

Agenda – Petitions Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 12 July 2016

Meeting time: 09.00

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Agenda Item 2.1

P-04-685 Basic Payment Scheme in Wales – a Fairer, Regional Payment Model Required

This petition was submitted by Farmers for Regional Payments, having collected 32 signatures.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to reconsider its decision to implement a flat-rate model for payment of the Basic Payment Scheme (BPS) subsidy to Welsh Farmers. The BPS is a European Union grant designed to help the farming industry. Farmers can apply for the grant once a year – normally in May – and payments begin in December. In July 2015, the Welsh Government made the decision to move to a flat-rate payment per hectare for all Welsh farmers under the BPS. As a result of this decision, it is estimated that 1,323 farms will lose more than €2,500, many of which will see their payments reducing by around 40–60% over a five year period. Lost payments will amount to up to €100,000 per farm, per year from now until 2019. The flat-rate payment model for all Welsh farmers will lead to unemployment and business failure. It will also have damaging effects on the environment and the quality and quantity of Welsh food production, owing to the fact that productive farms will be worst affected. There are substantial differences in the productivity of farmland in Wales. Therefore, regional application of the BPS is imperative. The decision will also disadvantage productive farmers in Wales against equivalent farmers in other countries, with English farmers, for example, receiving BPS payments on a regional basis. It is clearly in the best

interests of the farming and wider Welsh community to ensure that there is a fairer payment scheme in place.

Assembly Constituency and Region

N/A

Petitions Briefing

Research Briefing:

Petition number: P-04-685

Petition title: Basic Payment Scheme in Wales

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to reconsider its decision to implement a flat-rate model for payment of the Basic Payment Scheme (BPS) subsidy to Welsh Farmers. The BPS is a European Union grant designed to help the farming industry. Farmers can apply for the grant once a year – normally in May – and payments begin in December. In July 2015, the Welsh Government made the decision to move to a flat-rate payment per hectare for all Welsh farmers under the BPS. As a result of this decision, it is estimated that 1,323 farms will lose more than €2,500, many of which will see their payments reducing by around 40–60% over a five year period. Lost payments will amount to up to €100,000 per farm, per year from now until 2019. The flat-rate payment model for all Welsh farmers will lead to unemployment and business failure. It will also have damaging effects on the environment and the quality and quantity of Welsh food production, owing to the fact that productive farms will be worst affected. There are substantial differences in the productivity of farmland in Wales. Therefore, regional application of the BPS is imperative. The decision will also disadvantage productive farmers in Wales against equivalent farmers in other countries, with English farmers, for example, receiving BPS payments on a regional basis. It is clearly in the best interests of the farming and wider Welsh community to ensure that there is a fairer payment scheme in place.

Background

Summary

The Basic Payment Scheme is the name of the scheme used to issue direct income support payments to farmers under Pillar 1 of the Common Agricultural Policy. Whilst the scheme is

governed by EU regulations Member States and in Wales case EU regions are given some discretion to decide how these payments will be distributed.

In Wales eligible farmers submit an application on an annual basis for the payment. Payments are then distributed according to a number of factors.

The rules governing the issuing of payments

All governments are required to follow some [basic EU-wide rules](#) when designing their payment systems for issuing payments to farmers. Under the current round of the CAP (2014–2020) countries who previously used what is known as a ‘historic method’ for allocating farm payments are required to move towards what is known as an ‘area based’ method.

Under the historic method the amount of direct payment a farmer receives is dependent upon the amount a farmer produced during a reference period (approx. 2000–2002). An area based system distributes direct payments to farmers according to the amount of land they farm regardless of how much was historically produced on this land.

Whilst governments are required to move towards distributing payments on an area basis by 2019, the rules provide flexibility on how and by when governments choose to do so. Member States and Regions can choose to:

- Move fully to area based payments in 2015;
- Complete the transition to area based payments fully by 2019;
- Move partially to area based payments in 2019 as long as minimum criteria are met;
- Establish one payment region for their whole territory; or
- Establish different payment regions so long as these are based on objective and non-discriminatory criteria.

Regardless of the system chosen the move from historic to area based payments will cause changes to the amounts different farmers receive.

Welsh Government Action

The Welsh Government’s Initial Decision

Following a series of consultations the [Welsh Government initially opted](#) to complete the transition to area based payments by 2019 and to use the option to pay different amounts for different regions in Wales. These three regions were:

- Moorland– with an estimated payment of €20 per hectare;
- Other Severely Disadvantage Land– with an estimated payment of €200 per hectare;
- All other land (disadvantage land and lowland)– with an estimated payment of €240 per hectare.

Moorland was defined as land classified as Moorland on the 1992 Wales Moorland Map with an altitude of 400 metres or higher and with Moorland vegetation present.

The Legal Challenge

In December 2014 the [Welsh Government announced](#) that it would be withdrawing its first proposals for a regional payment system as a result of a legal challenge. The legal challenge was brought by a group of farmers, 'Fairness for the Uplands' who disputed the fairness of the proposed Moorland category. It was found that as some land below the 400 metre line would have the same characteristics as land above the 400 metre line but receive a different payment level the Moorland category was not based on objective and non-discriminatory criteria as required by the EU rules. The Welsh Government therefore agreed to the making of a Consent Order by the Court quashing the regulations they had used to bring in the regional payment model.

The current payment system

Following the legal challenge the Welsh Government [issued a new consultation](#) on possible options in March 2015. The consultation took into account the outcomes of the judicial review. These options included:

- Keeping a regional payment model but based on different criteria;
- Moving to a flat rate, where all farmers in Wales are paid a single rate regardless of where they farm, immediately in 2015;
- Moving to a flat rate but in equal steps between 2015 and 2019;
- Moving part way to a flat rate by 2019 (known as 'tunnelling'); and
- Using one of the above options but with a few 'add-on' options to mitigate some of the biggest gains and losses for individual farmers.

Although the possible use of a new regional payment model was included in the consultation document, the Welsh Government stated that successful legal challenge to their first proposal showed that their current mapping information on land types in Wales was not going to be sufficiently detailed to ensure any future proposals for regions could not be challenged in the same way. The Welsh Government outlined that a re-mapping exercise for the whole of Wales would need to take place. In a [letter to Assembly Members](#) on the possibility of a re-mapping exercise on 16 June 2015 the then Deputy Minister for Farming and Food stated that this level of mapping could potentially cost 'tens of millions of pounds and several years' and did not therefore believe it was an option for this round of the CAP.

The [Welsh Government announced](#) the outcome of this second consultation in July 2015. It has chosen a payment model where all farmers are paid a 'flat rate' but where the move towards this is made in equal steps up to 2019. In addition, the Welsh Government has chosen one of the 'add-on' options to try and mitigate some of the re-distributive impacts

this change will have. This ‘add-on’ is the option to use what is known as a ‘re-distributive payment’ where farmers receive an additional payment on the first 54 hectares of their land. The Welsh Government has stated that using this add-on option reduces the amount of financial disruption caused as compared to moving to a flat rate option alone by 2019.

In its consultation the Welsh Government included tables forecasting the changes in annual payments that farmers would receive under the different options. Table 4 in the document showed the changes to farm payments of the Welsh Government’s preferred option.

Forecast changes in the annual payments for claimants under the Redistributive Payments option

Annual Change €	Number of claimants
Loss of at least 2,500	1,323
Loss of 2,000 to 2,500	324
Loss of 1,500 to 2,000	453
Loss of 1,000 to 1,500	625
Loss of 500 to 1,000	860
Loss of under 500	1,878
Gain of under 500	5,051
Gain of 500 to 1,000	2,560
Gain of 1,000 to 1,500	1,383
Gain of 1,500 to 2,000	807
Gain of 2,000 to 2,500	374
Gain of at least 2,500	712
Total	16,350

Source: Welsh Government, March 2015

Other models in the UK

Different payment systems have been [chosen by the UK Government and other devolved administrations](#) to reflect the different farm businesses, land types and payment history in the different countries. Farmers in England have been paid on an area basis since 2012. There are three payment regions in England: lowland; land in Severely Disadvantaged Areas not Moorland; and Severely Disadvantaged Moorland Areas. Northern Ireland have opted for a seven year transition to area payments with the aim of moving towards area payments by 2021. All farmers in Northern Ireland are paid on a flat rate basis. Scotland will move to area

payments by 2019 in equal steps. Scotland has three payment regions: better quality land; Less Favoured Areas high quality grazing; and Less Favoured Areas low quality grazing.

None of the other payment systems have been subject to a legal challenge.

National Assembly for Wales Action

The Fourth Assembly's Environment and Sustainability Committee established a CAP Task and Finish Group which gave some consideration to the issues of payments and payment systems. The Committee as a whole held an urgent session in February 2015 following the results of the legal challenge and considered the implications with stakeholders at an agriculture round table on 30 April 2015. The issue was also considered during several general scrutiny sessions the Committee held with the then Deputy Minister for Farming and Food including on the [4 March 2015](#) and the [20 May 2015](#).

The former Deputy Minister for Farming and Food made an oral statement in Plenary on the results of the consultation on [7 July 2015](#) in which Assembly Members asked a number of questions to the Deputy Minister. Questions on this issue have been put to the Deputy Minister and First Minister in Plenary.

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-685
Ein cyf/Our ref RE/00162/16

William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
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9 March 2016

Dear William,

Thank you for your letter on behalf of the Petitions Committee seeking my views on the issues raised in the petition submitted by Farmers for Regional Payments.

I will respond in the order the issues are set out in your letter as follows;

Reconsider the decision to implement a flat-rate model for payments of the Basic Payment Scheme

Council Regulation 1307/2013 required reform of the way in which subsidies were provided in Wales and the move from historical entitlements to area-based payments and the overall reduction in the budget for the Common Agricultural Policy meant that change was inevitable. As the Welsh Government has recognised throughout, whatever shape that reform took in Wales, some farmers would experience a reduction in subsidies whilst others would experience an increase.

The Welsh Government were required to exercise a judgement as to how to implement the reform and, whilst it is true that our original preference was to apply the basic payments scheme on a regional basis, ultimately our judgement was that this was simply not possible in practice due to a legal challenge in December 2013.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Pack Page 51

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The only way a fair regional based payment could be adopted in Wales would be to undertake a mapping exercise for the whole of Wales and, as stated in my letter to Assembly Members on 22 June 2015, this would be both costly and time-consuming. We could also only be clear about the value of such work when we had a better idea of the European Commission's intentions for the next round of CAP reform. All this, of course, assumes that the UK remains a member of the European Union.

Lost Payments of up to €100,000 per farm, per year from now until 2019

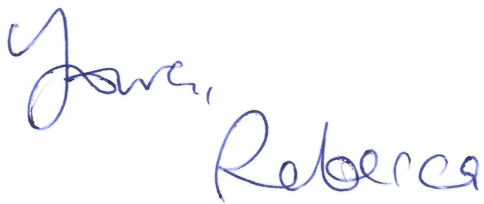
This indicates a total reduction in subsidy of €500,000 over five years. I do not recognise this figure and I have seen no evidence to support it.

Productive farms will be worst affected by flat-rate payments

This implies that the productivity of a farm is dependent upon its geographical area or scale. I do not accept this: the productivity of a farm will depend on a wide range of factors, including the nature of its land, its location and the way in which it is managed.

Disadvantage to productive farmers in Wales compared with equivalent farmers in England

Such a comparison is misleading because it looks at only one part of the picture. For example, it fails to take into account additional support available via the Rural Development Programme. Additionally, devolution by its nature will result in a wide range of differing policies between England and Wales.

A handwritten signature in blue ink, appearing to read 'Rebecca', is written over the printed name.

Rebecca Evans AC / AM

Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food

Agenda Item 2.2

P-04-686 Install a Traffic Lights System at Cross Hands Roundabout

This petition was submitted by Rhodri James, having collected 27 online signatures.

Text of the Petition

A recent published statistic shows that Cross Hands roundabout is the 3rd most dangerous in Wales for traffic accidents and people hurt. Anyone who is based in the area or travels through regularly will know how treacherous it has become. Please sign and share to force through a resolution.

Additional information

Opposition argue that traffic lights will slow down an already busy road. Carmarthen and Pont Abraham roundabouts had traffic lights installed long ago and congestion in both locations is not a serious issue. As the roads get busier, it is only a matter of time before somebody gets seriously hurt. Please let common sense prevail and help force through action to make this stretch of road a great deal safer for all motorists.

Assembly Constituency and Region

Carmarthen East and Dinefwr

Mid and West Wales

Petition: P-4-686 Install a Traffic Lights System at Cross Hands Roundabout

Y Pwyllgor Deisebau | 29 Mehefin 2016

Petitions Committee | 29 June 2016

Research Briefing:

Petition number: P-4-686

Petition title: Install a traffic light system at cross hands roundabout

Text of petition: A recently published statistic shows that Cross Hands roundabout is the 3rd most dangerous in Wales for traffic accidents and people hurt. Anyone who is based in the area or travels through regularly will know how treacherous it has become. Please sign and share to force through a resolution.

Background

Responsibility for Welsh highways is divided between the Welsh Government, as highway authority for the motorway and trunk road network, and local authorities, which are highway authorities for the local road network. The Cross Hands Roundabout connects the A48 with A476 at Cross Hands, and forms part of the [Welsh trunk road network](#).

The [National Transport Finance Plan](#) (2015) does not make reference to any proposed improvements at the Cross Hands Roundabout. However, it does include a high level intervention on “adopting a corridor approach [to maintenance and operation of the trunk and motorway network] [identifying] where there are resilience issues on the network which justify the need for improvements”.

In July 2013 the Welsh Government published its [Road Safety Framework for Wales](#). This sets out the road safety targets and the actions being taken to achieve them. By 2020, compared to the average for 2004–2008 the Welsh Government wants to see:

- 40% fewer people killed and seriously injured on Welsh roads;
- 25% fewer motorcyclists killed and seriously injured on Welsh; and
- 40% fewer young people (aged 16–24) killed and seriously injured on Welsh roads.

The framework encourages “route analysis”, including consideration of collision rates on routes as “key to selecting a package of interventions”. In doing this, the framework says the Welsh Government will:

- Continue to address existing cluster sites on trunk roads and encourage local authorities to do the same on their network.
- Adopt a route analysis approach to road safety on the trunk road network and recommend that local authorities do the same.
- Produce guidance to support highways authorities adopting a route based approach.

Carmarthenshire County Council is currently promoting the [Cross Hands Growth Zone](#), a regeneration project comprising five development sites which are intended to contribute to the economic growth of the Swansea Bay City Region. Cross Hands is a designated strategic employment site for the City Region, and is identified in the [Swansea Bay City Region Economic Regeneration Strategy 2013–2030](#) (PDF 7.4MB).

To support delivery of the Growth Zone, proposals for a Cross Hands Economic Link Road (ELR) were originally included in the South West Wales Integrated Transport Consortium (SWITCH) Regional Transport Plan (RTP). The ELR is now included in the [Joint Local Transport Plan for South West Wales](#), prepared jointly by Carmarthenshire, Neath Port Talbot, Pembrokeshire and Swansea Councils.

The ELR is being delivered in phases and, once complete, will link the A48 to the A476 cutting out the Cross Hands Roundabout. Alongside providing access to some of the Strategic Employment Sites comprised in the growth zone, the Joint Local Transport Plan states:

The ELR will ease congestion at the A48 Cross Hands Roundabout which is part of the Trans European Network (TENS) as well as improve safety at the "6 ways" junction in Gorslas.

The Welsh Government publishes a statistical bulletin on “Accident cluster sites and fatal road accidents on the Welsh Trans–European Network – Transport [TEN–T]”. The most recent was in [April 2016](#). This identifies “5 [accident cluster] sites on the A48 between Pont Abraham and Carmarthen at Pont Abraham and Cross Hands Roundabouts”. It should be noted that this refers to the TEN–T road network, a subset of the trunk road network comprising roads of European strategic significance.

Welsh Government action

While no specific schemes are identified for Cross Hands Roundabout in the National Transport Finance Plan, the letter from the previous Minister for Economy, Science and Transport to the former Chair of the Petitions Committee, provided as a paper to the Committee, says:

We are aware of the local concerns regarding this roundabout and have improved the lane markings during recent years with a view to reducing collisions. We are also undertaking a detailed collision mitigation study this year.

The Minister's letter also refers to £1.325m of Welsh Government funding in 2015/16 from the Welsh Government's [Local Transport Fund \(LTF\)](#) to support delivery of the ELR, with a further bid submitted for 2016/17.

The LTF is a Welsh Government funding stream to support local and regional transport projects. In March 2015 the Welsh Government announced LTF funding of £450k to support delivery of phase 2 of the ELR (connecting the Black Lion Road to the A476). A further £875k was allocated in February 2015. In March 2016 the Welsh Government announced LTF funding of £581.6k for delivery of the ELR for 2016/17.

National Assembly for Wales action

Research Service has found limited reference to road safety issues at the Cross Hands Roundabout. However, in January 2010 the then Minister for Economy and Transport in the Third Assembly responded to a written question (WAQ55431) on "future programmes to improve road safety across West Wales". While it is not clear that the response is referring specifically to the roundabout, the Minister replied:

I announced on 25 November 2009 the intention to improve road safety at the junctions on the A48 between Pont Abraham and Carmarthen. **The section between Pont Abraham and Cross Hands has been given priority due to the high accident rate; a scheme is currently in development to reduce conflicts in the central reserves through this length.** Carmarthenshire County Council is currently working towards publication of the necessary statutory orders.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Edwina Hart MBE CStJ AC / AM
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth
Minister for Economy, Science and Transport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-686
Ein cyf/Our ref EH/00846/16

William Powell AM
Chair
Petitions Committee

committeebusiness@Wales.gsi.gov.uk

03 March 2016

Dear William

Thank you for your letter of 23 February on behalf of the Petitions Committee regarding P-04-686 which relates to installing traffic lights at the Cross Hands roundabout.

We are aware of the local concerns regarding this roundabout and have improved the lane markings during recent years with a view to reducing collisions. We are also undertaking a detailed collision mitigation study this year and I have passed this petition to my officials to be taken into consideration as part of this work.

In 2015/16 we provided funding of £1.325 million to Carmarthenshire County Council, through our Local Transport Fund, towards the cost of the Cross Hands Economic Link Road. The Council has also submitted a bid for continued funding in 2016/17. This new road will have a positive impact on the traffic flows at the junction.

Edwina Hart

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 2.3

P-04-687 Review of Scalloping in Cardigan Bay

This petition was submitted by Harry Hayfield, having collected 33 online signatures.

Text of the Petition

We, the undersigned, call upon the Welsh Government to prevent scallop dredging in Cardigan Bay and to ensure that the resident populations of dolphins and porpoises are protected both now and in the future.

Assembly Constituency and Region

Ceredigion

Mid and West Wales

Briefing for the Petitions Committee

Y Pwyllgor Deisebau | 01 07 2016

Petitions Committee | 01 07 2016

Petition number: P-04-687

Petition title: Review of Scalping in Cardigan Bay

Text of petition: We the undersigned call upon the Welsh Government to prevent scallop dredging in Cardigan Bay and to ensure that the resident populations of dolphins and porpoises are protected both now and in the future.

Background

Cardigan Bay has historically contained a scallop-dredging fishery, but in recent years activity in this fishery has been restricted due to concerns (outlined in the introduction to the Welsh Government [consultation](#)) about the impact of dredging on the seabed features within the Cardigan Bay Special Area of Conservation (SAC). Cardigan Bay SAC is a marine conservation site designated under the European Habitats Directive, due to its importance for bottlenose dolphins, Atlantic grey seals, river and sea lamprey, reefs, sandbanks and sea caves. Under the Habitats Directive, the Welsh Government is required to take steps to prevent damage to any protected site.

A [large increase in scallop fishing activity in 2008](#) led to many complaints that scallop dredging was not compatible with the features of the SAC, negatively impacting on the coral reef features and on seabed living organisms that provide a food source on which dolphins predate. As a consequence of these concerns, the territorial sea area in Wales was [closed to scallop dredging](#) in 2009 by the then Minister for Rural Affairs, Elin Jones. In 2010 new legislation ([The Scallop Fishing \(Wales\)\(No.2\) Order 2010](#)) allowed a restricted fishery to be introduced within a small area of Cardigan Bay SAC on a seasonal basis between 1 November and 30 April. This small area is known as the 'Kaiser Box'.

Welsh Government action

Between November 2015 and February 2016 the Welsh Government ran a consultation on '[Proposed New Management Measures for the Scallop Fishery in Cardigan Bay](#)'. The consultation sought views on allowing a larger area of the Cardigan Bay SAC to be fished for

scallops. This would include the current small area as well as other areas between 3 and 12 nautical miles off the coast.

The proposal is based on the outcome of a [programme of research undertaken by Bangor University](#) over a 2 year period within the Cardigan Bay SAC. The research looked at the changes dredging in some areas the SAC would cause to the animal community on the sea bed, the impact dredging has on the seabed and how quickly the animal community and sea bed recovered from any damage. According to the Welsh Government, evidence from the study supports a controlled fishery in the area of the SAC which is currently closed to fishing.

The Welsh Government consulted on proposal to extend the scallop fishery in Cardigan Bay by:

- Introducing a scallop permit scheme to come into force from 1 November 2016, with conditions attached for which a fee may be charged. The permit scheme would apply only to Cardigan Bay in the 3–12 nautical mile zone.
- Issuing each permit annually to cover the relevant scalloping season.
- Setting a fee for each permit.
- Setting up a non-statutory management advisory board to assist the Welsh Government in the oversight of the scallop fishery in Cardigan Bay.

Further detail about each of the points above can be found in the [consultation document](#). The proposals relate to possible changes to the fishery season that would normally commence on 1 November 2016. No timescale for a decision has been published.

In addition to consulting with stakeholders, the Welsh Government will be required, if it decides to proceed, to undertake a Habitats Regulation Assessment. This will need to assess in detail any potential impacts of the proposals on the designated features of the SAC.

National Assembly for Wales action

The issue of scallop dredging in Cardigan Bay has been raised a number of times in both written and oral questions. Most recently, in January 2016, a number of Members asked questions of the then Minister for Natural Resources, Carl Sargeant. Members expressed concern over the need to balance a profitable fishing industry with protecting local habitats, and also about impacts on whales and dolphins, and associated tourism. In response the then then Minister reiterated that future policy and action would be determined by responses to the consultation, in combination with the findings and recommendations of the Bangor University research.

In March 2016, in response to a letter from then then Chair of the Petitions Committee William Powell AM on this petition, Carl Sargeant outlined the Welsh Government's statutory obligations under the Habitats Directive. He also reiterated the content of the consultation. Furthermore he stated:

I consider the negative media representations published have misrepresented our proposals for scallop fishing. This did not properly reflect the true nature of the proposals to consider the flexible management of the fishery for future generations.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources




Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-687
Ein cyf/Our ref CS/00460/16

William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

Petition@Wales.gsi.gov.uk

 March 2016

Dear William,

Thank you for your e-mail of 15 February including details about a petition against scallop dredging proposals in Cardigan Bay from Harry Hayfield.

The proposals on which we consulted last year were about seeing whether it was possible to establish a viable and sustainable scallop fishery and the introduction of a flexible management plan which could allow scallop fishing whilst safeguarding the important marine species and habitats in the location of Cardigan Bay. The Welsh Government has to maintain its statutory obligations under the Habitat Directive to safeguard the important species and habitats in the Special Area of Conservation.

I consider that the negative media representations published have misrepresented our proposals for scallop fishing. This did not properly reflect the true nature of the proposals to consider the flexible management of this fishery for future generations.

I hope this helps to explain the situation which Mr Hayfield is concerned about.

Yours sincerely,

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Carl.Sargeant@wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 3.1

P-05-689 Improvements to the Railway Provision at Kidwelly Carmarthenshire

This petition was submitted by Phil Thompson, having collected 138 signatures.

Text of the Petition

Kidwelly is a lively town in Carmarthenshire, with many tourist attractions, including a quay overlooking the Gwendraeth estuary with rare bird and wildlife, the Kymer canal, Wales' oldest canal and an Industrial museum.

Demographically, Kidwelly has a higher than the Carmarthenshire average proportion with long term limiting illness and the highest proportion of over 45's in Carmarthenshire according to the Carmarthenshire Policy, Research and Information section 2015 electoral division profile.

Additionally many people commute to work or for social activities outside the Town.

Issues.

1 : The station is a request stop this causes problems, (a) visitors, tourists and new residents do not always appreciate they need to signal to get the train to stop, this causes a reluctance to use and potentially impacts negatively upon the economy of the town (b) on trains with no conductor less ambulant passengers cannot pass down the train to the driver, many people are worried and distressed that they will go past their stop and anecdotally have done so, (c) there is clearly time programmed into the timetable

to allow the train to stop, as this could be requested on every journey, so the request requirement is anachronistic and unnecessary. The station should become a standard stop and not a request stop.

2. The platform height on the westbound platform is so low that even with the train's mobile ramp system a wheelchair and those with other mobility aids cannot board or alight trains. This renders the provision discriminatory in respect of wheelchair and other less ambulant users.

3. The frequency of trains serving Kidwelly is not sufficient to support the community and potential tourist traffic. This limits both social, commercial and tourist journeys, negatively impacting upon the social and economic wellbeing of the community.

Assembly Constituency and Region

- Llanelli
- Mid and West Wales

**P-04-689 Improvements to the Railway Provision at Kidwelly
Carmarthenshire. Correspondence – Petitioner to the Committee**

**INTRODUCTORY BRIEFING NOTE FOR PETITIONS COMMITTEE
RE SERVICE AND PLATFORM PROVISION
AT KIDWELLY STATION**

1: Executive Summary

The Petition raises three main issues;

- (a) Wheelchair provision – the station platform on the west bound side is so low that wheelchair users can not get on or off the train, people with prams and other less ambulant people are also severely disadvantaged or unable to use the platform. This can be remedied either by raising the whole platform or more cheaply part thereof by a “Harrington Hump”.
- (b) The station is a request stop – this is anachronistic and potentially discriminatory for those who are blind or visually impaired and for many non-disabled people acts as a deterrent to using the station. Anecdotally there is, (well known locally) evidence of people at night when there is no visible guard being carried on past Kidwelly, which

has engendered a reluctance to use the train for fear of this occurring.

- (c) The service provision from Kidwelly is poor, which reduces the station's effectiveness and does not properly meet local needs for leisure or travelling to work. (For example returning from Cardiff at commuter times there are only direct trains at 17.04, then 19.46 and 21.04, which is simply inadequate and does not serve the needs of commuters or shoppers). There are however a number of trains to and from Carmarthen, which pass through Kidwelly without stopping, which if they stopped would enhance the service with seemingly limited impact upon the train operator.

2. Background

The service provision at Kidwelly has been a long running source of local discontent and complaint as evidenced by the regularity it appears in social media threads and in references / complaints by the community to local Councillors and the local MP.

The issue was sufficiently pressing, controversial and topical locally for representatives of the local Town Council to ask to meet with Arriva to discuss the issue in November 2015.

Further, following lodging of this petition a meeting was convened by myself with Arriva Trains Wales at which the local community was represented by

myself, the Local MP Nia Griffith , (then shadow secretary of State for Wales), the then AM candidate, now AM for the area Lee Waters and the local County councilor, Ryan Thomas. This broad level of representation across all representative bodies is a powerful indicator of the strength of local feeling about the issues raised.

3: Demographics and Social need

The demographics of Kidwelly, (which in assessing service provision it should be remembered is officially designated as a town), show an 8.9% rise in population between 2001 and 2014 with a population density of 285 people per square kilometre.

Socially it has the higher proportion than the average number of people over 45 in Carmarthenshire with additionally a higher proportion of people with long term limiting illness than the Carmarthenshire average.

Economically the median CACI's "Paycheck" data shows an estimated median household income of £21,852, which is 17th lowest in Carmarthenshire with a higher than average levels 5-6 occupations (lower supervisory and technical oc

–source Carmarthenshire County Council, ward electoral division profile.

http://www.carmarthenshire.gov.wales/media/1221214/Kidwelly_Ward.pdf

Kidwelly has a limited number of major employers in the Town and

anecdotally therefore many people, who are in work of necessity commute out of town. The train being the major public transport provider for those dependent on or for environmental concern reasons wishing to use, public transport. In this context it is of note that the local bus service ceases running in the early evening.

In leisure terms, especially for young people the train is of significant importance.

Additionally, Kidwelly has an arguably currently under developed tourist trade with the CADW maintained and historically significant Kidwelly castle and the natural resource of the Quay area, with the world's oldest recorded industrial canal system created by Thomas Kymer, both within walking distance of the station.

- see discovering Carmarthenshire

<http://www.discovercarmarthenshire.com/places/kidwelly.html>

Further the Gwendraeth Valley Railway Society has recently received a major Westminster government grant to develop the UK's first velorail, which is to be based in Kidwell and which will be a major tourist attraction in the very near future and which will both require a proper rail provision to the town and benefit the rail operators by increased usage.

-see ITV report

<http://www.itv.com/news/wales/2016-05-29/could-this-old-railway-line-be-turned-into-the-uks-first-velorail/>

There is therefore a compelling argument that given both the social and demographic needs of the area and the potential and actual tourism benefits to the area for an effective and improved local rail infrastructure, as the current provision is neither serving the need, able to deal with the potential and by its nature is almost certainly deterring usage numbers.

The lack of provision is therefore impacting negatively socially and economically and adversely affecting the community and Town Council's desire to encourage local growth and regeneration.

4: Inadequate provision for disabled and other passengers with difficulties and needs.

The platforms at Kidwelly are so low, especially on the west bound side that wheelchair users, those with mobility aids and other less ambulant passengers plus those with prams or small children can not get on or off trains. The standard mobile ramps on the trains are too steep to be used either safely or at all.

The relevant legal provisions governing the provision of accessible public transport are set out in Part 12 and Schedule 20 Equality Act 2010 and also (currently at least), in EU law as it relates to railways specifically Directive

2008/164/EC, which applies Europe-wide standards of rail accessibility; and Regulation 1371/2007/EC on rail passenger rights and obligations.

In addition this Petitions Committee will be familiar with the public sector duty to promote equality also set out in the Equality Act 2010, which applies to the workings of the committee and the Welsh Assembly.

Further all rail and station operators are required to produce and publish a Disabled Person's Protection Policy (DPPP).

DPPPs are also proscribed by the rail regulator (ORR) in Condition 5 of the passenger and station licences issued under section 8 of the Railways Act 1993, as amended.

In respect of Arriva Train Wales their DPPP states:

"We have, and maintain, a working matrix (database) of all stations detailing where facilities do (or do not) comply

with the Code of Practice, where each station requires works to be undertaken to make them accessible and whether

or not it is physically feasible to undertake this work. This matrix is regularly reviewed and is used to pinpoint areas

which would benefit from specific accessibility schemes."

Further it also states:

"Subject to funding availability, Raised Platform Humps will be installed at stations where access to trains currently presents difficulties but where it would prove difficult to raise the height of the platforms."

The provision at Kidwelly, therefore on its face is potentially discriminatory under the relevant equality legislation, by imposing a provision or practice that puts disabled people at a substantial disadvantage, by virtue of the inability to access public transport by boarding or alighting from trains at this station.

