometry, but the 85%ile speed of 55mph is considered to be an acceptable tolerance.
- 5.3 Whilst the accident rate is in excess of the threshold under current speed limit guidance (Setting Local Speed Limits in Wales), it also states that speed limits should not be used in an attempt to solve isolated hazards, hence visual enhancement is the preferred option.
- 5.4 Following implementation of the proposals the situation can be monitored and if further measures become necessary, the advance junction warning signs may be replaced by a mandatory 50mph section. The length being 450 metres, which is slightly below the recommended minimum distance of 600metres, but allowable under different or specific circumstances such as the junction.

## **Appendix 1**

### **General Layout**



Cyngor Sir **Powys** County Council

Raglan - Llandovery Trunk Road A40

1913/DAP/App1

Printed by: DA Price / Date: 23 March 2010 / Scale 1:2500

Llanspyddid - General Layout

## **Appendix 2**

### **Site Photographs**

Google maps  
UK

Address **A40**

Address is approximate

C0161 Junction from East



Google maps

Address **A40**

Address is approximate

C0161 Junction from West



Google maps

Address **A40**

Address is approximate

Junction Approach from Sennybridge



Google maps

Address **A40**

Address is approximate

Junction Approach from Brecon

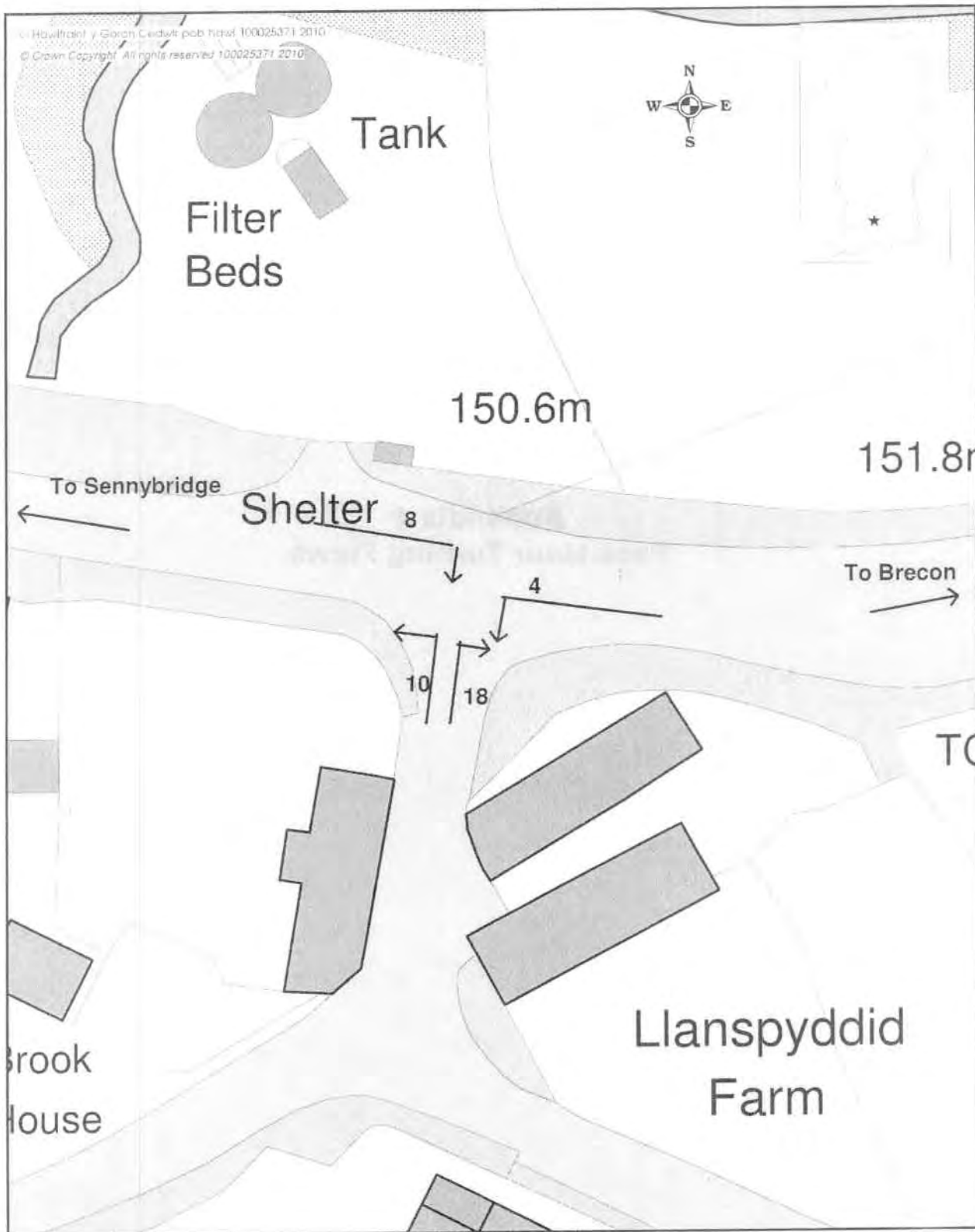




**Appendix 3**  
**Accident Location Plan**



**Appendix 4**  
**Peak Hour Turning Flows**



## **Appendix 5**

### **Traffic Proposals**



## **6. P-03-204 Public Accountability and Consultation in Higher Education**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh government to introduce an open and transparent system to scrutinise the standards of service and value for money offered by the Higher Education sector in Wales, and to ensure changes in service levels are subject to public consultation.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-204.htm>

**Petition raised by:** Trevor Mayes

**Number of signatures:** 13

**Previously considered by the Committee on:** 22 September 2009, 8 December 2009 and 1 February 2010, 25 May, 13 July and 12 October 2010.

**Update:** Correspondence has been received from the University and College Union and is included below.

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

21<sup>st</sup> October 2010

Dear Christine,

### **Public Accountability and Consultation in Higher Education**

Thank you for the opportunity to comment on the above petition and please accept our apologies for not having been able to respond sooner.

The subject of the petition is incredibly complex and we have addressed a few of the issues indicated in the correspondence and we hope that these views are helpful.

### **Role and function of HEFCW**

UCU supports the continued role of HEFCW as the funder of higher education in Wales. It provides an important function as the independent funder of the sector and ensuring that government remains at arms-length from universities.

The clear intention in *For our Future* is that HEFCW and the Assembly Government intend to play a strategic leadership role within the sector. Specifically this will be exercised through the progressive transfer of funding to the Strategic Implementation Fund. Similarly all capital funding will now be subject to Assembly Government approval.

It is essential however that institutional autonomy is not compromised and that they retain the ability to set their own institutional mission. Crucially however, institutional autonomy is not the same as vice-chancellor autonomy and institutions must genuinely engage with their stakeholders and communities in setting their mission. Vice-Chancellors or even an individual governing body must not be the sole determinants of the mission of an institution: staff, students and the wider community must be given a clear and prominent role. It is vital that institutions recognise and locate themselves as part of their locality and their community.



## **Institutional governance**

At the heart of the debate about public accountability and consultation is the importance of effective governance. The review of institutional governance in higher education commissioned by the Assembly Government is the opportunity to address any deficiencies in terms of public accountability and consultation. The governing bodies of institutions – whether Boards of Governors or Councils – must be more reflective of the communities they serve and of their own collegiate communities (namely, students and staff). We would recommend that the committee feeds its work in relation to this petition into the governance review.

## **Academic freedom**

Academic freedom is the cornerstone of informed debate within the academic community. Traditionally this freedom is defined as the freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges. This should be extended to include the right of staff to criticise the functioning of higher education institutions, including their own, without placing themselves in jeopardy. This formed part of a recent agreement at Leeds University and could strengthen public debate and accountability of our institutions.

I hope that this is a helpful contribution and please accept my apologies for the delay in responding.

Best wishes,

**David Hagendyk**

Political Liaison Officer, UCU Cymru

## **7. P-03-206 Free swimming all year round**

### **Petition wording**

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

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

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

**Petition raised by:** Ammanford Gateway Club

**Number of signatures:** 562

**Previously considered by the Committee on:** 05 May, 19 May and 22 September 2009 and 15 June 2010.

**Update:** Correspondence has been received from the Minister for Heritage and the Welsh Local Government Association.

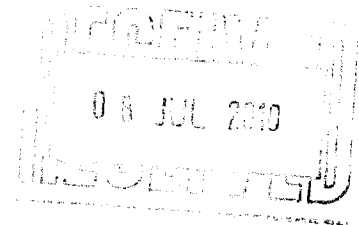
18 AM  
**Alun Ffred Jones AC/AM**  
**Y Gweinidog dros Dreftadaeth**  
**Minister for Heritage**



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-206  
Ein cyf/Our ref AFJ/00835/10

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



6<sup>th</sup> July 2010

*Dear Christine,*

Thank you for your letter of 21 June.

I know there was some media and press coverage of the official launch at Newbridge Leisure Centre on 8 June but you are quite right to point out that as many young people as possible should be made aware of the new elements of the revised Free Swimming scheme.

As and when local authorities are ready to launch their individual local schemes, they will use their normal channels of communication to publicise the additional activities that will be made available to young people. To ensure a consistent approach, Sport Wales has provided all local authorities with guidance for implementing the revised scheme. The guidance includes specific instructions in relation to publicity and requires Free Swimming materials to be displayed in all participating swimming pools and other appropriate places.

Sport Wales will continue to monitor the Free Swimming Initiative on the Assembly Government's behalf and I am sure the Committee joins me in hoping that the revised scheme is as successful as the existing one.

*Yours sincerely,*  
*Alun Ffred*

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Ffacs \* Fax 029 2089 8015  
correspondence.alun.ffred.jones@wales.gsi.gov.uk  
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**Email/Ebost:**

**P-03-206/211/292**

01 November 2010  
Heledd Bebb  
029 2046 8648  
heledd.bebb@wlga.gov.uk



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

Dear Christine Chapman,

### **P-03-206 Free Swimming all year round**

Thank you for your additional correspondence seeking our views on the recent announcement by the Minister to extend free leisure provision to young people throughout the year and your question about whether or not it is sustainable in the current financial climate.

The decision to change the free swimming initiative so that children and young people could access swimming provision on weekends throughout the year rather than only during school holidays was made in full consultation with Sport Wales and local authorities in Wales. From 2010, all local authorities in Wales have agreed to provide a minimum of:

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

All these changes were made to maximise the opportunities available, make the scheme even more accessible to children and young people, and to make a bigger impact on the target of 5x60 minutes of exercise per week.

Local authority leisure services believed that more flexibility was needed within the scheme so that local authorities could provide (a) more structured activities rather than splash activities within the swimming pool, to enable children to learn to swim; and (b) more dry side activities to attract wider interest particularly from

Steve Thomas CBE  
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  
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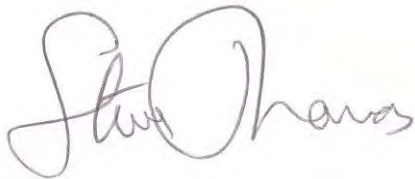
hard-to-reach target groups such as 11-16 year old girls.

This shift in the nature of provision under the free swimming initiative has not resulted in a much greater cost for delivery of the initiative. It has simply attempted to improve the offer, and align it more effectively with the national policy of getting children more active, more regularly. Therefore, in the short term, neither the cost of the provision nor its sustainability has changed.

In terms of consideration of the free swimming initiative within the current economic climate and its longer term sustainability, it is very difficult to comment within this timescale. Local authorities continue to be unclear as to what the financial settlement is likely to be from 2011, or how that will affect local authority leisure service budgets. We will be in a better position to determine that situation early in 2011 and would be happy to respond to the query again in more detail at that time, if that was deemed necessary.

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

**Yours sincerely,**

A handwritten signature in dark ink, appearing to read 'Steve Thomas', with a large, stylized 'S' and 'T'.