The duty to make reasonable adjustments in the Equality Act 2010 is an anticipatory duty, which should be proactively acted upon and therefore the operators of the relevant transport provision especially as clearly aware of the issue in general terms from their own matrices and in specific by virtue of this and other complaints and as such are bound to take reasonable steps to eliminate or ameliorate the position.

(Further, albeit outside of the ambit of the disability discrimination legislation, other passengers including the elderly, those with prams, children and heavy shopping struggle and at times are also unable to board or alight trains at Kidwelly and are not only disadvantaged and upset by this, but also positively deterred from using the rail service or indeed are unable to use the service)..

Reasonable Adjustments

Having identified a disadvantage the question thereafter becomes what are the potential and practicable reasonable adjustments.

In respect of Kidwelly, it is clear that this problem could be ameliorated in part by the provision of a so called "Harrington Hump", this would involve raising a part, if not whole of the platform to a level at which the train could be accessed and allow a sufficiently gentle run off for wheelchairs to use the platform.

Whilst not a whole solution as only part of the train will be accessible and will require some signposting to ensure wheelchair and other less ambulant users are in the correct part of the train, this would go a long way towards ameliorating and reducing the discriminatory effect of the current platform provision.

As this is an adjustment that has been made at a number of stations throughout the UK, it is by definition a practical and reasonable adjustment.

Your petitioner has personally had experience of arriving in Kidwelly as the carer of my step son to be told unless he could get out of his wheelchair we would have to go on to Carmarthen and sort out with the station staff there a taxi back.

It seems therefore that accessing Kidwelly by train as a wheelchair user is only possible if the wheelchair user has pre-booked his or her train to Kidwelly and then overshoots the stop and goes on to Carmarthen and get a taxi back.

This it is contended is not a reasonable adjustment as it adds time, inconvenience and embarrassment and acts as a barrier, (possibly an unlawful barrier), to disabled service users. Further, those seeking to travel at unplanned or variable times are at best disadvantaged and at worst debarred from the service and those with no prior knowledge of the service are completely disadvantaged. Further given the availability of the Harrington Hump as a remedy is also unreasonable by virtue of the option of better more appropriate measures.

5. Request Stop.

The service at Kidwelly is also, in large part, a request stop which causes problems and confusion including for the blind and those who do not know the area. Again the provision may fall foul of the Equality Act 2010's requirements upon yourselves.

There is an active and real fear based in part upon local anecdotal knowledge of previous incidents of not being seen and trains passing by or of being unable to attract the driver's attention and being carried past the stop.

This is exacerbated in the evenings when many trains do not have or do not appear to have conductors and there is again clear anecdotal evidence of a people missing the stop engendering a reluctance to use the service.

Those from outside the area often greet the suggestion that the stop is a request stop with disbelief and again this does not create a positive impression on potential visitors that Kidwelly is a town with significant tourist attractions.

The arguments utilized against the making of Kidwelly a regular stop and indeed enhancing the service provision are seemingly based upon timetabling constraints and passenger numbers. I will deal with these in turn.

Timetabling

In respect of a standard stop, I understand that approximately a 3 minute period is generally the norm, whereas in respect of Kidwelly a 30 second halt is programmed in on the basis that the train operator gambles that not all request stops will be utilised on any given day.

Clearly however the stopping of the train at Kidwelly occurs on a regular basis and can therefore self-evidently be accommodated within the operating logistics of the line. Any argument to the contrary being logically

untenable as in theory every train could be hailed and this must be accommodated for and in practice there seems no evidence that being hailed and therefore stopping at Kidwelly has caused operational difficulties.

Further a preliminary analysis of the “working timetable”, the operators’ actual running timetables, which details potential variances and non station stops and timings, as opposed to the published public version, would seem to support the argument that there is a facility to make up any “lost” time over the running of the line.

- See relevant working timetable

[http://www.networkrail.co.uk/browse%20documents/timetables/working%20timetable%20\(wtt\)/2%20%20-%20may%202016%20-%20december%202016/pb/pb04.pdf](http://www.networkrail.co.uk/browse%20documents/timetables/working%20timetable%20(wtt)/2%20%20-%20may%202016%20-%20december%202016/pb/pb04.pdf)

I understand also for example that there is often a two minute halt outside Llanelli, which could potentially be used to accommodate any time issues.

I also note that Gowerton has been changed from a request stop to a standard stop with seemingly no issues arising.

The passenger numbers fallacy

On review the ORR figures for Kidwelly (with one small exception), reveal a substantial year on year increase in usage from 8,867 to 31,040.

- See ORR site

<http://orr.gov.uk/statistics/published-stats/station-usage-estimates>

Given the ongoing growth in population in the town of Kidwelly and the tourist developments referred to above this increased usage trend is virtually certain to continue.

In any event any argument based simply upon current recorded passenger numbers is both flawed and fails to take account of the full picture in that, the recorded numbers, (assuming accuracy), is a self-serving and circular argument. A poor irregular often request service, which does not meet commuter, business, tourist or social needs means potential passengers have been forced to find alternatives, thereby reducing recorded numbers.

Anecdotal but often repeated evidence clearly suggests large numbers of people will drive or use other public transport to make their way to Swansea, Llanelli or Burry Port to take advantage of the increased stopping train numbers. (A similar number of trains passes through Kidwelly, but not all stop), and to avoid the inconvenience and issues of the request stop.

Simply put a poor service negatively skews passenger numbers, whereas a better service which can be relied upon would generate greater use and

more passenger numbers.

In any event, whatever the validity of current or future numbers arguments there is an overriding social and economic service provision need here in Kidwelly, which outweighs mere (potentially flawed), statistical arguments.

6. Additional timetabled stops

As set out above a number of trains pass through Kidwelly without stopping en route to and from Carmarthen and Swansea.

At the risk of repetition, the needs of Kidwelly are such that an improved service is justified and this could / would be easily served by the simple expedient of stopping those trains that already run through the station at the station.

This requires no additional trains to be run or additional rolling stock, but merely a minor timetabling alteration to the existing provision a compelling balance in favour of taking such a step on any cost benefit analysis.

7. Conclusion

Your petitioners therefore request that the Committee with the minister and the assembly give positive consideration to the request made and use their

best endeavours to achieve your petitioners desired outcomes, namely;

- (i) an accessible station,
- (ii) removal of the request stop and
- (iii) additional provision by stopping those trains currently passing through the station without halting.

Philip Thompson

Your Petitioner

(Kidwelly Town Councillor)

Agenda Item 3.2

P-05-690 Resurfacing of the A40 Raglan–Abergavenny Road

This petition was submitted by Sara Jones, having collected 22 signatures.

Text of the Petition

This petition calls on the Welsh Government to replace the old concrete surface on the A40 road from Raglan to Abergavenny with whispering tarmac.

The Noise Action Plan (2013–18) states that this road is a priority, after the consultation responses received and the measurements taken. Yet no progress has been made despite repeated calls from residents, the local County Councillor, Assembly Member and Member of Parliament.

We, the undersigned, state that this road should be given immediate priority, given the numerous concerns raised from both public and representatives and that it has been identified under the existing Welsh Government Noise Action Plan.

Assembly Constituency and Region

- Monmouth
- South Wales East

Agenda Item 3.3

P-05-691 A fair deal for Forest Rallying in Wales

This petition was submitted by Rally4Wales, having collected 5.246 signatures.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to ensure that future cost increases for the use of forest roads for car rallying in Wales are fair and in line with costs in England and Scotland.

Natural Resources Wales' proposed pricing structure from June 2016 onwards would double the current cost, and is completely at odds with new contracts in place for the same purposes with Forestry Commission's in England and Scotland.

Whilst NRW are seeking to double the current cost – England and Scotland are raising the cost (from the previous contract) by just 0.7%.

Rallying in Wales is a £15 million pound industry with huge tourism benefits to rural Wales. NRW's proposed costs would make future events unsustainable in Wales due to high costs. We request that this is investigated fully to find out why the proposed costs are so hugely inflated by comparison to other regions.

Additional information

#Rally4Wales is a campaign group set up by rally competitors, rally organisers and supporters to lobby the Assembly Government over these proposed cost increases from NRW which are completely at odds with counterparts in England and Scotland.

We have contacted a range of AM's with our concerns, including Ken Skates, Carl Sargeant, Leanne Wood, Llyr Gruffudd and we are aware that supporters of our group have lobbied other AM's in recent days. We also have support from Members of Parliament in Mid Wales.

We have also raised the issue with the Welsh Automotive Forum who support our stance fully.

NRW claim that they have been undercharging for road repairs caused by rallying for many years. However, this argument as a justification for a 100% price increase is impossible to understand due to the complete opposite price hike in England and Scotland. There is no technical difference in road preparation and repair in England, Wales or Scotland.

We cannot believe that these costs are a true reflection of the situation and we call upon the National Assembly to investigate why NRW is taking action that will ultimately close down a vital cog in the rural economy of Wales.

Assembly Constituency and Region

- Wrexham
- North Wales

Agenda Item 3.4

P-05-692 Build an International Mother Languages Monument at Cardiff Bay

This petition was submitted by Mohammed Sarul Islam, having collected 16 signatures.

Text of the Petition

We the undersigned call on the National Assembly of Wales to urge the Welsh Government to build an International Language monument at Cardiff Bay for all International mother languages lovers.

Additional information

A plaque has been laid by Cardiff Lord Mayor in 2012 at Grange moor Park, Cardiff Bay. But due to lack of funding not constructed.

Assembly Constituency and Region

- Cardiff West
- South Wales Central

Agenda Item 3.5

P-05-693 Give Every Child in Wales the Meningitis B Vaccine for Free

This petition was submitted by Rhian Cecil, having collected 1,195 signatures.

Text of the Petition

Health is completely devolved to Wales. We ask the Assembly and Mark Drakeford to change the age range that all children receive the vaccine .

*All children are at risk from this terrible infection, yet the Government in Wales only vaccinate 2-5 month olds. There needs to be a rollout programme to vaccinate all children, at least up to age 11. Meningococcal infections can be very serious, causing **MENINGITIS, SEPTICAEMIA & DEATH***

Assembly Constituency and Region

- Pontypridd
- South Wales Central

Agenda Item 3.6

P-05-694 School Hours an Hour Later

This petition was submitted by Cai Ellerton, having collected 16 signatures.

Text of the Petition

I am writing to ask you to consider my petition. As parents, teachers and students/pupils know, primary schools start at 08:45 and secondary schools start at 08:30. I would like schools to start an hour later in the mornings meaning primary schools would start at 09:45 and secondary schools at 09:30.

A test in England has shown that students get better exam results if school starts an hour later.

Thank you for your consideration.

Cai Ellerton, 13.

Assembly Constituency and Region

- Vale of Glamorgan
- South Wales Central

Agenda Item 3.7

P-05-695 Introduce compulsory Mental Health education in Secondary Schools

This petition was submitted by Plaid Ifanc Llanelli, having collected 24 signatures.

Text of the Petition

Mental Illness is an issue that has always been heavily stigmatised within society. The words 'Crazy', 'Nutjob', 'Insane' have become a normalised word to use when describing somebody hyper, and worse yet, to describe an individual having a psychiatric episode.

In October 2015, Plaid Ifanc Llanelli chair and Secretary Brett John and Ffion Rees proposed a motion to conference to introduce mental health education in Secondary schools. It passed with flying colours. However, we do not wish to stop there. We believe that by bringing in Mental Health education, we can tackle the stigma attached to Mental Illnesses before it has even properly begun within Secondary students. It will teach students a variety of lessons, such as how it is okay to not be okay, why Mental Illnesses develop, and the help that is available if they are suffering.

Additional information

That is why we are asking the Welsh Assembly Government to introduce compulsory Mental Health education into Secondary schools. Only by beginning the conversation early on can we prevent the stigma attached to Mental Health from developing in our young people.

The young people of today are our future, we must ensure that by providing them with an education on Mental Health and Well-being they never view it as a negative thing. We can and will eventually abolish the stigma, however the conversation to begin this process in our young people starts now.

Assembly Constituency and Region

- LLanelli
- Mid and West Wales

Agenda Item 3.8

P-05-697 Objection to the Current Proposals for the Designation of SAC's for Porpoises.

This petition was submitted by Stephen De-Waine, having collected 109 signatures.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to change the way in which the current boundaries of the proposed SAC's for Porpoises have been established to include science to support the physical and biological factors essential to the life cycle of the Porpoise, to include where feeding and calving takes place, and not to be established with just a population of 10%, established from mapping which is artificial science.

As you are probably aware the UK is currently under threat of legal action, to designate further SAC's under the Habitats Directive for the protection of Harbour Porpoises.

This objection has been established from the fact that at present it is impossible to quantify the future impact on the fishing industry that a newly designated SAC may have, and to question the science used to establish the proposed areas.

Additional information

The existing European Habitats Directives have proven that under Article 6(3) Habitats Regulation Assessment if used indiscriminately can have a devastating impact for some members

of the coastal communities, which depend on fishing for their livelihoods.

Existing designated SAC's, have restricted fisheries, bringing hardship amongst coastal communities, and at times without sound scientific evidence being in place to support Government decisions, but instead with the use of the precautionary principle.

And even though it has been established that Porpoises are already well protected, the designation of new SAC's which will be overlaid over existing SAC's, may perhaps in the future allow individuals to make a stronger case to the E.U Directorate General for the Environment to implement further restrictions to protect the marine environment at the cost of coastal communities.

The size of the sites suggests that the boundaries have been established using the precautionary principle, rather than science, modelling is effectively artificial science, which is used when facts are limited, and are wholly reliant on the data, which is fed in to the system.

It would be better to establish the physical and biological factors essential to the life cycle of the Porpoise, and where feeding and calving takes place, not just populations of 10% to establish boundaries of the newly proposed SAC's.

The majority of fishermen are no different from the environmentalists, they to enjoy the marine environment that they work in, and take great pleasure from witnessing marine mammals, whilst out fishing.

We are in danger of over regulating the seas around our coast with environmental legislation, which could lead to social exclusion of traditional activities, which coastal communities rely on.

The problem begins when SAC's form the main mechanics to stopping activities, following individuals and organizations misusing legislation in orchestrated appeals to the E.U Directorate General for the Environment, without reliable science to restrict activities, causing the precautionary principle to be used to close fisheries or restrict activities, which in turn lead to serious hardships amongst coastal communities.

It is extremely important that the area is relative and designated based on solid scientific evidence.

Assembly Constituency and Region

- Preseli Pembrokeshire
- Mid and West Wales

Agenda Item 3.9

P-05-697 45000 Reasons Wales Needs a Dementia Strategy

This petition was submitted by the Alzheimer's Society, having collected 5,861 signatures on an alternative e-petitions website.

Text of the Petition

We call on the Welsh Government to commit to a dementia strategy that improves the lives of people living with dementia in Wales.

There are currently 45,000 people estimated to be living with dementia in Wales, less than 50% of whom have received a formal diagnosis. Receiving a diagnosis of dementia empowers people to make decisions about the care and support they receive; it opens the door to accessing services and, where necessary, medication.

However, even those who have received a diagnosis have most likely not received the information and support that they need in order to live well with dementia. 1 in 10 people with dementia in Wales did not receive any support at all in the first year after their diagnosis, leaving them to deal with their diagnosis alone.

People living with dementia in Wales are less likely to receive a diagnosis, and are less likely to have access to post-diagnosis support than those living in the rest of the UK. This has to change.

We want the Welsh Government to develop a dementia strategy for Wales, one that demonstrates a commitment to improving diagnosis rates, and ensures the access to local services and the quality of care that people living with dementia deserve.

Agenda Item 4.1

P-04-365 Protect buildings of note on the Mid Wales Hospital site

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to list or otherwise protect buildings of note on the former Mid Wales Hospital site. Unlisted but in the Conservation Area they are an invaluable part of the architectural and social heritage of Talgarth.

Supporting information: The Brecon and Radnor County Asylum had a Grand Opening in 1903. The souvenir booklet describes how □ thousands of people were present and every nook and corner of the huge building was inspected. □ Altogether the establishment was a wonder of its time. It is now in an appalling state of decay but this important example of an early Edwardian asylum of the compact arrow echelon style, designed by Giles, Gough and Trollope, noted by Pevsner and on SAVE Britain's' Heritage, Buildings at Risk register, is thoroughly worthy of conservation. Situated approximately half a mile from Talgarth in outstandingly beautiful countryside within the Brecon Beacons National Park, and Talgarth Conservation Area, it has a special relationship with Talgarth. Loss of any of the original/notable buildings would be an unacceptable loss of Talgarth's heritage assets.

Petition raised by: John Tushingham

Date petition first considered by Committee: 28 February 2012

Number of signatures: 206

**P-04-365 Protect Buildings of Note on the Mid Wales Hospital Site.
Correspondence – Brecon Beacons National Park to the Chair. 21.03.16**

FAO William Powell AC/AM

I refer to your letter dated 29th February 2016 concerning the above matter. Please accept my apologies for the delay in responding to you.

By way of an update, I can confirm that the Authority is still awaiting the submission of a Development Brief by the landowner/developer relating to the Mid Wales Hospital site.

You will be aware that the site is allocated within the Adopted Local Development Plan (December 2013) as a 'mixed use' site – it is a policy requirement that such sites first agree a development brief with the Authority prior to the submission of a relevant planning application. The intention is that the development brief will be adopted by the Authority as Supplementary Planning Guidance and, accordingly, would be a material consideration in the determination of relevant future planning applications pertaining to the site. Unfortunately, I cannot offer you a likely timescale for submission.

I trust this is of assistance to you at this time. However, should you require any further information, please do not hesitate to contact me.

Regards

Ryan Greaney BSc MSc AMInstLM MRTPI

Principal Planning Officer

Brecon Beacons National Park Authority – Awdurdod Parc Cenedlaethol
Bannau Brecheiniog

Agenda Item 4.2

P-04-445 Save our Welsh cats & dogs from death on the roads

Petition wording:

We, the undersigned, call on all Welsh Residents who own cats and dogs to support our petition to the Welsh Government to remove the ban on electronic collars linked with invisible boundary fencing/hidden fencing so that we can protect our companion pets from harm either from: a) Road Traffic b) Straying into Danger c) Causing accidents for which we owners of cats & dogs might legally be held liable.

Petition raised by: Monima O'Connor

Date petition first considered by Committee: 15 January 2013

Number of signatures: 10 – Associated petition collected approximately 500 signatures

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA/L/RE/0092/16

William Powell AM
Chair
Petitions Committee
National Assembly for Wales

11 March 2016

Dear William,

I am writing to provide you with an update on the review of the policy intent behind the Animal Welfare (Electronic Collars) (Wales) Regulations 2010.

I tasked Dr Ruth Lysons, MA MSc VetMB MRCVS, with carrying out this review together with Dr Nick Coulson, MA MBA PhD VetMB MRCVS who reviewed Dr Lysons assessment. Both are independent consultants. The review has also been scrutinised by the members of the Wales Animal Health and Welfare Framework Group who have accepted its findings.

The review considered all recent scientific evidence in relation to the welfare implications for cats and dogs arising from the use of electronic collars and taking into account evidence from the Electronic Collars Manufacturers Association (ECMA), the third sector and other individuals who submitted evidence. This was to set out the potential benefits and efficacy of electronic collars against the animal welfare concerns, in order to reach conclusions about whether their benefits outweighed the animal welfare costs.

Dr. Lysons concluded that that the animal welfare cost is likely to exceed the benefits from the use of electronic collars as training devices, since they may cause pain, that effective alternatives exist, and the scope for misuse or abuse is too great. The full report is attached to this letter for your information.

Based on this advice I am content to retain the existing policy in Wales and advise that the Welsh Government will not be considering amending the existing legislation at this time.

Yours,

A handwritten signature in black ink that reads "Rebecca".

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

**A REVIEW OF RECENT EVIDENCE IN RELATION TO THE WELFARE
IMPLICATIONS FOR CATS AND DOGS ARISING FROM THE USE OF
ELECTRONIC COLLARS**

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16 November 2015

A REVIEW OF RECENT EVIDENCE IN RELATION TO THE WELFARE IMPLICATIONS FOR CATS AND DOGS ARISING FROM THE USE OF ELECTRONIC COLLARS

1. SUMMARY

Background

The use of electronic collars (ECs) in cats and dogs is controversial because they deliver electrical stimulation as a means of discouraging the animal from an unwanted activity. This has raised concerns about possible adverse animal welfare implications. They are used for three broad purposes: as *training devices* where the collar is activated remotely by the handler, as *fencing systems* in which the device is activated when the animal reaches the designated boundary, and as *anti-barking devices* which are activated when a dog barks (CAWC, 2012).

There are over 170 different devices available for sale in the UK via the internet (Cooper et al, 2010) and it is estimated that between 300,000 and 560,000 devices may be in use (Blackwell et al, 2012; Pickwick, 2014). In a survey of dog owners in England, of 3897 respondents, 3.3% reported using ECs as training devices, 0.9% as fencing systems and 1.4% as anti-bark collars (Blackwell et al, 2012).

There are many different **dog training techniques**, but these are based on ‘operant conditioning’ in which an animal learns through forming an association between an action and its consequences (McLeod S, 2015). Reinforcement increases the likelihood of a behaviour occurring again, whilst Punishment decreases the likelihood of the behaviour recurring. The consequences can be positive (a reward or aversive stimulus is given) or negative (a reward or aversive stimulus is withdrawn)

This leads to an ‘**Operant Conditioning Quadrant**’ comprising:

- **Positive Reinforcement (R+)**: Good behaviour (e.g. sitting on command or ignoring sheep) is rewarded by a pleasant consequence (e.g. praise, treat or game).
- **Negative Reinforcement (R-)**: Good behaviour is rewarded by the removal of an unpleasant stimulus (e.g. training a dog to walk to heel with a choke lead). This is ‘avoidance behaviour’ since the animal learns to avoid an aversive stimulus by changing its behaviour.
- **Positive Punishment (P+)**: Bad behaviour (e.g. chasing sheep, jumping up) results in an unpleasant consequence (e.g. electrical stimulus, shouting, or water spray)
- **Negative Punishment (P-)**: Bad behaviour results in a pleasant stimulus being withdrawn (e.g. owner ignores the dog, or removes treats).

Historically, dog training has relied heavily on techniques involving aversive stimuli (negative reinforcement and positive or negative punishment). More recently, increasing emphasis has been placed on reward-based training (positive reinforcement) (Blackwell & Casey, 2006, Pet Site, 2014) but some feel that ‘the pendulum has swung too far’ in favour of reward based training (ECMA, 2015a).

With all techniques, the action (aversive or reward) must be applied promptly so that the animal can associate its own behaviour with the consequence. Similarly the intensity of discouragement or reward must be sufficiently strong to make an emotional impact on the animal i.e. the unpleasant stimulus must be sufficiently unpleasant to cause the animal to try to escape from or avoid it (O’Heare, 2009), and the reward must be something that is highly valued (Blackwell & Casey, 2006).

Legislation. Under the Animal Welfare (Electronic Collars) (Wales) Regulations 2010, the use of electronic collars in cats and dogs is prohibited in Wales. The devices can be used legally in England and Scotland, although the Scottish Government is to undertake a public consultation this year (Lochhead, 2015). They are banned in eight other European countries and three Australian states.

This review uses the most recent relevant scientific evidence to set out the potential benefits and efficacy of electronic collars, and then considers animal welfare concerns, in order to reach conclusions about whether their benefits outweigh their animal welfare costs.

Efficacy

Efficacy as Training Devices. In the UK, when EC’s are used as training devices, they are mainly used to improve a dog’s recall or to discourage chasing of livestock, other animals or people (Cooper et al, 2010; Blackwell et al, 2012). The potential benefits are that a dog can be kept under control at a distance, and the method can be effective for any size or strength combination of dog and handler (Katz,2010). There is evidence that use of ECs can suppress predatory behaviour, including attacking a decoy person (Christiansen et al, 2001; Christiansen et al, 2001a; ECMA, 2011; CAWC, 2012; Salgirli, 2012).

However, in the studies by Christiansen et al, 2001, Christiansen et al, 2001a and Salgirli, 2012, the dogs also showed behavioural signs of pain. Even under optimum conditions, dogs trained with ECs displayed more negative emotional responses, than those trained by other methods, which were assessed as being equally effective (Cooper et al, 2014). Furthermore, other studies indicate that alternative training methods, mainly reward-based rather than dependent on harsh aversive stimuli, can be equally effective in pet and working dogs (Yin et al, 2008; Blackwell et al, 2012; Arnott et al, 2014).

Efficacy as Fencing systems. The potential welfare benefits which these systems offer are the safe access and enjoyment of a garden, along with protection of the animal from the hazards of roaming such as road traffic accidents (CAWC, 2012; ECMA, 2015). In relation to dogs, there are clear alternatives, such as construction of a physical boundary fence, ensuring that they are on leads in risky situations, combined with alternative approaches to training. It is much harder to protect cats from road accidents unless they are contained inside a building or enclosure, or supervised and kept on a long leash in the garden. A study by O’Neil et al, 2015 suggested that amongst cats under five years old, trauma (including road accidents) accounted for 47.3% of deaths. Unfortunately, there appears to be very little evidence relating to the animal welfare impacts of electronic fencing systems.

However, there are concerns regarding efficacy of these systems: they can fail through technical problems (CAWC, 2012), animals may learn to run through the ‘fence’ and then become trapped

outside (ASPCA, 2015), and other animals (not wearing ECs) can enter the contained area without receiving an electrical stimulus and cause injury or distress to the resident dog or cat (Katz, 2010).

Efficacy as Anti-bark devices. Persistent barking may be linked to a range of causes: it can be a warning of danger, a suspicious stranger, or a sign of excitement, boredom or anxiety (Foster and Smith, 2015). Correct assessment of the reason for excessive barking is considered crucial to successful treatment (Juarbe-Diaz, 1997).

Anti-bark collars were found to be effective at deterring barking stimulated by intermittent exposure to an unfamiliar dog (Steiss et al, 2007). However, they are contra-indicated for barking motivated by fear, anxiety or compulsion, where an EC is likely to exacerbate the problem by increasing the dog's anxiety (ASPCA, 2015).

Potential animal welfare concerns associated with electronic collars

Pain and Distress caused by Electrical stimuli. It is not easy to quantify or compare the level of pain perceived by an animal receiving an electrical stimulus via an EC. The strength of the stimulus is determined by the output of the device (voltage and current) and the electrical resistance offered by the animal's skin and underlying tissues. Ascertaining the stimulus actually applied to the animal is further confounded by the variable presence of hair, moisture and debris on the animal, which can affect the reliability with which electrical contact is made with the skin (Jacques and Myers, 2007). It is helpful that members of Electronic Collar Manufacturers Association follow a set of technical standards which specify electrical parameters (ECMA, 2012). Nevertheless, in experimental studies, considerable variation was found in the electrical resistance of dogs' skin and in the energy and electrical characteristics of stimuli produced by different models of EC (Lines et al, 2013). All these variables strongly suggest that an animal will not experience consistent and repeatable stimuli when undergoing training with an EC and this, in itself, is a welfare concern.

The degree of **pain** associated with particular stimuli has not been reported, although Riepl, 2012 considers that 'peak' current from the device is an important electrical feature in stimulation of nociceptors (pain receptors) in the skin. Lines et al, 2013 have developed a 'Stimulus Strength' ranking index. Nevertheless, the principle behind the use of ECs is that they produce an aversive stimulus, which is strong enough to dissuade 'problem' dogs from unwanted behaviours. Therefore, to be effective it must cause discomfort or pain, and this concept is implicit in the way that some products are advertised. For example, an electronic training collar (SportDOG SD-105S) available on the internet, is said to administer the 'high-intensity ... attention-grabbing stimulation stubborn dogs need for correction' (SportDog, 2015), and the manual for another product (PAC EXT Exc4), refers to 'unpleasant, higher levels of stimulation' (PAC, 2015).

Most ECs can deliver different intensities of electrical stimulation, described as Low (corresponding to a prickle or tickle), Medium (prickling, jabbing or startling) and High (painful burning sensation) (ECMA, 2015a). The ECMA code of practice (ECMA, 2012a) explains how a 'minimum recognition level' corresponding to a 'prickle or tickle' should be determined and that the stimulation level should be progressively increased as necessary. Dogs are reported to have similar pain thresholds (the least pain a subject can recognise), but to show variation in their pain tolerance (the greatest level of pain it will tolerate), with 'emotionally sensitive' dogs having lower tolerance of pain (ECMA, 2015a).

Other potential welfare concerns are **pressure necrosis of the skin**, caused by electrodes of poorly fitted collars, or as a result of excessive periods of wear (ECMA, 2012a) and the risk of a dog or cat **chewing** an EC and ingesting harmful plastic and electronic components.

Potential for mis-use or abuse. Although ECMA manufacturers provide comprehensive instructions on the safe use of ECs (ECMA, 2012a), only some manufacturers which sell ECs in the UK are members of ECMA (Critchley A, 2015). Furthermore, a study by Cooper et al, 2010 shows that advice in user manuals is not consistently followed: some owners used high settings and had a poor understanding of how to use 'warning cues' which could allow an animal to avoid an electrical stimulus. 36% of owners reported their dogs vocalising on first use and 26% on subsequent uses. Many owners would not be sufficiently knowledgeable to assess the behavioural signs of distress shown by their animal (Jacques and Myers, 2007). Collectively this evidence suggests a substantial risk that some well-intentioned but inadequately informed operators will **deliver excessive electrical stimuli** whilst using ECs. Equally, there is clearly potential for misuse by frustrated, angry or malicious users of these devices.

Poorly timed stimuli, which the animal cannot consistently link to the target behaviour, can cause stress and behavioural problems (CAWC, 2012; Schalke et al, 2007). There is considerable potential for *Electronic training collar* operators to deliver mis-timed electrical stimuli, especially as some transmitters can be used to train up to 6 pets (PAC, 2015), and other models operate with dogs up to 2 miles away from the trainer (PAC, 2015). In relation to *electronic fencing systems* there is concern that, in the absence of a physical barrier, the animal might be unable to associate the aversive stimulus with the boundary (CAWC, 2012). ECMA, 2012a suggests that induction programmes for dogs and cats which include the use of a visual barrier (flags or fence) can minimise this risk. In relation to *anti-bark collars*, concerns have been raised that a dog might receive inappropriately timed electrical stimuli if the collar was activated by another dog or by extraneous noise, but others consider that technological advances mean that their activation is highly specific (CAWC, 2012, ECMA, 2012, Foster and Smith, 2015).

Antisocial behaviour. The use of ECs is thought to carry an increased risk of eliciting inappropriate behaviours such as *anxiety and aggression*, especially if the device is used repeatedly and at intensities which are too high in relation to the sensitivity of the animal (Blackwell and Casey, 2006, Jacques and Myers, 2007, CAWC, 2012). Others assert that the use of an EC to try and stop aggressive behaviour can *suppress the warning signs* displayed by a dog, making their aggression less predictable and more dangerous (MacKellar and Ward, 2010). Drawing on research in humans, Friedman, 2009, states that side effects of punishment-based procedures include increased aggression, generalized fear, apathy, and escape/avoidance behaviour. Others suggest that ECs can cause animals to make an *unwanted association* between aversive stimuli and another factor which happens to be present, such as a child, the trainer, or a location (such as a garden), leading to distrust or fear of the co-incidental factor. This could be a particular concern with electronic fencing systems, where electronic stimuli could potentially become associated with the approach of people or animals towards the property (MacKellar and Ward, 2010; Blackwell and Casey, 2006). If the animal was not contained by a physical barrier, this could lead to a dangerous situation for human or animal passers-by.

Welfare Cost *versus* Benefit.

I conclude that the animal welfare cost is likely to exceed the benefits from use of *electronic collars as training devices*, since they may cause pain, effective alternatives exist, and the scope for misuse or abuse is too great.

The animal welfare cost is likely to exceed the benefits from use of *electronic fencing systems* in dogs, since physical fences are an effective alternative, electronic fences cause pain, may fail, and there are welfare concerns if the animal does not associate the electrical stimuli with an invisible boundary. The situation appears more difficult in relation to cats, where the risk from road accidents is a big concern, and there are limited alternatives other than housing for keeping a cat confined. Nevertheless, there are some clear welfare concerns with electronic fencing for cats, and little published evidence from which to assess their relative impact.

Given the limited efficacy of *electronic anti-bark collars* in controlling excessive barking, the existence of alternative approaches, and that less harsh anti-bark collars (such as spray collars) are available, I conclude that the welfare cost exceeds the benefits for anti-bark collars.

2. INTRODUCTION

Electronic collars (ECs) are intended to aid the training of dogs and cats by delivering electrical stimuli to their skin. The stimuli are applied to discourage the animal from doing an undesired activity. The Companion Animal Welfare Committee (CAWC, 2012) defined three broad types:

- Devices operated remotely by the handler : “Remote trainers”
- Containment systems in which the animal receives an electrical stimulus if it reaches the boundary : “Underground fence systems”
- Noise-activated systems in which the animal receives an electrical stimulus if it vocalises : “Anti-barking collars”

The terminology for ECs is not standardised, and a number of alternative terms are used. These include, “electronic training collars” (Salgirli et al, 2012), “electronic training devices” (The Pet Site, 2014), “remote static pulse systems” (Cooper et al, 2011), “static pulse training collars” (ECMA, 2011), “electric pulse training aids” (CAWC, 2012), and “shock collars” (Kennel Club, 2014).

ECs are controversial because of concerns about potential adverse welfare implications for the animal concerned. The issue is complicated to assess as there is a wide range of devices on the market (over 170 were identified by an internet search in the UK in 2007 (Cooper et al, 2010)), and there is only limited peer-reviewed published evidence, supplemented by a range of testimonials (CAWC, 2012). Nevertheless, many people feel strongly about their use, with both advocates and opponents citing animal welfare as their main reason (CAWC, 2012; Scottish Government, 2015).

In a questionnaire survey of dog owners in England (Blackwell et al, 2012), of 3897 respondents, only 3.3% reported using ECs as remote trainers, 1.4% as anti-bark collars, and 0.9% as part of underground fence systems. However, extrapolation from the survey across the estimated UK dog population of 10 million, suggested that approximately 560,000 dogs might be trained with these devices. This figure is higher than indicated by Pickwick, 2014, who suggests that ‘more than 300,000’ devices were in use in the UK in 2012.

Training Techniques

There are many different dog training techniques, but these are based on ‘operant conditioning’ in which an animal learns through forming an association between an action and its consequences (McLeod S, 2015). Reinforcement increases the likelihood of a behaviour occurring again, whilst Punishment decreases the likelihood of the behaviour recurring. The consequences can be positive (a reward or aversive stimulus is given) or negative (a reward or aversive stimulus is withdrawn)

This leads to an ‘**Operant Conditioning Quadrant**’ comprising:

- **Positive Reinforcement (R+)**: Good behaviour (e.g. sitting on command or ignoring sheep) is rewarded by a pleasant consequence (e.g. praise, treat or game).

- **Negative Reinforcement (R-):** Good behaviour is rewarded by the removal of an unpleasant stimulus (e.g. training a dog to walk to heel with a choke lead). This is ‘avoidance behaviour’ since the animal learns to avoid an aversive stimulus by changing its behaviour.
- **Positive Punishment (P+):** Bad behaviour (e.g. chasing sheep, jumping up) results in an unpleasant consequence (e.g. electrical stimulus, shouting, or water spray)
- **Negative Punishment (P-):** Bad behaviour results in a pleasant stimulus being withdrawn (e.g. owner ignores the dog, or removes treats).

Historically, dog training has relied heavily on techniques involving aversive stimuli (negative reinforcement and positive or negative punishment). More recently, increasing emphasis has been placed on reward-based training (positive re-inforcement) (Blackwell & Casey, 2006, Pet Site, 2014) but some feel that ‘the pendulum has swung too far’ in favour of reward based training (ECMA, 2015a).

With all techniques, the action (aversive or reward) must be applied promptly so that the animal can associate its own behaviour with the consequence. Similarly the intensity of discouragement or reward must be sufficiently strong to make an emotional impact on the animal i.e. the unpleasant stimulus must be sufficiently unpleasant to cause the animal to try to escape from or avoid it (O’Heare, 2009), and the reward must be something that is highly valued (Blackwell & Casey, 2006).

Legislation

Under the Animal Welfare (Electronic Collars) (Wales) Regulations 2010, the use of electronic collars in cats and dogs is prohibited in Wales. The devices can be used legally in England and Scotland, although the Scottish Government is to undertake a public consultation this year (Lochhead, 2015)) and a “Ten Minute Rule” Bill seeking a ban in England was presented to the House of Commons in Westminster in 2014 (Offord M, 2014). In Europe, their use is prohibited in Austria, Denmark, Finland, Germany (CAWC, 2012), Switzerland (Tierschutzverordnung ,2008), Norway, Sweden and Slovenia (Kennel Club, 2014). They are banned in some Australian states (Australian Capital Territory, New South Wales, and South Australia) (RSPCA Australia, 2015) and are only permitted under prescribed circumstances in Victoria – notably if they conform to prescribed technical specifications and are fitted by a veterinary practitioner or a qualified dog trainer (Victorian Government, 2015). Similarly in New Zealand, minimum standards for the use of electric or electronic collars are set out in a code of welfare for dogs (New Zealand Government, 2015).

This review focuses mainly on scientific evidence published since 2010, but older references are cited where these refer to key information which is not date-dependent, or where there are no more recent studies. Its purpose is to help inform decision making in Wales, in relation to whether the policy intent – protection of animal welfare - continues to be well-served by measures currently in place under The Animal Welfare (Electronic Collars) (Wales) Regulations 2010. The report sets out evidence of the potential benefits and efficacy of electronic collars, and then considers potential animal welfare concerns, in order to reach conclusions about whether their benefits outweigh their animal welfare costs.

3. WELFARE BENEFITS AND EFFICACY OF ELECTRONIC COLLARS

WELFARE BENEFIT

Proponents argue that If electronic collars (ECs) are used successfully, they provide long-term welfare benefits which off-set any short –term pain and distress during the training period (ECMA, 2015a). However, according to CAWC, 2012, there are no independent data to substantiate either the tendency to use ECs only for a short period of time, or that their impact is only aversive in the short term. Thirty six per cent of 188 respondents to a questionnaire survey commissioned by CAWC, said that they had used the electronic training device for one month or less, but 16% were still using them after one year (CAWC, 2012).

EVIDENCE OF EFFICACY AS TRAINING AIDS

Electronic training systems comprise an electronic collar and a separate transmitter which can be activated remotely by the trainer. The collar has two electrodes which are designed to make contact with the skin on the underside of the dog’s neck. When activated, an electrical stimulus travels between the electrodes through the skin and superficial tissues of the neck (ECMA, 2015a).

In the UK, when ECs are used as training devices, they are reported mainly to be used to improve a dog’s recall or discourage chasing of livestock, other animals or people (Cooper et al, 2010; Blackwell et al, 2012). The potential benefits include that a dog can be kept under control at a distance, so allowing safe off-lead exercise, and that the method can be effective for any size or strength combination of dog and handler (Katz, 2010). Other animals may also experience consequential benefits, for example lack of aggression towards livestock, wildlife and other animals, which might otherwise be chased or predated (CAWC, 2012). However, in CAWC’s questionnaire survey of electronic collar users, 11% of respondents reported failure of ECs due to “technical problems” such as when batteries became exhausted or when animals were out of range or in woodland (CAWC, 2012).

There is published evidence suggesting that electronic collars can be effective training aids, if used correctly. This includes two Norwegian studies which suggest that sheep- chasing behaviour can be suppressed in some animals over an extended period. In an initial study, 41 Elkhounds, 29 Harehounds and 68 English Setters (all hunting breeds) were introduced into a test area with sheep. 32% of Elkhounds, 7% of Harehounds and 3% of Setters attempted to chase sheep and received an electric current as a deterrent. The dogs showed signs of pain in response to the electrical stimuli, which included jumping, head-shaking and vocalisation. The electrical stimulus comprised a single pulse of 1 second duration, of 0.4 Amps at 3,000 volts, which was applied to dogs approaching within 1-2 metres of sheep, and which was re-applied over a period of up to 5 minutes, if the dog did not withdraw, or re-entered this zone. In a follow-up study, one year later, only one dog which received a current in the first study, required this form of treatment (Christiansen et al, 2001; Christiansen et al, 2001a).

CAWC (2012) reviewed the peer-reviewed literature published up to 2012, and concluded that there were significant limitations, particularly relating to the complexity of experimental design, lack of control animals, and a tendency for authors to over-interpret their data. Despite these shortcomings, CAWC concluded that electronic training devices can suppress predatory behaviour,

may suppress barking in response to a triggering stimulus, but that if the stimulus is applied so that it is not associated with the unwanted behaviour, then this can cause behavioural and welfare problems. A further issue in interpretation of older publications is that the electrical output parameters of the ECs were not consistently documented, and may not be directly comparable to modern ECs. Earlier models of EC were more aversive than current ECs due to less sophisticated, higher energy electrical stimulation. The spacing of the electrodes was also wider than currently permitted under ECMA technical requirements. This meant that for older devices, the electrical impulse travelled through skin and muscle, whereas with new devices, the impulse travels a shorter distance through skin and superficial tissues. The stimulation of deeper structures is thought to be more painful (ECMA, 2015a).

In a German study, 42 police dogs of the Malinois breed, were tested using three different 'punishment-based' methods, on individual training days, held one week apart. In these sessions they were corrected by the use of either, an electronic collar, or a pinch collar (a collar with internal prongs), or a 'quitting signal' (a learned command to withdraw such as a word or whistle), if they sought to attack a decoy person. The effectiveness and relative stress levels resulting from these three approaches was assessed (Salgirli et al, 2012). They concluded that the electronic collar was the most effective, with 39 of 42 dogs ceasing the undesired behaviour by the end of the test, and the quitting signal was least effective (3/42). They recorded that 42% of dogs lowered their backs, 33% crouched and 59% vocalised in response to stimulation of the electronic collar. The size, duration and voltage of the current applied via the EC is not specified, and neither is the amount and duration of training of the 'quitting signal'. The differences in salivary cortisol levels were not statistically different between any of the tests, but the behavioural signs reported following use of ECs are indicative of distress.

In a survey of members of the Training Collar Owners Group, of the 371 respondents, 95% reported that use of an EC solved behavioural problems such as chasing animals or people, nuisance barking or escaping from the garden. Ninety seven per cent of respondents said that their dog or cat was 'happy with' or 'neutral' regarding use of an EC, and 96% reported no negative effects. The members of this group were acknowledged to be likely to be a biased sample in respect of the effectiveness and negative effects of ECs (ECMA, 2011).

Other training methods

It is extremely difficult to make an objective assessment of the relative effectiveness of different training methods. This is because of the many variables which may apply. These include: breed differences, variation in severity of undesired behaviours in individual dogs, differences in competence of trainers, in the duration and commitment to training, and /or in their perception of success (Blackwell et al, 2012).

A study by Cooper et al (2014) attempted to address this difficulty by controlling for trainer and method of training. 63 pet dogs referred for recall related problems around livestock, were assigned to one of three training regimes. Group A were trained by trainers approved by the Electronic Collar Manufacturers Association who used ECs, Group B were trained by the same trainers but without ECs, and Group C were trained using reward-based techniques by members of the Association of Pet Dog Trainers, UK, a professional training organisation which does not allow the use of ECs or other aversive techniques or equipment. The dogs received two 15 minute training sessions per day for 5

days, apart from 2 dogs (one from group A and one from group B) where the trainers deemed that sufficient progress had been made after 4 days. On the final training day, all the dog owners conducted training under instruction from the trainers.

Video recordings of the sessions were made to analyse behaviour. Dogs in Group A yawned more, were more tense, and interacted less with their environment than dogs in Group C. A small number of dogs in Group A also yelped and panted frequently. The authors concluded that these observations indicated more negative emotional responses in dogs in Group A, than in those in Group C. Only small differences in behaviours were noted between dogs in Groups A and B indicating that the trainer's general approach affects the dog's emotional responses. Following training, 92% of owners reported improvements in their dog's referred behaviour, and there was no significant difference in response to training between the three groups.

There are well-established reward-based training methods which do not use harsh aversive stimuli. In the UK, reward-based training is used for assistance dogs (Blackwell and Casey, 2006; Guide dogs for the Blind, 2015), and according to Offord, (2014), police dogs, armed forces dogs and assistance dogs are never trained using electric shock training devices. This is significant, given the high standards to which such animals must be trained. Reward-based training is also the norm for gun dog training, where ECs are a 'technique of last resort' (Cook, 2008). In a survey of dog owners, statistical analyses suggested that reward based methods were less likely to be used by owners who had attended agility classes (Blackwell et al, 2012). This is puzzling since the organisers of the majority of agility competitions, the UK Agility Association and the Kennel Club are strongly opposed to aversive training methods : electric collars are prohibited from all UK Agility show sites (UKA, 2014) and the Kennel Club has consistently campaigned for a ban in England and Scotland (Kennel Club, 2014).

A study by Yin et al (2008) in America demonstrated that a reward-based training protocol was effective in training dogs with existing problem behaviours, such as barking, jumping or crowding the door when visitors arrived. Six dogs were trained by professional trainers in a controlled laboratory environment, and 15 dogs were trained at home by their 'novice' owners. The protocol, in which the dog was rewarded with a food treat for the desired behaviour, taught dogs to remain calmly on a rug, away from the door when visitors arrived. A very high degree of success was achieved with both groups, which were composed of mixed breeds, but the training process in the laboratory study was achieved more rapidly (in eight days), than in the home environment (between two and 16 weeks). The authors concluded that an important reason for the difference, was the greater competence of professional dog trainers who carried out the laboratory-based study, compared with owners who were inexperienced trainers.

In a questionnaire based study of dog owners in the United Kingdom, a significantly higher proportion of owners using reward-based training reported successful outcomes in relation to recall and chasing behaviours, than those using ECs (Blackwell et al, 2012).

In Australia, an online survey of farm dog keepers was administered for three months during 2013. Eight hundred and twelve respondents submitted details for 1,806 currently working dogs, 864 recently rejected dogs, and 1,357 recently retired dogs. Statistical analyses identified seven factors which were significantly associated with successful canine training. These were: dog breed, housing

style, participation in working dog trials, age at acquisition, use of electronic collars, hypothetical upper limit that owners might be prepared to spend on veterinary treatment, and conscientiousness of the owner. In relation to electronic collars, 93% of respondents did not use these, but those who did use them were significantly more likely to have 'below average' success rates when training their dogs (Arnott et al, 2014).

Collectively this evidence strongly suggests that reward-based training is an effective alternative to aversive training techniques such as ECs. This is also the view of ten UK animal welfare, dog training and animal behaviour organisations, which published a joint statement calling for a ban on the use of electronic training devices, in favour of, "kinder, more humane reward based methods" (The Pet Site, 2014). The organisations involved are The Royal Society for Prevention of Cruelty to Animals, Association of Pet Behaviour Counsellors, Blue Cross, Dogs Trust, Wood Green Animal Charity, Battersea Dogs and Cats Home, Animal Behaviour and Training Council, The Mayhew Animal Home, The UK Association of Pet Dog Trainers and The Kennel Club. However, the Electronic collar Manufacturers Association (ECMA, 2015a) considers that these campaigns are 'exaggerated and emotionalised'.

The use of ECs has been advocated as a technique of last resort, to be used for exceptional cases where all else has failed (CAWC, 2012; Cook, 2008.). The Electronic collar Manufacturers Association (ECMA) states that wherever possible, reward based training methods should be used, but maintains that ECs constitute a valuable training aid to address the antisocial behaviours of problematic dogs, so saving many animals from the more drastic options of re-homing or euthanasia. They cite the large numbers sold (almost 50,000 purchasers in the UK per year) as proxy evidence of the efficacy of the devices (ECMA, 2015). However, the American Humane Society asserts that even for 'difficult' dogs, aversive collars suppress the unwanted behaviour, but don't teach the animal what the proper behaviour is. They conclude that, at best, they are unpleasant for the dog, and at worst, they may cause it to act aggressively (Humane Society, 2015). Blackwell et al (2012) thought that a more considered approach, with a deeper understanding of learning theory and dog behaviour would enable an ultimately more successful resolution of undesired behaviour.

EVIDENCE OF EFFICACY OF ELECTRONIC FENCE SYSTEMS

Electronic fence systems use an electrical stimulation to discourage a dog or cat from moving outside a defined boundary. The pet wears an electronic receiver collar with contact points that rest on the underside of its neck, and if it strays beyond the boundary set by the transmitter, it will receive an electronic stimulation. Some devices have multiple levels of electrical stimulation as well as audible and /or vibratory warning signals to alert the animal as it approaches the boundary. With wired boundary systems, wires are buried just below ground to set the perimeter, which can be any shape. Wireless systems are portable and create a circular boundary (PetSafe, 2015).

The potential welfare benefits which these systems offer are the safe access and enjoyment of a garden, along with protection of the animal from the hazards of roaming such as road traffic accidents (CAWC, 2012; ECMA, 2015). In relation to dogs, there are clear alternatives, such as construction of a physical boundary fence, ensuring that they are on leads in risky situations, combined with alternative approaches to training.

However, in regard to cats, unless contained inside a building or enclosure, or secured under supervision by a long leash, it is much harder to protect them from road accidents, predation or other trauma. In an on-line questionnaire survey completed by 188 EC users in the UK, 92 percent used them with dogs, and 8 per cent with cats. Amongst the small sample relating to cats, ECs were used for containment to protect the cat from road accidents or to prevent impact on neighbours. Of the reported usage in dogs, 30% related to containment and 65% for obedience training (CAWC, 2012).

It is extremely difficult to determine the number of cats involved in road accidents, since these events are not compulsorily notifiable in the United Kingdom. Feline Friends, a cat welfare charity, estimates that between 250,000 and 300,000 cats are involved in road accidents each year in the UK (Feline Friends, 2013). In a study of 4,009 deceased cats, which were randomly selected from all deaths in 118,016 cats attending 90 veterinary practices in England, it was found that whilst the average lifespan of cats is 14 years, trauma (of all types – not just road accidents) was the most common overall cause of mortality, accounting for 12.2% of deaths. However, amongst cats, under five years old, trauma accounted for 47.3% of deaths (O’Neil et al, 2015).

Concerns about the risk of road accidents led to the launch of a petition which has attracted 457 signatures, entitled, ‘Save Welsh Cats & Dogs from Death on the Roads’ which seeks re-instatement of invisible fencing systems as a legal option in Wales (Anon, 2012). Feline Friends has recommended that electronic containment systems should be used where cats live in proximity to a public road, as a means of reducing the risk of traffic accidents. They cite a successful ‘trial’ in which owner observations were recorded following the introduction in 2009 of an underground fencing system (‘Dogfence’) in the garden of her two cat household. The charity has also funded a research project by Mills et al on the welfare aspects of containment systems, which is underway (Feline Friends, 2013).

However, it is clear that electronic fencing systems can fail. In the questionnaire survey (CAWC, 2012), respondents reported technical problems such as failure of the collar to make contact with the animal’s neck, batteries becoming exhausted, or breaks occurring in the boundary wire. Some devices have indicators for ‘low battery’ or ‘wire break’, which should help mitigate the latter two problems (PetSafe, 2015).

Animals sometimes learn to run through an electronic fence (ASPCA, 2015), and can then become trapped outside the place of safety. Conversely, other animals (not wearing ECs) can enter the ‘contained area’ without receiving an electrical stimulus, and could injure or cause distress to the resident dog or cat (Katz, 2010).

EVIDENCE OF EFFICACY AS ANTI-BARK DEVICES

Barking is a normal method of communication in the domestic dog, but if a dog barks excessively, this can be considered to be a problem behaviour (Juarbe-Diaz, 1997). Dogs which bark persistently can constitute a ‘statutory nuisance’ under the Environmental Protection Act, 1990 if they disturb local residents, with a successful conviction resulting in a fine or imprisonment.

Barking may be linked to a range of causes: it can be a warning of danger or a suspicious stranger, a sign of excitement when playing, a sign of boredom, or can occur in anxious dogs experiencing separation anxiety (Foster and Smith, 2015). Correctly assessing the motivation behind a dog's excessive barking is crucial to the implementation of successful treatment (Juarbe-Diaz, 1997).

Anti-bark collars are activated when a sensor detects sound and vibration caused by a dog's bark. When triggered they deliver a disruptive or unpleasant stimulus. These can be: electrical stimuli, citronella or lemon-scented spray, a high pitched ultrasonic noise or vibration. In relation to collars which deliver electrical pulses, the stimulus is delivered to the dog's skin via two electrodes and there may be multiple levels of stimulation intensity (PetSafe, 2015a; Dogtra, 2015).

Anti-bark collars are not recommended as a first choice for dealing with a barking problem. This is especially true for barking that's motivated by fear, anxiety or compulsion, where aversive approaches are likely to increase the dog's anxiety and make the problem worse (ASPCA, 2015). In these situations, behaviour modification achieved through rewarding desired behaviours, introducing distractions (such as music or activity toy), and modifying exercise routines, are usually advocated. Before owners use an anti-bark collar, some advisers in the United States of America recommend seeking advice from a certified veterinary behaviourist or professional dog trainer (ASPCA, 2015; Foster and Smith, 2015).

In a four week study of dogs housed in a rescue shelter in the USA, both electric pulse and lemon-spray anti-bark collars proved effective at deterring barking stimulated by intermittent exposure to an unfamiliar dog. Plasma cortisol levels were not significantly different between either of these groups or compared with those of control dogs fitted with inactivated collars. The activity levels (measured by counting movements of a paw across gridlines on the floor) did not vary significantly over time in any of the groups, although the lemon-spray group was significantly less active than the controls throughout the study. The long-term effectiveness of anti-bark collars was not assessed (Steiss et al, 2007).

4. POTENTIAL ANIMAL WELFARE CONCERNS ASSOCIATED WITH ELECTRONIC COLLARS

Pain and Distress caused by an electronic stimulus

Electronic pulse collars are designed to apply an unpleasant electrical stimulus to an animal in order to discourage it from an undesired activity. According to manufacturers' guidance, with some systems it is possible for the owner to change the 'correction level' according to the needs of the individual dog. Stimulation can be momentary or continuous for less responsive dogs (Petsafe, 2015; Dogtra, 2015).

In a study of 13 ECs, representing nine brands, considerable differences were identified in the **duration** of the electrical stimuli given by different models. The 'momentary' stimulus lasted between 4 and 420 milliseconds (4 to 120 mS for ECMA endorsed brands), whilst the maximum duration of the 'continuous' stimulus varied from 7 to 13 seconds (7 to 13 seconds for ECMA endorsed brands), although in one model (a non-ECMA brand) the stimulus lasted over 60 seconds, presumably because there was no cut-out (Cooper et al, 2010). A cut-out function seems important to avoid over-stimulation of the animals, and in the most recent ECMA technical specifications, the maximum permitted stimulation times for remote trainers, electronic fences and anti-bark collars are 10, 15 -30 and 2 seconds, respectively. There is then a period of 5 seconds for remote trainers and electronic fences, and 2 seconds for anti-bark collars, before another stimulus can be applied. For electronic fencing systems, a 'lock-out' function lasting 60 seconds or until the animal is back inside the boundary is required (ECMA, 2012). These standards only apply to manufacturers which belong to ECMA, and from the author's experience in reviewing EC's available for purchase on the internet, as well as seeking to access the ECMA website (www.ecma.eu.com), it is not always easy for potential customers to identify which products are ECMA-compliant.

The physical strength of an electrical stimulus, and thus the intensity with which it may be perceived is determined by the *voltage* (V) and *current* (I) generated by the device and the *resistance* (R) in the electrical circuit. These three are related according to Ohm's law : $V=I \times R$. Hence a high resistance in the circuit, would be expected to be associated with a current delivered at high voltage (Cooper et al, 2010).

Resistance. When a stimulus is applied, the electrical circuit is completed by passage of current through the animal's skin and underlying tissues which offer electrical resistance (measured in Ohms). The size and separation of the electrodes affect the resistance (Jacques and Myers, 2007), with Riepl, 2013 suggesting that the greater the spacing of the probes, the greater the resistance offered by the skin. Lines et al, 2013a, suggest that this is unlikely to be a linear relationship. In their study (Lines et al, 2013; Cooper et al 2010), modelled the resistance of skin and subcutaneous tissues, using a collar with electrodes spaced 30 mm apart; they found wide variation in their measured values, even on the same dog, but overall, skin resistance was lower (4-150kOhm) for wet dogs than dry dogs (22 – 950 kOhm). Riepl, 2013 suggests two mechanisms by which moisture might reduce skin resistance. If the moisture is at the interface between the electrodes and the skin, then the resistance would be reduced and the current flow would increase through the skin, causing increased electrical stimulation of the animal. Alternatively, if there is sufficient water on the skin surface, current from the electrodes could be shunted through it, partly bypassing the skin and

reducing electrical stimulation. The latter hypothesis was supported by ECMA's studies using ECs on human volunteers with wet skin (Reipl, 2013). Other dog-related factors, such as the length of the dog's coat, the presence of dirt or debris and the reliability of the electrical contact with the skin also affect the degree of stimulus perceived by the animal (Jacques and Myers, 2007).

Current. According to Reipl (2013), the physiological effects of electric current are twofold: heating of tissue, and electrical stimulation of nerve and muscle cells. In studies by ECMA involving human volunteers, they concluded that the heating from modern ECs is 'inconsequential' due to low 'root mean square' current outputs, and that stimulation of nociceptors (pain receptors) in the skin is linked to 'peak' current. The ECMA technical guidelines specify a limit in 'peak' current output of 150mAmperes per single impulse of current applied into a fixed resistance of 500 Ohm (ECMA, 2012). It is not clear how this correlates with the level of 'peak' current which would pass through a dog, where the resistance might vary from 4kOhm to 950 kOhm, according to Cooper et al 2010 (see above).

Voltage. ECs produce electrical stimuli which comprise rapid sequences of short, complex, high voltage pulses. The maximum voltage is generated for only a few millionths of a second per voltage pulse, and its magnitude is dependent on the resistance of the animal's skin. The maximum voltages recorded for different ECs by Cooper et al, 2010 varied considerably at all the voltages they measured. Nevertheless, - due to the complex shape and variable frequency of the pulses - they concluded that a simple voltage measurement was not an adequate means of quantifying the strength of electrical stimulus.

Power. By integrating the voltage and current over a set period of time, the power (i.e. energy (measured in Joules) dissipated per second) can be calculated. This has been reported to be a better measure of stimulus strength than voltage (Cooper et al, 2010). The power, measured using the worst case value for resistive loads between 500 Ohm and 100 KOhm must not exceed 500mJoules per second in ECMA endorsed ECs (ECMA, 2012). However, in the study (Cooper et al, 2010) of 13 ECs, of which 7 were ECMA brands, considerable differences were identified in the electrical energy output of different models, with the energy dissipated by ECs at their most powerful setting being overall 81 times greater than when at their lowest setting (median figure). The results for ECMA brands in relation to non-ECMA brands were not presented. The strongest ECs in the study, when set to their highest level, delivered 1161 mJoules per second (measured at 50 kOhm), exceeding the ECMA standard for this parameter. For comparison, the authors report that an electric fence and the M26 Taser typically deliver 5000 and 30,000 mJoules per second respectively (Cooper et al, 2010).

However, Lines et al, 2013 developed a **stimulus strength ranking index (SSRI)** which indicates that dissipated energy levels, also correlate poorly with level of perceived pain. The SSRI was developed on the assumption that electrical stimuli such as those provided by ECs would be ranked similarly by humans and dogs. SSRI values for the 13 EC models they tested, varied between models, and also highlighted that the strength of stimuli from ECs in 'continuous' mode was higher than perceived when in 'momentary' mode.

Conclusion: It is not easy to quantify or compare the level of pain or discomfort perceived by an animal receiving an electrical stimulus via an EC. The strength of the stimulus is determined by the

output of the device (voltage and current) and the electrical resistance offered by the animal's skin and underlying tissues. Ascertaining the stimulus actually applied to the animal is further confounded by the variable presence of hair, moisture and debris on the animal, which contribute to the difficulty of ensuring that the EC electrodes make consistent, reliable electrical contact with the skin. It is helpful that members of ECMA follow a set of technical standards which specify electrical parameters (ECMA, 2012). Nevertheless, in experimental studies, considerable variation was found in both, the electrical resistance of dogs skin, and, in the energy and electrical characteristics of stimuli produced by different models of EC. All these variables strongly suggest that an animal will not experience consistent and repeatable stimuli when undergoing training with an EC.

The degree of pain associated with particular stimuli has not been reported, although Riepl, 2012 considers that it correlates with 'peak' current from the device, and Lines et al, 2013 have developed a Stimulus strength ranking index. Nevertheless, the principle behind the use of ECs is that they produce an aversive stimulus, which is strong enough to dissuade 'problem' dogs from unwanted behaviours. Therefore, to be effective it must cause discomfort or pain, and this concept is implicit in the way that some products are advertised. For example, an electronic training collar (SportDOG SD-105S) available on the internet, is said to administer the 'high-intensity ... attention-grabbing stimulation stubborn dogs need for correction' (SportDog, 2015), and the manual for another product (PAC EXT Exc4), refers to 'unpleasant, higher levels of stimulation' (PAC, 2015).

Most ECs can deliver different intensities of electrical stimulation, described as Low (corresponding to a prickle or tickle), Medium (prickling, jabbing or startling) and High (painful burning sensation) (ECMA, 2015a). The ECMA code of practice (ECMA, 2012a), which advises its members on suitable content for inclusion in User Guides, explains how a 'minimum recognition level' corresponding to a 'prickle or tickle' should be determined and that the stimulation level should be progressively increased to effect. Dogs are reported to have similar pain thresholds (the least pain a subject can recognise), but to show variation in their pain tolerance (the greatest level of pain it will tolerate), with 'emotionally sensitive' dogs having lower tolerance of pain (ECMA, 2015a).

In addition to welfare concerns in relation to electrical stimulation, the ECMA code of practice, 2012a recognises the risk of **pressure necrosis of the skin**, caused by electrodes of poorly fitted collars, or as a result of excessive periods of wear. ECMA members are required to address this potential issue in their user guides, and include advice on how it can be avoided.

Another potential hazard relates to the risk of a dog or cat **chewing** a companion's EC. Its plastic and electronic components could cause harm if ingested. This risk is presumably greater with anti-bark collars and electronic fence systems, where animals may be left unattended.