**Steve Thomas CBE**

*Chief Executive, Welsh Local Government Association*

## **8. P-03-208 Historic Counties**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh government to instruct the Local Government Boundary Commission for Wales to conduct a review of preserved county boundaries in Wales. This review should consider amending the existing preserved county boundaries to match the boundaries of the 13 historic shires.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-208.htm>

**Petition raised by:** Owain Vaughan

**Number of signatures:** 23

**Previously considered by the Committee on:** 6 October and 10 November 2009 and 28 September 2010

**Update:** Correspondence has been received from the Minister for Social Justice and Local Government and is included below.

18 AM

**Carl Sargeant AC/AM**  
Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth  
Leol  
Minister for Social Justice and Local Government



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-208  
Ein cyf/Our ref CS/01578/10

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

RECEIVED  
20 OCT 2010  
10:00 AM  
Llywodraeth Cymru  
Welsh Assembly Government

20 October 2010

Thank you for your letter of 5 October, with the enclosure from your petitioner. His paper is well-researched and raises interesting historical points.

Although the preserved counties have few functions attached to them, the concept of a division of Wales into its "historic counties" lacks relevance to the modern demographic structure of our country. They represent a past when the population of Wales was not so severely concentrated in the South East and North East as it is today and are therefore not useful for any administrative purpose, including the allocation of Lord Lieutenants and Sheriffs.

Although I can direct a review of the boundaries of preserved counties and make subsequent changes by order, the responsibility over their existence is not devolved. Any decision to review their usefulness would lie with the Secretary of State.

Yours sincerely

**Carl Sargeant AM/AC**

## **9. P-03-216 IVF Treatment**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Assembly Government to set out a formal process leading to the full implementation of the NICE clinical guideline CG11 on fertility (published in 2004) including its recommendation to provide up to three full cycles of IVF. Three full cycles should be made available free of charge by the NHS.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-216.htm>

**Petition raised by:** Kara Ellard and Julia Enyon

**Number of signatures:** 4241

**Previously considered by the Committee on:** 6 October and 24 November 2009, 29 June and 28 September 2010

**Update:** Correspondence has been received from the Minister for Health and Social Services and is included below.



**Edwina Hart MBE OStJ AM**

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

Our ref: EH/03336/10

Your ref: P-03-216

Christine Chapman AM

[Christine.Chapman@wales.gov.uk](mailto:Christine.Chapman@wales.gov.uk)



**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](mailto: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](mailto:Correspondence.Edwina.Hart@Wales.gsi.gov.uk)

19 October 2010

Dear Christine

Thank you for your letter of 5 October on behalf of the Petitions Committee asking for further clarification of the availability of a second cycle of IVF treatment for eligible patients and whether there are plans to increase availability to three cycles of treatment. I note the enclosed correspondence from a petitioner.

I can confirm that as of 1 April eligible couples can expect to receive two cycles of IVF treatment. If you have evidence of such couples being advised otherwise I would be happy to review and investigate this.

Over time, I would like to meet the NICE recommendation of providing three cycles of IVF on the NHS.

**10. P-03-220 Lower the speed limit on the A40 near Abergavenny / P-03-240 Improvements to the A40 in Llanddewi Velfrey**

**P-03-220 Lower the speed limit on the A40 near Abergavenny**

**Petition wording**

Petition to the Welsh Assembly:

In order for pedestrians to be able to walk in safety, we feel it is imperative that the 40 mph speed limit on the A40 between the Hardwick round-a-bout and Plas Derwen Way be lowered to at least 30 mph.

**Link to the petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-220.htm>

**Petition raised by:** Councillor Maureen Powell

**Number of signatures:** 220

**Previously considered by the Committee on:** 19 May 2009, 7 July 2009, 22 September 2009, 10 November 2009, 8 December 2009, 1 February, 23 March and 25 May 2010

**P-03-240 Improvements to the A40 in Llanddewi Velfrey**

**Petition Wording**

Due to the increasing levels of traffic, especially heavy goods vehicles, on the A40 and due to the inadequate provision of safe pavements and pedestrian crossings acknowledged by the Trunk Road Agency through research on behalf of the Welsh Assembly Government we, the undersigned, hereby demand the Welsh Assembly Government, as a matter of urgency, improve road safety in the village of Llanddewi Velfrey, Narberth, Pembrokeshire through implementation of the following measures:

1. Improve the inadequate pavement along the southern side of the A40 between Llandaff Row and the far eastern end of the village to ensure that it meets current safety standards, that it is sufficiently wide for the safe use of pedestrians, pushchairs and wheel chair users taking into consideration the proximity of heavy goods traffic passing by at speeds often in excess of the current limit of 40mph.
2. Install speed cameras at the eastern and western ends of the village.
3. Utilise the existing electrical installation for road crossing signs to provide flashing warning lights at times when children will be crossing the A40 to catch their school bus.
4. Install traffic calming measures at each end of the village and at road junctions to emphasise the need to reduce speed.
5. Reduce the speed limit to 30mph.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-240.htm>

**Petition raised by:** Llanddewi Velfrey Community Council

**Number of signatures:** 154

**Previously considered by the Committee on:** 22 September 2009, 10 November 2009, 8 December 2009, 1 February 2010, 23 March and 25 May 2010

**Update:** Correspondence has been received from the Deputy First Minister and the Llanddewi Velfrey Community Council which are included below.

19/10/10  
**Ieuan Wyn Jones AC/AM**  
**Dirprwy Brif Weinidog /Deputy First Minister**



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-220  
Ein cyf/Our ref MB DFM 0539-10  
Christine Chapman  
Chair of the Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

( 1 October 2010

*Dea Christine*

I gave a commitment in my previous letter to you (5 May) to write to the Committee when I had more details of when the review of the speed limit would be undertaken on the A40 (T) near Abergavenny.

My officials undertook the prioritisation process during the summer and plan to review the A40 (T) near Abergavenny during the next six months.

*Ieuan*

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

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-240  
Ein cyf/Our ref MB DFM 0540-10  
Christine Chapman  
Chair of the Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

11 October 2010

*Dee chisto*

I gave a commitment in my previous letter to you (5 May) to write to the Committee when I had more details of when the review of the speed limit would be undertaken on the A40 Llanddewi Velfrey.

My officials undertook the prioritisation process during the summer and plan to review the A40 in Llanddewi Velfrey during the next six months.

*Ieuan*

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
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

Dear Sir/Madam

**Ref: Petition for road safety improvements in Llanddewi Velfrey submitted in June 2009.**

Over a year ago our Community Council registered a petition with the committee and were grateful for their support in attempting to improve the very dangerous state of the road safety on the A40 as it goes through the middle of Llanddewi Velfrey, in Pembrokeshire. In spite of the support from the Petitions Committee, progress has been negligible and the Community Council would be grateful if this matter could be pursued further.

We had asked for three improvements to be made:

- the speed limit reduced to 30mph (in an attempt to persuade traffic to travel within the current limit of 40mph)
- the pedestrian crossing improved to a safe standard bearing in mind the volume and speed of traffic
- the footpaths alongside the A40 be widened to meet current safe guidelines.

The only action taken so far by the Highways Directorate has been the installation of speed activated signs at both ends of the village. This merely serves to show us the high proportion of vehicles, especially heavy goods traffic, travelling over the speed limit. We are awaiting the results of a second speed survey which we presume will confirm this. We were told that a decision to lower the speed limit to 30mph was dependent on an overall review of speed limits in a number of other similar locations. Nothing has been done.

Although we asked for the entire length of footpath along the A40 to be widened, and the Deputy First Minister himself agreed on a site visit that this was needed, we were promised only a small section at the easterly end by a property called Ivy Cottage. We were told that this would be done in June. We were then given a revised date of September, legal documentation was sent to the owners during the summer which they have completed and returned. Nothing has happened.

Pedestrians still take their lives in their hands when using the footpath, those needing to cross the A40, especially children needing to catch their school bus, still take their lives in their hands and traffic overall travels at speeds through the village well in excess of safe limits. Even the surveyors sent out by the Highways Department have said that it was unsafe to carry out their work.

We realise that the recent budget cuts will have an impact on all highways improvements. However as the likely result of these cuts is that the long awaited by-pass for Llanddewi Velfrey is now likely to be well beyond the promised date of 2014 these safety improvements are even more critical.

We would very much appreciate the Petitions Committee following up these very real concerns on our behalf.

Yours sincerely  
Lynda Hill  
Clerk to the Community Council

## **11. P-03-223 Section 6, Welsh Language Act**

### **Petition wording**

We call upon the National Assembly for Wales to investigate the possibility of amending and improving Section 6 of the Welsh language Act to bring Members of Parliament under the provisions of the Welsh Language Act

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-223.htm>

**Petition raised by:** Cyngorydd/Councillor O Arfon Jones

**Number of signatures:** 23

**Previously considered by the Committee on:** 7 July and 6 October 2009, 13 July and 28 September 2010

**Update:** Correspondence has been received from the Chair of the legislation committee considering the Welsh Language Measure which is included below.



**Christine Chapman AM**

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

**P-03-223 SECTION 6: WELSH LANGUAGE ACT**

29 October 2010

Dear Christine,

**P-03-223 SECTION 6: WELSH LANGUAGE ACT**

Thank you for your letter and enclosures dated 5 October.

Unfortunately, I do not believe that this is a matter which it is appropriate for this committee to discuss, given that it is tasked with scrutinising legislative proposals that are referred to it by the Business Committee. Nevertheless, I will be circulating a copy of your letter to members of the Committee for information.


You may also wish to be aware that section 136 of the proposed Measure proposes that the Welsh Government may repeal Part 2, including therefore section 6, of the *Welsh Language Act 1993* at some future date.

Bae Caerdydd  
Caerdydd  
CF99 1NA  
  
Cardiff Bay  
Cardiff  
CF99 1NA



The petitioner may wish to consider the proposed Measure, as currently drafted and once passed, to ascertain how the Welsh Government intends that public services in Welsh are delivered in the future. Information on the background to the Welsh Government's proposals and the current position following Stage 2 scrutiny of the proposed Measure are available on our website.

Yours sincerely

A handwritten signature in black ink, reading "Val Lloyd". The signature is written in a cursive, flowing style. The first name "Val" is followed by a space and then the last name "Lloyd".

**Val Lloyd AM**  
**Committee Chair**

## **12. P-03-225 Gorseinon College**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh government to provide extra funding to Gorseinon College to keep courses and classes open and running.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-225.htm>

**Petition raised by:** Tracy Bates

**Number of signatures:** 800+

**Previously considered by the Committee on:** 7 July, 6 October and 24 November 2009 and 28 September 2010

**Update:** Correspondence has been received from Gower College and is included below.

NS AM



Gower College Swansea  
Coleg Gŵyr Abertawe

Our Ref : Principal/N Bennett/21/aj

18<sup>th</sup> October 2010

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

Dear Christine

**P-03-225 Gorseinon College**

I write in response to your letter dated 5<sup>th</sup> October in which you enquire if there has been any change in addressing adult learning provision following the recent merger to form Gower College Swansea.

Unfortunately, the College has been unable to reinstate adult learning in our outreach centres; the Canolfan-y-Bont Centre has been given to the local redevelopment trust to run as a "learning centre". On the broader issue of "learning support", the College offers courses across Swansea following the merger of this provision.

In answer to your question about whether or not the College being the lead sponsor for ESF funding has acted as a barrier is a moot point. We are still experiencing difficulty in getting decisions on projects that have now been submitted to WEFO for a long period of time, so much so that we are reluctant to include this income stream in our budget for courses next year.

I hope that this answers your queries. If you require further details, please do not hesitate to contact me.

Yours sincerely

**Nick Bennett**  
**PRINCIPAL & CHIEF EXECUTIVE**

**13. P-03-227 Against the Proposed Metrix Access Road in Llanmaes / P-03-252 Opposing RAF St Athan Northern Access Road (Boverton residents)**

**P-03-227 Against the Proposed Metrix Access Road in Llanmaes**

**Petition wording**

We the residents of Llanmaes, Millands Park, and the surrounding rural areas object to:

- The proposed new northern access road for the proposed Defence Technical College
- The proposed new Tremains Farm housing estate

Objections to the above are for the following reasons:

1. it involves the destruction of green field site when brown field sites are available
2. it will create considerable noise, light and dust pollution
3. it will incur substantial ecological damage.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-227.htm>

**Petition raised by:** Llanmaes Community Council

**Number of signatures:** 416

**Previously considered by the Committee on:** 9 June 2009, 20 October 2009, 19 January, 23 March and 25 May and 12 October 2010

**P-03-252 Opposing RAF St Athan Northern Access Road (Boverton residents)**

**Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Government to amend its plans for the proposed Defence Technical Academy at St Athan so that no northern access road is constructed and that the green field sites at Tremain's Farm, Picketston and Eglwys Brewis are preserved.

This would take into account the views of 95% of the 395 individuals consulted in Boverton.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-252.htm>

**Petition raised by:** Boverton residents

**Number of signatures:** This petition was raised by Boverton residents, and it collected 3 signatures. In addition, the petitioner collected 377 signatures for an associated petition.

**Previously considered by the Committee on:** 20 October 2009, 24 November 2009, 23 March, 25 May and 12 October 2010

**Update:** The committee will consider the petitions in the light of the recent Strategic Defence Review.

## **14. P-03-230 International Conscientious Objectors Day**

### **Petition wording**

We call upon the National Assembly for Wales to recognise the strong tradition of conscientious objection in Wales, by marking the occasion of International Conscientious Objectors' Day on 15 May every year with an annual event.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-230.htm>

**Petition raised by:** Cynefin y Werin / Common Ground

**Number of signatures:** This petition was raised by Cynefin y Werin / Common Ground, and it collected 14 signatures.

**Previously considered by the Committee on:** 6 October 2009 and 23 March 12 October 2010

**Update:** Correspondence has been received from the First Minister and is included below.

**Y Gwir Anrh/Rt Hon Carwyn Jones AC/AM**  
**Prif Weinidog Cymru/First Minister of Wales**



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Ein cyf/Our ref: FM/01375/10

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

committee.business@Wales.gsi.gov.uk

29 October 2010

Dear Christine,

**P-03-230 International Conscientious Objectors Day**

I am writing in response to your letter dated 15 October 2010 asking for details on how the Welsh Assembly Government decides on which events they choose to mark and what criteria is used to assess and prioritise such events.

Decisions on which events to mark are taken on a case by case basis and are normally in line with commemorative events which are held across the UK due to tradition, profile, or wide public support for the occasion. I am not aware of any calls on the UK Government to mark Conscientious Objectors Day.

In Wales annual events include, for example, Wales' national service to mark Remembrance Day and Holocaust Memorial Day which we host jointly with Cardiff Council. In the past we have also held one off events to mark historic occasions including, hosting the UK national event to mark Holocaust Memorial Day and Wales' national event to mark the 60<sup>th</sup> anniversary of the end of World War II, the Bicentenary of the Abolition of the Slave Trade and the 25<sup>th</sup> Anniversary of the Falklands Conflict.

Yours sincerely

**Carwyn Jones**

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

## **15.P-03-232 Ffynnone and Cilgwyn Woods**

### **Petition wording**

Cyngor Cymuned Manordeifi Community Council calls upon the National Assembly for Wales to urge the Welsh Government to commission an independent inquiry into the funding of Calon yn Tyfu / Growing Hearts Ltd. by Forestry Commission Wales for the purchase of the Ffynnone and Cilgwyn woodland in North Pembrokeshire under the publicly funded Cydcoed Scheme.

**Link to the petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-232.htm>

**Petition raised by:** Cyngor Cymuned Manordeifi Community Council

**Number of signatures:** 329

**Previously considered by the Committee on:** 7 July, 22 September, 6 October 2009 and 28 September 2010

**Update:** Correspondence has been received from Forestry Commission Wales, the Minister for Rural Affairs and the petitioners. These have been included below.



**Comisiwn Coedwigaeth Cymru**

Llywodraeth Cynulliad Cymru,  
Rhodfa Padarn, Llanbadarn Fawr,  
Aberystwyth, Ceredigion SY23 3UR

**Forestry Commission Wales**

Welsh Assembly Government,  
Rhodfa Padarn, Llanbadarn Fawr,  
Aberystwyth, Ceredigion SY23 3UR

Christine Chapman AM  
Y Pwyllgor Deisebau / Petitions Committee  
Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff  
CF99 1NA

Your ref: P-03-232  
15 October 2010

Ffôn/Tel 0300 068 0300  
Ffacs/Fax 0300 068 0301  
fcwenquiries@forestry.gsi.gov.uk  
Cyfarwyddwr Cymru/Director Wales  
Trefor Owen FICFor

**P-03-232 Ffynone and Cilgwyn Woodlands**

Thank-you for your letter dated 5 October 2010 regarding a petition raised by Cyngor Cymuned Manordeifi Community Council calling for an independent inquiry into the funding of Calon yn Tyfu by the Forestry Commission Wales (FCW) for the purchase of Ffynone and Cilgwyn woodlands

FCW welcomes the publication of the WAO report on the public funding of Ffynone and Cilgwyn Woodland and the WAO conclusion that the award of funding met the high-level conditions for EU funding and that the application met the scheme rules. Cydcoed was very successful, enabling 163 woodland-based community projects in West Wales and the Valleys. FCW accepts the overall recommendations and conclusion in the report and they have already addressed many of the WAO observations of the administration of the Cydcoed scheme, which closed in November 2008.

An action plan has been produced by FCW and I enclose a copy of it for your information. You will note that many of the actions therein are already completed.

The National Assembly for Wales Public Accounts Committee have recently invited me to give evidence at a meeting to be held on 25 November, 2010 to discuss the issues arising from the Wales Audit Office report on the funding of Ffynone. This evidence and the findings of the Public Accounts Committee will be published on the National Assembly for Wales website in due course.

Yours sincerely



Trefor Owen  
Director, Forestry Commission Wales

Yn gwarchod ac ehangu coedwigoedd  
Cymru a chynyddu eu gwerth i'r  
gymdeithas ac i'r amgylchedd.

Protecting and expanding Wales' forests  
and woodlands, and increasing their  
value to society and the environment.

## MANAGEMENT RESPONSE AND ACTION PLAN – Public Funding of Ffynone and Cilgwyn Woodlands

Recommendation	Response	Action Owner
<p>1. Forestry Commission Wales should work with Calon to explore options for: -</p> <ul style="list-style-type: none"> <li>a) greater community involvement in decision making for the woodland to include community representation on Calon's board e.g., as non-executive directors; and</li> <li>b) longer-term protection of the asset for the local community and public purse.</li> </ul>	<p><b>Response: Accept</b></p> <p>Forestry Commission Wales are supporting Coed Lleol (Independent community Woodlands Association) to work with Calon on the engagement with the community using the proposed Forestry Stewardship Council (FSC) certification of the woodlands as a vehicle for discussions. A number of open community meetings have been undertaken throughout the summer 2010 and more are planned. The Forestry Stewardship Council requires ongoing engagement to maintain certification.</p> <p>Calon have an existing process that permits members of the co-operative to become members of the board. They are willing to accept new members to the co-operative</p> <p>Options for long term protection of the asset have been explored. Calon maintain that they have no intention of selling the woodland post the Cydcoed contract. They are currently unwilling to change the deeds of the woodland to include further protection as they feel it is not required. However they are willing to dedicate the woodland as access land under the Countryside and Rights of Way Act 2000 once outstanding boundary disputes are concluded. This will provide legal access for all on foot in perpetuity. The timescale is dependent on resolution of the boundary disputes, which are being conducted using HM Land Registry procedures.</p>	<p>Richard Siddons</p>

2.	Forestry Commission Wales has acknowledged a need for more robust project management of grant schemes using PRINCE2 methodology. Building on this methodology, FCW should ensure that processes are in place to provide assurance that these procedures are being applied effectively for all new and existing schemes at the earliest opportunity.	<b>Response: Accept</b> <u>Discharged</u> . This is set out in Forestry Commission Wales Strategic Guidance and Programmes: Level 3 Governance for non-baseline funded projects	Clive Thomas
3.	All Forestry Commission Wales staff should be required to complete an Annual Declaration of Interest form which should be reviewed and authorised by a Management Board member to assess implications for future areas of working. Staff should be required to update these during the year when appropriate circumstances arise.	<b>Response: Accept</b> Forestry Commission Wales Human Resources will implement this recommendation by 31 October 2010.	Emma Bennett
4.	Guidance should be provided to staff on a periodic basis on the requirements for Declarations of Interest and for Gifts and Hospitality to ensure staff remain aware of their responsibilities.	<b>Response: Accept</b> Forestry Commission Wales Human Resources will implement this recommendation by 31 October 2010.	Emma Bennett
5.	Building on the recommendations raised in the Wales Audit Office's national report, FCW should ensure that all staff are given appropriate risk management training on a periodic basis.	<b>Response: Accept</b> Forestry Commission Wales Human Resources will implement this recommendation by 30 November 2010. Forestry Commission Wales Learning & Development plan and Training Needs Analysis.	Emma Bennett
6.	Forestry Commission Wales should ensure monitoring arrangements for the Cydcoed scheme are more robustly applied in the future.	<b>Response: Accept</b> <u>Discharged</u> . The monitoring of Cydcoed schemes has been revised with supporting documentation updated. The inspection programme was completed for 2009/10 and is underway for 2010/11. This is being undertaken by FCW Inspectors. Ffynone and Cilgwyn Woodlands will be re-inspected this year due to the high value of this project.	Rachel Chamberlain

7.	Targets set for future schemes should be robust and challenging to ensure that appropriate value to the public purse is obtained from funds awarded.	<b>Response: Accept</b> <u>Discharged</u> . This is set out in Forestry Commission Wales Strategic Guidance and Programmes: Level 3 Governance for non-baseline funded projects	Forestry Commission Wales Management Board
8.	FCW should ensure that risk ratings for Better Woodlands for Wales applications received pre April 2008 are reviewed and updated within the Better Woodlands for Wales system to ensure the risk ratings are relevant rather than at a default of 'low'.	<b>Response: Accept</b> The changes require a script to be developed and run in our IT system. This is programmed for the January 2011 release, the earliest slot available. Will be completed by 31 January 2011.	Rachel Chamberlain

28

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-232  
Ein cyf/Our ref EJ/01044/10

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

RECEIVED  
21 OCT 2010  
16:00:00

19 October 2010

*Dear Christine,*

Thank you for your letter dated 5 October regarding a petition raised by Cyngor Cymuned Manordeifi Community Council calling for an independent inquiry into the funding of Calon yn Tyfu by the Forestry Commission Wales (FCW) for the purchase of Ffynone and Cilgwyn woodlands. You have asked for my views on how the findings of the Wales Audit Office (WAO) report will be reflected in future remit letters for FCW. I wish to clarify that FCW are not subject to a remit letter but are party to a concordat between themselves and the Department for Rural Affairs. Their funding is provided following detailed discussions between the relevant Finance Officers within the Rural Affairs Department, the expenditure of which is accounted for through audited annual accounts.

FCW funding used for the delivery of forestry policy in Wales is also scrutinised by the Wales Audit and Risk Committee which includes a member of the Wales Audit Office.

FCW has welcomed the publication of the WAO report on the public funding of Ffynone and Cilgwyn woodlands and the WAO conclusion that it met the high-level conditions for European Union funding and that the application met the scheme rules. Cydcoed was a very successful scheme which enabled 163 woodland-based community projects in west Wales and the Valleys. FCW accepts the overall recommendations and conclusion in the WAO report and they have already addressed many of their observations in respect of the administration of the Cydcoed scheme, which closed in November 2008.