Modern, ECMA-approved cat containment systems incorporate receivers which are attached to 'breakaway' type collars (ECMA, 2012a). This is clearly helpful in mitigating the risk if a cat were to become **entangled** by its collar on a branch or other object.

Potential for mis-use or abuse

There are two key animal welfare concerns regarding mis-use or abuse of ECs. These relate to the risk of animals receiving:

- a) Excessive (number and/or magnitude) of electrical stimulations, and
- b) Poorly timed electrical stimuli, not consistently linked to the target behaviour

Excessive (number and/or magnitude) electrical stimulations

In the study by Cooper et al, 2011, in which one of three groups of dogs was trained by ECMA-approved trainers using ECs, the authors concluded that, whilst this represented best practice in relation to use of ECs, they still detected behavioural evidence of a negative impact on the welfare of some dogs. In a related study (Cooper et al, 2010) found that the instruction manuals gave varying levels of information, and did not always explain the full potential of the devices, for instance with respect to using warning functions such as 'tone' or 'vibrate'. They also undertook a questionnaire study of owners recruited to their trial, and found that advice in manuals was not reliably followed. Sixty eight per cent of owners purchased their EC new, mainly from the internet, but some used second-hand ECs, sometimes without user manuals. Owner reports suggested they were unclear on how best to use them, with 36% reporting dogs vocalising on their first use and 26% on subsequent uses. Some used high settings and had a poor understanding of how to use the 'warning cues', which could enable the dog to avoid an electrical stimulus. The ECMA Code of Practice, 2012, requires its manufacturers to provide comprehensive and valid advice about their correct use, but the study by Cooper et al, 2010 shows that such advice is not consistently followed, and it is also the case that not all manufacturers which sell in the UK are members of ECMA (Critchley A, 2015).

There are also individual differences between dogs in their responses to aversive stimuli, so that a low level stimulus which appears to be well tolerated in one animal may have a very different impact on another. This may be difficult for an EC user to assess, if they are unaware of the subtleties of canine communication signals (Jacques and Myers, 2007).

Collectively, this evidence suggests that some well-intentioned but inadequately informed operators will deliver excessive electrical stimuli whilst using ECs. Equally, there is clearly potential for misuse by frustrated, angry or malicious users of these devices.

Poorly timed electrical stimuli, not consistently linked to the target behaviour

The rationale behind use of aversive training techniques, such as ECs, is that the animal will associate the unpleasant stimulus with an unwanted behaviour, and will be inclined to stop it. For this to be successful, it is essential that the animal can associate the stimulus with a specific action (Blackwell and Casey, 2006). If the stimulus is applied so that it is not associated with the unwanted behaviour, then this can cause behavioural and welfare problems (CAWC, 2012). In a seven month study to assess the effect of ECs on stress parameters, 14 laboratory – bred beagles were divided into three groups which received electrical stimuli under different circumstances. Group A received a stimulus if they touched a 'dummy prey'; Group H received one if they disobeyed a previously trained recall command, and Group R received stimuli at random. Groups R and H showed a significant rise in salivary cortisol levels, with group R showing the highest levels. The authors concluded that dogs which could associate their action (touching the prey) with the electronic stimulus, showed no persistent stress. They considered that the stress exhibited by dogs in the other two groups was evidence that poor timing or inappropriate use of electric stimuli carries a high risk that dogs will show severe and persistent signs of stress (Schalke et al (2007). It is unfortunate that no behavioural assessment for signs of stress was reported.

A study by Deldalle and Gaunet, 2014 compared the signs of stress displayed by pet dogs attending training classes using different approaches to teaching dogs to sit and walk on a lead. Dogs given reward-based training showed more attentiveness to their owner, whilst those trained by negative re-inforcement (withdrawal of an aversive stimulus) showed signs of stress including lowered body postures.

In relation to **electronic training collars**, there is clearly the potential for untrained users to deliver mis-timed electrical stimuli. There are currently numerous models available for sale via the internet, and many of these can be used to train multiple pets - at least 6 (PAC, 2015)- with a single transmitter. In my view, this must increase the risk of an electronic stimulus being accidentally applied to the wrong dog. This risk would be further increased with models of EC which operate over an extended range – at least up to two miles (PAC, 2015) - at which distance, the animal would almost certainly be out of sight.

In relation to **electronic fencing systems**, there is a concern that, in the absence of a physical barrier, the animal might be unable to associate the aversive stimulus with the boundary (CAWC, 2012). There appears to be very little recent scientific evidence on the welfare impacts this might cause, particularly on cats. The ECMA code of practice, 2012 offers guidance on how to minimise the problem, advising on induction programmes for dogs and cats which includes the use of a visual barrier (flags or fence) and, for dogs only, a ‘warning’ signal which allows the animal to avoid the electronic stimulus.

In relation to **anti-bark collars**, concerns have been raised that a dog might receive inappropriately timed electrical stimuli if the collar was activated by another dog or by extraneous noise, but CAWC, 2012 considered that technological developments should be able to ensure that inappropriate activation does not occur, and the ECMA code of practice (2012) states that such collars are only activated by the bark of the dog wearing the collar. Foster and Smith, 2015 support this view, asserting that because the devices are dependent on detecting vibration of the dog’s vocal cord prior to initiating a corrective stimulus, their activation is highly specific.

Antisocial behaviour

In a survey of owners of 2,806 dogs which were relinquished to the Dogs Trust for rehoming between January and December 2005, the most common reason for relinquishments was ‘problematic behaviour’ (including aggression and destructive tendencies) which accounted for 34% of cases. The Dogs Trust provides advice for prospective dog owners, but for those obtaining their dog from elsewhere, the number who received advice before obtaining their dog was reported to be low, leading the authors to conclude that in some cases, insufficient thought may lead to an inappropriate choice of dog in relation to their owner’s lifestyle. Under these circumstances, dogs are thought likely to be left alone for protracted periods, and to receive insufficient exercise, which in turn could lead to the development of behavioural problems (Diesel et al, 2010).

It has been suggested that electronic collars may cause antisocial behaviour in dogs through making them nervous or aggressive (Blackwell and Casey, 2006). Much aggressive behaviour by dogs is triggered by anxiety, and aversive training techniques are thought to precipitate such responses if

too strong an aversive stimulus is applied in relation to the sensitivities of the individual animal (Jacques and Myers, 2007). CAWC, 2012 also concluded that use of ECs carried an increased risk of eliciting inappropriate behaviours such as aggression, especially if the device is used repeatedly and the animal is highly aroused and in a negative affective state. In relation to anti-bark collars, some consider that these are contra-indicated for dealing with some barking problems. This is especially true for barking that's motivated by fear, anxiety or compulsion, where aversive approaches are likely to increase the dog's anxiety and make the problem worse (ASPCA, 2015).

Others assert that the use of an EC to try and stop aggressive behaviour can suppress the warning signs displayed by a dog, making their aggression less predictable and more dangerous (MacKellar and Ward, 2010). Drawing on research in humans, Friedman, 2009, states that teachers, psychologists, parents and children consistently rate positive reinforcement-based procedures for behavioural interventions as more acceptable than punishment-based procedures, citing known side effects of punishment-based procedures to include increased aggression, generalized fear, apathy, and escape/avoidance behaviour in support of this opinion.

There are also concerns about the risks of ECs causing animals to make an unwanted association between aversive stimuli and another factor which happens to be present. This could be a child, or the owner, or location (such as a garden) and could lead to distrust or fear of the co-incidental factor. This could be a particular concern with electronic fencing systems, where electronic stimuli could potentially become associated with the approach of people or animals towards the property (MacKellar and Ward, 2010; Blackwell and Casey, 2006). If the animal was not contained by a physical barrier, this could lead to a dangerous situation for human or animal passers-by.

5. CONCLUSIONS

The use of electronic collars in dogs and cats is controversial, with both advocates and opponents citing animal welfare as their main concern (CAWC, 2012; Scottish Government 2015).

Electronic collars are intended to be used either as remotely controlled training devices (dogs), or as electronic fencing systems (dogs and cats) or as anti-barking devices. The recent published evidence confirms to varying degrees, that they can be effective in suppressing unwanted behaviour under certain circumstances. However, there are also clear potential welfare concerns with the use of these devices. These are: the inherent need to administer electrical stimuli to the animal which are likely to cause varying degrees of discomfort or pain, and the potential for mis-use or abuse. The latter could lead to the administration of excessive electrical stimulation and / or poorly timed stimuli which could cause additional distress to an animal if it was unable to link the stimuli with a specific behaviour. The published evidence reviewed in this report also suggests that under most circumstances, alternative approaches which avoid the need for harsh aversive stimuli can be equally or more effective than electronic collars.

There is a moral and welfare obligation to use the least harmful way of effecting behavioural change in animals. In America, the principle of ‘Least Intrusive Minimally Aversive’ interventions has been known for over 40 years. A more recent refinement, the ‘Least Intrusive Effective Behaviour Intervention’ algorithm acknowledges that aversive interventions are not necessarily required and that any interventions which are made must be carefully considered in order to ensure that they are effective (O’Heare, 2009).

In the United Kingdom, the use of procedures for training animals is covered by the Animal Welfare Act 2006, which requires owners and keepers to ensure that they meet the welfare needs of their animals. However, if such procedures were to be applied to animals for a ‘scientific purpose’, they would be regulated under the Animals (Scientific Procedures) Act 1986 (ASPA). I have been advised that under these circumstances, application of electric shock to an animal would be considered to have the potential to cause the ‘animal a level of pain, suffering, distress or lasting harm equivalent to, or higher than, that caused by the introduction of a needle in accordance with good veterinary practice’, As such, this would only be permitted under licence, which would only be granted if the severity, duration etc. of the shock could be balanced against the likely benefits of the scientific research. Other commonly used aversive training techniques such as shouting or squealing when a puppy bites, or spraying a small quantity of water when a dog lunges on a lead, would be unlikely to require a licence (Home Office, 2015). This distinction is helpful as it indicates that types of aversive treatments can be differentiated, and some are less harsh than others.

Does the evidence currently available support the decision to ban the devices for training purposes?

In the UK, when EC’s are used as training devices, they are mainly used to improve a dog’s recall or to discourage chasing of livestock, other animals or people (Cooper et al, 2010; Blackwell et al, 2012). The potential benefits are that a dog can be kept under control at a distance, and can be effective for any size or strength combination of dog and handler (Katz,2010). There is evidence that use of ECs can suppress predatory behaviour, including attack of a decoy person (Christiansen et al, 2001, Christiansen et al, 2001a, CAWC, 2012 and Salgirli, 2012).

However, there is also evidence, that even when ECs are used under optimum conditions, that dogs trained with ECs displayed more negative emotional responses, than those trained by other methods, which were assessed as being equally effective (Cooper et al, 2014). Furthermore, other studies indicate that alternative training methods, mainly reward-based rather than dependent on harsh aversive stimuli, can be equally effective in pet and working dogs (Blackwell et al, 2012, Arnott et al, 2014).

Whilst ECs sold by members of the ECMA trade association conform with ECMA-defined technical standards and are supplied with comprehensive instruction guides (ECMA, 2012 and ECMA 2012a), not all manufacturers which sell devices in the UK are members of ECMA (Critchley A, 2015). In a study of 13 ECs (of which 7 were ECMA brands), considerable variation was found in the electrical output and duration of stimuli. Measurements of the electrical resistance offered by a dog's skin also showed considerable variation (Cooper et al, 2010), and other factors such as the length of the dog's coat, its wetness, the presence of dirt or debris and the reliability of the electrical contacts with the skin (Jacques and Myers, 2007) also affect the size of stimulus it receives. These variables contribute to the difficulty in assessing the level of pain or discomfort perceived by an animal wearing an EC, and raise concerns about the consistency achievable from use of these devices under everyday conditions.

Nevertheless, the principle behind the use of ECs is to produce an aversive stimulus which is strong enough to dissuade 'problem' dogs from unwanted behaviours. ECMA, 2012a recommends that a minimum recognition level, corresponding to a 'prickle or tingle' should be determined for each individual, and that the stimulation level should be progressively increased to effect. Therefore, to be effective it must cause pain or discomfort, and this concept is implicit in the way that some products are advertised. For example, an electronic training collar (SportDOG SD-105S) available on the internet, is said to administer the 'high-intensity ... attention-grabbing stimulation stubborn dogs need for correction' (SportDog, 2015), and the manual for another product (PAC EXT Exc4), refers to 'unpleasant, higher levels of stimulation' (PAC, 2015). Whilst behavioural indicators of pain caused by ECs in earlier studies might reflect the harsher nature of early models of ECs, more recent studies such as the report by (Salgirli, 2012) in which 59% of dogs vocalised, and by Cooper et al (2014) in which dogs trained with ECs yelped and panted, indicate that use of modern ECs also causes pain and stress in animals.

There are significant concerns about the potential for misuse of ECs. A study by Cooper et al, 2010 showed that advice in user manuals was not consistently followed by users, and it may be very difficult for an inexperienced user to assess the emotional impact of a stimulus on a dog from its behavioural responses (Jacques and Myers, 2007). If the stimulus is applied so that it is not associated with the unwanted behaviour, then this can cause behavioural and welfare problems (CAWC, 2012, Schalke et al, 2007). There are currently numerous models available for sale via the internet, and many of these can be used to train multiple pets - at least 6 (PAC, 2015) - with a single transmitter. In my view, this must increase the risk of an electronic stimulus being accidentally applied to the wrong dog. This risk would be further increased with models of EC which operate over an extended range - at least up to two miles (PAC, 2015) - at which distance, the animal would almost certainly be out of sight. Collectively, this evidence suggests that some well-intentioned but inadequately informed operators will deliver excessive or mis-timed electrical stimuli whilst using

ECs. Equally, there is clearly potential for misuse by frustrated, angry or malicious users of these devices.

The EC has been advocated as a training technique of last resort (CAWC, 2012; Cook, 2008) to save problematic dogs from the more drastic options of rehoming or euthanasia (ECMA, 2015). However, there is real difficulty in defining what might constitute the 'last resort' where an EC might be the only effective solution, and there is a concern that one person's 'last resort' would be another person's 'second attempt'.

I therefore conclude that the animal welfare cost is likely to exceed the benefits from use of electronic collars as training devices, since effective alternatives exist, and the scope for misuse or abuse is too great.

Does the current evidence available support the ban on the use of electronic collars with invisible fence systems?

Electronic fencing systems are intended as an alternative or a supplement to a physical fence. The animal triggers an aversive electrical stimulus from its collar if it crosses the boundary. In the absence of a physical fence, there is a clear welfare concern that an animal could fail to associate the stimulus with a consistent cause (CAWC, 2012). There are also risks relating to potential misuse, such as damage to the skin (pressure necrosis) from the electrodes, if the collar is left on the animal for long periods (ECMA, 2012a), or, accidental use of excessive levels of electrical stimulation.

Dogs. There is little published evidence (particularly in cats) on the welfare impacts. However, a well maintained physical fence, and the use of a lead for risky situations, would appear to be a highly effective alternative for dogs. I conclude that the animal welfare cost is likely to exceed the benefits from use of electronic fencing systems in dogs.

Cats. The situation appears more difficult to determine for cats, where the risk from road accidents for those living in proximity to roads, is a real concern (O'Neil et al, 2015; Feline Friends, 2013). Other than keeping it indoors, or restrained under close supervision on a long leash, there are no obvious alternatives for confining a cat than the use of an EC.

Nevertheless, there are some clear welfare concerns with electronic fencing for cats, and little published evidence from which to assess their relative impact. Gaps include evidence on the speed, ability and reliability with which cats could learn to comply with electronic invisible fencing systems, and the degree of pain or discomfort they would typically experience during this process. There is also no published independent evidence (as far as I am aware) on whether ECs (even with break-away fastenings) constitute a significant risk for cats of entanglement on tree branches or other objects.

Does the current evidence available still support a ban on the use of these devices when being used as anti-bark collars?

Persistent barking may be linked to a range of causes: it can be a warning of danger, or a suspicious stranger, or a sign of excitement, boredom or anxiety (Foster and Smith, 2015). Correct assessment of the reason for excessive barking is crucial to successful treatment (Juarbe-Díaz, 1997).

Anti-bark collars were found to be effective at deterring barking stimulated by intermittent exposure to an unfamiliar dog (Steiss et al, 2007). However, they are contra-indicated for barking motivated by fear, anxiety or compulsion, where an EC is likely to exacerbate the problem by increasing the dog's anxiety (ASPCA, 2015). In these instances, behaviour modification through rewarding desired behaviours, introducing distractions and modifying the dog's exercise routine, is the preferred approach (Foster and Smith, 2015).

Electronic anti-bark collars carry the same welfare concern as other ECs in relation to the risk of delivering a painful electronic stimulus to the animal. There is also a risk relating to potential damage to the skin (pressure necrosis) from the electrodes, if the collar is left on the animal for long periods (ECMA, 2012a). However, technological developments appear to have eliminated the risk that they can be activated inappropriately by extraneous noise (Foster and Smith, 2015, ECMA, 2012a, CAWC, 2012).

Given the limited efficacy of anti-bark collars in controlling excessive barking, the existence of alternative approaches, and that less harsh anti-bark collars (such as spray collars) are available, I conclude that the Welfare cost exceeds the benefits for anti-bark collars.

What evidence exists to demonstrate that they might induce behaviours that are not normally consistent with a well socialised dog or cat?

Aversive stimuli are intended to cause an animal to take action to escape or avoid them. Intrusiveness of the aversive stimulus is defined by the degree to which it causes harm. At worst, highly intrusive approaches cause generalised problematical emotional behaviour such as fear, anxiety, aggression or injury, whereas less intrusive procedures such as a surprising noise, will not (O'Heare, 2009). Electronic collars used at Low or Medium intensity of stimulation would not be expected to cause a negative emotional impact (ECMA, 2015a).

According to ECMA, 2015a, even at High intensity settings, the emotional impact would last only a short time. However, others have suggested that electronic collars may cause antisocial behaviour in dogs through making them nervous or aggressive, especially if used repeatedly (Blackwell and Casey, 2006; CAWC, 2012). Others believe that ECs can suppress the warning signs of aggression which a dog usually displays, so making their behaviour less predictable and more dangerous (Mackellar and Ward, 2010). A further concern is that, whilst ECs may suppress unwanted behaviour, they do not teach the animal what the acceptable alternative behaviour is (Humane Society, 2015).

Another worry is that ECs could cause animals to make unwanted associations between adverse stimuli and another co-incidental factor, such as presence of the owner, a child, or a location, leading to distrust or fear of that person or situation. This might be a particular issue, with stimuli

from an electronic fence system, where people or animals approaching the property might be put at risk (Blackwell and Casey, 2006; Mackellar and Ward, 2010).

There is also comparative evidence from research in humans about effecting behaviour changes which reports side-effects of punishment-based procedures to include increased aggression, generalised fear, apathy and escape or avoidance behaviour (Friedman, 2009).

A general conclusion is that successful training of dogs, requires considerable time and effort. The Welsh Government's Code of Practice for the Welfare of Dogs (2008), explains the steps required of a dog owner or keeper, in order to ensure that its welfare needs are met, as required by the Animal Welfare Act 2006. Unfortunately, in a survey of people who had relinquished dogs to rehoming centres, the number who had received advice before obtaining their dog was reported to be low, leading the authors to conclude that inappropriate choice of dog in relation to their owner's lifestyle might lead to the development of behavioural problems (Diesel et al, 2010). Therefore, strong and accessible guidance from Government, pet re-homing organisations and breeders on the need for new owners to consider if they have the required skills, time, premises and commitment needed to care for a pet, might help to reduce the number of animals which develop problem behaviours. Likewise for those seeking to adopt 'rescue' animals which are reportedly most often relinquished to re-homing centres because of serious behavioural issues (such as separation anxiety, persistent barking, aggression and poor recall) (Diesel et al, 2010). In reality there is unlikely to be any 'quick fix' for such conditions, which can only be resolved through a lot of effort, time, appropriate housing, and possibly also, costly input from veterinary surgeons and experts in dog training and behaviour.

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**P-04-445 Save our Welsh Cats and Dogs From Death on the Roads.
Correspondence – Petitioner to the Clerking Team – 05.04.2016**

Dear Kathryn

Thank you for this. As it happens, purely by chance I met the Deputy Minister Rebecca Evans for the first time last week in Swansea and we had a chat and her office sent the full 31 page report by email the following day.

Reading through the pages, it is apparent and extremely disappointing that the said vets did not to go review a boundary fencing system in person which was my great hope when the review was announced. Any reference made to the system was scant.

Rebecca did say that the Government would continue to review any new evidence, so that is a ray of hope.

The University of Lincoln's Professor Daniel Mills is expected to publish the results of his 3 year scientific research project for cats with boundary fencing systems some time in the next weeks.

Thank you again, I look forward to hearing from you in due course.

Best wishes

Monima

Agenda Item 4.3

P-04-544 Ban the Shooting of Greenland White-fronted Geese

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to reverse their decision not to ban the shooting of an endangered species, the Greenland White-fronted goose, meaning that Wales remains the only country on the flight path of this endangered species where they can still be legally shot and killed. Scientific evidence has shown that the species is extremely vulnerable to hunting pressures. In their consultation report, the Welsh Government also admit that failure to take appropriate steps to reduce as far as possible Greenland White-fronted geese adult mortality could be seen as a failure to meet conservation obligations. Unlike Scotland, Ireland, Iceland and Greenland there is no current ban on the shooting and killing of this endangered bird in Wales. A voluntary ban is in place on part of the Dyfi estuary in Wales but there is evidence that the geese also use other areas away from the estuary in mid and North Wales where no voluntary agreements are in place.

The population of these geese, as a whole, is declining and they have been of conservation concern since the late 1970s when sharp declines triggered protection from hunting on their wintering grounds. They receive heavy statutory protection. However, since the mid 1990s the population has again declined sharply. While WOS has acknowledged that long running voluntary bans on shooting are in place at some wetlands such as the Dyfi Estuary, it believes that nothing less than a statutory ban on shooting will ensure its protection. The society is concerned that any voluntary ban could be lifted at any time and that the current approach does not cover all the sites where this declining subspecies spends the winter.

Petition raised by: Aaron Davies

Date Petition first considered by Committee: 29 April 2014

Number of signatures: 240. An associated petition has collected over 3500 signatures on an alternative petitions website.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-544
Ein cyf/Our ref CS/00519/16

William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

15th March 2016

Dear William Powell AM,

I am writing in response to your letter of 29 February 2016 in which you enclose correspondence from the petitioner, and ask about details of the consultation on the option of having a statutory ban on the shooting of White-fronted Geese in Wales.

I can confirm that we have undertaken an 8 week public consultation on this issue. The consultation started on 11 January 2016 and closed on 7 March. Details of the consultation may be found at

<http://gov.wales/consultations/environmentandcountryside/conservation-white-fronted-geese-in-wales/?status=closed&lang=en>

Yours sincerely,

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

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Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Carl.Sargeant@wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 4.4

P-04-547 Ban Polystyrene(EPS) Fast Food and Drinks Packaging

Petition wording:

The time has come to halt the sight of millions of polystyrene food and drinks cartons littering the beaches and countryside of Wales.

Polystyrene(EPS) is a major component of urban litter and marine debris. It is detrimental to wildlife that ingests it and costs millions for Welsh Councils to remove from our streets. Polystyrene takes hundreds of years to degrade.

Over 100 US (including New York),Canadian, and also European cities have banned polystyrene food packaging as a result of the negative impacts of the Environment. We hope that wales will have the vision to join that list.

Therefore, with so many alternatives to polystyrene(EPS) packaging now available which has significantly less impact on the environment and human health and also to save Welsh taxpayers millions of pounds in street cleansing costs we, the undersigned, request that the Welsh Government introduces a ban on all polystyrene fast food and drink packaging.

Petition raised by: Friends of Barry Beaches

Date Petition first considered by Committee: 29 April 2014

Number of signatures: 295

By virtue of paragraph(s) ix of Standing Order 17.42

Document is Restricted

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-547
Ein cyf/Our ref CS/00510/16

William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee

committeebusiness@Wales.gsi.gov.uk

21st March 2016

Dear William Powell AM,

Thank you for your letter dated 2 March requesting an update on the work that the Welsh Government is undertaking to help reduce the environmental impact of polystyrene and coastal littering in Wales (Petition P-04-545: Ban on Polystyrene (EPS) Fast Food and Drinks Packaging refers).

I can confirm that initial research work undertaken by Keep Wales Tidy (KWT) in 2015 identified that data on polystyrene litter in Wales was very limited and, as a consequence, it was difficult to assess the scale of the problem across Wales. To help address this, KWT are now collecting data on the amounts of polystyrene litter found on the streets of Wales as part of the annual Local Environment Audit Management System (LEAMS) surveys that they undertake. The 2015 -16 LEAMS report will be the first year that this data will have been collected, and my officials will need to monitor the findings in this, and subsequent annual reports, in order to draw conclusions to assist in the development of policy.

In relation to coastal litter, KWT published their findings to their 'Coast Care' Pilot in late 2015. This work not only included the evaluation of existing marine litter initiatives in Wales, and across the world, but also it resulted in KWT providing support to 543 coastal improvement projects and over 1000 clean up events across Wales. My officials are currently evaluating the outcomes of this pilot scheme and will be working with KWT to identify the practical actions that can be taken to address coastal littering.

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English Enquiry Line 0300 0603300
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Correspondence.Carl.Sargeant@wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

To support this work, I have also agreed to the commissioning of a joint MSc research project with the Marine Conservation Society (MCS) and Swansea University to analyse the pressures and trends of marine litter on Welsh coastlines. The MCS carries out regular methodical beach surveys and holds data covering the last 20 years. It is hoped analysis of this data will help determine the type of marine litter specifically occurring on Welsh coastlines and provide the Welsh Government with a better understanding of the origins of this litter.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'CS', written in a cursive style.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

Agenda Item 4.5

P-04-572 – Grants for Flood Resilience.

Petition Wording

We call on the National Assembly for Wales to urge the Welsh Government to approve grants for properties that have recently flooded to fund work to make them more resilient to future flooding.

Petition raised by: Charles Edward Moore

Date Petition first considered by Committee: 15 July 2014

Number of signatures 88



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

24 March 2016

Dear William,

Re: Petition P-04-572 Grants for Flood Resilience

Thank you for your letter of 25 February 2016 regarding the petition on grants for flood resilience.

We responded via a letter dated 23 January 2015 on this petition, and I enclose that letter for your information. Our position on the points covered remains the same.

In this latest correspondence, Mr Moore specifically refers to the section in the letter from the Defra Minister Rory Stewart to James Davies MP where Mr Stewart comments that he wishes to “ensure that the correct incentives are in place to drive the uptake of resilient repairs.” Mr Moore states that this is “opposite to the stance of NRW”.

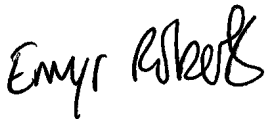
This is not correct, and we would make the following points:

- We support the view that incentives to drive the uptake of resilient repairs is desirable. NRW encourages the use of resilient repairs and we have lobbied for this.
- In particular, we would welcome greater recognition by the insurance industry of the value of flood resilient repairs after a flood event, and to take this into account when considering insurance premiums.
- We would refer you to sections of our previous response (23 January 2015) where we said, amongst other points:
 - o *Flood resistance and resilience measures can play a role though, and we do direct householders, for example through our Flood Awareness Wales work and through our website, to information sources on what products are available privately should anyone wish to take their own action.*
 - o *We would agree that installing flood resilience measures in a property prone to flooding is, in general, a sensible idea, including doing so when repairing a flooded property. We would encourage this.*

- *We would also agree with the point that it would be desirable for insurance companies to take flood resistance and resilience measures into account when arriving at premiums, and we have lobbied for this. However, this is primarily a matter for Government and the insurance industry.*
- As noted above, flood insurance is a matter for Government and not for Natural Resources Wales. Further, flood insurance is not a devolved matter and discussions about Flood Re and its arrangements are being led by Defra.

I hope you find this response useful. Please do contact me again should you require any further information.

Yours sincerely



Dr Emyr Roberts

**Prif Weithredwr, Cyfoeth Naturiol Cymru
Chief Executive, Natural Resources Wales**

Agenda Item 4.6

P-04-440 : Say NO to Asset Stripping Bronllys Hospital

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to reject any attempt by the Powys Teaching Health Board to asset-strip the Bronllys Community hospital by closing or moving its Stroke Unit, nor by placing new services or service facilities for the region elsewhere and rather to instruct the Health Board to devise a strategy to build or re-build, improve and/or extend this NHS Hospital's facilities, and services and resource expertise; and to retain and re-build this valuable community asset as a centre of excellence.

We further call upon the National Assembly for Wales to urge the Welsh Government to instruct the Health Board to place Bronllys Hospital at the centre of its strategy for the provision of adult and older people's health services in South East Powys for the next 50 years, and to release the necessary resources to make this happen.

Petition raised by: Michael Eccles

Date petition first considered by Committee: 4 December 2012

Number of signatures: 3,144

Vivienne Harpwood, Cadeirydd / Chair
Ffon / Phone: 01874 615971
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Carol Shilabeer, Y Prif Weithredwr Dros Dro /
Interim Chief Executive
Ffon / Phone: 01874 615980
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GIG
CYMRU
NHS
WALES

Bwrdd Iechyd
Addysgu Powys
Powys Teaching
Health Board

William Powell AM
Chair
Petitions Committee
National Assembly For Wales
Cardiff Bay
CF99 1NA

Date: 9 March 2015
Your Ref: P-01-440

Dear William,

Re: Bronllys Site

The Powys Health Board approach to the Bronllys site remains as stated by the Board when it considered the outcome of an Enquiry by Design process undertaken by the Princes Foundation for the Built Environment, funded by Welsh Assembly Government. This report resulted in a submission for the future mixed use utilisation of the site to the Powys Local Development Plan. That Plan is working through due Planning Processes.

In the long term the Bronllys site is clearly too large for future use by the NHS, and has an excess of buildings that are in poor condition and do not have a long term life. Since the EbD was completed the tHB has been preparing the site in line with the outcomes of the EbD through strategic investment in a small number of buildings, consolidation of staff and services in these buildings and emptying and disposal of buildings and property no longer required and peripheral to the main site, in line with NHS Estatecode requirements.

The tHB has met on a number of occasions with the Powys Health and Well-being Action Group and officers have received their proposals. The proposals are entirely in line with what the tHB set out in its Enquiry by Design report to the Board. We understand that the Action Group is not yet in a legal position to take forward the site in the way that it proposes. Both ourselves and Welsh Government officials have indicated that we will support the group to move in this direction in any way appropriate to our respective roles.

In respect of Point 2 of the petitioner's letter the tHB retains an interest in the site for both direct service provision and as a base for staff and do not foresee a

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Rydym yn croesawu gohebiaeth Gymraeg
Bwrdd Iechyd Addysgu Powys yw enw gweithred Bwrdd Iechyd Lleol
Addysgu Powys



We welcome correspondence in Welsh
Powys Teaching Health Board is the operational name of
Powys Teaching Local Health Board

change to this position for some time, albeit the buildings in which services and staff are housed will need renewal.

In respect to Point 5, we would not support the implied criticism of the Health and Well-being Centre at Glan Irfon in Builth Wells. The Centre provides all the services provided in the previous community hospital and more, and though it is true that there was not inconsiderable scepticism from the local community, the facility has been well received within the community thus far. In terms of staffing the community hospital and district nursing team have been merged to provide nursing care in the community as a whole and the facility. The Committee should therefore note that the statement of the petitioner is factually incorrect.