An action plan has been produced by FCW and I enclose a copy of it for your information. You will note that many of the actions therein have already been completed but it will be updated as and when more are discharged.

The National Assembly for Wales Public Accounts Committee has recently invited the Director of FCW, Mr Trefor Owen, to give evidence at a proposed meeting to be held on 25 November to discuss the issues arising from the Wales Audit Office report on the funding of Ffynone. This evidence and the findings of the Public Accounts Committee will be published on the National Assembly for Wales website in due course but FCW will also copy the final version to you as Chair of the National Assembly Petitions Committee.



**Elin Jones AC/AM**

Y Gweinidog dros Faterion Gwledig  
Minister for Rural Affairs

## MANAGEMENT RESPONSE AND ACTION PLAN – Public Funding of Ffynone and Cilgwyn Woodlands

Recommendation	Response	Action Owner
<p>1. Forestry Commission Wales should work with Calon to explore options for: -  a) greater community involvement in decision making for the woodland to include community representation on Calon's board e.g., as non-executive directors; and  b) longer-term protection of the asset for the local community and public purse.</p>	<p><b>Response: Accept</b>  Forestry Commission Wales are supporting Coed Lleol (Independent community Woodlands Association) to work with Calon on the engagement with the community using the proposed Forestry Stewardship Council (FSC) certification of the woodlands as a vehicle for discussions. A number of open community meetings have been undertaken throughout the summer 2010 and more are planned. The Forestry Stewardship Council requires ongoing engagement to maintain certification.</p> <p>Calon have an existing process that permits members of the co-operative to become members of the board. They are willing to accept new members to the co-operative</p> <p>Options for long term protection of the asset have been explored. Calon maintain that they have no intention of selling the woodland post the Cydcoed contract. They are currently unwilling to change the deeds of the woodland to include further protection as they feel it is not required. However they are willing to dedicate the woodland as access land under the Countryside and Rights of Way Act 2000 once outstanding boundary disputes are concluded. This will provide legal access for all on foot in perpetuity. The timescale is dependent on resolution of the boundary disputes, which are being conducted using HLM Land Registry procedures.</p>	<p>Richard Siddons</p>

2.	Forestry Commission Wales has acknowledged a need for more robust project management of grant schemes using PRINCE2 methodology. Building on this methodology, FCW should ensure that processes are in place to provide assurance that these procedures are being applied effectively for all new and existing schemes at the earliest opportunity.	<b>Response: Accept</b> Discharged. This is set out in Forestry Commission Wales Strategic Guidance and Programmes: Level 3 Governance for non-baseline funded projects	Clive Thomas
3.	All Forestry Commission Wales staff should be required to complete an Annual Declaration of Interest form which should be reviewed and authorised by a Management Board member to assess implications for future areas of working. Staff should be required to update these during the year when appropriate circumstances arise.	<b>Response: Accept</b> Forestry Commission Wales Human Resources will implement this recommendation by 31 October 2010.	Emma Bennett
4.	Guidance should be provided to staff on a periodic basis on the requirements for Declarations of Interest and for Gifts and Hospitality to ensure staff remain aware of their responsibilities.	<b>Response: Accept</b> Forestry Commission Wales Human Resources will implement this recommendation by 31 October 2010.	Emma Bennett
5.	Building on the recommendations raised in the Wales Audit Office's national report, FCW should ensure that all staff are given appropriate risk management training on a periodic basis.	<b>Response: Accept</b> Forestry Commission Wales Human Resources will implement this recommendation by 30 November 2010. Forestry Commission Wales Learning & Development plan and Training Needs Analysis.	Emma Bennett
6.	Forestry Commission Wales should ensure monitoring arrangements for the Cydcoed scheme are more robustly applied in the future.	<b>Response: Accept</b> <u>Discharged.</u> The monitoring of Cydcoed schemes has been revised with supporting documentation updated. The inspection programme was completed for 2009/10 and is underway for 2010/11. This is being undertaken by FCW Inspectors Ffynone and Cilgwyn Woodlands will be re-inspected this year due to the high value of this project.	Rachel Chamberlain



7.	Targets set for future schemes should be robust and challenging to ensure that appropriate value to the public purse is obtained from funds awarded.	<b>Response: Accept</b> Discharged. This is set out in Forestry Commission Wales Strategic Guidance and Programmes: Level 3 Governance for non-baseline funded projects	Forestry Commission Wales Management Board
8.	FCW should ensure that risk ratings for Better Woodlands for Wales applications received pre April 2008 are reviewed and updated within the Better Woodlands for Wales system to ensure the risk ratings are relevant rather than at a default of 'low'.	<b>Response: Accept</b> The changes require a script to be developed and run in our IT system. This is programmed for the January 2011 release, the earliest slot available. Will be completed by 31 January 2011.	Rachel Chamberlain

165  
CYNGOR CYMUNED **MANORDEIFI** COMMUNITY COUNCIL

Clerk - Cllr John T Davies

Cwmbetws  
Eglwysrwrw  
Crymych  
Pembrokeshire  
SA41 3PL

---

17th October 2010

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

Dear M/s Chapman

Petition – P-03-232 Ffynone and Cilgwyn Woods

In response to your letter and consideration of the above petition I have been instructed by Manordeifi Community Council to inform you of the following:-

1. The Community Council wish to thank you for having considered the matter and for all your efforts to date as a committee.
2. The Community Council welcome the WAO report and its findings and wish to impress upon Petitions Committee to follow up and impress upon the Minister the prescribed need for recommendation 16a and 16b on page seven of the WAO report to be fully implemented.
3. The Community Council have agreed to support the wish of the local community action group to impress upon your committee to prescribe to the Minister the need for an independent inquiry for the following reasons:-
  - i. The Minister is delegating the job of dealing with the report to FCW who have been heavily criticised in the report and therefore cannot be independent. It has already been seen how they have lacked any independence in addressing concerns to date and their recent replies about the report on the Minister's behalf indicate that their defensive process over the past years is about to start all over again unless there is an independent enquiry.
  - ii. The report's recommendations did not address in its conclusions/recommendations the wrongdoings by Growing Heart. Despite alluding to them and strongly implying wrongdoings by both FCW and GH in the body of the report the WAO are national Government Auditors to FCW and not GH and therefore are not allowed to draw any conclusions about them. This is being jumped on by FCW, who have not focussed on the detail of the report, only the highlights, and misleadingly are now claiming that there is no evidence of such wrongdoings. The wrongdoings are addressed in the detail of the report and will only be properly dealt with by a truly independent enquiry.
  - iii. If all the express and implied recommendations in the report are to be properly addressed and implemented an independent body needs to oversee the process.

4. The Community Council wish to offer the Petitions Committee the opportunity to hear firsthand the concerns of the community. If it is helpful to your committee in reaching its conclusions, you may wish to allow individuals of the action group to directly address your committee to answer any questions you may wish to ask community representatives.

I trust and hope the foregoing is helpful to the members of your committee in bringing this matter to a satisfactory conclusion.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John T Davies', written in a cursive style.

Cllr John T Davies

Clerk to Manordeifi Community Council

## **16. P-03-238 Pollution of the Burry Inlet**

### **Petition wording**

Petition from Carmarthenshire residents requesting a public inquiry by the Welsh Assembly Government into the sewage pollution of the Burry Inlet and Carmarthen Bay.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-238.htm>

**Petition raised by:** Rhys Williams

**Number of signatures:** 2240

**Previously considered by the Committee on:** 22 September, and 10 November 2009, 19 January, 23 March 11 May, 29 June and 28 September 2010

**Update:** Correspondence has been received from the Minister for Environment, Sustainability and Housing and is included below.

**Jane Davidson AC/AM**

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref: P-03-238  
Ein cyf/Our ref: JD/02246/10

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

25 October 2010

*Dear Christine,*

Further to your correspondence dated 5 October 2010, I can confirm that the pollution incident arising from a break in a Dŵr Cymru Welsh Water sewer in June 2005 was investigated by the Environment Agency (EA) at the time.

Cockle mortalities have been reported annually since 2002. The cockle working group discussed the possible impact of the 2005 bursts on the cockle mortality that year. However, no links between the cockle mortality and the sewage pipe break were established by the EA's investigations undertaken at the time. The EA stated at the time that any effect would be localised and would not have been a major factor in the widespread cockle die off throughout the area.

The June 2005 incident has been brought to the attention of the independent researchers investigating the ongoing cockle mortality. They have confirmed that this will be considered, along with all other evidence, as part of the ongoing cockle mortality investigation. The investigation involves data analyses of all potential factors that might influence the cockle mortalities.

The researchers have highlighted that it would be unusual for a pollution incident to only affect a single species. The final report on this investigation will be published in March 2011.

I trust this information is sufficient at this time however if you require copies of the incident reports these are available from the Environment Agency for your consideration.

*Ys,*  
*Jae*

**Jane Davidson AM**

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Ffacs \* Fax 029 2089 8129  
PS.minister.for.ESH@wales.gsi.gov.uk

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## **17. P-03-244 Local Authority Register of Road Safety Schemes**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Government to improve Public Safety by requiring Local Authorities to publish a regularly updated waiting list of road safety schemes for which they are responsible. These lists should include timescales for the completion of schemes to give residents confidence that their safety concerns are being considered by local authorities.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-244.htm>

**Petition raised by:** Vivienne Hadley

**Number of signatures:** 124

**Previously considered by the Committee on:** 24 November 2009, 19 January, 11 May, 13 July and 28 September 2010

**Update:** Correspondence has been received from the Chair of the Enterprise and Learning Committee.

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

Christine Chapman  
Chair, Petitions Committee  
National Assembly for Wales

12 October 2010

Dear Christine

**Petition P-03-244 Local Authority Register for Road Safety Projects**

Thank you for your letter dated 5 October 2010 asking the Enterprise and Learning Committee to carry out an inquiry into the proposal for local authorities to publish a register of road safety projects.

I regret that the Committee is unable to do this issue justice in the time we have available to complete our committed programme of inquiries, and secure Government responses and plenary debates to our inquiry reports before the dissolution of the Assembly next spring.

I have some sympathy with the petition, but I also understand the Minister's point that local authorities require control and flexibility over their road safety programmes.

We are intending to scrutinise the Traffic Commissioner for Wales some time in the spring term, when we hope to cover a range of issues, including his views on progress made on the Committee's report on Casualty Reduction and Trunk Road Management. However, I would not wish to hold out any false hopes for the petitioners regarding our line of questioning for that meeting.

Yours sincerely



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

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

**18.P-03-245 Keep the Snowdon Mountain Railway and  
summit building closed for one day a week**

**Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Government to work with its partners, including Snowdonia National Park Authority, Heritage GB Plc and Gwynedd Council to keep the Snowdon Mountain Railway and summit building closed on one day a week in order to give walkers the opportunity to enjoy the mountain in a more natural form.

**Link to the petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-245.htm>

**Petition raised by:** Alan Iwi

**Number of signatures:** 23

**Previously considered by the Committee on:** 28 September 2010

**Update:** Correspondence has been received from the Minister for Environment, Sustainability and Housing and Snowdonia National Park. These have been included below.



**Jane Davidson AC/AM**

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref: P-03-245  
Ein cyf/Our ref: JD/02121/10

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

12 October 2010

*Dear Chr,*

Thank you for your letter of 21<sup>st</sup> September asking for my views on Alan Iwi's petition relating to the Snowdon Railway and summit building.

The summit building and railway, while owned by the Snowdonia National Park Authority, are managed under the terms of a long term lease by the Snowdonia Mountain Railway Company (SMRC), which in turn is owned by Heritage GB Plc. As an independent company they have the freedom to decide when to open the railway and summit in order to maintain a viable business. Neither the National Park Authority or the Welsh Assembly Government have the authority to require closure for one day a week nor would we be inclined to do so.

Snowdon is an important and popular site for visitors from Wales and far beyond. The railway and summit building, which are unique in Wales, have an important role in enabling social inclusion. Closure of the site for one day a week would limit the opportunities available for people with mobility issues, including those with young children and the disabled, to enjoy the Snowdon experience.