In respect of point 6 the tHB has been unable to replace Dr Dunn. Medical recruitment to these kind of geographically isolated posts is challenging across the UK. As a consequence the tHB has taken an alternative approach through investment in primary care based medical cover, to strengthen the excellent skills that our GPs are able to provide in support of our community facilities. This is now successfully being delivered with no detriment to patient care, and indeed the tHB is seeing more and more people avoiding admission to out of county hospitals through this approach.

In respect of parking at Brecon Hospital, the tHB has delivered an action plan to address parking on the site and public transport access, although we accept this remains a challenge due to the space constraints on the site.

We are unable to comment on complaints made specifically to the Community Health Council.

Kind regards

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

Carol Shillabeer.
Interim Chief Executive

Vivienne Harpwood, Cadeirydd / Chair
Ffon / Phone: 01874 615971
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Carol Shillabeer, Y Prif Weithredwr /
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GIG
CYMRU
NHS
WALES

Bwrdd Iechyd
Addysgu Powys
Powys Teaching
Health Board

CS/AE

24 February 2016

William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear Chair

P-04-0440 – BRONLLYS

Thank you for your Committee Clerks further correspondence via email on this matter (24 February 2016). Please find enclosed a copy of the letter sent to the Committee in March 2015 but apparently not received.

By way of further update, as a Health Board we are in regular discussion with the Bronllys Action Group and are positively considering our long term Healthcare Strategy right across Powys which will enable a greater degree of collaboration and determination as to provision in the Bronllys area.

I hope this is helpful.

Yours sincerely

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

Carol Shillabeer
Chief Executive Officer
Enc.

5th Corfforedig (De)
euadd Brycheiniog, Ffordd Cambrian,
berhonddu, Powys LD3 7HR
fôn: 01874 711661



Corporate Hub (South)
Neuadd Brycheiniog, Cambrian Way,
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rdym yn croesawu gohebiaeth Gymraeg
wrdd Iechyd Addysgu Powys yw enw gweithred Bwrdd Iechyd Lleol
Addysgu Powys



We welcome correspondence in Welsh
Powys Teaching Health Board is the operational name of
Powys Teaching Local Health Board

Agenda Item 4.7

P-04-553 A full and independent investigation in to the health risks of wireless and mobile phone technologies in Wales including all schools

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to conduct a full and independent investigation in to the effects of Electro Magnetic Fields created and emitted by wireless technologies, phone masts, mobile phones and other frequency emitters and domestic appliances on the health and general well being of humans and the natural world. There is now an enormous body of evidence demonstrating that the bombardment of modern traffic in electro magnetic fields can be harmful, causing DNA and cellular damage, having an impact on immune function and causing an increased risk of cancer and a loss of fertility – with children being especially susceptible to these threats.

Additional Information

The Council of Europe, World Health Organization, International Agency for UK Trades Union Congress (TUC), European Environment Agency, International Commission for Electromagnetic Safety and the Russian, German and Israeli governments are all asking for these health risks to be addressed and for practical measures such as hard wiring in schools to be introduced instead of Wi Fi. The Welsh Government could also lead in this area and protect the future health of all Welsh citizens by conducting their own independent research as well as consulting with independent organisations such as Powerwatch and WiFiinschools who provide a vast amount of research and strongly advise that the precautionary principle be followed.

Petition raised by: Cymru Sofren / Sovereign Wales

Date Petition first considered by Committee: 13 May 2014

Number of signatures: 11

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-553
Ein cyf/Our ref MD/00715/16

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

21 March 2016

Dear William,

Thank you for your letter of 29 February forwarding further correspondence received from the petitioner in respect of *P-04-553: A Full and independent investigation into the health risks of wireless and mobile phone technologies in Wales including all schools.*

I can confirm the additional information provided by the petitioner was forwarded to the Public Health England Centre for Radiation, Chemical and Environmental Hazards (PHE-CRCE). I have no further comments to make about the petition beyond those already provided.

Best wishes,

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Mark.Drakeford@wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 4.8

P-04-564 The Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital

Petition wording:

Until the Health Minister has had time to consider Prof Marcus Longley's recommendations on rural healthcare in Wales – a study that was commissioned by the Minister himself in January of this year – we, the undersigned, call on the National Assembly of Wales to urge the Welsh Labour Government to delay decision on Betsi Cadwaladr University Health Board's Business Case aimed at downgrading our Memorial Hospital to a mere 'Memorial Centre'.

Petition raised by: Geraint Vaughn Jones

Date Petition first considered by Committee: 17 June 2014

Number of signatures : 2,754

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-564
Ein cyf/Our ref MD/00718/16

William Powell AM
Chair - Petitions Committee
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committeebusiness@Wales.gsi.gov.uk

29 March 2016

Dear William,

Thank you for your letter of 29 February on behalf of the Petitions Committee regarding petition P-04-564: Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital.

My position remains as I outlined in my most recent letters to both to the Petitions Committee (16 December 2015) and to Mr Geraint Jones, chair of the Ffestiniog Memorial Hospital Defence Committee (11 January 2016). The defence committee's outstanding concerns need to be resolved locally with the Betsi Cadwaladr University Health Board.

I wrote to the chair of the health board, Dr Peter Higson on 11 January, asking him to look into the issues raised. I understand the health board has been in contact with the defence committee and Dr Higson and Geoff Lang, the health board's executive director of strategy were meeting with the town council and the defence committee on 15 March.

Best wishes,

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Bae Caerdydd • Cardiff Bay
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Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Mark.Drakeford@wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

P-04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital. Correspondence - Petitioner to the Committee 13.04.16

For the attention of the Petitions Committee

RE: P-04-564

We thank you for forwarding to us a copy of the Minister's response to you. Whilst we cannot claim to be in any way surprised by its content, we have, yet again, to express dismay with Mr Drakeford's contrived intransigence.

Over the past three years, he has overseen the appointment of no fewer than THREE different Chief Executives to the Betsi Cadwaladr Health Board and yet he still feels the need to keep the Board under Special Measures. Meanwhile, he insists that he will not interfere with any decisions, past or present, taken by the Betsi. In other words, the buck stops with him in the one instance and with the health board in the other. A contradictory stance by a government Minister, to say the least!

In his response to the Petitions Committee (29.03.2016), Mr Drakeford fleetingly refers to a meeting between the health board hierarchy and ourselves, thus implying that a way forward could be agreed by both parties. Such a meeting did take place on March 15th, during which we again raised several serious concerns but, following a two hour discussion, the outcome was very much déjà vu, with Board officials showing a similar intransigence to that of the Minister himself. When confronted with the overwhelming result of a referendum held in the area thirteen months ago, the Betsi's chairman Dr Higson claimed that the health board was not answerable to any democratic process! The meeting came to an end with him seeking our co-operation in implementing the Board's plans; **i.e. the exact same plans that we have objected to for the past three years!**

So much, therefore, for Mr Drakeford's faith in the democratic process.

Given that the Board refuses to respond in any meaningful way to letters of complaint from patients in the Welsh Uplands, then the Memorial Hospital Defence Committee has been left with no option but to produce yet another pamphlet in an effort to underline the serious state of healthcare in this area.

We hope that you will find time to study its content. (The attached photograph is that of the 87 year old Mrs F, mentioned on Page 11.)

Also attached, albeit in Welsh, is the Defence Committee's response to Dr Higson following the above-mentioned meeting. Three weeks have since elapsed and we still await even a basic acknowledgement of receipt!

In the meantime, we again thank you for your patience in this matter and for giving our petition the attention that it deserves.

Yours very sincerely, on behalf of the Ffestiniog Memorial Hospital Defence Committee,

Geraint V Jones (Chairman)

Agenda Item 4.9

P-04-663 – Food in Welsh Hospitals.

This petition was submitted by Rachel Flint having collected 40 signatures

Text of the Petition

We the undersigned call on the Welsh Government to examine the standards of food in hospitals in Wales. Each health board's provision must be investigated to ensure it is fit for purpose for patients, those with dietary needs and medical conditions, and impose standards across the whole of the Welsh NHS. Hospital food should be nutritious, fresh and be a major part of a patient's care package and road to recovery – not make things worse. Dietary needs must be catered for – such as gluten free, lactose intolerant, Celiac, vegetarian and vegan – experience shows this is not currently the case and patients are often made to feel awkward. Food tailored for medical conditions – including those who suffer from bowel conditions or have had surgery – must be standardised, to ensure patients are getting the right nutrition at all times. Currently patients on some wards are being fed all the same food regardless of their conditions, weight and dietary needs – this is not acceptable and can be upsetting and potentially damaging. Hospitals should not rely on relatives to bring in food, eat the same bland meal every day, or allow patients to waste away if they can't have any of the food on offer. Nutrition must be a key part of every patient's care package. We are not asking for Michelin Star quality, just meals that help rather than hinder.

Additional Information

My experiences of food in the NHS have shown that the standards vary across wards, hospitals and departments, as well as between England and Wales. The problem is not in Wales alone – as I find providing meals for those on low res or with dietary conditions is something the NHS as a whole struggles to deal with. But my experience in Wales recently showed that the standards are not up to scratch. There were no menus (as in Chester and other English hospitals) and patients were all fed the same regardless of their condition, weight or dietary needs. On one ward people who had just had bowel surgery were offered curry, lentil soup and tuna sweetcorn sandwiches which was totally inappropriate – and potentially damaging. At times the situation was that if you couldn't eat anything on the trolley or were not at your bed, you simply didn't eat, unless a nurse made some toast. This has to change; without the right nutrition I believe people are in hospital longer.

Assembly Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-663
Ein cyf/Our ref MD/00705/16

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

29 March 2016

Dear William,

Thank you for your letter of 29 February on behalf of the Petitions Committee regarding Petition P-04-663 – Food in Welsh Hospitals.

The Welsh Audit Office report was published on 3 February 2016, a copy of which can be accessed from the following link:

<http://www.wao.gov.uk/publication/cwm-taf-university-health-board-hospital-catering-and-patient-nutrition-follow-review>.

My officials will work with the health boards across Wales to ensure any recommendations are implemented.

I agree with the suggestion about more training and guidance being useful for NHS staff in canteen departments. The All Wales Menu Framework group is in the process of developing a core training module based on current good practice for catering and ward-based staff who prepare and serve meals to patients, which will ensure all staff undergo the same standards of training across Wales.

As I mentioned in my previous correspondence, the "varied arrangements" in hospitals refers to the methods of service delivery, which varies as a result of differences in the age, size and type of the current hospital infrastructure in Wales. As new hospitals are built this will enable a more consistent approach to catering.

Bae Caerdydd • Cardiff Bay
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CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Mark.Drakeford @wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

However, ultimately it is the health boards who have overall operational responsibility for the services they provide and are best placed to ensure their employees can deal appropriately with their patients' allergies and dietary needs.

I was very pleased to note the petitioner will meet with a representative from Cardiff and Vale University Health Board. This is an excellent opportunity to share experiences, opinions and hopefully will prove beneficial for all concerned.

Best wishes,

A handwritten signature in black ink that reads "Mark". The letters are cursive and slightly slanted to the right.

Mark Drakeford AC / AM

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



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Cwm Taf
University Health Board

Your ref/eich

cyf:

Our ref/ein cyf:

Date/Dyddiad:

Tel/ffôn:

Fax/ffacs:

Email/ebost:

Dept/adran:

AJW/KAD

17TH March 2016

01443 744803

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Allison.williams4@wales.nhs.uk

Chair & Chief Executive

Mr William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff, CF99 1NA

Dear Mr Powell

Initial response to Hospital Food petition, 8.3.16

Thank you for your letter dated the 29th February 2016, regarding the above.

Cwm Taf University Health Board is proud to have led the way as the initial campaigners for the development of a standardised approach to nutritious, high quality food for our patients within our own Health Board and across Wales. We acknowledge the importance of food as a vital part of overall patient care and patient food and nutritional well being has been and remains high on the organisation's agenda. Cwm Taf has had an active multidisciplinary Nutrition and Catering Group, including patient representatives for many years. The work of this group is reported to Board level through the Quality and Safety Committee to ensure the standards and good service is recognised throughout the organisation.

NHS Wales, leading the way in many respects with the following developments ensuring high quality food provision that meets the range of different requirements of our patient population groups.

1. Mandatory nutrition and catering standards for food and fluid for hospital inpatients (Welsh Government, 2011)
2. All Wales Menu Framework and development of standardised recipes to meet the nutrition standards (2012)
3. National Lead Dietician role for NHS Food Procurement - development of nutrition specifications for food contracts.

Contd/...

Return Address: Ynysmeurig House, Unit 3, Navigation Park, Abercynon, CF45 4SN

Cwm Taf University Health Board Dieticians and Catering staff were instrumental in driving forward the All Wales Menu Framework. This framework has ensured:

- Standardised nutritionally analysed menu items with recipes developed by hospital cooks and chefs from across Wales
- Ingredients and foods that meet nutrient specifications and are bought on an all Wales contract
- A dedicated web based database accessible to all Health Boards including recipes and full nutritional analysis
- A range of compliant snacks procured through All Wales contracts
- Development of nutrient specifications for All Wales contracts produced by Lead Dietician within All Wales Procurement Services
- Therapeutic menu coding developed to ensure appropriate use of dishes for all patients

This has resulted in:

- Improved adherence to All Wales contracts, use of the standardised recipes from All Wales Menu Framework (AWMF) by Health Boards, awareness raising of staff, patients and visitors through nutrition and hydration week campaign every year and local Public Relations.
- This year at Cwm Taf UHB we are promoting Nutrition and Hydration Week by celebrating with afternoon tea for all of our patients in community hospital settings.

In order to monitor both compliance with the standards and the patient /customer experience Cwm Taf participates in the AWMF All Wales Patient Menu survey.

Key findings from this second National Patient Survey for Cwm Taf UHB are as follows:

- Rating overall satisfaction of food and drink provision, **85%**
- An average of **77%** of patients surveyed said they **always** had a choice offered at each meal.
- **91%** of patients surveyed rated the overall quality of food as average or better
- Presentation & Appearance, 90% rated food average or better than average
- Flavour & taste, 88% average or higher
- Over 95% of patients said they had received the correct food whilst receiving a specialist diet
- Even though families are culturally used to bringing food in for their loved ones (66%), of visitors bring in food of any description, only 8% of stated the reason being due to "don't like the food". We endeavour to support families who want to bring in something special from home for their loved ones whilst in hospital as we understand that this is considered important to relatives, often more so than to patients.
- Cwm Taf UHB has the lowest patient food waste in Wales (WAO October 2015)

The petition received expressed some specific concerns that as a Health Board we would like to respond to specifically, for the reassurance of our patients and also in recognition of the excellent working relationships between our nursing, dietetic and catering staff.

Menu choice

Cwm Taf has developed a series of seasonal menus for our patients that include a wide range of breakfast choices and over 40 choices, which are available at lunch and evening meal. These choices are all clearly coded for suitability with special diets and every patient menu advises patients, or their families to speak to a nurse or their ward caterer if they need a larger portion size, help to choose, have a query or want something that isn't shown on the menu.

Availability of Specialist diet for medical conditions

Diets related to specific medical conditions are available. They are coded separately on our menu, according to All Wales Nutrition and Catering Standards (November 2011). Where specific requirements are needed and/or to meet individual patient preferences these are identified on admission by nursing staff and reported to catering staff on bed plans, ensuring clear communication so that every patients needs are known and met.

Cwm Taf would like to challenge the assertion made in the petition that:

'currently patients on some wards are being fed all the same food, regardless of their conditions, weight and dietary needs . . .'

Throughout our Health Board there is ward based catering with caterers being core members of the ward clinical teams. Every patient has a bedside menu from which to choose at each meal time. The ward based caterers are able to offer a variety of portion sizes and to advise and discuss the patient's choice of meal with their extensive knowledge of ingredients. The menu is large and varied and available throughout the day so that families are also able to support their loved ones with their food choices. We do not offer food based on a patients weight, however all of our patients have a nutritional care plan which identifies those who may have individualised nutritional needs. Those at risk of malnutrition are identified on admission via nutritional screening. The intervention offered varies according to need, but may include additional snacks, energy dense meals, or milky drinks but an increase in portion size is not often tolerated by those with a reduced appetite.

The petition calls for an investigation at every Health Board in Wales to ensure its food is fit for purpose. At Cwm Taf UHB we are continually monitoring food quality and patient satisfaction and therefore feel that with these robust systems that are in place and with our reporting mechanisms that there is no need for a one off investigation into food quality at this time.

Cwm Taf's results as part of the Wales Audit Office Hospital Catering and Patient Nutrition Review (October 2015) are available for the public and evidence Cwm Taf's ongoing commitment and achievement of the standards.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Allison Williams'. The signature is written in a cursive style with a large initial 'A'.

Mrs Allison Williams
Chief Executive/Prif Weithredydd



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Abertawe Bro Morgannwg
University Health Board

Our Ref: PR/JJ/cw

Date: 24th March 2016

ABMU Health Board
Headquarters
One Talbot Gateway, Seaway Parade,
Port Talbot
SA12 7BR

01639 683302
WHTN: 1787 3302

Private and Confidential

Mr William Powell AM
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Powell

Re: P-04-663 Food in Welsh Hospitals

In response to your petition letter dated 29th February 2016 regarding the standards of food in hospitals in Wales, our reply is outlined below.

Nutritionally vulnerable and chronically sick patients make up the vast number of inpatients within our hospital population. Studies have shown that approximately 40% of patients admitted to hospital were under nourished on admission and two thirds of all patients lose weight during their hospital stay.

Therefore in hospital we must provide meals to support people who are ill, malnourished or have long term chronic illnesses.

Within ABM we believe that nutrition is a key part of every patients care package. The Health Board's Caterers, Dietetic and Nursing staff are working together with the lead procurement dieticians through the All Wales Menu Framework to ensure all patient menus meet the Welsh Government Food and Fluid Standards for Hospital Inpatients 2011.

This includes meeting the nutritional needs of the diverse hospital population from children with cancer, adults with bowel cancer patients to elderly patients with stroke or dementia. Improving the quality of food and drink served to patients in our hospitals remains a key

• Chairman/Cadeirydd: **Professor Andrew Davies**

• Chief Executive/ Prif Weithredydd: **Mr Paul Roberts**

ABM Headquarters/ Pencadlys ABM, One Talbot Gateway, Seaway Parade, Baglan Energy Park, Port Talbot. SA12 7BR.

Telephone: 01639 683344 Ffon 01639 683344 FAX: 01639 687675 and 01639 687676

Bwrdd Iechyd ABM yw enw gweithredu Bwrdd Iechyd Lleol Prifysgol Abertawe Bro Morgannwg

ABM University Health Board is the operational name of Abertawe Bro Morgannwg University Local Health Board

www.abm.wales.nhs.uk

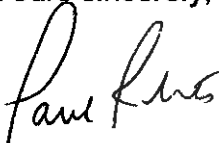
priority to the Health Board and Welsh Government as it is a major contributor to patients' wellbeing and improves recovery times.

With regard to identifying patients who have had bowel surgery, all patients should be asked about their dietary preference on admission, or at pre-assessment, this is included as part of the Nursing assessment documented by the ward nurses who should also consider a nutrition risk assessment undertaken to identify any patients risk of malnutrition to ensure appropriate care is provided. In relation to particular requirements, the requirements would be highlighted if appropriate to dieticians and the Catering Department. Implications of their particular surgery and then these requirements can be accommodated through the catering service.

In addition there are a large number of patients who are on therapeutic diets who have significant restrictions as a result of their medical conditions so it is our aim to offer a balanced diet where patients can choose from a variety of dishes to suit their personal preferences and needs.

In summary within ABMU Health Board general menus and therapeutic options are available and we would hope that liaison between the patient, nurse, caterer and dietician would provide the appropriate menu to meet the health needs of our patients.

#Yours sincerely,



PAUL ROBERTS
CHIEF EXECUTIVE



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
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University Health Board

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Private & Confidential

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Cadeirydd / Chair
National Assembly for Wales
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Ein cyf / Our ref: GD/ RD/ 053/ 027

Eich cyf / Your ref:

☎: 01745 448788 ext 6364

Gofynnwch am / Ask for: Renne Gower

E-bost / Email: Renne.Gower@wales.nhs.uk

Dyddiad / Date: 29th March 2016

Dear Mr Powell,

RE: Petition P-04—663 Food in Welsh Hospitals

Thank you for your letter dated the 29th February 2016 in regard to The National Assembly for Wales's Petitions Committee discussions around Food in Welsh Hospitals.

The Health Board Catering Department works very closely with the Dietetic Practitioners to ensure that patients receive the correct dietary requirements in support of their clinical dietary needs. The food and nutritional requirement of all patients is closely monitored by Nursing and Dietician Practitioners at local Ward level to ensure that the correct food and nutrition is available.

Hospital patient food is provided using the Welsh Governments, All Wales Menu Framework which specifies agreed recipes sets and is implemented across all hospitals sites within the Health Board. These menus have been produced to take into account the nutritional needs of patients and provide a varied selection of hot and cold menu choices. All Wales food contracts have been established to ensure that the quality of food being purchased meets these standards.

All patients are offered the standard Health Board menu for both lunch and supper, these menus work on a one week cycle. On the standard menu there is a section where patients, or a member of ward staff on their behalf, can state if they have any special dietary requirements or requests. A textured diet menu is available for dysphasia patients and a separate gluten free menu is also available.

The standard lunch menu provides patients with a choice of fruit juice as a starter, a choice of two hot main meal options which are accompanied by a choice of potatoes or rice and vegetables. A cold salad option with accompaniments is available daily and a choice of sandwiches. The lunchtime menu includes a choice of either a hot or cold dessert or fruit.



Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

The standard supper menu provides patients with a choice of soup and bread roll and fruit juice for starter. The main meal includes a choice of two hot options. As per the lunch menu a salad option with accompaniments or a choice of sandwiches are available. For dessert there is a choice of either a hot or cold or fruit option. In addition to this there is mid-afternoon snack of mini packs of biscuit and an evening snack of a pre packed slice of cake.

Should a patient have a specialist requirements which is not included within the overall menu option then the local Catering Department will endeavour to provide them with an alternative menu choice. These arrangements are determined through the local Nursing and Dietician Practitioner leads on site.

We are helpfully supported by North Wales Community Health Council (CHC) who undertake "Food Watch" inspections in which they observe on a range of standards i.e. heat and quality of food, food handling, hand hygiene practices and protected meal time compliance.

We recognise the importance of nutrition and hydration and for 2016/17 this issue will be one of our Quality and Safety priorities.

The Health Board continues to strive for improvements in regard to hospital food through a variety of formal patient feedback processes and by working closely with Nursing Leads and Dietician Practitioners.

I hope my response on behalf of the Health Board details the arrangements in place to ensure that patients receive the best possible experience in regard to hospital food based on their own individual needs and circumstances.

Should you require any further details or information then please do not hesitate to contact me

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Gary Doherty', with a long, sweeping tail.

Gary Doherty
Prif Weithredwr
Chief Executive



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

Ysbyty Athrofaol Cymru
University Hospital of Wales
UHB Headquarters
Heath Park
Cardiff, CF14 4XW

Parc Y Mynydd Bychan
Caerdydd, CF14 4XW

Ein cyf/Your ref: P-04-663
Ein cyf/Our ref: AC-ns-04-5464
Welsh Health Telephone Network:
Direct Line/Llinell uniongychol: 02920 745681

**Professor Adam Cairns
Chief Executive**

18 April 2016

William Powell AM
Chair
Petition's Committee
National Assembly
Cardiff Bay
Cardiff
CF99 1NQ

Dear Mr Powell

Response to Petition P-04-663 Food in Welsh Hospitals

Cardiff and Vale University Health Board take Nutrition and Hydration very seriously as part of a patient's care pathway and aims to ensure that every patient's nutritional needs are met whilst they are in hospital. Patients are admitted to hospital due to significant ill health and it is accepted that ill health has an impact on appetite and the normal functions of the digestive system. It can be extremely challenging to provide food to the diverse hospital population which includes patients of all ages with a range of medical conditions, religious and cultural backgrounds, allergies or intolerances as they often require diets and food that are individualised, based on their tolerance levels. The quality of the food, coupled with its efficient delivery, is paramount if the food is to benefit patients holistically and all aspects of the service can impact on the delivery of this.

Patients admitted to any of our hospitals in the Health Board will have their dietary needs assessed on admission and this information is then communicated via a Nutrition & Hydration Bed-plan, which is currently being rolled out across the Health Board so that all staff are aware of patient's individual dietary and hydration needs. This includes registering likes and dislikes.

Ongoing nutrition training is provided for ward based catering staff involved in the patient meal service and an accredited training program is currently being developed for Nutrition Nurse Champions across our organisation.

Nationally the All Wales Menu Framework group is also ensuring that all staff involved in the food chain have access to training so they can:

- promote and market the benefits of the AWMF and standards across Wales
- provide a patient-centred food service to promote good nutritional care
- encourage appropriate patient choices from those at risk of malnutrition to those nutritionally well



- manage therapeutic diets
- maximise enjoyment of meals and minimise waste
- promote healthy options where appropriate

The NHS in Wales procures and provides food across its Health Boards for patients, visitors and staff. There have been a number of developments nationally to ensure high quality provision that meets the range of different requirements of these population groups and more joint working across food procurement and provision for patients:

- Mandatory nutrition and catering standards for food and fluid for hospital inpatients (Welsh Government, 2011)
- All Wales Menu Framework and development of standardised recipes to meet the nutrition standards (2012)
- National Lead Dietitian role for NHS Food Procurement - development of nutrition specifications for food contracts.

The Health Board procurement staff, Dietitians and catering managers are working together to implement Welsh government Food and Fluid standards through the implementation of the All Wales Menu Framework which includes tried and tested, nutritionally analysed, standardised recipes. Work is ongoing to further improve the range of recipes that Health Boards may include on their menus. The All Wales Menu Framework has achieved to date:

- Standardised nutritionally analysed menu items with recipes developed by hospital cooks and chefs from across Wales
- They use ingredients and foods that meet nutrient specifications and are bought on an all Wales contract
- A dedicated web based database accessible to all Health Boards including recipes and full nutritional analysis
- A range of compliant snacks procured through All Wales contracts
- Development of nutrient specifications for All Wales contracts produced by Lead Dietitian Procurement
- Therapeutic menu coding developed to ensure appropriate use of dishes for all patients

This has resulted in:

- Improved adherence to All Wales contracts, use of the standardised recipes from AWMF by Health Boards, awareness raising of staff, patients and visitors through Nutrition and Hydration week campaign every year and local public relations events
- Significant benefit in terms of reducing patient safety risk through access to the necessary nutritional and allergen information to enable safe provision of foods to patients.

In order to monitor both compliance with the standards and the patient /customer experience with catering and food services the AWMF group report into Welsh Government on achievements and health boards are monitored through Health and Care Standards 2.5. A national approach to collating patient experience has been instigated with the second one just completed.

Currently a one week menu is offered to patients within Cardiff and Vale hospitals which provide three main meal and dessert choices at both lunchtime and evening meals. In some circumstances where some patients have more complex needs

these patients will require meals/foods over and above the standard menu which is facilitated on an individual basis by the catering and dietetic staff. We acknowledge that on some occasions that the service may fall short of the standard we expect. However, we proactively tackle issues that are highlighted to improve the service we offer to patients. Menus are available on wards for patients to view.

The menu planning process is undertaken by a group of staff consisting of catering managers and a range of operational staff including dietitians. We constantly strive to improve our menu choices and periodically carry out patient surveys of the food provision. We have recently surveyed 760 patients as part of the all Wales Patient mealtime Survey and together with feedback from in house surveys and questionnaires we have, used the feedback to make the necessary improvements to our menus and service.

Cardiff and Vale survey results showed that:

- 91%(n760) patients scored their overall satisfaction with food and drink between 5-10 score(1 being dissatisfied and 10 extremely satisfied)
- 79-81% patients felt the number of choices they were offered was about right for the various mealtimes
- 60% patients rated the appearance and presentation of their meals to be good to very good
- 52% patients felt that their meals were tasty and flavoursome
- 59% patients rated the overall quality of their meals as being good or very good
- 75%-86% patients felt the mealtimes were about right (breakfast, lunch and supper).

A new two week menu with an additional a la carte menu is in development which will assist in meeting the needs of patients on allergen free, food intolerance and patients who wish to choose vegetarian or vegan meals. This will address some of the issues highlighted to enable more variety and choice for patients. The hospital did provide dietetic consultation to explore food provision options for Miss F and in this case, it is clear from Miss F's media articles we failed to cater to her needs.

Yours sincerely



Professor Adam Cairns
Chief Executive



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Hywel Dda
University Health Board

Ein cyf/Our ref: CEO.131a.0316
Gofynnwch am/Please ask for: Nicola Gillies, PA to Chief Executive
Rhif Ffôn /Telephone: 01267 239581
Ffacs/Facsimile: 01267 239579
E-bost/E-mail: nicola.gillies@wales.nhs.uk
Dyddiad/Date: 14 March 2016

Swyddfeydd Corfforaethol, Adeilad Ystwyth
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building
Hafan Derwen, St Davids Park, Job's Well Road,
Carmarthen, Carmarthenshire, SA31 3BB

William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Powell

Petition P-04-663 Food in Welsh Hospitals

Thank you for your letter dated 29 February 2016 in respect to the above. The following are the comments on behalf of Hywel Dda University Health Board and were formed from our Nutrition & Dietetics department, Nursing colleagues and the Catering team.

Firstly I think it is important to say that we were surprised to see this petition and the views expressed differ from our own and in fact what our patients generally tell us.

As a Health Board we have worked tirelessly to improve the catering and nutrition experience for our patients and in fact have seen improvements as a result of the work being driven collaboratively across the Welsh NHS catering with the All Wales Menu Framework. Welsh menus use standardised recipes with appropriate nutritional content that meet the Welsh Government catering and nutrition standards. The results of the All Wales catering survey suggest that we are getting food provision right for the majority of our patients, certainly in Hywel Dda Health Board.

Swyddfeydd Corfforaethol, Adeilad Ystwyth,
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job,
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building,
Hafan Derwen, St Davids Park, Job's Well Road,
Carmarthen, Carmarthenshire, SA31 3BB

Cadeirydd / Chair
Mrs Bernardine Rees OBE

Prif Weithredwr/Chief Executive
Mr Steve Moore

Pack Page 163

Bwrdd Iechyd Prifysgol Hywel Dda yw enw gweithredol Bwrdd Iechyd Lleol Prifysgol Hywel Dda
Hywel Dda University Health Board is the operational name of Hywel Dda University Local Health Board

Mae Bwrdd Iechyd Prifysgol Hywel Dda yn amgylchedd di-fwa Hywel Dda University Health Board operates a smoke free environment

For your information the evidence from our latest patient survey in 2015, which captured the views of 235 patients is:

- Generally there was good overall satisfaction with the food and drink provided.
- Up to 86% of patients reported that they had been given a choice of food at all 3 meals.
- 86% of patients felt the number of choices were about right and
- 89 – 93% of patients felt they were served at the right times.
- 68% of patients felt that the meals were good or very good based on presentation and appearance, flavour and taste
- 73% of patients reported that they hadn't been given the wrong food that they couldn't eat because of being on a special diet with a further 16% noting this was not applicable to them and 3% no response

Whilst there is still improvement to be made you can see that local views are generally positive about our food provision, and we continue to actively work on improvements.