I hope this helps to clarify the Welsh Assembly Government position on this issue.

*Yours,*  
*Jane*

**Jane Davidson AM**

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Ffacs \* Fax 029 2089 8129  
PS.minister.for.ESH@wales.gsi.gov.uk

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AM PS

Cyswilt - Contact  
Ffôn - Telephone  
Ein cyf - Our ref  
Eich cyf - Your ref  
Dyddiad - Date  
e-bost - e-mail

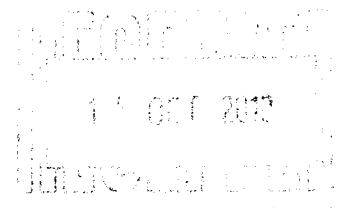
Aneurin Phillips  
01766 772 202  
AP/JO

12<sup>th</sup> October, 2010  
[Aneurin.Phillips@eryri-npa.gov.uk](mailto:Aneurin.Phillips@eryri-npa.gov.uk)



PARC CENEDLAETHOL ERYRI  
lle i enaid gael lonydd  
SNOWDONIA NATIONAL PARK  
one of Britain's breathing spaces

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



Dear Mrs Chapman,

**P-03-245 Snowdon Mountain Railway**

I refer to your letter of the 5<sup>th</sup> October to Cllr. Caerwyn Roberts, Chairman of Snowdonia National Park Authority.

I understand that John Ablitt, Director of Communication, has already responded to correspondence from the Access and National Parks Policy Branch, WAG, and discussed the matter with Catrin Dellar.

If you require a formal response please let me know.

Yours sincerely,

PP **Aneurin Phillips.**  
**Chief Executive.**

## **19. P-03-248 Improved Access to Public Transport for People with Disabilities**

### **Petition wording**

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

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

**Petition raised by:** Multiple Sclerosis Society Cymru

**Number of signatures:** 789

**Previously considered by the Committee on:** 6 October 2009, 23 March 2010, 25 May 2010, 15 June and 13 July 2010.

**Update:** Correspondence has been received from Arriva Trains Wales and is included below. Additionally, the National Assembly for Wales Equality of Opportunity Committee have published their report on “accessibility of railway stations in Wales”. This is included at annex 1 below.

P Am



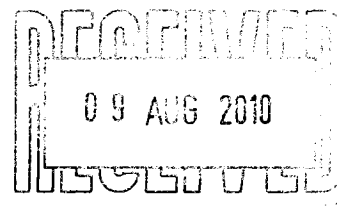
# ARRIVA

Arriva Trains Wales/  
Trenau Arriva Cymru Limited  
St. Mary's House  
47 Penarth Road  
Cardiff/Caerdydd  
CF10 5DJ

[www.arrivatrainswales.co.uk](http://www.arrivatrainswales.co.uk)

02920 720668

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



Your ref: P-03-248

Contact Reference No: 293031

2 August 2010

Dear Christine

Thank you for your further letter dated 26 July in respect of ATW and our plans in respect of reviewing accessibility.

In this regard, our policy is set out in the leaflet previously sent, "A Guide for Customers with Disabilities". Essentially when material changes are made either to the stations we operate or to the rolling stock that we lease, ATW will as far as is reasonably practicable attempt to achieve compliance with accessibility legislation and the relevant industry and/or national technical standards. This within the context and framework of the funding that is available to us.

This guide also sets out in clear terms the degree of accessibility at each of the stations we manage. To supplement, pictures and maps of the stations showing accessibility issues are also available via the ATW or National Rail Enquiries websites under the heading of "Stations made Easy".

I would also note, when undertaking material change, we work with Passenger Focus and Disability Wales and routinely involve other disability groups. Where relevant we will also undertake an accessibility audit in respect of the material change to ensure what is proposed best meet the needs of all users.

In terms of determining which stations will receive improvements, under the National Stations Improvement Programme (NSIP), the main funding vehicle for developments at present; the responsibility for delivery of this programme in Wales was devolved to the Welsh Assembly Government by the Department for Transport. We of course work with the WAG on the delivery of this programme. A fundamental feature is improving accessibility at stations in Wales.



Christine Chapman AM

-2-

2 August 2010

It is our understanding that the Equality of Opportunity committee may be making recommendations on improving accessibility at stations in Wales when its report is published. These ideas together with any gaps that may remain to delivering a fully accessible network, will of course require a funder to be identified to facilitate the changes required.

I trust this has been helpful.

Yours sincerely

A handwritten signature in black ink that reads "Tim Bell".

Tim Bell  
Managing Director

## **20.P-03-253 Adoption of private sewers (Carmarthenshire residents)**

### **Petition wording**

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

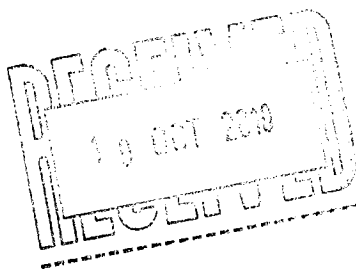
**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-253.htm>

**Petition raised by:** Tracy Thomas

**Number of signatures:** 260

**Previously considered by the Committee on:** 20 October 2009, 8 December 2009, 23 March, 15 June and 28 September 2010

**Update:** Correspondence has been received from OFWAT (the Water Services Regulatory Authority) and is included below.



Ms Christine Chapman AM  
Chair  
Y Pwyllgor Deisebau  
Petitions Committee  
Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff CF99 1NA

14 October 2010

Dear Ms Chapman

### **P-03-253 Adoption of Private Sewers**

Thank you for your letter dated 5 October 2010 regarding the adoption of private sewers, specifically our current view on the implications for customer bills.

I can confirm that the bill impacts set out in the Impact Assessment included as Annex B to the joint Defra / Welsh Assembly Government consultation paper on the draft regulations remain the latest best estimates. For convenience, I reproduce here an extract from page 52 of the consultation document which deals with the bill impacts of the proposed transfer option:

*"Only the financial costs for WaSCs will be reflected in customer bills. Uncertainty surrounding the extent and condition of existing assets makes it impossible for Ofwat to estimate impacts on bills with certainty or known margins of error. Calculations indicate an average rise of £5 per bill from 2011 rising to £8 per year on all sewerage bills as all assets are upgraded by 2019-20, or from £3 to £14 per bill p.a. across different WaSCs. As above, the bill effects are highly uncertain, as the quantities, and particularly the conditions and remedial costs for each water company area are unknown. The majority of the cost WaSCs will bear, and the majority of the bill impact, represent a transfer of cost from private sewer owners (including Local Authorities) to all WaSC customers."*

I would add two other points which I hope are helpful:

First, while the caveats regarding uncertainty noted above still apply, our estimate of the average bill impact for customers of Dwr Cymru Welsh Water is at the top end of the industry range i.e. £14 by 2019-20.

.../...

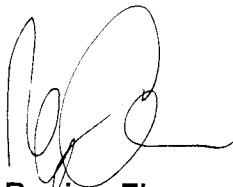


Ms Christine Chapman  
14 October 2010  
Page 2

Second, because no sewerage company submitted an application for an interim determination of prices limits by 15 September there is now no possibility that the transfer of private sewers will begin to impact on bills as early as 2011. Bills will only begin to reflect the costs of transfer when prices are re-set either in response to an interim determination application at some point in the next three years, or at the next time we reset all prices. When we do set prices again in 2014 these will take effect from April 2015.

If you think we can be of any further assistance please contact Kevin Ridout on 0121 644 7538 or at [kevin.ridout@ofwat.gsi.gov.uk](mailto:kevin.ridout@ofwat.gsi.gov.uk).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Regina Finn', with a stylized, cursive script.

**Regina Finn**



## **21. P-03-257 Restore Assembly Broadcasting on S4C2**

### **Petition Wording**

We call upon the National Assembly for Wales to urge the Assembly Commission to hold urgent discussions with the British Broadcasting Corporation to ensure that broadcasts of Assembly proceedings are returned to S4C/2 as soon as possible so that those who have an interest in the governance of Wales are able to watch Assembly proceedings without having to use a computer.

**Link to the petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-257.htm>

**Petition raised by:** Harry Hayfield

**Number of signatures:** 14

**Previously considered by the Committee on:** 23 February 2010 and 23 March 2010

**Update:** The committee will consider an update to the petition.

## **22. P-03-263 List Stradey Park**

### **Petition wording**

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

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

**Petition Raised by:** Mr V Jones

**Number of signatures:** 4383

**Previously considered by the Committee:** 11 May, 15 June and 28 September 2010

**Update:** Correspondence has been received from the Minister for Heritage and Carmarthenshire Council. These are included below.

Gofynner am / Please ask for: **Mr. Lyn Thomas**  
Llinell Uniongyrchol / Direct Line: **01267 224010**  
E-bost Uniongyrchol / Direct E-mail: **DLThomas@sirgar.gov.uk**  
**DLThomas@carmarthenshire.gov.uk**  
Dyddiad / Date: **1<sup>st</sup> November, 2010**

Eich cyf / Your ref: **P-03-263**  
Fy nghyf / My ref: **DLT/SM/PL-0115**  
Ffacs / Fax: **01267 224652**  
DX: 744630 Carmarthen 10

The Petitions Committee,  
National Assembly for Wales,  
Cardiff Bay,  
CARDIFF.  
CF99 1NA

**FAO – CHRISTINE CHAPMAN AM,  
CHAIR OF THE PETITIONS COMMITTEE**

Dear Sirs,

**Re: P-03-263 List Stradey Park**

I refer to your letter dated the 5<sup>th</sup> October, 2010 in the above matter inviting the Council to set out its views on the issues raised in the petition.

Firstly, I regret the slight delay in reverting to you whilst the relevant enquiries were made and the necessary legal research undertaken. I note, however, that you wrote to Alun Ffred Jones AC/AM, Minister for Heritage, seeking his views on the petition on the 4<sup>th</sup> May last and therefore I deduce that this matter has in any case been with you for some time already.

I think it is important that I set out briefly the background to this matter before I consider the issues raised by the petition itself. The site as you will be aware from the correspondence was sold to Taylor Wimpey, the developer, and the application to redevelop the site for housing was the subject of a Call-in Planning Application. After an extensive Public Inquiry which took approximately two weeks to hold, the Welsh Assembly Government granted Outline Planning Permission for the redevelopment of the area for housing on the 14<sup>th</sup> May, 2007. A further Public Inquiry followed in relation to an application made by residents for the training pitches to be redesignated into a Village Green. The application was subsequently refused. I should add that the Village Green Inquiry was conducted at the Council's expense and the Council had to appoint a Leading Counsel to adjudicate the matter. A further application was later made to amend the Definitive Map to add a footpath over the former car park of the Rugby Club.

On the 19<sup>th</sup> June, 2008 the Assembly Government issued an Article 14 “Holding” Direction in relation to the reserved matters application for this site. Subsequently, the Assembly Government issued a “Call-In” Direction which was later withdrawn on the 26<sup>th</sup> August, 2010 as a result of submissions made by the Developer.

The current position is that Taylor Wimpey’s application for Reserved Matters was considered by the Planning Committee of the Council on the 24<sup>th</sup> June, 2010. The Committee duly resolved that it was minded to approve the said application and therefore the scheme for the redevelopment for housing subject to the withdrawal of the Article 14 Holding Direction made by the Welsh Assembly Government on the 26<sup>th</sup> August, 2010 and certain other matters being resolved.

I have referred to the background in this matter in some detail as I think it is extremely important that you appreciate the problematic history of this matter. I also think it is very relevant with regard to the motives behind the preparation of this petition. It is quite clear to the Council that the objectors who are the architects of this petition have used every means at their disposal in an attempt to prevent this development from proceeding and this is yet another attempt to do everything in their power to prevent any development on this site.

I now intend to deal with the petition itself and the legal grounds upon which it is purportedly made. I note from the supporting information provided by the petitioner that it is their intention that the sports pitch itself is listed with the intention of protecting the heritage of this “cultural icon”. They concede that:-

“Although the petition is named “List Stradey Park”, and there are many that would like to see the whole stadium saved, it is generally accepted that listing Stradey Park would mean listing the Stradey Park pitch and retaining it as an open space within any development”.

It is clear that their intention and focus is on protecting the pitch rather than the built structures which surrounded it. Unfortunately, their petition appears to the Council to be wholly misconceived in that respect. You have already received advice from the Minister for Heritage that the Planning (Listed Buildings and Conservation Areas) Act, 1990 (the statutory provision which is relevant in this matter) only provides the means to list **buildings** of special architectural or historic interest. Indeed the petitioners recognise this themselves and appear to concede the point in that they indicate in their supporting information “to list a sports pitch would probably require a new listings category or an amendment to an existing category”. I also note from the Minister for Heritage that any provision to list the listing of items which are not buildings would require primary

legislation and that in any case it would not appear in his view that extending the current statutory planning controls in the way suggested by the petitioners would work in the case of items without a built component.

Therefore, it is simply neither realistic nor legally possible in the Council's view to list the pitch as requested by the petition. Therefore the Council would strongly submit that this matter cannot proceed as outlined or submitted by Mr. Vaughan Jones.

I also note, however, that Mr. Jones also indicates that :-

"I am not sure that I have worded the petition very well as it would appear that the word "listing" might be confusing the issue. I probably should have said "amend the criteria of historic parks and gardens to allow Stradey Park to be added to the Register".

I also note the comments of the Minister for Heritage in that respect. He has confirmed that there are no historic sporting grounds currently included on the non-statutory Register of Parks and Gardens of Special Historic Interest and that CADW have yet to devise a specific criteria for the inclusion of such sites.

The Council is also minded by the advice contained within the Welsh Office Circular 61/96, paragraph 16 which indicates that :-

"No additional statutory controls follow from the inclusion of a site in the Register. Local Planning Authorities are asked to take it into account in preparing local plans and in determining Planning Applications especially those concerning road schemes which would effect registered parks and gardens and their settings or where the proposed development is of a sufficient scale to have more than local impact on the historic landscape".

As you will be aware from my previous comments on the background to this matter, this site is already subject to an Outline Planning Consent and therefore the value of this would be very limited. However, matters have now progressed and you will be aware as referred to earlier in this letter that the application for Outline Planning Consent has already been determined. The Council was not aware of this petition until comparatively recently and therefore it did not have an opportunity to consider the advice of the Minister of Heritage to defer consideration of the Reserved Matters application to permit CADW to undertake a full assessment of whether the ground could have been included in the Register. However, the Council is minded that this matter has been held in abeyance pending the various Public Inquiries for a considerable period of time and to have

deferred the matter for a further period of time for all these issues to be dealt with would have not been fair to the developer concerned.

I would also like to remind the Minister of the current position of the site which I think is an extremely important consideration notwithstanding the legal impediments. Any inspection that the Minister wishes to make of the site will show that both the pitch and the stands have now been demolished and/or removed and there is nothing of any worth left on the site to merit any Preservations Orders being made even if the same were possible which the Council submit is not the case here.

Finally, the Minister should be aware that as part of the Reserved Matters, the Council is pleased to note that a Memorial Park area has been designed within the site which is an important and central feature within the Landscaped Management Plan which was prepared in accompaniment of the scheme. The detailed design of the Park will be subject to further discussions with the former Players Association with the intention of that body adopting the maintenance of that area in due course.

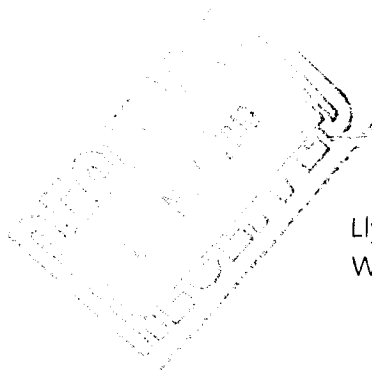
I trust therefore that after due consideration the Minister will find that it is simply not possible on either a legal or practical basis to grant listed status to Stradey Park.

Yours faithfully,



**Head of Administration and Law**

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-263  
Ein cyf/Our ref AFJ/01267/10

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

*Dear Christine*

2 November 2010

Thank you for your letter of 5 October about progress with the identification of Wales' sporting heritage and the compilation of local listing criteria.

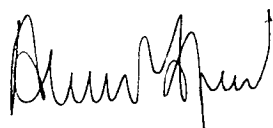
Work on devising discrete criteria to help identify sites of historic sporting interest for possible inclusion on the *Register of Parks and Gardens of Special Historic Interest* is continuing. Cadw hopes to be in a position early in the new year to consult on possible draft designation criteria and other possible measures to help highlight the significance of this aspect of our cultural heritage. I will ensure that the Committee is provided with a copy when it is circulated for comment.

Cadw has begun preparing draft guidelines on local lists for local planning authorities' use, which it is hoped will be ready for consultation next spring, concurrently with revised criteria for statutory listing promised in my Historic Environment Ambition Statement. It seems preferable, given the linkages, that consultation on revised guidance in the area of statutory and local listing should issue together.

In the meantime as part of its ongoing work to highlight local distinctiveness in the historic environment, Cadw has produced a number of characterisation studies highlighting the distinctive nature of our Welsh towns which is relevant to the identification of buildings for local listing. Nine studies have been completed or are currently in preparation. These have been produced to help local authorities better to recognise and, where appropriate, protect the broader fabric of their local historic environment and not just to focus upon individual buildings, although that approach may be appropriate in some instances. Characterisation studies are not a substitute for local designation but are a useful additional tool to help identify those features of interest in a wider area which provide communities with their own particular sense of place. My officials in Cadw work closely with local planning authorities to highlight the potential value of such studies as a means of identifying and safeguarding the distinct and diverse character of our towns and villages and will continue to commend this approach.

Cadw has also taken forward and produced, in line with my Strategic Statement, draft guidelines for local authorities' use about their curatorial functions relating to Historic Environment Records (HER). The HER, which is an inventory of all recorded items of cultural importance in an area – ranging from statutory designations to simple spot finds –, is an important resource for local planning authorities ensuring that items of historical, architectural or archaeological significance are identified and considered as part of the authorities' normal development control responsibilities. The draft guidelines are available on Cadw's web site.

I hope this is helpful.

A handwritten signature in black ink, appearing to read 'Alun Ffred Jones', with a stylized flourish at the end.

**Alun Ffred Jones AC/AM**

Y Gweinidog dros Dreftadaeth/Minister for Heritage



## **23. P-03-272 Equines should not be utilised underground**

### **Petition wording**

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

**Link to the petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-272.htm>

**Petition raised by:** the Pit Pony Sanctuary

**Number of signatures:** 3871

**Previously considered by the Committee on:** 15 June, 13 July and 12 October 2010

**Update:** Correspondence has been received from the Minister for Rural Affairs and is included below.

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref O-03-272  
Ein cyf/Our ref EJ/01065/10

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

2 November 2010

*Dear Christine,*

Thank you for your letter of 15<sup>th</sup> October 2010 about the petition to include reference to equines not being used underground in future versions of the Code of Practice for the Welfare of Equines.

Advice from the Mines Inspectorate is that no equines currently work underground. In carrying out any review of a Code of Practice, we are required by the Animal Welfare Act 2006 to consult such persons as are considered appropriate. We will therefore ensure that views of stakeholders are taken into account through the consultation process

You will be aware that we are having to take some difficult decisions with regard to prioritisation of work with reduced resource and, as a result, any review may have to be postponed to allow work to continue on priority areas.

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

## **24. P-03-273 Transportation of wind turbines in Mid Wales**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Government to issue guidance to Local Planning Authorities to ensure that communities are properly consulted on wind farm developments, that impact on road infrastructure is properly assessed and that the broader effects of traffic disruption on sectors such as tourism are properly considered before any development is approved to take place. We believe the only way this can be properly concluded is by way of a public inquiry.

**Link to the petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-273.htm>

**Petition raised by:** Welshpool Town Council

**Number of signatures:** 1

**Previously considered by the Committee on:** 19 January 2010, 23 March 2010, 25 May, 13 July and 28 September 2010

**Update:** Correspondence has been received from the Minister for Environment, Sustainability and Housing and is included below.

**Jane Davidson AC/AM**

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref: P-03-273  
Ein cyf/Our ref: JD/02245/10

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

25 October 2010

*Dear Christine,*

Thank you for your letter of 5<sup>th</sup> October regarding the transportation of wind turbines in Mid Wales.

In my Cabinet Written Statement of 8<sup>th</sup> June I outlined how the Welsh Assembly Government would meet its One Wales commitment to increase the deployment of renewable energy technologies by updating our over-arching planning policy on renewable energy. Proposed changes to our policy were the subject of public consultation over the summer and this consultation closed on 8<sup>th</sup> October. As requested Welshpool Town Council was contacted directly regarding this consultation and I can confirm that we have received representations from them in this respect.

The issues associated with the transportation of wind turbine components require a concerted and cross-cutting response from a variety of stakeholders including local planning authorities and the Welsh Assembly Government and we will continue to work towards a successful resolution of the issues.

*Yours,*

**Jane Davidson AM**

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

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## **25. P-03-277 Change the Decision to Sell Alcohol at Urdd Eisteddfod**

### **Petition Wording**

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

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

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

**Number of signatures:** 114

**Previously considered by the Committee:** 23 March, 15 June and 28 September 2010

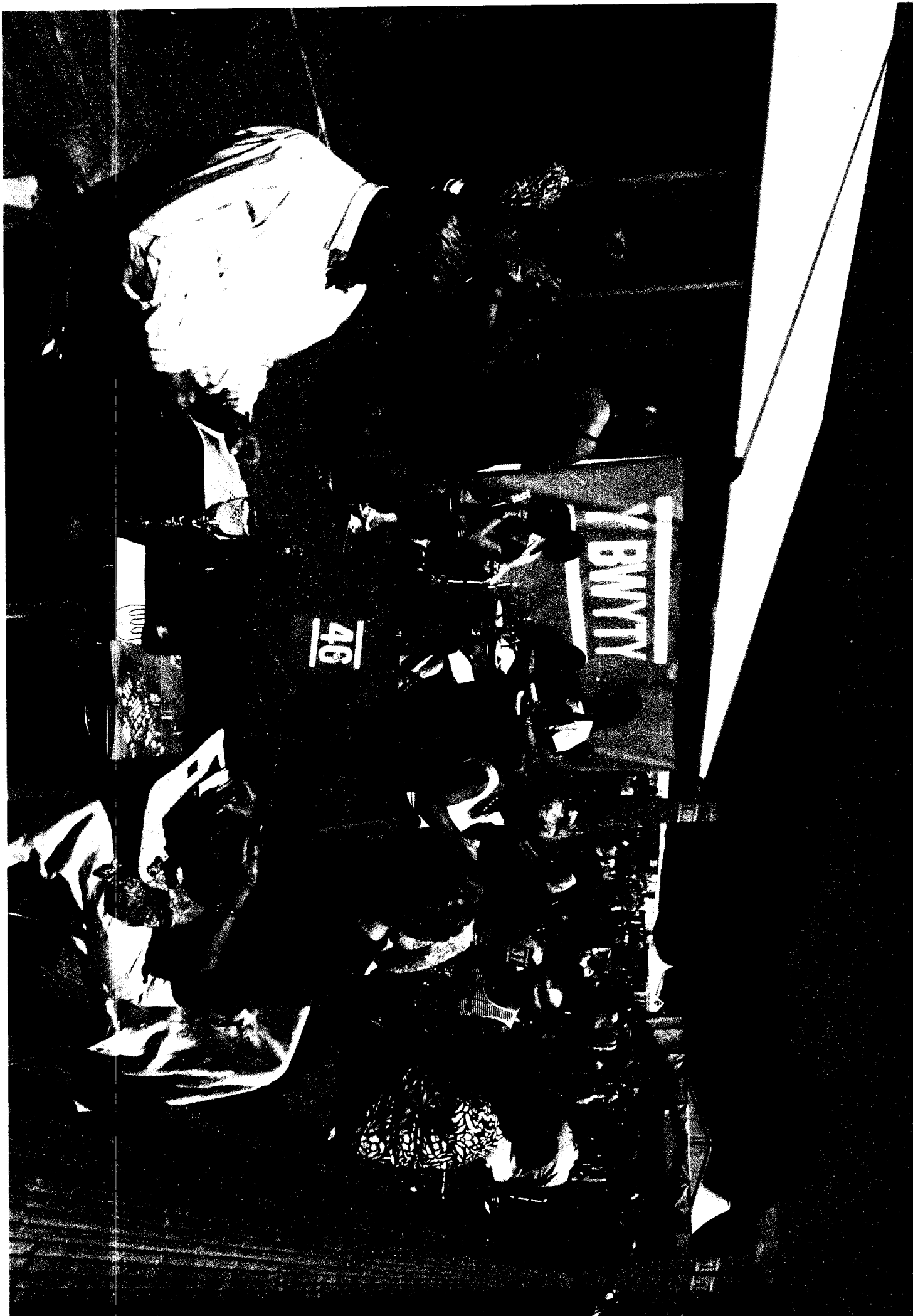
**Update:** Correspondence has been received from the Urdd and the petitioner. These are included below.