The All Wales Menu Framework Group report into Welsh Government on achievements and health boards are monitored through health care standards . A national approach to collating patient experience (the All Wales Catering Survey) has been instigated with the second one just completed.

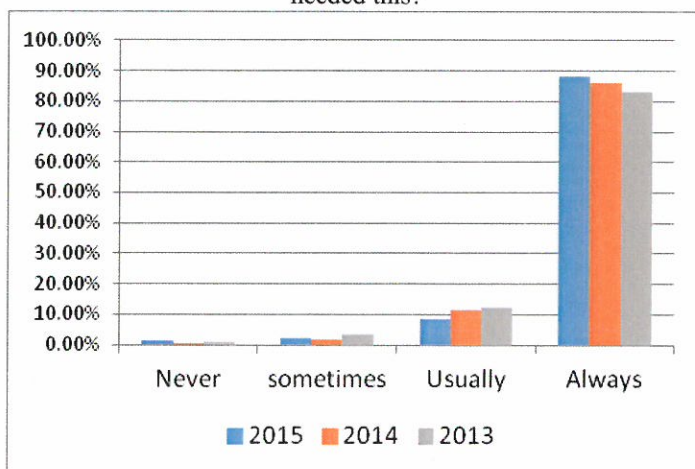
In addition the Welsh Audit office has reviewed Health Boards on their progress of the 2012 reports and our own has been approved and monitored via our Audit Risk and Assurance Committee.

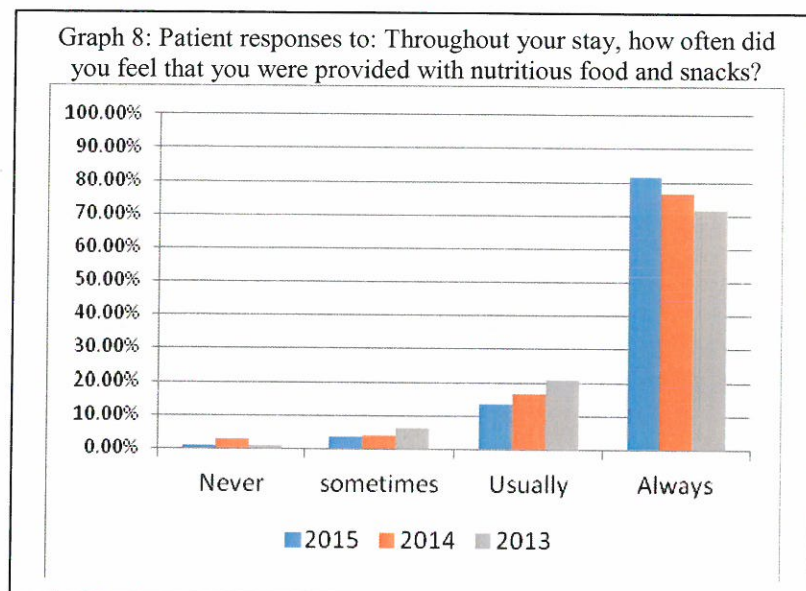
For the past 7 years we have been reporting on aspects of fundamentals of care to our boards in which nutrition and hydration is a key feature. The data below is our 2015 survey results:

Whole UHB/ Standard 2.5 Nutrition and Hydration		2015
ALL except Maternity, neonates, LD, theatres	Patients are assisted to a suitable position to eat	100%
ALL except Maternity, neonates, LD, theatres	Prior to meal service, are bed tables and communal areas cleared and tidied prior to eating?	99%
ALL except Maternity, neonates, LD, theatres	Are patients meals placed within easy reach?	100%
Inpatient, paed, MH & LD only	Is there evidence that the systems in place to enable staff to identify patients with special eating and drinking requirements are being implemented and their effectiveness evaluated?	97%

Inpatient, maternity MH, Day Units only	Are water jugs changed 3 times daily?	74%
ALL except Maternity, neonates, MH, theatres	Is fresh drinking water available for patients?	99%
ALL except neonates, MH, OPD, endoscopy, theatres	Are drinking water jugs and glasses within the patient's reach?	100%
Inpatient, ED, Maternity, MH & LD only	During a 24 hour period, are a minimum of 7 beverage rounds are carried out within your clinical area?	61%
Inpatient, ED, paed, MH & LD only	Does a Registered Nurse co-ordinate every meal time?	72%
Inpatient, ED, MH & LD only	Is there evidence that all members of the nursing team are engaged in the mealtime service?	98%
ALL except neonates, OPD, theatres	Is a range of snacks available for patients who have missed a meal or who are hungry between meals?	99%
Inpatient, ED, paed, MH & LD, endoscopy only	Is there a system in place to allow family/friends to assist with meal times?	98%
Maternity	Have all women had their Body Mass Index recorded at booking?	100%
Neonates	Is there evidence in the nursing documentation that the babies nutritional needs have been assessed within 24 hours of their admission?	100%
Neonates	Is there a system in place to allow parents to feed their babies at feeding times?	100%

Graph 7: Patient responses to: Throughout your stay, how often did you feel that you were given help with feeding and drinking if you needed this?





The petition does support the need for real focus on good nutrition as a core part of patient well being and it does reinforce the importance of the clinical link with catering with respect to considering nutrition as a treatment, which we also support.

The petition suggests that the standards of food in Welsh hospitals need to be addressed, we actively disagree with this; in Wales the catering and hospital nutrition standards are robust.

The NHS in Wales procures and provides food across its health boards for patients, visitors and staff. There have been a number of developments nationally to ensure high quality provision that meets the range of different requirements of these population groups and more joint working across food procurement and provision for patients:

1. Mandatory nutrition and catering standards for food and fluid for hospital inpatients (Welsh Government, 2011)
2. All Wales Menu Framework (AWMF) and development of standardised recipes to meet the nutrition standards (2012)
3. National Lead Dietitian role for NHS Food Procurement - development of nutrition specifications for food contracts.

The All Wales Menu Framework has achieved to date:

- Standardised nutritionally analysed menu items with recipes developed by hospital cooks and chefs from across Wales
- They use ingredients and foods that meet nutrient specifications and are bought on an all Wales contract
- A dedicated web based database accessible to all Health Boards including recipes and full nutritional analysis

- Development of nutrient specifications for All Wales contracts produced by Lead Dietitian Procurement
- Therapeutic menu coding developed to ensure appropriate use of dishes for all patients

This has resulted in a range of benefits for patient catering including reducing patient safety risk through access to the necessary nutritional and allergen information to enable safe provision of foods to patients.

With respect to catering for patients with special dietary needs, in Hywel Dda we cater for all dietary needs; our current focus is on standardising special diet menus across the Health Board to ensure all patients on the various special diets have a good and consistent level of choice, in line with the standards, and that we do have robust systems in place for meeting these specific diet needs. The catering team have information to support them with catering for patients needing special diets and this will also be under review as we standardise our approach. To enable this to work effectively we rely on good communication between nursing and catering with dietetics in a supportive role when dietary needs are more complex. Despite the ongoing development and review work there is not evidence to indicate that we are not catering appropriately for special diets in Hywel Dda Health Board, our aim is to continue to improve it though.

As a Health Board we are clear about areas requiring ongoing improvement, for example, we are currently undertaking further work on how patients are supported to make the appropriate food choices from menus at ward level with the aim of adopting a consistent process across the Health Board. We recognise that many factors including significant ward pressures impact on the priority given to supporting patient with menus and appropriate food choice. In Hywel Dda we believe that we are generally getting things right with patient meals but also are aware that we do not yet have wide snack availability so have more to do on optimising patient nutrition and to meet this aspect of the standards.

In essence we continually seek to improve our provision of food and drinks in inpatient settings and feel as passionate as the petition authors in the need for good varied hospital dietary regimes and if this petition provides more focus in this important area we would be happy to engage, but want the Petitions committee to know how much work has been undertaken over the past few years.

Yours sincerely



Steve Moore
Chief Executive

Vivienne Harpwood, Cadeirydd / Chair
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Carol Shillabeer, Y Prif Weithredwr /
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GIG
CYMRU
NHS
WALES

Bwrdd Iechyd
Addysgu Powys
Powys Teaching
Health Board

CS/RJ/AE

9 March 2016

Mr William Powell AC/AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear

Chair,

P-04-663 Food In Welsh Hospitals

Thank you for sharing "Petition P-04- Food in Welsh Hospitals" for which I am happy to provide some assurance of our high standard of nutrition, hydration and catering in Powys Teaching Health Board.

We have strong recognition of the importance of meeting individual patients needs with regards to nutrition and hydration as part of the patient care package and aiding a speedy recovery. This can be attributed not only to the flexible catering delivery system and our commitment to meeting our patients specific needs but also our adoption of protected mealtimes and the patient centred approach we are able to provide in our community hospitals.

Our standards of nutrition, hydration and catering are closely monitored by our Nutrition, Hydration and Catering Steering Group. The steering group is led by the Head of Facilities and supported by a senior multi-disciplinary team consisting of dietetic, speech and language and nursing professionals. The steering group's structure and progress made to date has received positive feedback in the latest Wales Audit Office report and aids in ensuring that Nutrition and Hydration standards and Catering provision remains high within Powys.

Both Corfforedig (De)
Neuadd Brycheiniog, Ffordd Cambrian,
Aberhonddu, Powys LD3 7HR
Ffôn: 01874 711661



Corporate Hub (South)
Neuadd Brycheiniog, Cambrian Way,
Brecon, Powys LD3 7HR
Tel: 01874 711661

Rydym yn croesawu gohebiaeth Gymraeg
Bwrdd Iechyd Addysgu Powys yw enw gweithred Bwrdd Iechyd
Lleol Addysgu Powys



We welcome correspondence in Welsh
Powys Teaching Health Board is the operational name of
Powys Teaching Local Health Board

- all staff (other than those undertaking essential clinical work, participate in the meal time experience and are available to support patients as required

I hope that this provides assurance of our nutrition, hydration and catering service. If you have any further queries or indeed would like to visit one of our sites please feel free to contact me and I will be happy to arrange.

Yours Sincerely

A handwritten signature in black ink, appearing to read "Carol Shillabeer". The signature is written in a cursive, flowing style with a small dash at the end.

Carol Shillabeer
Chief Executive Officer

Agenda Item 4.10

P-04-668 – Support Yearly Screening for Ovarian Cancer (CA125 blood test)

This petition was submitted by Margaret Hutcherson, having collected 104 signatures.

Text of the Petition

We, the undersigned, call upon the Welsh Government to support yearly screening for ovarian cancer (CA125 Blood Test)

Assembly Constituency and Region

- Vale of Glamorgan
- South Wales Central

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-668
Ein cyf/Our ref MD/00719/16

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

20 March 2016

Dear William,

Thank you for your letter dated 2 March regarding petition P-04-668.

My earlier response – MD/3536/15 – confirmed the UK National Screening Committee (UK NSC) provides independent advice to me and the other UK health ministers about population screening.

The UK NSC is recognised as a world leader in its field and provides an advisory function that informs the advice of the Wales Screening Committee. I attach a link to the UK NSC website, which contains further information about the committee, including its membership: <https://www.gov.uk/government/groups/uk-national-screening-committee-uk-nsc>

The UK NSC requires the highest-quality evidence about population benefits before a new programme can be recommended. This is vitally important to ensure screening programmes do more good than harm and to ensure NHS funding and staff resources are used in the most effective way possible.

Ovarian cancer is a distressing disease; research has helped to make welcome advances in diagnosis and treatment. Early diagnosis of ovarian cancer is both desirable and needed, however, the evidence recently published from the large UKCTOCS trial indicates that the data to date are not sufficient to recommend a national population screening programme in women with no symptoms or relevant family history.

The UK NSC is currently reviewing its recommendation about ovarian cancer screening and is still considering the latest research. The recommendation remains for no population screening at this stage, although as with all emerging research evidence the UK NSC will continue to monitor all emerging evidence.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Mark.Drakeford @wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

It is important women with symptoms which may indicate ovarian cancer are managed promptly and effectively. I have asked Velindre NHS Trust to develop an awareness campaign for ovarian cancer. This was launched on 9 March to coincide with ovarian cancer month and includes the dissemination of symptom awareness leaflets and posters to all GP surgeries in Wales.

The campaign will support women to recognise symptoms and to seek help from their GP, as well as supporting GPs to consider the possibility of ovarian cancer and to undertake appropriate investigations. It will add to the wider work being done by the NHS to implement the new National Institute for Health and Care Excellence suspected cancer referral guidelines and the inclusion of cancer as a national priority area in the GP contract to review cases of lung, gastrointestinal and ovarian cancer to identify opportunities to improve practice.

More widely, the Cancer Implementation Group has prioritised better access to diagnostics; the development of primary care oncology; improving patient experience and innovation of cancer pathways in Wales. The group is investing £1m a year to support these national priorities.

Best wishes,

A handwritten signature in black ink that reads "Mark".

Mark Drakeford AC / AM

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

1/
7 July 2016

Dear Chairman,

P-04-668 Support Yearly Screening for Ovarian Cancer (CA125 blood test)

Once again thank you for the opportunity to send in my views on the contents of the letter you received from Mark Drakeford dated 20 March 2016.

Ovarian cancer is certainly a distressing disease but I fail to see how the "research has helped to make welcome advances in diagnosis and treatment." There's no screening to effect an early diagnosis and according to a friend, who was a chemotherapy nurse in Velindre, more than fifteen years ago, the treatment has not changed in all that time. She should know because a couple of years ago she was diagnosed with stage 3 ovarian cancer and she has been receiving the same treatment as she was giving to her patients at that time.

Mark Drakeford also mentioned that "Early diagnosis of ovarian cancer is both desirable and needed" but "the evidence recently published from the large UKC TOCS trial indicates that the data to date are not sufficient to recommend a national population screening programme in women with no symptoms or relevant family history". Surely he is aware that ovarian cancer is a silent killer and that when the symptoms become obvious it is usually diagnosed at a late stage. It is certainly true in the cases of the women I have met - several of whom have died in the past year. In other words if a woman still has her ovaries in situ after the age of 50 she is at risk.

He also mentions that the "UK NSC requires the highest quality evidence about population benefits before a new programme can be recommended" to "ensure screening programmes do more good than harm."

Question: What possible harm can a simple CA125 test do? It may not be a perfect test but surely it is better than nothing - which unfortunately is what we have at present.

Mark Drakeford stated that he had asked Velindre NHS Trust to develop an "awareness campaign for ovarian cancer" and that it was launched on 9 March to coincide with ovarian cancer month. It includes "the dissemination of symptoms awareness leaflets and posters to all G.P. surgeries in Wales".

Question: Is he aware that when, and if, women visit their G.P. surgeries that they do not always see leaflets and posters? so how will that help raise awareness?

Perhaps if a leaflet was sent to all women over 50 then the message might get through to them. Even that is questionable. Whereas if women were sent a letter inviting them for screening the message might be more effective.

I have spoken to female friends, over 50 years of age, to see if they know about ovarian cancer and an awareness campaign - they don't.

Question: How is this message getting through to the general public?

I am well aware that GPs may only see a few cases of ovarian cancer - possibly in their lifetime. Invariably most cases are diagnosed in A and E departments - as is well known. By that time it is usually too late to get an early diagnosis because the disease has spread to other organs.

Wales does not have a Cancer Drug Fund so some people have resorted to going over the border to England for treatment. Annie Hulshand, who died recently of ovarian cancer did just that. She stayed at her daughter's address in London and was treated at the Royal Marsden where she received Avastin (denied to Welsh women) and was able to be included in trials of drugs that never came to Wales. She did a lot to champion the cause for women to have the opportunity to have better medication and treatment. It has been said that we in Wales have the poorest outcomes for both cancer and heart disease in Europe.

Question: Why is that?

Since Devolution we have our fifth Health Minister and apart from two, one who was a social worker and the other who was a probation officer, the other three do not seem to have had any experience of health or social care.

Mark Drakeford mentions "the Cancer Implementation Group has prioritised better access to diagnostics."

Question: What does he mean by that? Obviously not screening.

He says "The UK NSC is currently reviewing its recommendations about ovarian cancer screening and is still considering the latest research"

Question: How long is this going to take? And what is the outcome likely to be?

He says "The recommendation remains for no population screening at this stage, although as with all emerging research evidence the UK NSC will continue to monitor all emerging evidence."

Question: Why is it that so much research points to the fact that early diagnosis can make a difference to outcomes but that findings are rarely implemented?

He states "The UK NSC is recognised as a world leader in its field and provides an advisory function that informs the advice of the Wales Screening Committee".

Question: Why can we not decide our own screening priorities?

YOUR MOTHER'S GOT TO DIE OF SOMETHING

A dear friend, another retired nurse, was diagnosed aged 69 in July 2015 with stage 3 advanced ovarian cancer. Her daughter, in her

late 40s went to her GP and asked if she could have a CA125 blood test, in view of her mother's diagnosis. The GP then stated that "Your mother has to die of something." She was denied the test and advised to pay privately to have it done. The GP did not make it easy for her to do by not giving her a letter of referral.

Her other daughter, in her early 40s went to her own GP but was given the test. The result was 55, the cut off being 35 - she was then given an ultrasound scan. What a difference in G.P attitudes!!

Private Health Care

Ash Tree Private Medical Centre offers a ROCA test (CA125) and says "It's clinical trial involved over 200,000 women from across the UK, 16,500 of whom were from Wales, (the Cardiff area)" and the conclusion was the same as that from ovarian Cancer Action. It appears to have been the same trial. I had never heard of it which suggests to me that the awareness message is not getting across to all Welsh women.

They offer the CA125 blood test for £200 (the NHS one costs between £20 - £25 I believe). The BRCA1 test is offered at £600 (the cost to the NHS is £300 I believe). Consultation is by telephone. It does give women a choice, if they can afford it - but I came across the article, in a magazine, by chance. It raises the question of how many women can afford private health care?

Women are dying due to the consequences of the decisions made by our politicians and their advisors and it all comes down to money. Perhaps if money was better spent in the NHS the cost of screening would not be such a problem.

"Gynaecological cancers are among the most common cancers to affect women, but collectively attract less attention than they deserve from the public and policymakers" and it needs "a more positive message developed to improve the prevention, screening, treatment and care so that women throughout Europe have the best chance of survival and quality of life".

Gynaecological cancers in Europe / Facts and figures 2015.

Yours sincerely

Margaret Hitcherson

Agenda Item 4.11

P-04-446 : Business Rate Relief for Welsh Charity Shops

Petition wording:

Charity shops make a vital contribution to raising income for a huge range of good causes in Wales. 100 per cent of their profits go to charity, raising over £12 million every year in Wales.

Proposals which reduce business rate relief for charity shops in Wales will reduce this income, and will cause charity shops to close, leaving more empty shops on Welsh high streets and threatening 700 full time jobs and 9,000 volunteering opportunities offered by charity shops in Wales. It will significantly reduce the services that charities are able to provide in Welsh communities.

We call upon the National Assembly for Wales to urge the Welsh Government to reject proposals which will restrict the vital business rate relief for Welsh charity shops.

Petition raised by: Charity Retail Association

Date petition first considered by Committee: 15 January 2013

Number of signatures: +22,600



Eich cyf/Your ref P-04-466
Ein cyf/Our ref EH/00866/16

William Powell AM
Chair - Petitions Committee

committeebusiness@Wales.gsi.gov.uk

08 March 2016

Dear William

I am writing to update you on the work that has taken place regarding business rates and charity shops following the 2013 petition on Business Rates Relief for Charity Shops in Wales.

Following the Business Rates Task and Finish Group Report into Business Rates Reliefs for Charities and Social Enterprises, I wrote to the UK Government and Devolved Administrations on this issue. Although there was some recognition of the issues raised in the Panel's report, agreement on joint action in this sensitive area could not be reached. Throughout this work I have also received many representations from charities across Wales, and from Members, expressing concerns about changes that would seek to reduce the amount of business rate relief available to charities and the wider impact that such a move could have.

I informed Members that I would seek to develop a picture of current practice across Wales regarding the monitoring of new goods in charity shops. Last year, I wrote to Local Authority leaders on this subject and it is clear from the responses we received that in some areas regular inspections are taking place to monitor this. Going forward, there could be value in exploring whether this practice can be shared across authorities. I am also informed that the current guidance on Charitable Rates Relief is being updated, and that this will include revised information on the sale of new goods.

I have been aware of, and sensitive to, all viewpoints on this matter. The work undertaken has been significant in drawing attention to the importance of keeping business rates support for charities under review and I hope that this focus will continue.

Edwina Hart

Agenda Item 4.12

P-04-468 Road Safety Concerns A48 Chepstow

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to reduce the speed limit on the A48 Bridge at Chepstow from 50mph to 30mph.

Petition raised by: Chepstow Town Council

Date petition first considered by Committee: 19 March 2013

Number of signatures : An associated petition collected 1,000 signatures

Edwina Hart MBE CStJ AC / AM
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth
Minister for Economy, Science and Transport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-468
Ein cyf/Our ref EH/01022/16

William Powell AM
Chair
Petitions Committee

committeebusiness@Wales.gsi.gov.uk

14 March 2016

Dear William

Thank you for your letter of 29 February regarding Petition P-04-468 relating to the A48 Wye Bridge in Chepstow.

I have corresponded at length with the Town Council and my officials have met with them on site to discuss their concerns.

As I have set out previously, I am satisfied that the advice from my officials is accurate and that the current speed limit should remain. A safety audit of the new pedestrian barriers recommended a risk assessment relating to a gap for cyclists to access the steps at Tutshill, which we will be undertaking shortly.

My officials will continue to monitor the safety of the bridge.

Edwina Hart

Bae Caerdydd • Cardiff Bay
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Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.edwina.Hart@Wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in response.

P-04-539 Save Cardiff Coal Exchange

Petition wording:

This petition seeks a commitment from the Welsh Government to set up a public enquiry into the events surrounding the Coal Exchange and to support public opinion which seeks to protect and conserve the building.

The Coal Exchange is one of Cardiff's most important buildings and one of the finest buildings in Wales. It's where the world's first million pound deal was struck during the city's industrial heyday (equivalent to over £100m today). Yet far from cherishing this building, Cardiff council proposes to demolish the main body of the building, keeping only the facades.

If this happens, then the magnificent interior with its immense historical significance will be lost forever. This grade 2* listed building deserves better, and the views of the public need to be heard.

The Council have been claiming for the past year that it is on the point of collapse. No works have been done, yet there is no apparent evidence that the building is about to collapse. It is questioned if Cardiff Council were able to use section 78 powers under the building act to progress their plans, and this needs to be investigated openly.

So much of Cardiff Bay's social and built heritage has already been destroyed; it seems inconceivable that more can be cast aside with cynical abandon.

It's unclear why the council refuses to see the value of restoring the Coal Exchange to protect this iconic building for the use and enjoyment of future generations.

The issues are of the highest level of public interest, and it is considered essential that an open public consultation occurs to review matters.

Petition raised by: Jon Avent

Date Petition first considered by Committee: 11 March 2014

Number of signatures: 389 signatures. An associated petition hosted on another website collected 2680 signatures.

P-04-539 Save Cardiff Coal Exchange. Correspondence - Petitioner to the Clerking Team 24.04.2016

Dear Kayleigh

I wonder if you could provide an update on my petition. I am sure you can appreciate that over the past 2 years I have become slightly worn down by the process.

I have always been grateful for the support and interest shown by the Petitions committee, although I am yet to achieve the objective of the original petition, which was an open and transparent public enquiry.

Recent developments have given me new hope that, far from diminishing, the public desire to know what has been going on at Cardiff Council is actually growing. (see attached)

<http://www.bbc.co.uk/news/uk-wales-politics-36093246>

I would be grateful if the attached could be circulated to the petitions committee at the earliest opportunity, and perhaps now we can all see a public enquiry and proper scrutiny put to the activities of Cardiff Council.

I look forward to hearing from you.

Regards

Jon

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Cardiff Coal Exchange

20 April 2016

11.00 am

- [**Stephen Doughty \(Cardiff South and Penarth\)**](#)
[**\(Lab/Co-op\)**](#)

I beg to move,

That this House has considered the future of the Cardiff Coal Exchange.

It is a pleasure to serve under your chairmanship, Mr Howarth. I welcome the new Wales Office Minister to his post. We have both served on the Welsh Affairs Committee and I was pleased to hear that he would respond to this debate.

The subject of the recent ownership and the future of the Cardiff Coal Exchange is extremely complex. It cuts across devolved and reserved matters and the responsibilities of several UK Departments, including the Wales Office, and the Welsh Government. Let me make it clear at the outset that I do not expect the Minister to have all the answers today, but I hope he will listen carefully to my concerns. I am interested in his views on them and ask him to make representations to the Departments involved and the incoming Welsh Government, and to take a personal interest in the future of what is arguably one of the most important buildings of the Welsh national heritage and indeed our industrial heritage from the 19th and 20th centuries.

I do not want to detain the House too long on the remarkable history, architectural merits and the importance of the coal exchange to Cardiff and the Butetown community, as I want to focus on current matters, but I would be remiss not to remind the Chamber of some crucial issues.

Cardiff became the largest coal port in the world at the end of the 19th century and the coal exchange was constructed in the 1880s by Edwin Seward as a base from which to conduct trade negotiations regarding the coal mines of the south Wales valleys, with Cardiff being the key coal port in the world at the time. Following its opening, ship

owners, their agents and many others interested in the coal trade met daily on the floor of the remarkable trading hall, where agreements were made by word of mouth and telephone. It has been estimated that 10,000 people would pass in and out of the building each day. At one time, the price of the world's coal was determined in the Cardiff Coal Exchange in Butetown. It is famously claimed that the first £1 million business deal took place and the first £1 million cheque was signed at the coal exchange during a transaction in 1901.

With the decline of the coal industry and of the export of coal from Cardiff and the Bute docks during the 20th century, the coal exchange eventually closed in 1958 and coal exports from Cardiff dock came to an end in the 1960s.

- **Jonathan Edwards (Carmarthen East and Dinefwr) (PC)**

I congratulate the hon. Gentleman on securing this debate and on his extensive work on the issue. He mentioned the proud history of the building, which is iconic for Wales. Does he agree that the Labour council that currently runs Cardiff should consider all those matters?

- **Stephen Doughty**

I have some concerns about Cardiff Council's involvement, which are focused on the officers of the council, and I will make that clear.

The building became grade II* listed in 1975 and there were discussions about the use of the building, which is so important that it was considered as the future home of the proposed Welsh Assembly during the devolution referendum in the 1970s. It was also considered as the headquarters for S4C, the Welsh language television channel. Eventually, it was refurbished and reopened as a major venue hosting acts such as the Manic Street Preachers, Ocean Colour Scene and the Stereophonics. There has been support from across the music and entertainment spectrum and people who have enjoyed gigs and events there. I see my hon. Friend the Member for Cardiff West (Kevin Brennan) here and I know he has been there for many gigs, as has my hon. Member for Cardiff Central (Jo Stevens), as have I. There was even support recently from Sir Tom Jones, no less.

However, the coal exchange closed indefinitely in August 2013 as a result of claimed building safety issues and the imposition of prohibition orders by Cardiff Council, which were themselves a matter of controversy. There has been an issue about the council's regulatory functions potentially being used unsympathetically to frustrate access to the building over a number of years. We then saw the liquidation of Macob, the company that owned the exchange, and in 2014, ownership of the coal exchange was disclaimed by the liquidators and passed to the Crown Estate. That was an unusual legal situation and led to a great deal of uncertainty.

At that point, I became aware of a lot of local concern about the future of the building. My office is nearby in Mount Stuart Square in one of the other historic buildings of

Cardiff Bay. The coal exchange is a building I have long felt a great attachment and passion for. Many people in the community came forward and, with the opportunity presented by its being disclaimed to the Crown Estate, I decided to make a public call for all the parties interested in its future to come together for the benefit of the community and to save the building.

I was contacted by many hundreds of people: existing tenants, experts, former workers in the building and people from the diverse Butetown community and those associated with the building in the past, as well as an extensive number of interested developers. We held a first major public meeting in Butetown in October 2014, which was followed by a smaller working group coming together to form what was to become the Save The Coal Exchange Campaign at the end of the same month. It was clear there was a significant appetite for a collaborative effort involving all those who cared about the building to find a solution.

A number of formal claims persisted against the building from Cardiff Council, Julian Hodge bank, Barclays bank and Coal Exchange Ltd, the company that had previously hosted events at the venue and had effectively been forced out of it by the council-imposed prohibitions, but there was great optimism that a solution involving the local community, the council, the Welsh Government, Cadw, the Heritage Lottery Fund, the Victorian Society and others who had expressed an interest, as well as a private developer or investment of private funds, might result in a solution that would not only save this remarkable piece of heritage, but find a use or uses that could meet multiple needs, retain community access to it and generate revenue to secure its future. In the months following, there was much progress.

Over the past 18 months, the Save The Coal Exchange Campaign has secured parts of the habitable building, ensuring bills were paid for utilities, attracting a significant number of new tenants, ranging from lawyers to creatives and community organisations and, crucially, challenging the false perception that has repeatedly arisen that the entire building is derelict and at immediate risk of falling down. Parts of it are in a difficult state, but other parts are entirely functional and the public debate has at times been extremely misleading.

Surveys were undertaken and approaches made to prospective partners. The Save The Coal Exchange Campaign secured a grant of £10,000 from the Heritage Lottery Fund Wales with a view to a larger application. I commend the campaign for doing a remarkable job in keeping the building going and keeping open the options for its future. At the same time, the Welsh Government commissioned their own survey and studies, and a series of developers expressed interest in being involved.

On no fewer than seven occasions, I met Cardiff Council officials—

- **[Craig Williams \(Cardiff North\) \(Con\)](#)**

The hon. Gentleman alluded to the Welsh Government study, which was done by Capita, and the Cardiff Council study, which was done by RVW. The costs were estimated to be in the region of £35 million to £45 million. Does he accept that that is an enormous amount of money, that the issue is not new, that the Welsh Government

have sat on their hands when it comes to helping Cardiff Council out with this problem, and that a large amount of money could fall on taxpayers?

- **Stephen Doughty**

I have concerns about the liability for taxpayers, but the Welsh Government have engaged proactively and positively. I hope that the new Government will look carefully at these issues.

As I said, on no fewer than seven occasions, I met council officials and was provided with repeated assurances of partnership. I spoke to Julian Hodge bank and Barclays bank, which assured me they would act in the interests of all those with a stake and the local community, and not sign off any deal that they did not think met those concerns. I also spoke to the Crown Estate, the Heritage Lottery Fund and many others. However, sadly, our hopes and optimism for a collaborative and transparent process seem to have been misplaced and I am sorry to say that over the last six months we have seen some deeply untransparent manoeuvres by a small group of council officers to cut a backroom deal, first with a Liverpool company, Harcourt Developments, and then with another Liverpool company, Signature Living, and its owner Lawrence Kenwright.