Further to my letter dated 15 July, I enclose a photo of 'Y Bwyty' (The Restaurant) in order to show you the kind of provision available at the Urdd Eisteddfod in Llanerchaeron in 2010.

Yours faithfully.

EFA Gruffudd Jones

Chief Executive



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

Your Ref: P-03-277

22 October, 2010

**P-03-277 - Change the decision to sell alcohol at the Urdd  
Eisteddfod**

Dear Ms Chapman,

Thank you for the opportunity to respond to the letter from Efa Gruffudd Jones, Chief Executive of the Urdd, regarding the petition referenced above.

What is missing from her letter is information on the size of the questionnaire to which it refers. As a basis for enquiry, this kind of questionnaire would be expected to have 2000 respondents. Having a small sample is misleading.

Moreover, the questions posed in the questionnaire are not available, so as to check whether they were skewed to elicit positive responses. Interpretation can always vary according to perspective!

Efa has not looked at the big picture or the long-term effects of the Urdd's 'experiment' with alcohol. She still talks about 'training' young people in how to drink! Is this the Urdd's role? How is it qualified to conduct this training? It is obvious, for example, that she does not realise that the availability of alcohol is an important factor, and that normalising the consumption of alcohol in this fashion does not lead to responsible drinking among children and young people. There is plenty of evidence to suggest that it does the opposite.

Nevertheless, the main reason that I am voicing opposition on behalf of the Welsh Council on Alcohol and Other Drugs, is the example (or in this case, the lack of one) that is being set by the Urdd as an organisation.

It is not the Urdd's job to conduct 'experiments' so that parents can practise teaching their children how to drink responsibly; they can do that on the caravan site, and so forth. The suggestion that the Urdd could do the children of Wales a favour by conducting this kind of 'experiment' is dangerously naïve and irresponsible. A similar experiment in France was disastrous—as the French are now discovering, with 20 million French people suffering from long-term health problems in its wake. The role of the Urdd, which is a



movement for children and young people, is to organise and stage the Eisteddfod for the benefit of the Welsh language and the nation's culture, and to do so in an atmosphere that prioritises the health, wellbeing and safety of children and young people above all else.

The claim that this is the third time for alcohol to be made available on the Eisteddfod field is also misleading. Efa has neglected to mention that it was not the Urdd that supplied the alcohol in two of those cases, but independent restaurants that were already located on the Wales Millennium Centre estate where the Eisteddfod was held.

The Llanerchaeron Eisteddfod, therefore, was the first in which the Urdd had served alcohol on the Eisteddfod field. It did so at a time when the Assembly Government and every other Government across Europe was trying to control this mounting social problem. Young people in Wales between the ages of 11 and 15 drink more alcohol than those in the corresponding age bracket in every other country in Europe. The Council had expected a movement for children and young people such as the Urdd to set a better example.

I believe that to describe this as a 'personal campaign' on my part is insulting, deprecatory and wholly mendacious. As the Chief Executive of the Welsh Council on Alcohol and Other Drugs, I have acted with the backing of trustees. This is all because we are aware of the effects of drinking on young people and that, for the most part, the Eisteddfod is a festival for those under the age of 18. Support for our position, which came from a wide range of organisations and associations across Wales, besides individuals, illustrates the concern felt by a large number of groups that have an interest in safeguarding the interests of children and young people. I should remind you that the Union of Welsh Independents (which has 27,000 members) has also opposed the scheme through a vote at its annual meeting.

As you will be aware, I am concerned about the Urdd's lack of accountability in this matter, and the fact that it has insisted on disregarding all reliable scientific evidence in arrogantly ignoring all objections. Members of the Urdd Council have not provided any kind of explanation for, or defence of, their decision, and all records relating to the decision to serve alcohol have disappeared from the Urdd's website.

The only ones who can now curb this kind of arrogance are the members of the Petitions Committee.

Best regards,

WYNFORD ELLIS OWEN  
Chief Executive

## **26. P-03-283 NHS Charging for Alcohol Related Incidents**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Government to consider the introduction of charges for treatment and transport of patients to hospitals in those cases where the incident is alcohol related and wholly the fault of the individual or individuals concerned. We hope that these charges will help to reduce the number of calls and treatment by the NHS and as a consequence would hopefully reduce the amount of physical and verbal abuse towards NHS staff

**Link to the petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-283.htm>

**Petition raised by:** Derek Wynne Rees

**Number of signatures:** 116

**Previously considered by the Committee on:** 27 April and 11 May 2010

**Update:** Correspondence has been received from the petitioner and is included below.

Dear Sir

I have not responded so far to the above because the letter dated 29th April 2010 from Ms Edwina Hart to Christine Chapman clearly states "I do not have any intention of charging for services". That seems done and dusted (the privileges of rank I suppose). As far as I am concerned and speaking as a front line Paramedic of 30 years experience people who regularly get into such a drunken state and treat other decent people with contempt, abuse (physically and verbally) in my opinion forego the right to be treated without at least paying for their animal like behaviour. Apologies that is unfair to animals who do not behave anything like the people I encounter.

These people choose to get drunk, they become abusive, they become aggressive, they become violent, they get covered in excrement, vomit and urine and the NHS is expected to pick up the pieces--- not acceptable.

This namby pampy approach to minimum pricing won't reduce the problem because these people will get the extra money for their habit by depriving other areas within their influence eg food for the family, non payment of bills etc.

What we need is a new and radical approach to the problem. I didn't start out with a clear idea of how to ease the pressures on the NHS created by this "drink culture" but as I discussed the problem with my colleagues, nurses, casualty staff and police it became apparent that everyone I spoke to agreed that the simplest and probably quickest way to bring the message home to these people was to charge them for the time and trouble that they had created.

I finish by asking you where else in our society and under what other circumstances would we allow such a situation to occur and just allow it continue without some redress.

"Remember that the next time you need an ambulance for you or your family let's just hope that Mr Heineken hasn't got there first".

Thank you for your patience.

Wynne

## **27.P-03-291 Development of HIV and Sexual Health Information Services**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Government to develop a multi-platform resource for young people giving information on HIV and sexual health along the lines of the “Frank” drug campaign.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-291.htm>

**Petition raised by:** Speak Out Gwent and Merthyr Tydfil LGB Group

**Number of signatures:** 10

**Previously considered by the Committee on:** 29 June and 13 July 2010

**Update:** Correspondence has been received from the Minister for Health and Social Services and is included below.

**Edwina Hart MBE OStJ AM**

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

Our ref: EH/03340/10

Your ref: P-03-291

Christine Chapman AM

[Christine.Chapman@wales.gov.uk](mailto:Christine.Chapman@wales.gov.uk)



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Caerdydd CF99 1NA  
Llinell Ymholiadau Cymraeg: 0845 010 4400  
Ffacs: 029 2089 8131  
E-Bost: [Gohebiaeth.Edwina.Hart@cymru.gsi.gov.uk](mailto: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](mailto:Correspondence.Edwina.Hart@Wales.gsi.gov.uk)

20 October 2010

Dear Christine

Thank you for your letter of 5 October on behalf of the Petitions Committee asking for an update on the Sexual Health and Wellbeing Action Plan for Wales, and seeking confirmation of the LGB Groups invited to take part in the review.

I will be launching the Sexual Health Action Plan in the first week of November after Recess.

The All Wales Sexual Health Network is tasked with taking forward the review of sexual health information by September 2011. Invitations will be made to LGB Groups to take part in the review in due course. I have asked my officials to pass on the details of Speak Out Gwent and Merthyr Tydfil LGB group to the network.

## **28.P-03-293 Review of Schools Admission Code**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Assembly Government to review the School Admissions Code, as the current Code discriminates against children who are able to speak Welsh (Paragraph 2.26) and children who have a faith or religion (Paragraph 2.39). Also, the policy needs to be amended to give children who were in nursery education in a Welsh school priority for the reception class.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-293.htm>

**Petition raised by:** Councillor Arfon Jones

**Number of signatures:** 32

**Previously considered by the Committee on:** 28 September 2010

**Update:** Correspondence has been received from the Minister for Children, Education and Lifelong Learning and is included below.

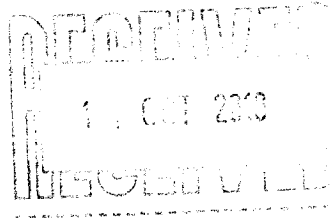
**Leighton Andrews AC/AM**  
**Y Gweinidog dros Blant, Addysg & Dysgu Gydol Oes**  
**Minister for Children, Education & Lifelong Learning**



Llywodraeth Cynulliad Cymru  
 Welsh Assembly Government

Eich cyf/Your ref P-03-293  
 Ein cyf/Our ref LA/02661/10

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



6 October 2010

*Dear Chris,*

Thank you for your letter of 21 September 2010 in your capacity as the Chair of the Petitions Committee relating to the petition received from Councillor Arfon Jones about Welsh medium education and possible amendments to the School Admissions Code.

In my reply I cover:

- The general approach to the provision of Welsh-medium education;
- The situation in the petitioners' local area, to which the petition's supporting information alludes; and
- The purpose and intention of the provisions in the Code:
  1. in relation to the provisions on selection
  2. in relation to the provisions on transition from nursery to reception.

### **Provision of Welsh-medium education**

I would like to begin my response with some background information on the approach adopted to the provision of Welsh-medium education. Our overall policy on the Welsh language is set out in Iaith Pawb, the national action plan for a bilingual Wales. This recognises the importance of education in turning our aspirations for a bilingual Wales into reality.

It is, as you know, the duty of Local Authorities (LAs) to provide sufficient schools to meet the needs of local communities. They must therefore assess parental demand for different types of schools, and seek to meet that demand, with due regard for efficiency. There are well established procedures for the establishment of education provision including Welsh medium provision. If demand for Welsh medium education grows, as we hope it will, it will be for LAs to identify that demand, and organise schools in their area accordingly.

### **Local provision – Ysgol Plas Coch**

I understand that there has been an increase in demand for Welsh medium education provision in the northern part of the area covered by Wrexham LA. As a result Ysgol Plas

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

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Coch, the Welsh medium primary school which serves the area, is oversubscribed. Currently there is maintained nursery provision at the school. In line with the School Admissions Code, parents of pupils attending the nursery provision have to apply for admission to the reception class at Ysgol Plas Coch. There have been instances when pupils attending the nursery provision have not met the oversubscription criteria for the school and their applications have been unsuccessful. These oversubscription criteria are set by the LA, as the relevant admissions authority. On such occasions the LA has offered places at other Welsh medium primary schools in Wrexham. However, some parents have chosen not to take up these offers.

In order to meet the increase in demand in the short term the LA has increased the capacity of Ysgol Plas Coch by providing temporary accommodation. As a long term solution the LA propose to establish a new 210 place primary school in the Gwersyllt area, approximately 2 to 3 miles from Ysgol Plas Coch.

In my role as Minister for Children, Education & Lifelong Learning I cannot comment on the merits of any proposal to establish a new Welsh medium primary school, as it would have to be the subject of statutory procedures before any additional provision could be provided. As you will be aware, if anyone objects to such a statutory proposal, I have the duty of deciding whether or not the scheme should proceed. I am therefore obliged to remain impartial at this stage.

I do not accept, however, that the School Admissions Code “discriminates against children who are able to speak Welsh” or that a change to the Code would be an appropriate remedy for this situation, for the reasons set out below.

### **The School Admissions Code - provisions regarding selection**

Section 99 of the School Standards and Framework Act 1998 places a general restriction on the adoption by any school of selection **by ability** as a means of allocating places, except (principally) schools with partially selective arrangements which already had such arrangements in place at the beginning of the 1997/98 school year. Section 39 of the 2006 Education and Inspections Act reaffirmed the position. Stemming from this, paragraph 2.26 of the Admissions Code therefore instructs admission authorities that they must not adopt an oversubscription criterion which selects pupils on the basis of ability or aptitude, including the ability to speak Welsh

The Code provides that schools with a designated religious character may, if there are too many applicants for the places available, give first priority to children of the faith in question, but if the number of applicants matches the places available, all must be admitted, regardless of factors connected with faith. As you will appreciate, adherence to a particular faith is not construed as an “ability” but is, rather, a matter of fact; therefore the comparison with section 99 does not apply. Indeed, the scope for places to be allocated on the basis of adherence to a particular faith is underpinned (with some caveats) by legislation, including the Human Rights Act 1998.

Paragraph 2.39 of the Code confirms that faith based oversubscription criteria must “not conflict with other legislation, such as equality legislation or the mandatory requirements of this Code”, whilst the Code as a whole support the Welsh Assembly Government’s expectation that any admissions arrangements put in place (including oversubscription criteria) be transparent, open and fair.



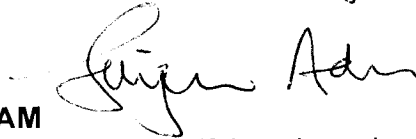
## **The School Admissions Code – provisions in relation to oversubscription criteria relevant to Primary admissions**

In addressing the matter raised by Councillor Jones' comment that the "policy needs to be amended to give children who were in nursery education in a Welsh school priority for reception class". I would draw your attention to the thrust of the School Admissions Code in requiring open and fair arrangements to be applied, as outlined above. Paragraph 2.54 reflects this intention for both English and Welsh medium nursery and reception education by stating:

- *Admission authorities must not include attendance at the nursery or the co-located children's centre for nursery education in their oversubscription criteria. Such arrangements can advantage those parents willing to travel a substantial distance to allow their child to attend nursery school so that they will have priority in admission to the primary school over more local parents. Such criteria may also disadvantage families who have recently moved to the area and those who have opted for other providers or who choose to take up free entitlement at an alternative provider. It may make some parents feel they have to enrol their child at the school before they consider him or her ready, in order to gain a place at the primary school.*

In summary, the provisions of the Code quoted above are intended to avoid disadvantaging parents who seek to have their child attend a given school just because they have chosen to educate that child, whilst still below compulsory school age, other than through a nursery attached to that school. This provision applies to all primary schools, irrespective of language medium and, taken together with the provisions in the Code relating to selection by aptitude referenced above, are intended to provide equality of access to all children to education through the language medium of choice.

I trust that this information provides clarity in relation to the issues that have been raised.

*Yours sincerely*  


**Leighton Andrews AM**

Minister for Children, Education & Lifelong Learning

## **29.P-03-298 Financing the provision of Welsh-language resources for people with dyslexia**

### **Petition wording**

We call on the National Assembly for Wales to encourage the Welsh Government to fund Wales Dyslexia so that it can develop some of the resources that were recommended by the Enterprise and Learning Committees report, entitled Support for People with Dyslexia in Wales, which was published in July 2008, with a follow-up report published in October 2009. These include a Welsh-language screening test, dedicated and appropriate Welsh-language resources and meeting the costs of the free Wales Dyslexia helpline.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-298.htm>

**Petition raised by:** Wales Dyslexia

**Number of signatures:** 151

**Previously considered by the Committee on:** 28 September 2010

**Update:** Correspondence has been received from the Minister for Children, Education and Lifelong Learning and has been included below.

3 AM

**Leighton Andrews AC/AM**

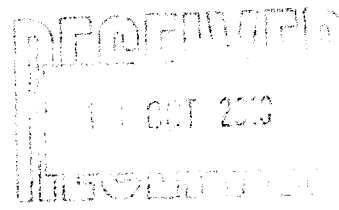
**Y Gweinidog dros Blant, Addysg & Dysgu Gydol Oes  
Minister for Children, Education & Lifelong Learning**



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Welsh Assembly Government

Eich cyf/Your ref P-03-298  
Ein cyf/Our ref LA/02662/10

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



6 October 2010

*Dear Aislin,*

Thank you for your letter of 21 September 2010 bringing to my attention the petition submitted by Dyslexia Wales with regard to financing the provision of Welsh language resources for people with dyslexia.

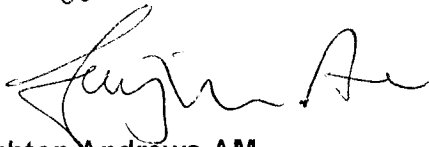
The Welsh Assembly Government is committed to providing all children and young people in Wales with a comprehensive education in order to reach their full potential. We recognise the need to ensure appropriate provision is made available through our education system that caters for some of our more vulnerable children and young people, including those who have dyslexia.

In response to some of the recommendations of the 'Support for people with Dyslexia in Wales' Committee report of 2008 and the follow up report of 2009, the Welsh Assembly Government commissioned the development of a research exercise into Specific Learning Difficulties (SpLD), that includes specifically dyslexia. A total of £118,000 over 2 years (2009-2011) has been allocated to two major projects. The first was to conduct a Literature Review on current practices in Wales and beyond. The second was to undertake an auditing and benchmarking exercise of effective practice, with guidance and examples of best practice, and research into different approaches, for all stakeholders. The information gathered will inform future work and funding requirements on research into interventions and approaches as recommended by the Committee.

The Welsh Assembly Government has also commissioned work to produce Welsh medium testing tools for children with additional learning needs (ALN). A total of £90,000 has been awarded to Bangor University to further develop Standardised Measures for the assessment of Welsh bilingual children. The three year programme, from 2009, covers the development of Welsh assessment tools for the 11-15 and 2 to 7 age ranges; the profiling of children with different conditions, such as language disorders, within those tests; and the structuring of any adaptations to material that maybe required in the future.

This follows previous funding of £90,000, over 3 years from 2005, made available to Bangor University to develop Welsh specific resources. This was ground breaking work in the development of normal Welsh language assessment tests in speech, language and verbal reasoning skills which are Welsh language specific and not merely a translation of English materials. Our latest allocation of funding will build on the work already completed.

I am aware of funding proposals from Dyslexia Wales with regard to developing further resources in Wales. My officials are due to meet with the trustees of Dyslexia Wales on 8 October 2010 and will report back to me with any actions.

Yours sincerely  


**Leighton Andrews AM**

Minister for Children, Education & Lifelong Learning

### **30. P-03-302 Compost processing plant**

#### **Petition wording**

We call upon the National Assembly to urge the Welsh Government to call upon the Environment Agency (Wales) to take action to suspend operations at Bryn Composting, Gelligaer until such time as the operators can satisfy the Environment Agency (Wales) that they can resume operations in a way that will end the serious nuisance of odour pollution that blights the lives of local residents currently."

**Link to the petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-302.htm>

**Petition raised by:** Cllr Hefin David

**Number of signatures:** 642

**Previously considered by the Committee on:** 12 October 2010

**Update:** Correspondence has been received from the Minister for Environment, Sustainability and Housing and is included below.

**Jane Davidson AC/AM**

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



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Welsh Assembly Government

Eich cyf/Your ref: P-03-302  
Ein cyf/Our ref: JD/02248/10

Christine Chapman AM  
Chair - Petitions Committee  
National Assembly for Wales  
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25 October 2010

*Dear Christine,*

#### **P-03-302 COMPOST PROCESSING PLANT**

Thank you for your letter on 5 October regarding the petition received from Cllr Hefin David involving the composting facility at Bryn Composting Ltd and concerns of odour pollution.

I am aware of the numerous complaints that have been made regarding this facility and of the ongoing investigations carried out by the Environment Agency. In February I received correspondence from Jeff Cuthbert AM highlighting the concerns of his constituents. Following this, my officials contacted the Environment Agency Wales Director to draw the matter to his attention and to raise the concerns with the relevant Environmental Protection team.

I understand via the Agency that the odour complaints associated with this site are complex to investigate as the site has multiple uses which generate odour. In July 2010, the Agency's National Odour Expert visited the site. Drawing upon experience of similar sites and best practice, he produced a technical overview of the operations, highlighting a number of recommendations which the Agency is currently pursuing with the operator and their consultants. On the 5 October 2010, the permit conditions at Bryn Compost were varied to include improvement measures as highlighted by the National Odour Expert.

Since the investigation has begun the Agency has since taken several actions to address the residents concerns; there has been a revision of incident management procedures to better substantiate incidents and gather evidence. The training of Agency officers has been improved in how to respond to odour incidents effectively and to gather evidence in a prescribed manner. A review of monitoring arrangements has been carried out jointly with Caerphilly CBC Environmental Health department and the operator's bioaerosol consultants (UWIC). The Agency proposes to deploy a Mobile Monitoring Facility (MMF) at the Green Hill Primary School, Gelligaer, later this autumn to gather air quality data over a three month period. A report will be produced at the end of the three month study, and its findings will be shared with the Bryn Compost Liaison Group (BCLG). There is also a proposal to request residents to gather further odour information in the area, by filling in an odour diary over the three month period the MMF will be located in Gelligaer. All permit breaches are

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recorded when odours are confirmed in the community. This may affect the operator financially as annual subsistence fees may increase.

With regards to the Petition requesting the suspension of operations at the site, the Agency advises that it has powers to suspend a permit where there is a risk of serious pollution and sufficient evidence to support the use of these powers. The decision on whether regulatory actions are to be taken is based on the Enforcement and Sanctions Statement and Guidance. The Agency advise that to date, the investigations into odour complaints have not provided sufficient evidence to confirm the operations of the facility is resulting in any risk of serious pollution within the community. The site's permit requires the operator to undertake bioaerosol monitoring around the site to assess the risk to human health. Levels of bioaerosol recorded to date are well within the limits set by the Agency. These limits were set following consultation with health professionals. The results have been reviewed by Dr Gill Richardson, Director of Public Health of the Aneurin Bevan Health Board and member of BCLG. However, the wider impacts on the residents' wellbeing caused by odour annoyance still remain a concern for many residents and options for further monitoring are being discussed at BCLG to address outstanding concerns.

The Agency advises that until these options have been fully investigated, suspension or revocation of the operating permit for the in-vessel compost facility would be viewed as a disproportionate response.

The Agency informs me that they will continue to work with the operator to improve operations at the facility and to address residents concerns. The Agency has since instigated a national review of technical and regulatory guidance on odour at regulated facilities. But in the meantime depending on the outcome of these further investigations and actions, including information gathered from residents, the Agency will continue to review the progress of this site and determine the best regulatory approach available to them at this time.

Yours,  


**Jane Davidson AM**

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

**Committee Service**  
**November 2010**