Despite my misgivings, I have tried at all times to maintain an open mind to various developers and proposals that have come forward. Indeed, I was happy to put them in touch with relevant parties and the Save The Coal Exchange Campaign. That includes Signature Living. I met its representatives on a number of occasions, including Lawrence Kenwright on three occasions, to listen to their plans and to ask detailed questions, not least because one of the positive aspects of its proposal was, on the face of it, to maintain the core heritage fabric. However, as time went on and more matters came to my attention, I became increasingly concerned about its suitability as a developer and the nature of its assurances, which seemed to vary at every meeting. I raised those directly with Cardiff Council and many of the other parties but I was assured that they would be fully examined again and again.

So we come to the present day. The Minister will be aware that in the last two weeks there has been a sudden announcement that a deal has been facilitated by Cardiff Council to transfer ownership of the coal exchange to Signature Living, followed by a barrage of heavy corporate PR from Mr Kenwright and subsequent controversy in the media and local community, with nearly 800 local individuals now having signed a petition criticising the deal.

Let me be clear. I am not opposed to a private developer being involved in a solution to save the coal exchange. Indeed, since day one, I have been clear about the level of finance needed. I am also perfectly happy to put my personal concerns about Mr Kenwright to one side in the interests of any deal about the building and the local community. It is easy to provide a *fait accompli* in these situations—to present oneself as the only alternative, threaten dire consequences, respond to any criticism or reasonable questions as a “slur” and warn of the jobs that might be lost. But we owe it to the building and the local community in Butetown, Cardiff and, indeed, the rest of Wales to secure the right solution for the coal exchange.

I want to detail a few specific concerns that I hope the Minister will listen to carefully. First, on the process, previous dealings with Macob and other potential developers reveal a concerning record. Freedom of information requests have revealed a complex web of negotiations over a number of years, including that the council was contemplating a development that would have seen a significant proportion of the building demolished and the building of a multi-storey block of flats. That is hardly reassuring.

There has been no tender or public process in this instance. The council was fully aware of the concerns during the process, and I do not understand why it did not go forward in a fully transparent and open way to secure the right bid. In fact, one developer came to see me to tell me of his concerns—that bid was supported by officials at the Department for Business, Innovation and Skills, at UK level—and told me that in effect he had been scared away by the council: it was not interested and he should go away.

In recent days the council appears to have exercised its right of sale to seize and transfer the building to Signature Living. How it did that is unclear and has been questioned by independent legal practitioners. That largely centres on a claim that the council has made, but never fully substantiated, of “costs” that it incurred and then attempted to formalise by pinning a notice to the building some months ago. It appears to have done a deal with other claimants to relinquish their charges.

Lawrence Kenwright has claimed in the press this week that he beat dozens of competitors. On 8 April I had an email from the council’s director of economic development, Neil Hanratty, that made the point that the

“condition of the building has been widely publicised”.

He went on to confirm that rather than dozens, only

“four parties were interviewed by a panel of officers including the Listed Building... Officer and a representative of Julian Hodge Bank.”

I find it very odd, given the UK and international interest in the building, let alone that in Wales, that the council appears to have engaged in negotiations in the past 18 months with only two companies, both of which happen to be from Liverpool. It is a shame that the council did not get together with other key stakeholders to put together a public bid process, working with all those other people who could have played a part in finding the best solution.

I also have concerns that this matter has not received the proper democratic scrutiny. It does not appear to have gone to the cabinet or the leader of the council, or, to my knowledge, to the council’s economic development committee.

I want to turn now to Mr Kenwright’s financial background. I am afraid that Mr Kenwright has been less than transparent about his financial history, and I think it is in the public interest to raise these matters so that others can draw their own conclusions. Mr Kenwright did not proactively disclose these to Cardiff Council or to anybody else who met him. Indeed, the council claimed that it was unaware of them

when I raised them with it. He has blamed his past difficulties on the credit crunch and said that they have made him “a better businessman”. He has attempted to downplay them in the Welsh press this week. He told WalesOnline:

“I had an apartment block in Liverpool which went over budget. I was one of the first ones to go bust. The only difference between liquidation and bankruptcy is giving the personal guarantee.”

However, Mr Kenwright confirmed to me personally in a meeting in the House on 9 March that he was made bankrupt as recently as 2010, in Liverpool Crown court on 22 June in that year. The credit crunch of course started in 2008. And, crucially, he was a director, as reported in the north Wales Daily Post on 28 April 2004, of a clothing company called Yes & Co. Distribution Ltd, which in 2002 went into liquidation, with an estimated £1.9 million owing to creditors. The newspaper reported at the time that a Patricia Kenwright—believed to be his former wife—was disqualified from being a director for four years and that her husband Lawrence Kenwright accepted a similar undertaking for eight years, and a Frederick Greenwood for five years. That of course suggests that Mr Kenwright could have been disqualified until as recently as 2012, although admittedly that is not clear.

It is not clear why the directors were disqualified, but the newspaper reported that Mrs Kenwright

“allowed the company to fail to deal properly with its taxation affairs.”

For the record, the Insolvency Service lists a range of reasons for being disqualified. Of course, there could have been another Lawrence Kenwright, so I wanted to ask him directly, and he confirmed that he was a former director of Yes & Co. and that he had indeed been disqualified. It is interesting to note that until recently he was not even listed as a director of the company that he set up to facilitate the purchase of the coal exchange. As of yesterday, Signature Living Coal Exchange Ltd listed only one director, his current wife Katie Kenwright, although Mr Kenwright is listed as a director of Signature Living Coal Exchange Ops Ltd.

I want to turn briefly to the financial model—

- **Craig Williams**

Will the hon. Gentleman give way?

- **Stephen Doughty**

If I may, I will not. We have limited time and I have already taken one intervention, but I might take another later if we have enough time.

The financial model that Mr Kenwright proposes to use for the building is the BPRA—business premises renovation allowance—scheme. That was introduced in the Finance Act 2005 and was intended to bring derelict or unused properties back into use. The scheme gives an initial allowance of 100% for expenditure on

converting or renovating unused business premises in a disadvantaged area. However, the Chancellor of the Exchequer has announced the end of the scheme from the end of this financial year, after a raft of concerns, and investigations by Her Majesty's Revenue and Customs.

The council has claimed to me that Signature Living has told it that it has secured an "approved £12 million" and up to a further £30 million. However, Lawrence Kenwright told me that only one of his previous schemes had received full approval from HMRC. I am deeply concerned. Given the investigations into these schemes in the past and the risk of their not being approved, where does the liability lie? We also ought to ask, given the current climate and concerns about tax avoidance and transparency: is this the right scheme to be funding this sort of building? Should we be assisting wealthy individuals and shadowy funds to avoid tax in this way? The Treasury has decided that it will end the scheme, which I think shows what it thinks of it.

The Financial Times reported on 14 July 2015:

"HM Revenue & Customs indicated it saw problems with arrangements involving BPRA, drawing parallels with abusive avoidance schemes, and a year later added them to its public 'Spotlights' list of arrangements it said taxpayers should avoid."

A range of concerns were raised. The FT continues:

"Where tax relief was not granted to taxpayers before 2013, the Revenue has in most cases withheld it, said Mr Avient"—

he comes from UHY Hacker Young—

"The Revenue clearly saw a situation where certain structures were stretching the rules too far'...it has issued a raft of accelerated payment demands to repay disputed tax to BPRA scheme investors. These tax bills cannot be appealed."

Interestingly, on 21 April 2014 the Liverpool Echo revealed the problems with the Stanley Dock regeneration scheme, funded in the same way. Builders were left unpaid; the council was left having to provide a significant amount of grant—multi-million pounds—and there was a complete lack of transparency. That involved another Liverpool company called Harcourt, which incidentally, as I said, was the previous preferred partner of Cardiff Council. The Liverpool Echo reported that it was

"surprisingly difficult to pin down the developers and owners",

which I think exposes the difficulties and concerns about the transparency of these schemes and their solidity.

I also have concerns about what the building will be—what is the proposal on the table? We have heard about it being proposed as a hotel. It is clear that Signature Living is a hotel developer. I am not opposed to a hotel development and I am sure that many other people in the community are not, but it is still, as of this date, unclear what parts of the building will be used for what. At various times, in various

meetings, we have been told of residential, part-hotel and normal hotel usage. In fact, Mr Kenwright suggested to me that it might be a third, a third, a third—or, as he put it, “as much as the council let me get away with”.

We need to be very clear—we need to know—before accepting or agreeing that this scheme is a good thing what the building will be used for. Tenants and businesses in the area and residents in the square—it is already a significant residential area—need to understand what will be there. Will there be lots of big parties coming there? Mr Kenwright has a hen and stag business in his hotels in Liverpool. Will lots of people be living there and will there be parking issues and all the other things associated with that? None of those schemes is necessarily wrong, but the public have a right to know what the building will be.

I come now to community benefits and issues. First, the Save The Coal Exchange campaign has listed a whole series of issues that it would want to be included in a section 106 agreement. It would want to see those outlined and agreed to. We have had promises of jobs and apprenticeships, although Lawrence Kenwright told me that the company would “bring their own people in”. Where are the clear assurances on jobs and apprenticeships?

Secondly, there are existing tenants—nearly 40 tenants—in the building. What assurances have they been given? They are deeply fearful that the council may step in, given its history, issue prohibition notices and see them evicted once building work starts. Where are the assurances for them?

We also have concerns about engagement with the local community in the square. There has not been serious consultation with local residents or businesses. Signature Living has been advertising major changes to Baltic House, home of the Wales Council for Voluntary Action. Is it aware of those; has it been consulted?

I have had an exchange of letters with the council about this matter and have had some assurances, but the letter from Neil Hanratty on 8 April confirms only that

“commitment to the above will be secured formally through the planning process”

and merely that Signature Living has “agreed in principle”. We should be having cast-iron guarantees for a building of this nature, with this kind of expenditure and the potential impact. These are really serious issues and we want to ensure that there is that community benefit, quite apart from all the other issues about access to the building.

Finally, heritage was one of the most positive aspects of the Signature Living proposal but, even so, there are concerns. In March 2016, the Victorian Society wrote to City of Cardiff Council officer Pat Thompson, copying in Neil Hanratty, saying that it had heard nothing from the council for 20 months and that

“the lack of communication from Cardiff Council is both disappointing and concerning... we are concerned that without close scrutiny, and clear direction from the local authority, aided and informed by a proper assessment...an acceptably sympathetic scheme, might...prove difficult to achieve. In 2013 and 2014 the Society

was involved in consultations with Signature Living over its proposed hotel conversion, of Albion House, Liverpool, a Grade 2* Listed Building by Richard Norman Shaw.”

That building will, of course, be of interest to those of us in this Parliament. The letter continued:

“From our point of view the process was far from ideal. Plans were drawn up hurriedly and without any evidence of the sort of high quality, detailed heritage assessment a Grade 2* Listed Building demands. Perhaps unsurprisingly therefore, the conversion involved some alterations and additions that we as well as Historic England advised were unsympathetic and harmful. These were undertaken regardless, some seemingly prior to receiving the necessary consents... None of this is to suggest that Signature Living is incapable or indisposed to deliver a high quality sensitive scheme, rather it is to demonstrate that without proper guidance...in the form of a Conservation Management Plan and a structural survey, a less sympathetic and unnecessarily damaging conversion scheme is the likely outcome.”

I conclude by identifying a few key areas. First, the questions about the financial background are deeply concerning. What does the Minister think? I want Cardiff Council to be clear about its due diligence process in that regard, particularly on the sureties around the BPRA scheme, given the concerns that have been raised. What happens if that goes wrong? Who will bail this out? Who will deal with the financial consequences?

Secondly, on heritage and planning, there is a clear need for strict oversight from Cadw, the Victorian Society and others, for conservation management plans and for surveys, whatever developer comes in. Thirdly, we need guarantees in writing, not assurances that mean nothing, on the community issues and on access to the building. We need guarantees for the tenants of the building as it is, and we need an inquiry into the overall process over a number of years. The process has been deeply unsatisfactory and has involved the use of health and safety powers and the spending of public money in a deeply non-transparent way. We should put a halt to the proposal, re-engage with the community and other stakeholders and act in the national interest to save the coal exchange.

- **[Mr George Howarth \(in the Chair\)](#)**

I put it on the record that I had no foreknowledge of what the hon. Member for Cardiff South and Penarth was going to raise. I raised some issues about one of the developments he mentioned on behalf of some constituents many years ago, and I would not want it to be thought that I had any prior knowledge that he would mention it, otherwise it might not have been appropriate for me to take the Chair today.

11.22 am

- **[The Parliamentary Under-Secretary of State for Wales \(Guto Bebb\)](#)**

It is a pleasure to serve under your chairmanship, Mr Howarth. I congratulate the hon. Member for Cardiff South and Penarth (Stephen Doughty) on his speech and on securing this debate. It is important that Westminster is still relevant to the communities that we represent in Wales, and highlighting such issues in Westminster Hall debates is appropriate and correct. He said that he does not expect me to have all the answers, and indeed it would be inappropriate for me to respond to some of the points that have been raised because many of them are issues for the Welsh Government and for City of Cardiff Council, which as part of local government in Wales is answerable to the Welsh Government. I will have to restrain myself from commenting on devolved areas. It is important to place this debate in context and to respond to the undeveloped issues, and I will particularly respond to the questions on the tax allowance system. Additionally, it is important to touch on the Crown Estate's position in the sales process to try to allay some of the fears he raised.

On the background to the debate, I fully subscribe to the hon. Gentleman's comments on the coal exchange, which is an iconic Welsh building. We should be proud that Wales was able to dictate the price of coal throughout the world, and we should trumpet that the first £1 million business transaction—the sale of coal to France—happened at the coal exchange. We should talk about that when we discuss the history of Cardiff but, in the context of Cardiff bay, this debate is also an opportunity to highlight the way in which Wales has developed. We should proudly boast of the revitalisation of Cardiff bay and highlight the economic impact of the changes in Cardiff that have been secured through the work of successive Governments here in Westminster, in co-operation with Governments in Cardiff bay—it is an example of the two Governments working together and of the local authority being proactive in redeveloping an area that was ripe for redevelopment. This is a success story, and there is no doubt that the coal exchange is an iconic building at the centre of the proposed redevelopment of Cardiff bay.

When we talk about redevelopment and business opportunities in Cardiff, it is no bad thing to trumpet, for example, the Cardiff city deal. I represent a north Wales constituency, and I often hear the accusation that all the investment in Wales goes to Cardiff, but it is important to point out that the scale of the Cardiff city deal is not confined to the city of Cardiff; it will have a huge impact on all the areas surrounding Cardiff. Indeed, a significant proportion of the Welsh population will be affected by the Cardiff city deal, which has secured a £1.2 billion investment on a cross-governmental level. I am sure that every hon. Member in this Chamber would welcome that.

Cardiff is a city that is going places and performing extremely well in attracting inward investment. There is no doubt that the Cardiff bay area has been crucial to the refocusing of Cardiff in the mind of inward investors as a city with a “can do” attitude, which has made a difference to job creation throughout the area and south Wales.

- **[Craig Williams](#)**

There is a direct comparison between the scale of regeneration in Cardiff under the Cardiff Bay Development Corporation, which was formed under the previous Conservative Government, and the city deal in partnership with the Wales

Government. It is a national disgrace that we are debating the future of the coal exchange and that it has been left to fall down through the inaction of the Labour Welsh Government. The impression has been given that the officers run City of Cardiff Council, which has a Labour cabinet.

- **Kevin Brennan (Cardiff West) (Lab)**

Speech!

- **Mr George Howarth (in the Chair)**

Order. That is very lengthy for an intervention.

- **Guto Bebb**

Concerns have been raised by my hon. Friend the Member for Cardiff North (Craig Williams) and by the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) on the inactivity, or otherwise, of the Welsh Government. It is not for me to comment on that, but I am sure that the hon. Member for Cardiff South and Penarth will be making his views known in due course.

Two specific issues have been raised to which I can respond. First, I cannot respond to the sales process adopted by City of Cardiff Council, but it is only right and proper that I address the involvement of the Crown Estate, about which the hon. Gentleman expressed concern. It is clear that the whole process was subject to the escheat process, which means that the building was never owned by the Crown Estate. As such, the Crown Estate was neither consulted nor involved in the process by which the property's ownership is being transferred. That is not unique; it is a pattern that can be seen in many circumstances involving the Crown Estate. The actual decision-making process will be for City of Cardiff Council and the Welsh Government. Although the Crown Estate is technically involved, it is not odd that it was not consulted and did not provide any input in the process.

The hon. Gentleman mentioned the tax allowance scheme, and it is fair to say that the business premises renovation allowance is central to the redevelopment plan. He is right to highlight the fact that the scheme will be coming to an end at the end of this financial year at the end of March 2017. He is also correct that concerns have been raised about the way in which the scheme has been utilised in the past. Those concerns, which were raised, I think, back in 2011-12, have been addressed by Her Majesty's Revenue and Customs, and it was stated in summer Budget 2015 that the scheme would be coming to an end. That is still the case. It is important to highlight the fact that the BPRA is a capital allowance scheme, and my understanding is that under such schemes any claim for the allowance would have to be made retrospectively, after the expenditure is made. It is also important to highlight the fact that any claim for a capital allowance under such a scheme would have to refer to expenditure incurred during the 2016-17 financial year. Any expenditure incurred after that point would obviously be outside the scope of the allowance scheme, which is a fairly important point.

- [Stephen Doughty](#) rose—
- [Guto Bebb](#)

I apologise, but I am afraid that I have only one minute.

The hon. Gentleman's concerns have been heard, if nothing else. By raising this issue in Westminster, he has ensured that the concerns of tenants, the local community and elected representatives have been heard. The concerns raised in relation to the tenants of the coal exchange are valid and should be addressed, and everyone would agree that the redevelopment of such an iconic business should be open and transparent and should have the support of the local community. However, on the issues relating to the involvement of the Westminster Government, I restate that the Crown Estate process has been par for the course. In the same way, the concerns raised about the tax allowance scheme are valid if this redevelopment does not happen before the end of March 2017 but, as it currently stands, the scheme is still in existence.

Question put and agreed to.

11.29 am

Sitting suspended.

Agenda Item 4.14

P-04-594 Cilmeri Community Council Appeal for The Prince Llywelyn Monument

Petition wording:

Due to the National importance of our Prince Llywelyn Monument we, the Community of Cilmeri call, on the National Assembly for Wales to urge the Welsh Government to:

- Install locational signage boards, incorporating a brown signage battlefield icon, to denote the historical significance of our village, on the A483 at both main road entrances to the village;
- Work in partnership with Powys County Council, Cilmeri Community Council and CADW to help maintain the famous monument, so that visitors can enjoy our national historical amenity in a safe and befitting environment;
- Help identify resources to implement, in a phased manner, the Lloyd Brown Interpretation Plan (January 2013), commissioned by CADW.

Additional Information:

The interpretation plan highlights the fact that Llywelyn was the last native Welsh Prince to fall in battle, marking the effective end of the powerful dynasty of Gwynedd, which played an important role in forging a sense of Welsh nationhood and identity.

Petitioner: Cilmeri Community Council

First considered by the Committee: 23 September 2014

Number of Signatures: 205

Edwina Hart MBE CStJ AC / AM
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth
Minister for Economy, Science and Transport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-594
Ein cyf/Our ref EH/01263/16

William Powell AM
Chair - Petitions Committee

committeebusiness@Wales.gsi.gov.uk

5 April 2016

Dear William

Thank you for your letter of 21 March regarding petition P-04-594 in relation to Cilmeri Community Council's appeal for signing to the Prince Llywelyn Monument.

My officials are in the process of considering proposals for the new signs and will be in contact with the Community Council and Powys County Council with their decision by the end of April.

If a meeting is required during this time my officials will be happy to meet with the Community Council.

Edwina Hart

Bae Caerdydd • Cardiff Bay
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CF99 1NA

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Correspondence.edwina.Hart@Wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 4.15

P-04-667 – A Roundabout for the A477/A4075 Junction

This petition was submitted by Pembroke Town Council, having collected 115 online signatures and 482 paper signatures.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to replace the Fingerpost Junction on the A477/A4075 with a roundabout – The current road configuration has not resolved the problems on this dangerous stretch of road.

Assembly Constituency and Region

- Carmarthen West and South Pembrokeshire
- Mid and West Wales



Eich cyf/Your ref P-04-667
Ein cyf/Our ref EH/05165/15

William Powell AM
Chair - Petitions Committee

committeebusiness@Wales.gsi.gov.uk

18 December 2015

Dear William,

Thank you for your letter of 1 December regarding Petition P-04-667 for a roundabout at the A477/A4075 junction at Fingerpost.

Following completion of the A477 Fingerpost Junction Improvement Scheme a Stage 3 road safety audit was undertaken and no significant issues were raised.

A Stage 4 road safety audit will take place early next year when the scheme has been in operation for at least 12 months. This will inform if any further changes will be required in the area. At present there are no plans to construct a roundabout at this location.

Edwina Hart

Edwina Hart MBE CStJ AC / AM
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth
Minister for Economy, Science and Transport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-667
Ein cyf/Our ref EH/01008/16

William Powell AM
committeebusiness@Wales.gsi.gov.uk

14 March 2016

Dear William

Thank you for your letter of 29 February regarding Petition P-04-667 Roundabout for the A477/A4075 junction.

The Stage 4 road safety audit will inform us if any further changes will be required at this junction. I have asked my officials to consider the petitioners comments as part of the audit.

Edwina Hart

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.edwina.Hart@Wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in response.

**P-04-667 Roundabout for the A477/ A4075 Junction. Correspondence –
Petitioner to the Chair. 18.01.2016**

Chairman of Petitions Committee

I am writing to you as the Mayor of Pembroke, representing the views of not only my town, but those of the surrounding area, and including views widely held across our county, Pembrokeshire. My letter is relevant to your consideration and imminent response to Petition P-04-667 for a roundabout at the A477/A4075 "Fingerpost" junction.

The petition is only a small indication of the strength of feeling held by the Pembrokeshire electorate. As you will be aware, only a small number of people actually engage in such processes; however those who are regular users of that road have historically lamented the danger posed by the road layout there. Since the road improvements, their dismay has only been concentrated. Who consulted with whom over that so-called "improvement"? Why weren't the views of the locals, the regular drivers given credence in the decision about what was best for OUR safety?

After just two days online, informing our electorate about the meeting scheduled for Tuesday 19th January regarding this, the comments have made it clear that we believe that there is a serious threat to life at this junction, and that having identified this, if/when the next tragedy occurs there, those responsible for making the decision to negate the need for a roundabout there should be held fully responsible.

As a Town Council, we have noted the intention to execute a Stage 4 road safety audit there early in 2016. We seek to be part of that audit. We intend to inform those making the decision in no uncertain terms that the plan to construct a roundabout at the Fingerpost MUST be reconsidered.

As a Minister Mrs Harts remit in 2003 included public safety, and as a former champion for social justice, we urge her to familiarise herself with local feeling and experiences regarding the "Fingerpost" firsthand. We would be happy to convene a meeting and invite her to attend. SO many near misses, (most unreported) , in addition to the fatality have occurred at this

junction, it would be totally irresponsible of the Welsh Government to ignore this.

With her further considerable experience as Finance Secretary , we know she understands the current budget constraints only too well. We, too, are asked to justify our hard decisions in this challenging fiscal climate. Our electorate asks us hard questions like, how can £48,000 be justified for planting on two adjacent roundabouts? We realise we are not talking of just thousands for one more roundabout, but where safety is concerned, the right decision MUST be made, and financial considerations must be managed to that effect.

We look forward to your response to this plea for public safety on our roads to prevail over the debate for financial constraint.

Thank you for giving this your serious consideration.

Yours sincerely

Mayor of Pembroke
Councillor Pauline Waters

P-04-678 Infirm Supports

This petition was submitted by Maggie Macleod, having collected 20 signatures.

Text of the Petition

I am at a loss to understand why, two years of appealing to the people who have the power to solve problems has thus far failed to solve what is a minor adjustment needed to enable me, a 77 year old female with mobility difficulty due to arthritis of both hips/knees, to travel via the community car. Two cars purchased for the very purpose of (elderly and disabled) which I have need lacks grab handles to enable the front seat passenger to clamour onboard. My File of contacts include the car manufacturer who was quite prepared to post grab handles, a Cardiff firm also were prepared to do the fitting (surely Swansea has equal experts!)

I therefore call on the National Assembly for Wales to urge the Welsh Government to ensure that vehicles used by community transport schemes are fitted with grab handles as a minimum.

Additional Information

I was and am prepared to cover the cost of fitting – the estimate being £200. So make this appeal in one last endeavour to enable me visit the doctors' surgery, main need and to have some social contact. At present my contact is via the internet for shopping etc. If commercial taxis, by law, have to have grab handles, then a similar criteria should apply to community cars.

Assembly Constituency and Region

- Gower
- South Wales West

P-04-678 Infirm Supports. Correspondence – Petitioner to the Clerking Team – 14.03.2016

My request is that in being mindful of age infirmity and disabilities community funded vehicles should, to comply with the law, have the aids necessary to enable passengers that use community cars to travel with ease and dignity. Being at the same time aware that many who volunteer their services use their own vehicles, which do have the standard grab handles. A touch of irony is that Renault promotes this model as being suitable for the disabled etc. Thank you for giving this problem the attention which should increase awareness.

Maggie Macleod (no prefix)

Agenda Item 4.17

P-04-658 – The Brimmon Oak

This petition was submitted by Mervyn Lloyd Jones and Rob McBride, having collected 4,730 signatures.

Text of Petition

We, the undersigned, call upon the National Assembly for Wales to urge the Welsh Government to adhere to the recommendations of the appointed arboricultural specialist's report that it commissioned as part of the environmental assessment for the much needed A483 Newtown bypass.

This would result in the preservation of one of the most significant 'Natural Monuments' of Montgomeryshire, whilst facilitating the economic revival of the County Town. People from Montgomeryshire, across Wales and indeed the wider world are aware that sustainability has always been the 'central organising principle' of the Welsh Government since the National Assembly was created in 1999.

The safeguarding of the Brimmon Oak as part of the historic A483 Newtown Bypass will be a demonstration of the Welsh Government's commitment to preserving our birth right for the Wellbeing of Future Generations.

Assembly Constituency and Region

- Montgomeryshire
- Mid and West Wales



Ein cyf/Our ref EH/01261/16

Chair
Petitions Committee

committeebusiness@Wales.gsi.gov.uk

26th May 2016

Dear Chair,

Thank you for your further letter of 1 February regarding petition P-04-658 to safeguard the Brimmon Oak in relation to the A483 Newtown bypass.

The permanent badger resistant fencing will not be aligned along the boundary of the Compulsory Purchase Order as shown on the Made Orders. It will now be located at the toe of the low embankment along the new carriageway. In addition to this, the specification of the fence over this length will be changed so that the buried mesh will be omitted. This approach will maximise the distance of the fencing from the tree and minimise any impact on the root system.

Our project team were aware of the registration of the tree with the Woodland Trust and had commissioned a separate assessment of the tree.

My officials have informed me that the work will be on the outer 3m of the root protection zone to construct the highway verge and the low embankment. Much of the work being undertaken is by hand, but where plant machinery is required it will be small and light. The working area will be restricted to a minimum and suitable barriers will be maintained to ensure protection of the root zone. The contractor and his staff are experienced with this kind of work and will do so in accordance to the method statement and under the supervision of the Environmental Clerk of Works.

*Yours ever,
Ken*

Ken Skates AM/AC
Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith
Cabinet Secretary for Economy and Infrastructure

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Correspondence.Ken.Skates@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Pack Page 210

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

P-04-637 To Protect the Future of Youth Music in Wales

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to protect musical tuition in schools and in particular to:

- Reinststate central ring-fencing of budgets for professional instrumental tuition in schools;
- Implement a national strategy to reverse the decline of Youth Music in Wales;
- Offer the children and young people of Wales their right to receive an education that develops their unique personalities, talents and abilities to the full.

Petition raised by: The Friends of Bridgend Youth Music

Date petition first considered by Committee: 16 June 2015

Number of signatures: 1,363 Online signatures and 738 paper signatures =2,101 signatures



Ein cyf/Our ref HL/00687/16
William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

5 April 2016

Dear William

Thank you for your letter of 21 March on behalf of the Petitions Committee seeking my further views on the future of music services for young people in Wales. I will answer the point you raised in your letter regarding funding before moving on to those raised in the petitioner's correspondence.

In answer to your question regarding my decision not to use available funds to support the music services; I made a commitment in 2014 that I would provide £2m support for 5 years to Arts Council of Wales to take forward the Arts and Creative Learning Plan, which is being match funded by the Arts Council of Wales. I wanted to ensure these monies (£20m over 5 years) were secured to support the implementation of the plan, which enables schools across Wales to access opportunities for creative learning activities. I have made it clear that this joint funding should not be used for existing LA activities including Music Services.

Moving on to the points raised by the petitioner, I fully recognise the contribution that music makes to the well-being of young people and the opportunities and experiences it can afford our learners. I am closely following progress on music services to ensure that this important provision continues. As the petitioner has already acknowledged, responsibility lies with local authorities and as such the appropriate delivery model is a matter for local authorities to determine in accordance with the needs of their learners, locally and regionally.

The Music Services Task and Finish Group report that was published in July 2015 does not prescribe a single model of delivery but refers to wider regional and hub working arrangements, as well as other delivery models such as through charitable trusts or arm's length organisations. I am seeking greater consistency within and across local authority provision and I want to encourage authorities to work collaboratively to deliver a more consistent offer to learners.

On the second point regarding the Lead Creative Schools Scheme; this element of the Arts and Creative Learning Plan, which was described in my previous letter, is intended to give teachers experiences of working with the arts sector; creating lasting partnerships to improve attainment through developing creative learning and teaching practices. The scheme aims to develop the teacher and their skills, giving them the confidence to continue to use and share creative and artistic approaches to learning long after the 2 years of school engagement has ended.

To support this development and to foster greater engagement between schools and the arts sector, a Creative Learning Zone has recently been launched on Hwb, the Welsh Government learning platform. The Creative Learning Zone will be a permanent site which gives schools access to a variety of creative resources, an events page updated by the new creative networks and a community area to facilitate collaboration between schools and the arts sector.

A wide variety of creative partners is represented on the zone and will be working with the networks to provide schools with information on upcoming cultural events and professional development opportunities. Many of these partners are able to offer support for music experiences in and out of the classroom, such as the BBC National Orchestra and Chorus of Wales, Ty Cerdd Welsh Music Centre, the Welsh National Opera and a range of national and regional arts centres. A current list of these partners can be found on the zone at <http://hwb.wales.gov.uk/creativity/partners>.

The work being done under the Arts and Creative Learning Plan will also contribute towards the development of teaching practices and ways of working which in turn will contribute to and support the purposes of the new curriculum, as laid out by Professor Donaldson in his Successful Futures report.

As I said in my previous letter work on the new curriculum by the network of 106 Pioneer Schools, which includes the structure and content of the new Expressive Arts Area of Learning and Experience, has already started.

On the third point I note the concerns regarding participation in the national youth ensembles, particularly those facing young people referred to as being in the “middle ground”. I would like to assure you that it is our goal to safeguard these services and to ensure that talented young musicians, artists and dancers, from all backgrounds, continue to have the opportunity to train and perform at the highest level, with the best talent in their field. A detailed programme of action, which includes but is not exclusively focused on the restructuring of National Youth Arts Wales (NYAW), is currently underway to take forward the 8 recommendations that were proposed by the Music Ensembles task and finish group. I believe that if the recommendations are fully implemented, these actions will go a long way to ensure the future of the ensembles. We therefore encourage all stakeholders, if called upon by the interim and new management, to work together to make the changes needed to ensure the future stability of the ensembles.

More specifically with regards to the fee structure, the report of the task and finish group shows that in comparisons to other UK national ensembles the fees charged to participants in Wales compared favourably to the fees charged by other UK ensembles. These fees, however, varied across the Welsh ensembles and there was therefore a need to standardise and to increase fees in some cases. Since the implementation of the new fee structure for ensembles for 2016/17, NYAW and the task and finish group have monitored the initial effects on take up and continued participation. Early feedback indicates there has been no drop in numbers as a result. We are not being complacent however and have called for NYAW to review the new fee structure annually, benchmarking this to fees charged in other UK nations and regions and to be cognisant of any effects these changes

have on participation. Furthermore, in order to ensure that no group of young performers is prevented from participating we have instructed that the re-launched NYAW, working in partnership with Arts Council of Wales, the Welsh Local Government Association and the Association of Directors of Education in Wales, should prioritise the continuation and further development of bursary arrangements across the ensembles.

On your final point, in terms of funding, clearly we are facing a challenging position. The Welsh Government budget this year is 8% lower overall in real terms than in 2010-11. Despite this, over the current Assembly term we have committed to protect funding for schools at 1% above changes to the Welsh budget overall and through this commitment we have made available an additional £106million for schools. In our Budget for 2016-17 we are continuing this commitment, making available an additional £40million for schools from April this year. Recognising the reductions to the Local Government Settlement Revenue Support Grant (RSG) in recent years, we have nevertheless continued to protect local government in Wales from the level of cuts their counterparts in England have seen over the same period.

Since 1999, local authority expenditure on education has increased from £1.4billion to £2.6billion in 2015-16, which equates to a real terms uplift of 31%. As a result of pressure from Welsh Ministers, local authorities have increased the amount of funding they delegate to schools from 75% in 2010-11 to 84% this year, reducing the amount local authorities retain for centrally funded school services and investing more funding and responsibility in schools. We firmly believe in this approach and in addition to directing more funding to frontline services, we have made significant efforts to increase the funding flexibility for local authorities, regional education consortia and schools to better enable them to focus on their priorities for learners. Over ten years ago, we transferred the former Music Development Fund into the Local Government Settlement with the aim of giving local authorities greater flexibility in determining their funding priorities in the light of local needs and circumstances. More recently we rationalised a number of individual education grants and created a new outcome focused single funding stream through the Education Improvement Grant for Schools.

As we continue to protect schools and local government from the worst of the reductions we are facing as a consequence of the UK Government's continued commitment to austerity, local authorities will receive a better than forecast settlement from April. Despite this, difficult decisions will still have to be made, therefore it is up to local authorities to prioritise their support, and the Task and Finish Group's review highlights practical ways that local authorities could work together to maintain music services.

I am encouraged by Swansea Council's intention to continue funding their subsidy into the next financial year as they and Neath Port Talbot work through the consultation responses and reach a decision on their proposals.



Huw Lewis AC / AM

Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills

Our Ref/Ein Cyf: WP/CLI
Your Ref/Eich Cyf:
Date/Dyddiad: 15 April 2016
Please ask for/Gofynnwch am: Chris Llewelyn
Direct line/Lineell uniongyrchol: 029 20468614
Email/Ebost: chris.llewelyn@wlga.gov.uk



WLGA • CLILC

Mr William Powell AM

Chair – Petitions Committee
Chamber & Committee Service
National Assembly for Wales
Ty Hywel
Cardiff Bay
CF99 1NA

Dear Bill,

Re: Petition P-04-637 – To Protect the Future of Youth Music in Wales

Many thanks for your letter dated 21st March 2016 concerning the future of Youth Music Services in Wales and for your Committee's interest in the work of the Music Services Task & Finish Group, which was commissioned by the Education Minister in January 2015.

As you will be aware, the WLGA was represented on the Music Services Task & Finish Group and participated fully in the inquiry and the work of the group. In addition, the WLGA has since worked closely with all its partners in local government, especially the Association of Directors of Education in Wales (ADEW) and Arts Council for Wales (ACW), in taking the work and recommendations forward.

The WLGA is a politically led organisation that represents the interest of the 22 local authorities in Wales. In relation to this particular piece of work, political lead was provided by Cllr Ali Thomas, Leader of Neath Port Talbot CBC and the WLGA's Education Spokesperson for Lifelong Learning, and Cllr Hedley McCarthy, the then Leader of Blaenau Gwent CBC and WLGA Spokesperson for Culture, Sport & Major Events. Both Spokespeople felt that this review was timely and topical as all local authority services, discretionary and statutory, are under pressure as a result of the current financial climate.

Despite the challenges of austerity in recent years, local government in Wales has emphasised that education is a number one priority and has focused on raising standards and improving outcomes for learners in Wales.

The 22 authorities have embraced fully the Welsh Government's strategic aims of improving literacy, numeracy and digital competency and breaking the link between poverty and attainment. As such, local authorities have increased funding delegation rates to schools -

Steve Thomas CBE
Chief Executive
Prif Weithredwr

Welsh Local Government
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Local Government House
Drake Walk
CARDIFF CF10 4LG
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Cymdeithas Llywodraeth
Leol Cymru
Tŷ Llywodraeth Leol
Rhodfa Drake
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exceeding the 85% target - and met the First Minister's funding commitment throughout the lifetime of the last National Assembly.

As a consequence, it is a matter of pride for local government that performance in education is continuing to improve, that learning outcomes are improving and that currently there are no local authority education services in special measures or any Estyn category.

These achievements have been met against a context of very challenging financial circumstances and significant cuts in local authority revenue funding.

This has resulted in a withdrawal from the provision of some services and a greater focus on statutory and core services. Councils have also had to consider alternative models of service delivery, ranging from collaborative working arrangements (like the Gwent Music Service) to external partnership provision (such as Gwasanaeth Ysgolion William Mathias). For this reason, the WLGA welcomed the focus of the Music Services review and the opportunity to participate in the work through the Task & Finish Group.

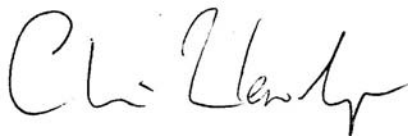
The WLGA's Spokespeople are fully committed to the provision of music services and recognise entirely their contribution to raising standards within education, enabling individual learners to fulfil their potential and contributing to the wider enrichment of school and community life.

Following the publication of the Task & Finish Group's report and subsequent Welsh Government response from the Minister for Education & Skills, Huw Lewis AM, the WLGA has been working closely with officials within Welsh Government and the Arts Council for Wales to take forward this work along with consider how each recommendations can be positively implemented in light of public sector budget challenges.

These issues have also been discussed at the regular bilateral meetings between the Education Minister and the WLGA's Spokesperson, Cllr Ali Thomas, in addition to discussion at civil service and officer level.

This work is still on-going, and will no doubt be discussed at future bilateral meetings between the WLGA and the new Ministers after the National Assembly elections on 5th May.

Yours sincerely,



Dr Chris Llewelyn

Director of Lifelong Learning, Leisure and Information
Cyfarwyddwr Dysgu Gydol Oes, Hamdden a Chyfathrebu



Steve Thomas CBE
Chief Executive
Prif Weithredwr

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www.wlga.gov.uk

Agenda Item 4.19

P-04-655 – Demanding our Rights for the Welsh Language in the Private Sector

This petition was submitted by Cymdeithas yr Iaith and collected 442 signatures online

Text of the petition

We call upon the National Assembly to insist that the Welsh Government ensures that all private and voluntary sectors that come within the scope of the Welsh Language Measure 2011 offer enhanced Welsh-language services by collaborating with the Welsh Language Commissioner to introduce regulations to the National Assembly prior to the 2016 Assembly election or at the earliest possible opportunity.

Hundreds of thousands of people in Wales are being deprived of basic Welsh-language services every day by a large number of organisations, such as telephone, broadband, energy and transport companies. This totally unnecessary injustice occurs because the Welsh Government and the Welsh Language Commissioner have not fully implemented the powers that they have under the Welsh Language Measure, which was unanimously passed by the Assembly almost five years ago. The Welsh Government and the Welsh Language Commissioner are, therefore, hampering the democratic will of the people of Wales.

Furthermore, we believe that the Welsh Language Measure should be amended in order to speed up and simplify the process of imposing Welsh-language Standards on organisations and companies, establishing general rights for the Welsh language and extending the scope of the Measure to cover the remainder of the private sector, including supermarkets and banks.

Assembly constituency and region

-



Eich cyf/Your ref: P-04-655
Ein cyf/Our ref:FM -/00177/16

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

23 March 2016

Dear William,

I am writing in response to your letter of 2 March 2016 regarding petition P-04-655 - "Demanding our rights for the Welsh Language in the Private Sector".

I have read the additional comments provided by the petitioner following its consideration of my letter dated 11 January 2016, and its consideration of the correspondence the Committee received from the Welsh Language Commissioner. There are no matters in the first letter from the petitioner on 17 December 2015 for me to answer. As I noted in the my previous letter on 14 October 2015, deciding which bodies to include in standards investigations is a matter for the Welsh Language Commissioner.

In response to the petitioner's letter dated 28 January 2016, I can confirm that there is no unwritten understanding between the Welsh Ministers and the Welsh Language Commissioner not to fully implement the powers in the Measure. I am aware that the Commissioner has announced her intentions for conducting standards investigations in 2016, and they include private sector bodies. Those investigations will lead to developing standards for bodies within the transport, electricity and gas sectors. This will be a substantial step forward in implementing the Measure, and will be significant progress on what was achieved under the previous Welsh Language Schemes system.

Yours sincerely

CARWYN JONES

Bae Caerdydd • Cardiff Bay
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



William Powell
Cadeirydd
Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru

21/04/16

Annwyl William,

Deiseb P-04-655: Mynnu ein hawliau i'r Gymraeg yn y sector preifat

Diolch i chi am eich llythyr dyddiedig 2 Mawrth ynghylch y ddeiseb uchod.

Mae eich llythyr yn gofyn fy marn ar sylwadau ychwanegol y deisebydd, yn dilyn trafodaeth o'r ddeiseb yn ystod cyfarfod y pwyllgor ar 2 Chwefror.

Yn fy llythyr atoch ar 6 Ionawr, nodais fy mod i wedi cyhoeddi amserlen ar gyfer Cylchoedd 1, 2 a 3 y broses o gyflwyno safonau, ac y byddwn yn cychwyn ymchwiliadau safonau gyda darparwyr gwasanaethau trên a rheilffyrdd ar 31 Mawrth, yn ogystal â darparwyr nwy a thrydan yn ystod mis Mehefin. Gallaf gadarnhau bod ymchwiliadau safonau i ddarparwyr gwasanaethau trên a rheilffyrdd bellach wedi cychwyn ar 31 Mawrth.

Ers fy llythyr ar 6 Ionawr rwy'n falch o nodi bod 3 set bellach o reoliadau wedi eu cymeradwyo gan y Cynulliad, a fy mod wedi cychwyn ar y broses o osod safonau ar y cyrff a enwir yn Rheoliadau Safonau'r Gymraeg (Rhif 2) 2016 trwy gyflwyno hysbysiadau cydymffurfio drafft iddynt. Bydd y gwaith o osod safonau ar y cyrff a enwir yn Rheoliadau Safonau'r Gymraeg (Rhif 4) a Rheoliadau Safonau'r Gymraeg (Rhif 5) yn cychwyn yn yr wythnosau nesaf.

Nodaf fod y deisebydd yn awgrymu 'bod dealltwriaeth anysgrifenedig rhwng y Llywodraeth â'r Comisiynydd i beidio â gweithredu'r pwerau yn y Mesur' mewn perthynas â'r sector telathrebu yn benodol. Dylid pwysleisio bod y Mesur yn gwahaniaethu rhwng swyddogaethau'r sefydliadau hyn: Rôl y Comisiynydd yw blaenoriaethu sectorau a chynnal

Comisiynydd y Gymraeg
Siambrau'r Farchnad
5-7 Heol Eglwys Fair
Caerdydd CF10 1AT

0845 6033 221
post@comisiynyddygybraeg.org
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Welsh Language Commissioner
Market Chambers
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0845 6033 221
post@welshlanguagecommissioner.org
Correspondence welcomed in Welsh and English



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

ymchwiliadau safonau i'r sectorau hynny lle bo'n briodol, ac yn sgil hynny mae'r Llywodraeth yn pennu safonau mewn rheoliadau.

Rwyf eisoes wedi datgan y byddaf yn cynnal gwaith ymchwil a mapio i sectorau eraill a enwir yn y Mesur, gan barhau â'r gwaith o osod safonau ar y sefydliadau sydd eisoes wedi eu henwi mewn rheoliadau ochr yn ochr â hynny.

Hyderaf fod yr ymateb hwn o ddefnydd i'r Pwyllgor, ac yn ategu'r hyn yr wyf wedi darparu mewn gohebiaeth flaenorol.

Yr eiddoch yn gywir,

Meri Huws
Comisiynydd y Gymraeg



William Powell
Chair
Petitions Committee
National Assembly for Wales

21/04/16

Dear William,

Petition P-04-655: Demanding our Rights for the Welsh Language in the Private Sector

Thank you for your letter dated 2 March in relation to the above petition.

Your letter seeks my views on the petitioner's additional comments, following a discussion of the petition during the committee meeting of 2 February.

In my letter to you on 6 January, I noted that I had published a timetable for Rounds 1, 2 and 3 of the standards imposition process, and that I would be commencing standards investigations relating to railway and bus service providers on 31 March and gas and electricity providers during June. I can confirm that standards investigations relating to railway and bus service providers began on 31 March.

Since my letter of 6 January I am pleased to note that 3 further sets of regulations have been approved by the Assembly, and that I have begun the process of imposing standards on the bodies named in the Welsh Language Standards (No.2) Regulations 2016 by issuing draft compliance notices to them. The process of imposing standards on the bodies named in the Welsh Language Standards (No.4) Regulations 2016 and the Welsh Language Standards (No.5) Regulations 2016 will commence in the coming weeks.

I note that the petitioner suggests that 'there is an unwritten understanding between the Government and the Commissioner not to implement the powers in the Measure', specifically in relation to the telecommunications sector. It should be emphasised that the Measure differentiates between the functions of these organizations: The Commissioner's

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Siambrau'r Farchnad
5-7 Heol Eglwys Fair
Caerdydd CF10 1AT

Welsh Language Commissioner
Market Chambers
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0845 6033 221
post@comisiynyddygyymraeg.org
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

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Correspondence welcomed in Welsh and English



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

role is to prioritise sectors and to carry out standards investigations in relation to those sectors as appropriate; the Government then prescribes standards in regulations.

I have previously stated that I will be undertaking a research and mapping exercise for other sectors named in the Measure, whilst continuing with the task of imposing standards on the organizations that have already been named in regulations in conjunction with that work.

I trust that this response will be useful to the committee, and will complement that which has been provided in previous correspondence.

Yours sincerely,

Meri Huws
Welsh Language Commissioner

William Powell AM
Chair, Petitions Committee

10 March 2016

Dear Bill

Petition No. P-04-655: Demanding our Rights for the Welsh Language in the Private Sector

Thank you for your recent letter asking the Committee to take into account the above petition when following-up on the evidence session held with the Welsh Language Commissioner in December 2015.

You will wish to be aware that we discussed the matter of Welsh language standards in the private sector with the First Minister when preparing for our Legacy Report. The [transcript](#) of that meeting is available on the Committee's webpage.

In our Legacy Report we recommend that our successor committee undertakes a review of the next round of Welsh language standards, as well as undertaking post-legislative scrutiny of the Welsh Language Measure (Wales) 2011.

Yours sincerely



Christine Chapman AM
Chair



Agenda Item 4.20

P-04-660 – The Additional Pressures on Funding for Education Provision Faced by Sparsely Populated Rural Areas

This petition was submitted by Save Powys Schools, having collected 1.049 signatures.

Text of Petition

We, the undersigned, call upon the Welsh Government to recognize the financial challenges of providing an appropriate level of educational provision in sparsely populated rural areas. Spending cuts are adversely affecting school communities to the extent that children are leaving their county of residence (and increasingly, in border counties, such as Powys, leaving Wales) in order to continue their education. Schools and sixth forms are at breaking point, exhausted by continual threat of closure. Our children are forced to travel unsustainable distances on minor roads, breaking up friendship groups and adding up to two hours to the school day. Nursery education is now also under threat, and with continuous cuts to school budgets causing round after round of redundancies, it is impossible to deliver the quality of education that teachers trained for and that our young people deserve. We urge the Welsh Government to immediately investigate the additional challenges to education in sparsely populated rural areas, and to increase the funding to areas such as Powys accordingly. The loss of our schools heralds the death of our communities and our local economies. If a devolved Wales

is to thrive, we need our Government to lead the funding discussions in Westminster. We need you on our side!

Assembly Constituency and Region

- N/A
- N/A

Huw Lewis AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-660
Ein cyf/Our ref HL/00688/16
William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
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CF99 1NA

committeebusiness@Wales.gsi.gov.uk

05 April 2016

Dear William

Thank you for your letter dated 21 March regarding the petition from Save Powys Schools, which received its first reading on 8 December, and enclosing additional questions raised by the petitioner.

The revenue funding the Welsh Government provides to Local Authorities each year is distributed according to relative need, using a formula which takes account of a wealth of information on the demographic, physical, economic and social characteristics of Local Authorities.

This funding formula has been developed in consultation with Local Government through the Distribution Sub Group (DSG), which is a technical working group whose members include senior Local Government officers from across Wales, the WLGA and independent experts to ensure fair treatment of the different factors.

As previously outlined, the formula is kept under a continual programme of review and improvement overseen by the DSG. The Group produces an annual report for consideration by the Finance Sub Group of the Partnership Council for Wales.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Included within the formula are a number of indicators that account for varying degrees of rurality across Authorities in Wales. These are used throughout the social services part of the formula to allow for increased costs due to additional travel time, and also throughout other parts of the formula, particularly education, to allow for the limited ability of rural Authorities to benefit from the same economies of scale as more urban Authorities.

The DSG work programme includes further work on sparsity elements of the formula but it also includes work on other aspects which impact on the deprivation and population elements of the formula. Therefore, there is no guarantee that future development of the formula will increase the sparsity weighting within the formula.

It will be appropriate to consider a fuller review of the Revenue Support Grant funding formula in due course to take account of wider Local Government reform including, of course, the proposals to move to a smaller number of Authorities in Wales.

As the Settlement formula is based on a principal of relative shares, it is not correct to talk in terms of an uplift given to an Authority to reflect the cost of delivering education in a sparsely populated area.

Powys' reduction in Settlement funding for 2016-17 is partially as a consequence of shifts in underlying data, but is also symptomatic of the Authority being on the floor in the previous year. Were there not a floor in 2015-16, Powys would have been facing a decrease of 2.9%, which is above the level set by introducing additional top-up funding for 2016-17.

Although the opportunity exists to apply a floor funding arrangement, the decision to apply a floor funding arrangement is a matter for the Minister for Public Services and is made on an annual basis, taking account of all the circumstances relating to the Settlement for that year.

The smoothing of funding allocations between years is only ever intended to be a temporary measure to mitigate changes in individual years. Implementing damping year on year would erode the link between funding levels and relative need.

With regard to your petitioners questions regarding the ability of Local Authorities to choose how best to serve local needs and to the loss of Welsh pupils across the border to England, Local Authorities are under a duty to ensure that there are sufficient school places to meet the needs of their area. I expect all Local Authorities to consider carefully any changes to provision and to ensure that the changes are in the best interests of learners. If Local Authorities decide to make changes they must have regard to the guidance in the School Organisation Code and must comply with its mandatory provisions.

I fully expect the vast majority of parents to value provision in Wales and the progress being made in raising standards sufficiently to continue to seek places in schools in Wales.

The Welsh Government does not collect or hold data on pupil movement over the Wales/England border at the present time. The last report produced by the Welsh Government titled 'Cross Border Flows in Education between Wales and the rest of the UK between 2003/04 and 2007/08' was published on 21 April 2010 and showed a small net outflow of between 140 and 300 pupils from Wales to England in each year since 2003/04 to 2007/08. A link to the report is attached: <http://gov.wales/statistics-and-research/cross-border-flows-education/?lang=en>. In recent years there has not been the demand to resource this information.



Huw Lewis AC / AM

Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills

P-04-677 Equal Access to Welsh Language

This petition was submitted by Remigijus Šiaučiūnas, having collected 45 signatures.

Text of the Petition

Welsh language should be as accessible as English language is. Sadly, it is not the case. I am talking from my own experience. I moved to Wales and I would like to learn at least a little bit of Welsh. It is relatively easy to find a free English class and it is impossible to find a free Welsh language class.

The Equality Act states that no one should be treated less favourably than another just because of his or her nationality, ethnic or national origins, religion, religious or philosophical belief or absence of religion or belief.

Learning Welsh should be as accessible as learning English to anyone, including the first generation immigrants.

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

Huw Lewis AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref HL/00683/16
William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
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committeebusiness@Wales.gsi.gov.uk

30 March 2016

Dear William

Thank you for your letter of 21 March seeking my views on the further comments submitted by petitioner P-04-677 Equal Access to Welsh Language.

Whilst I am pleased that the petitioner is eager to learn Welsh, as I explained in my letter of 21 January, my officials and the new national centre for Welsh for Adults are considering the matter of fees and the parallels between English for Speakers of Other Languages and Welsh for Adults provision. Therefore, I have no further comments to add.

Huw Lewis AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

P-04-656 Establishing a Conscientious Objectors' Day in Wales

This petition was submitted by CO's Day Cymru/Wales, having collected approximately 400 paper signatures.

Petition wording:

We, the Undersigned, strongly urge the Welsh Assembly to establish an officially recognised Conscientious Objectors' Day in Wales. This would be a fitting memorial to all those who suffered during that conflict and especially to those who stood in the Welsh tradition of peace-making at great personal cost. Wales would be the first country to have done this and may, thereby, prompt others to consider acting similarly.

Assembly Constituency and Region

- N/A
- N/A

William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Your ref:
Our ref: PO1183/RB/GH

30 March 2016

Dear William

Petition P-04-656: Establishing a Conscientious Objectors day in Wales

Thank you very much for your letter dated 29 February 2016.

The National Assembly for Wales does not currently mark Conscientious Objectors Day and there currently are not any plans to do so in the future. Any decision for the National Assembly for Wales Commission to mark Conscientious Objectors Day would need to be taken by the new Commission following the election on 5 May.

Given the close proximity of Conscientious Objectors Day 2016 (15 May) to the National Assembly elections, it seems unlikely that there will be sufficient time to organise an event to mark the occasion this year. However, I would encourage the petitioner to arrange an event of their own on the Assembly's estate to mark the occasion, if they are able to secure Assembly Member sponsorship at such short notice.

Best wishes,



**Dame Rosemary Butler AM
Presiding Officer**

Croesewir gohebiaeth yn y Gymraeg neu Saesneg/We welcome correspondence in Welsh or English



Eich cyf/Your ref: P-04-656
Ein cyf/Our ref:FM -/00176/16

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

29 March 2016

Dear William,

I am writing in response to your letter of 29 February providing further information from the Conscientious Objectors Day Wales committee.

I am grateful to the committee for taking the time to expand on some of the background to conscientious objectors in Wales. I hope the exhibition 'Belief and Action' which the Welsh Government is supporting, and which is being led by the Wales for Peace Project, will offer an opportunity to promote that understanding across Wales.

In addition, I am pleased that you wish to work with Welsh Ministers to ensure awareness is raised of this important aspect of Welsh history. As I noted in my previous letter I am sure Welsh Ministers would wish to be involved in events that are planned on or around 15 May.

Yours sincerely

CARWYN JONES

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 4.23

P-04-661 – Prohibit Online Use and Electronic Voting by Assembly Members in the Senedd Chamber

This petition was submitted by Sovereign Wales.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to ensure that Assembly Members are prohibited from using the internet during Senedd sessions and to ensure voting in the Senedd is either done by a show of hands, orally or by paper ballot.

Additional information

It is of concern that the use of the internet during Senedd debates could diminish the integrity of Welsh political debate and legislation. Debating sessions should hold the full attention of Assembly Members at all times. If Assembly Members are not fully paying attention to Senedd debates, how can they be properly relied upon to be looking out for the interests of the people they represent?

Voting should also be done using a show of hands, orally or by a paper ballot or registration to ensure full transparency.

Technology and the internet are a great aid in administration and research but should not be relied upon or allowed to influence the democratic process and healthy robust political debate in general.

As reference points, the Northern Ireland Assembly Members have voted against electronic voting in their Assembly chamber. And in Scotland, whilst electronic devices are allowed as an alternative to

paper notes for speaking in Scottish Parliamentary sessions, the Presiding Officer of the Scottish Parliament has prohibited internet use.

Assembly Constituency and Region

- Cardiff West
- South Wales Central

William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Your ref:
Our ref: PO1184/RB/AJ

11 March 2016

Dear William

Petition P-04-661 Prohibit Online use and Electronic Voting by Members in the Chamber

Thank you for your letter dated 29 February.

As I set out in my letter of 30 November, the use of technology is integral to how the Assembly functions as a modern Parliament. Other Parliaments are moving in the direction of the Assembly in terms of allowing Members to use technology during meetings, and I consider that rolling back its availability in the Siambwr would be a retrograde step

I reiterate that it is each individual Member's responsibility to ensure that they participate appropriately during Plenary meetings, and I would again encourage your petitioners and anyone else concerned about this matter, to contact Members directly if they do not consider that they do so.

Best wishes,



**Dame Rosemary Butler AM
Presiding Officer**

Croesewir gohebiaeth yn y Gymraeg neu Saesneg/We welcome correspondence in Welsh or English

P-04-674 Say No to Dyfed

This petition was submitted by Bob Kilmister, having collected 877 signatures online and 1,200 paper signatures.

Text of the Petition

We the undersigned are fully prepared to see a reform of local government in Wales but reject the proposal to recreate the former hugely unpopular Dyfed authority which was abolished in 1996. Welsh Government should learn the lessons of history and not try to impose a solution that the three Counties involved all reject.

Assembly Constituency and Region

- Preseli Pembrokeshire
- Mid and West Wales

Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: P-04-674
Ein cyf/Our ref: LA-/00182/16

William Powell AM
Chair - Petitions Committee
Ty Hywel
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SeneddPetitions@Assembly.Wales

4 April 2016

Dear William,

Thank you for your letter of 21 March regarding the further comments from the petitioner in respect of Petition P-04-674, Say No to Dyfed.

As I outlined in my Written Ministerial Statement of 15 March, consultation on the Draft Local Government (Wales) Bill and our preference for the future configuration of Local Authorities in Wales closed on 15 February. 187 responses to the consultation were received from a range of stakeholder organisations and individuals.

An initial analysis of the responses to the consultation has been undertaken, which has shown a wide range of views on the proposal to reduce the number of Local Authorities and no clear consensus on the future structure. Further analysis of the responses will take place in the coming weeks. The comments of the petitioner, together with the responses received to the consultation will be taken into account as the Bill is prepared for consideration by the new Welsh Government. It will be for the next Government to decide how it wishes to proceed.

Best wishes,

Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services

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Pack Page 238

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 4.25

P-04-684 We Demand Better more Effective Welsh HMO Planning Laws and a New Use Classes Order.

This petition was submitted by Nortridge Perrott, having collected **11** paper signatures.

Text of the Petition

Bring forward a new use classes order –A C5 ORDER– to specifically capture HMO's–Houses in Multiple Occupation in Wales who meet the definition of a HMO specified in Part 7 Housing Act 2004 in conjunction with Schedule 14 Housing Act 2004.

We also call for a density threshold to be enacted by means of allowing Planning Authorities to remove permitted development rights in Areas of Wales operating an Additional Licensing scheme–or on a City Wide basis whichever is most appropriate such that a "material change of use " between Use Classes in Wales–would require a Planning consent for Change of Use .

We believe that Welsh Government should actively incentivise HMO landlords who are considering "flipping" their property under both Housing /Planning Act HMO provisions along the lines of a Welsh Houses to Homes scheme such that HMO landlords be allowed to bid for SME grant help to revert the HMO property back to sole domestic use.

Additional Information:

This campaign will run through to the 2016 Assembly election and requires Welsh Government to use its enhanced legislative powers to harmonise the legal definitions under Housing/Planning Law and further enact the ability for Local Planning Authorities to use specific HMO DENSITY criteria applied to a community or City Region to limit HMO proliferation where adverse impacts and consequence are identified or anticipated.

The petition asks for an incentive within Wales to encourage HMO Landlords to revert the properties back to sole domestic use and thus improve the stock of available Affordable Housing.

Assembly Constituency and Region

- Swansea West
- South Wales West

Carl Sargeant
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: CS/00589/16

William Powell
Chair - Petitions Committee
Ty Hywel
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 April 2016

Dear William Powell,

Thank you for your letter of 21 March regarding further comments on Houses in Multiple Occupation (HMOs) and housing issues that the Petitions Committee has received from Mr Perrott.

As I outlined in my previous letter, I have recently introduced new legislation giving local planning authorities the opportunity to take action to manage the impact of HMOs and I consider that this will address the matters that Mr Perrott raises in his petition in a positive way. This legislation came into force on 25 February 2016 and was accompanied by Practice Guidance which highlights good practice from across the UK in the management and control of HMOs and summarises the relevant legislation. The aim of this guidance is to enable local authorities in Wales to make informed decisions on what is best suited to their area, taking into account local circumstances.

The Welsh Government has no proposals to incentivise HMO Landlords to revert their properties back to sole domestic use. HMOs often provide affordable accommodation and, providing they have been appropriately licensed, can make an essential contribution to local housing supply. So changes such as those suggested in the petition would require very careful consideration, not least because of the impact on-going benefit changes are having on housing supply especially for younger people.

In terms of future business rate modelling, HMO's are classed as domestic dwellings and are therefore liable to pay Council Tax. At present there are no plans to treat such properties as businesses and assess them for non-domestic rates. To setup a non domestic rates category for these properties would require a change in legislation and the establishment of a valuation approach. Such a change could have unforeseen consequences given that HMOs have been taxed on this basis for more than 20 years, such a change would also have an administrative burden for Local Authorities and the Valuation Office Agency.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The Welsh Government has commissioned research into the Private Rented Sector as part of its evaluation of the operation of Rent Smart Wales, introduced under Part 1 of the Housing (Wales) act 2014. The process evaluation will cover how the registration and licensing scheme has been introduced, and how it is administered, from the perspective of Local Authorities and the Licensing Authority, as well as from landlords and letting agents. The impact evaluation will cover the impact on landlords and letting agents in terms of resources and activities, as well as the impact on tenants, Local Authorities and the Licensing Authority.

Regarding the provision of affordable housing in Wales, the Welsh Government has a target of 10,000 affordable homes within this term of Government and has achieved 91% of this target with the last year data yet to be reported. This is excellent progress and a key element of this performance is maintaining support for the Social Housing Grant (SHG) programme as it is the primary source of subsidy for the provision of affordable housing in Wales. Across Wales in 2015/16 the Welsh Government has made available £95.7 million for SHG including £15 million for smaller properties.

Yours sincerely,



Carl Sargeant
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources