

Agenda – Petitions Committee

Meeting Venue:

Committee Room 2 – Senedd

Meeting date: 27 February 2018

Meeting time: 09.15

For further information contact:

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1 Introduction, apologies, substitutions and declarations of interest
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2 New petitions

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- Vaughan Gething AM, Cabinet Secretary for Health and Social Services
- Liz Davies – Senior Medical Officer
- Ainsley Bladon – Mental Health Strategy Lead

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6 Discussion of Previous Evidence Session

Document is Restricted

Agenda Item 2.1

P-05-801 Save the trees and ground in Roath Mill and Roath Brook Gardens before it's too late

This petition was submitted by Tamsin Davies having collected 8,700 signatures on paper and another petition website.

Text of Petition

As local residents, we believe that the planned flood works in Roath Mill Gardens and Roath Brook Gardens in Penylan, Cardiff are unnecessarily destructive.

We have seen the devastation of Waterloo Gardens and oppose Phase 3 of Natural Resources Wales' Roath Flood Scheme, which will widen the brook in Roath Mill and Roath Brook Gardens and see the felling of over 30 trees in an area where there has never been any flooding in the past.

We want to save the trees and ground in Roath Mill Gardens and Roath Brook Gardens in order to preserve the character of the area, minimise ecological damage and protect the habitats of our local wildlife.

We believe that Natural Resources Wales have not properly considered all options available, have misled the public with inaccurate figures during their consultation period and that it is, in fact unnecessary to bulldoze park grounds in order to widen the channel of the brook and remove mature trees in the process.

We call on the Welsh Government to urge National Resources Wales to stop work at Roath Mill and Roath Brook Gardens and consider the other viable options available to mitigate the perceived flood risk to this area.

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

Roath Flood Scheme

Y Pwyllgor Deisebau | 27 February 2018

Petitions Committee | 27 February 2018

Research Briefing:

Petition number: P-05-801

Petition title: **Save the trees and ground in Roath Mill and Roath Brook Gardens before it's too late**

Text of petition: As local residents, we believe that the planned flood works in Roath Mill Gardens and Roath Brook Gardens in Pen-y-lan, Cardiff are unnecessarily destructive.

We have seen the devastation of Waterloo Gardens and oppose Phase 3 of Natural Resources Wales' Roath Flood Scheme, which will widen the brook in Roath Mill and Roath Brook Gardens and see the felling of over 30 trees in an area where there has never been any flooding in the past.

We want to save the trees and ground in Roath Mill Gardens and Roath Brook Gardens in order to preserve the character of the area, minimise ecological damage and protect the habitats of our local wildlife.

We believe that Natural Resources Wales have not properly considered all options available, have misled the public with inaccurate figures during their consultation period and that it is, in fact unnecessary to bulldoze park grounds in order to widen the channel of the brook and remove mature trees in the process.

We call on the Welsh Government to urge National Resources Wales to stop work at Roath Mill and Roath Brook Gardens and consider the other viable options available to mitigate the perceived flood risk to this area.

Background

Detailed information on the [Roath Flood Scheme](#) can be found on the Natural Resources Wales (NRW) website. Details include information on the proposed tree removal and planting, and [consultation](#) (PDF 85.4KB) undertaken as part of the proposal.

At the time of writing this briefing a [Change.org petition](#) has gathered 8,578 signatures, calling for the Welsh Government to intervene in the proposed works and “urge NRW to consider other viable options”.

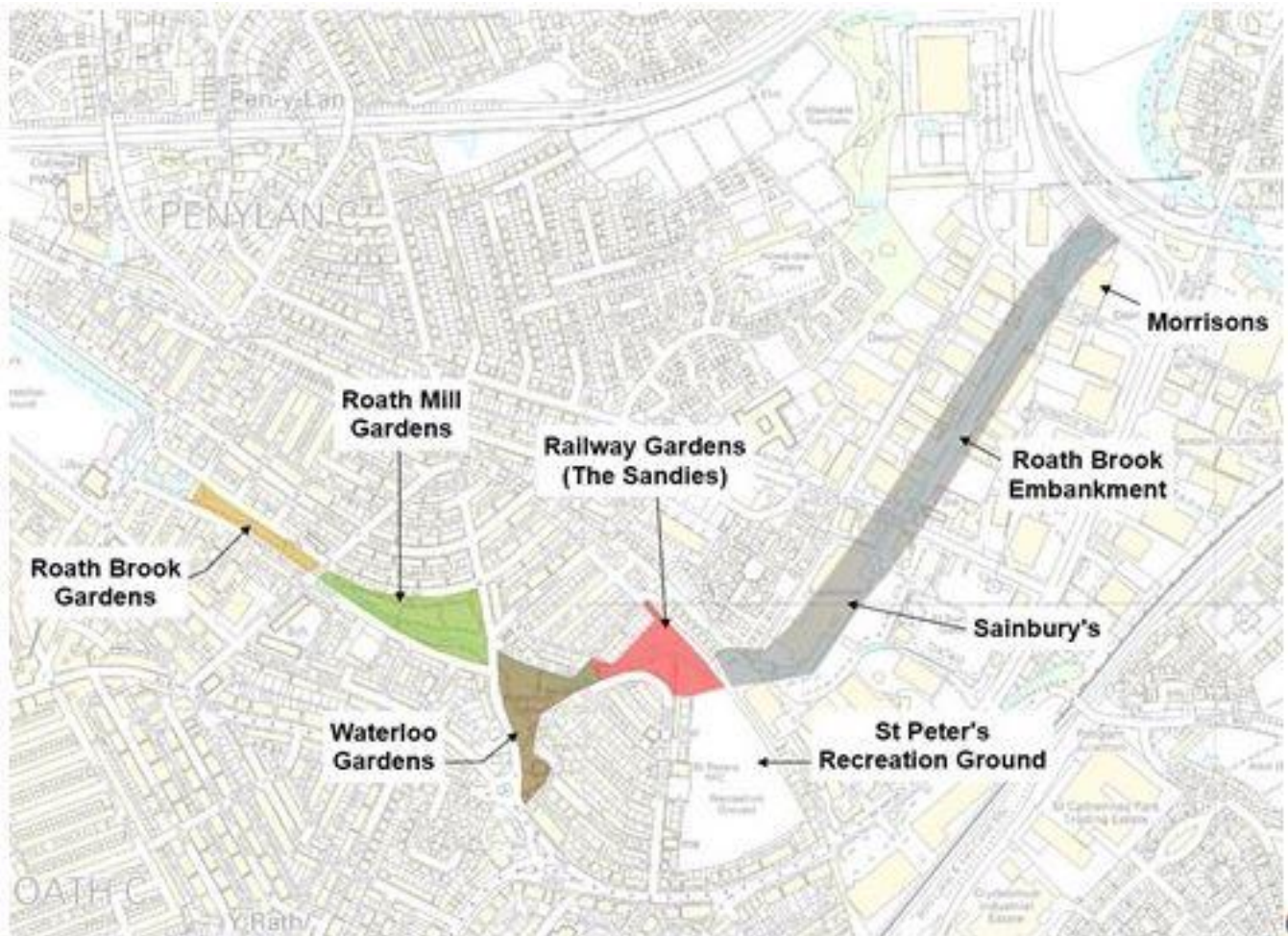


Figure 1. Roath Flood Scheme site [Source: [NRW](#)]

Properties have been flooded by Roath Brook on a number of occasions, including significant events in [1979](#), [1995](#), [1998](#) and [2009](#). The brook has burst its banks most recently during high river flows in 2007 and 2009, and during high tidal events in [2010](#) and [2012](#). It is anticipated that the likelihood of such events will increase over time due to rising sea levels and more intense rainfall events, as a result of climate change.



Figure 2. Roath flood risk area [source: [NRW information poster \(PDF11.3MB\)](#)]

The Flood Risk Management Scheme (FRMS), which has been in development for over 5 years, aims to reduce the flood risk to over 400 properties (360 residential, 45 business).

Current fluvial flood risk to the area is shown in Table 1 below:

Risk	Risk definition	No. of properties at risk
High	A chance of flooding of greater than 1 in 30 (3.33%) each year	Up to 200 residential & 10 commercial properties
Medium	A chance of flooding of between 1 in 100 (1%) & 1 in 30 (3.33%) each year	Up to 380 residential & 50 commercial properties
Low	A chance of flooding of between 1 in 1000 (0.1%) & 1 in 100 (1%) each year	Up to 780 residential & 165 commercial properties

Table 1. Fluvial flood risk in Roath. [Source: [Roath Flood Scheme FAQs, April 2017 \(PDF 172.1 KB\)](#)]

The FRMS aims to increase the level of protection for the community up to a 1 in 75 year flood event (1.3 percent chance of flooding in any given year) from high river flows, and 1 in 150 year flood event (0.6 percent chance of flooding in any given year) from extreme tidal flows.

The planning application for the Roath Flood Scheme and the decision to approve it, can be viewed on Cardiff City Council's [webpage](#).

Options Appraisal

A number of solutions were considered initially in an options appraisal exercise, including dredging and temporary defences. Details of these options have been displayed as [posters](#) in the area (PDF 26.1MB), and covered in the [Roath Flood Scheme FAQs \(PDF 172.1KB\)](#).

NRWs investigation identified the most appropriate flood risk management approach would be to contain floodwater within the river corridors.

Tree removal and planting

NRW has identified the need to remove some trees along the banks of the Roath Brook in order to construct the new flood scheme. An [Arboricultural Impact Assessment](#) (PDF 8.2MB) has been undertaken by independent arboricultural consultants (instructed by Nicholas Pearson Associates) on behalf of NRW. The assessment details the methods undertaken, findings and proposals. It also shows two revisions to the assessment (dated '28-02-2017' and '27-11-2017', highlighted throughout the assessment) showing a reduction in the number of trees selected for felling.

The assessment details measures taken to minimise the impact of the works, including designated 'root protection areas' and 'no-dig construction areas'.

A total 141 trees are proposed for removal, 13 of which are classed as 'category U¹ – unsuitable for retention'. The [Cardiff Council Environmental Scrutiny Committee](#) reviewed the development and implementation of the scheme on the 5 December 2017. The response [letter](#) (PDF 469KB) to NRW noted:

approximately eight of the trees were removed on request from the Council, and that these trees would ordinarily have been felled as a part of a one to three year programme. Natural Resources Wales has accepted the financial cost for removing these trees.

However 37 are classed as high to moderate quality. The Arboricultural Impact Assessment states:

Although removal of the 37 "A" and "B" category trees is regrettable, this is considered the minimum number of trees that must be removed to implement the flood defence scheme.

NRW states that in order to mitigate the removal of trees, 105 new trees will be replanted within the gardens (between 2.5m and 5m high). Details of what types of trees will be planted, and where, can be found in the [Tree Planting Plans](#) (PDF 3.6MB). Tree types have been selected to support the existing character of the gardens and are detailed in the plans.

A further <200 saplings will be planted within the Roath recreational ground.

Errors in data

Between 13 October 2016 and 3 March 2017 NRW's consultation material incorrectly stated that over 400 properties were at risk of flooding in a 1:5 chance event i.e. 20% chance of flooding in any given year. The correct figures were 405 properties at risk of flooding in a 1:75 chance event i.e. 1.3% chance of flooding in any given year.

¹ "Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years" (source: [Arboricultural Impact Assessment, appendix c](#) (PDF 8.2MB))

NRW [acknowledge](#) (PDF 64.9KB) this error and state:

We would like to stress that information included in the detailed planning application and in consultation material leading up to this was correct. Therefore, we do not believe that this error impacted the consultation process significantly, as much of project planning was complete by this time, and planning permission had already been granted in April 2016.

Public consultation

Alongside statutory consultation requirements NRW has undertaken public consultation including door knocking, displaying signage, drop-in sessions and regular newsletters (available [online](#)). Please see the [Key Public Consultations Events](#) (PDF 87.4KB) document for full details.

Subsequently, as a result of further community campaigning, NRW held additional meetings with the campaign group ([@RoathBrookTrees](#)) on 12 and 17 January 2018, and further community engagement events were held in the week commencing 22 January 2018. Presentation materials used in these public events are available on the [NRW website](#).

Media

The proposed works have generated media attention with articles about the works on [BBC News](#), and a number of articles on [WalesOnline](#).

The [artwork](#) that has been commissioned as part of the regeneration has also gained BBC media attention.

Local Government Action

The [Cardiff Council Environmental Scrutiny Committee](#) met with NRW on 5 December 2017 to discuss the delivery and implementation of the Roath Flood Scheme. Following the meeting, the Committee [wrote to NRW on 7 December](#) (PDF 469KB).

Whilst the Committee noted that it did not have the ability to force changes to the scheme and *“does not explicitly endorse either the scheme proposed by Natural Resources Wales or any alternatives presented”*, it did ask for the following confirmation:

I would be grateful if you could provide confirmation of the overall dry land surface area that will be lost as a result of this scheme at this location once it is available.

The Committee would like assurance that these (scheme) alternatives have been considered and evaluated as a part of the development of the scheme

NRW responded in a [statement](#) (PDF 64.9KB) dated 8 December 2017. It concluded:

the Committee is content the scheme is appropriate and necessary, so we shall continue with our planned work from 11 December.

It also discusses the additional cost of delaying the works further:

For example, a 4-month delay to undertake an independent review would incur an estimated additional cost of £200,000 of public money and prolong our presence and the disruption in Roath. Additional cost incurred on this scheme means less funding for other flood risk projects required across Wales.

Letters in support of the scheme were received from two local councillors and submitted as part of the [planning application](#).

Welsh Government action

In her letter to the Committee, The Minister for the Environment, Hannah Blythyn AM, states that, at her request, NRW paused the third phase of tree felling works (planning for 11 December) to allow for further consideration of the scheme. She says she met with officials and NRW on that day to discuss the concerns of residents as well as the wider options that NRW explored to address flood risk to the area.

The Minister for the Environment met with campaigners on 22 January 2018. The [campaign group gave an update](#) on Change.org saying:

“The meeting was constructive and positive and we await feedback”.

The Minister has since responded to the Assembly Petitions Committee in a letter dated 2 February 2018, in which she outlines correspondence with both NRW and elected representatives. She responds to the concerns around the ecological impact:

I am assured that NRW have carried out all of the necessary ecological surveys as required for the planning permission from Cardiff Council in order to construct this scheme.

She also stated that NRW *“have identified a further 6 trees that could be saved from felling”*. The letter concludes:

I will now await the outcome of NRW’s public workshops and continue to seek a way forward that alleviates risk and addresses residents’ concerns.

National Assembly for Wales action

A total of [13 written questions](#) on the Roath Flood Scheme have been tabled and answered by the Minister for the Environment. The necessity and suitability of the scheme has been questioned, including what [alternative measures](#) have been considered. The matter has been discussed in [Plenary](#), where the Minister for the Environment gave an update on Welsh Government discussions with NRW.

NRW has written to the Petitions Committee in a letter dated 24 January 2018, where each point of the petition is addressed in turn. Whilst NRW recognise the short term impact as a result of the works, it concludes;

We should like to stress that we are confident that our proposals will provide the flood protection required, the least impact on the environment, whilst maintaining the Edwardian heritage of the parks and gardens for future generations.

Further information

[Roath Flood Scheme Environmental Report](#) (in 3 parts)

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.

David J Rowlands AM
Chair of Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

24 January 2018

Dear Mr Rowlands,

Thank you for your correspondence on the above petition. We are obviously aware of the high interest in the proposed part of our flood scheme in Roath Mill and Roath Brook Gardens, including the petition. For several months, we have engaged with residents of Penylan and representatives of the #RoathBrookTrees campaign group to try to understand, address and resolve their concerns. In addition, and in order to try to move forward on those concerns, we have also held meetings with local elected representatives and the Welsh Government Minister for the Environment and her officials.

A number of issues are raised in the petition. For reasons of clarity and completeness we aim to address each point in turn using the text of the petition.

As local residents, we believe that the planned flood works in Roath Mill Gardens and Roath Brook Gardens in Penylan, Cardiff are unnecessarily destructive.

We do understand the concerns that have been raised. Our aim is to give the same level of flood protection to the people and properties in Roath Mill Gardens and Roath Brook Gardens as will be provided to others in the wider community at risk from flooding. We have always recognised that there would be a short-term impact from the construction works and have done our utmost to minimise that impact. We believed that in undertaking an extensive options appraisal exercise for the whole scheme, followed by what we considered to be extensive public consultation - before submitting and receiving planning permission from the local planning authority - we had shown that our proposals were needed and proportionate. We do not share the view that our scheme is 'unnecessarily destructive' and in fact we believe it is the least that needs to be done in order to give the required level of protection from future flooding. As part of gaining planning permission there is an agreed level of restoration of the park in line with the character and nature of the Edwardian park/gardens.

We have seen the devastation of Waterloo Gardens and oppose Phase 3 of Natural Resources Wales' Roath Flood Scheme, which will widen the brook in Roath Mill and Roath Brook Gardens and see the felling of over 30 trees in an area where there has never been any flooding in the past.

At the outset of this project we undertook a thorough investigation of many options to achieve the desired levels of protection before we concluded that the most effective, and least impact option, was to widen the brook. In widening the brook and to put in place replacement banks, it is inevitable that we would have to fell a number of trees. However, we have kept the number to an absolute minimum, whilst trying to protect as many of the best quality trees in the park as we can.

Turning to the point about historical flooding, it is correct to say that we are not aware of any flooding inside properties but there have been a number of what we term 'near misses' where water has risen to the height of the existing banks. Our approach to managing floods is not one where we react to flooding that has occurred, but to use the best available information and flood models to predict where flooding is likely to occur in the future and to put schemes in place (risk management approach) to prevent this. That is the approach that we have adopted here in Roath and it is consistent with approaches elsewhere in Wales. It is also in line with Welsh Government policy and approach.

We want to save the trees and ground in Roath Mill Gardens and Roath Brook Gardens in order to preserve the character of the area, minimise ecological damage and protect the habitats of our local wildlife.

As the leading environmental body in Wales we have great empathy with this statement. We have always recognised the need to preserve the special character of the area and have strived to incorporate within our design ways of minimising the impact on wildlife and nature. Although there is inevitably an impact, we believe that some of this will be short-term and whilst it is not possible to re-introduce trees that are decades old, our replanting scheme and maintenance thereafter will be done to give the best chance possible for the park and gardens to recover and flourish. Whilst we do not under-estimate people's current connection to the park and particular trees, and recognise there will be short-term disruption, it is our belief that the park will maintain its character, ecology and wildlife and will be sustained for future generations to enjoy.

We believe that Natural Resources Wales have not properly considered all options available, have misled the public with inaccurate figures during their consultation period and that it is, in fact unnecessary to bulldoze park grounds in order to widen the channel of the brook and remove mature trees in the process.

Through working with our own staff and external consultants we believe that we identified and considered all options before commencing this scheme. Of course, we recognise that others hold a different view. But at no time within our discussions have others been able to identify an alternative that is viable and that will not have greater impacts within the general area. At no time have we intentionally misled people. Some of our publications contained an error of data, *for a limited time*, but we want to re-emphasise that all information prior to October 2016 and within the planning application was correct.

To reiterate earlier statements, we believe that our scheme is proportionate, necessary, with minimal impact and will give the same level of flood protection within the community.

We call on the Welsh Government to urge National Resources Wales to stop work at Roath Mill and Roath Brook Gardens and consider the other viable options available to mitigate the perceived flood risk to this area.

As has been said earlier, we believe we have considered all viable options. In our professional opinion our scheme remains the best with the least impact. Through our discussions with the community no other options have been identified that can give the required level of protection to the people and properties at Roath Mill and Roath Brook Gardens.

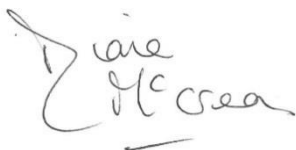
I hope the above addresses the points that have been raised in the petition. I would now like to turn to how we are attempting to engage with the community and its representative via the campaign group.

This matter is obviously current and so the position is one that changes. However, we would advise that the meetings held on 12 and 17 January 2018 with the campaign group have been, we believe, constructive and positive and enable us to better understand concerns. These meetings have also provided the opportunity for the campaign group to understand why we are undertaking the works. We remain hopeful that we will be able to agree a way forward with the campaign group, but recognise that there will be others who are likely to continue to object and protest against our flood scheme. We are holding further engagement events during the week commencing 22 January 2018.

Whilst it is important to recognise that everyone has a right to protest, it is equally important to highlight that we have been through the due process in developing the flood scheme, including public consultation, planning permission and final design.

In conclusion, we have always recognised that there will be a short-term impact as a result of our work on the parks and we have taken this into account in designing our scheme, developing the landscaping and re-planting proposals, as well as in our public consultation and elements of the scheme have evolved as a result of this consultation. We should like to stress that we are confident that our proposals will provide the flood protection required, the least impact on the environment, whilst maintaining the Edwardian heritage of the parks and gardens for future generations.

Yours sincerely,



Diane McCrea
Cadeirydd, Cyfoeth Naturiol Cymru
Chair, Natural Resources Wales

Hannah Blythyn AC/AM
Gweinidog yr Amgylchedd
Minister for Environment



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-801
Ein cyf/Our ref HB/00059/18

David John Rowlands AM
Chair - Petitions committee
National Assembly for Wales
Cardiff Bay
Cardiff Bay
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2 February 2018

Dear David,

Thank you for your letter 12 January 2018 regarding the petition to “*save the trees and ground in Roath mill and Roath Brook Gardens before it’s too late*” and the latest position.

Over the past month I have received numerous pieces of correspondence from residents in Roath regarding the matter. This is a scheme which has been designed and is being delivered by Natural Resources Wales (NRW).

Residents have written to me opposed to what has been called “Phase 3” of the Roath Flood Alleviation Scheme. The scheme should be seen as one whole scheme including the works in Waterloo Gardens and Railway Gardens. The scheme was not originally considered as three separate phases, the phasing has been for operational purposes set out by the contractor to plan the sequencing of the works.

The main concern of residents has been around the felling of trees in the Park to accommodate the widening of the brook. In order to allow the scheme to be constructed and to manage the flood risk for residents of Roath, the removal of trees within the parks has been necessary across all 3 phases, with 122 being replanted within the Park Gardens and 200 saplings in the wider area. The majority of these trees have already been removed for the first two phases of work. Phase 3 in Roath Brook Gardens and Roath Mill Gardens will see the removal of a further 32 trees, with 41 being replanted.

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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.

In terms of the ecological damage mentioned in the petition letter, I am assured that NRW have carried out all of the necessary ecological surveys as required for the planning permission from Cardiff Council in order to construct this scheme. Once complete, the scheme will provide additional ecological benefits such as soft, sloping banks which could provide improved habitat for wildlife and nesting boxes for kingfishers.

At my request, NRW paused the third phase of tree felling works, planned for Monday 11 December, to allow for further consideration of the scheme. I met with officials and NRW on that day to discuss the concerns of residents as well as the wider options that NRW explored to address flood risk to the area.

I have since met with NRW alongside elected representatives on Tuesday 9 January 2018. This provided the elected members the opportunity to voice residents' concerns and for NRW to answer their questions and explain the different options which had been considered.

NRW held a public meeting on Friday 12 January to explore whether more trees could be saved without compromising the level of protection required for the whole community. They have now identified a further 6 trees which could be saved from felling whilst still delivering this scheme.

I then met with residents of Roath on 22 January to listen to their concerns around the final phase of work.

Most recently, NRW ran a series of workshops on 23 and 24 January to discuss the Roath scheme with residents, I understand these were well attended and an additional meeting is being finalised.

I will now await the outcome of NRW's public workshops and continue to seek a way forward that alleviates risk and addresses residents' concerns.

Yours Sincerely,



Hannah Blythyn AC/AM
Gweinidog yr Amgylchedd
Minister for Environment

Response for Petitions Committee - Roath Brook Flood Scheme: Phase 3 Works

1. Introduction & Update

- 1.1. We, as members of the Roath Brook Trees campaign group, are campaigning against Phase 3 of the Roath Flood Scheme, which we believe involves unnecessarily destructive works to Roath Brook and Roath Mill Gardens including the removal of what the Minister refers to as 32 trees¹ and the widening of the brook which will have consequential effects on the local wildlife and eco-systems.
- 1.2. Works commenced on Monday 18th December and a small number of trees have been felled. The progress of works was significantly curtailed due to peaceful campaigning in the parks by local residents. Our concerns were set out in a letter to the chair of NRW, Diane McCrea (Appendix 1) on 2nd January. An interim response was received on 5th January (Appendix 2) promising a full response “as soon as possible”. Over 6 weeks has passed and no further response has been received.
- 1.3. Eventually NRW agreed to meet with representatives of the campaign in mid January (and on an ongoing basis since) and the Minister agreed to meet representatives in late January. Whilst recent meetings with NRW have been constructive NRW have only agreed a number of temporary pauses to tree felling with the latest such pause to allow us to submit a plan for considering their model and potential alternatives (at our own expense). Contrary to the impression given in the letter from NRW the first time they met with the campaign group was w/c 8th January. The Minister engaged at a later date (despite numerous requests to engage since early December). We believe that we only secured engagement from either party because the progress of the works was being frustrated.
- 1.4. The issues raised by this petition should not however be considered as local isolated issues. The petition contains over 8,700 signatures (mostly from those who make use of the parks but also from further afield). The felling of trees, and particularly those in urban areas, is an issue of increasing importance and public opposition globally and throughout the UK, most notably in Sheffield. At a Welsh level the petition raises a number of important issues which should be investigated and/or debated at Assembly level including:
 - The manner in which the limited resources available for flood protection are allocated by NRW²;
 - How the damage to the environment and our ecosystems is measured and accounted for as part of any cost/benefit analysis for works carried out by public bodies; and
 - The conduct of consultations relating to flood defence works including the clarity and content of information;
- 1.5. This is particularly so if the Welsh Government and public bodies in Wales are to pay more than “lip service” to important and progressive legislation like the Environment Wales Act (which has at its heart the protection and promotion of our ecosystems) and the Wellbeing of Future Generations Act (with the mental health benefits of urban trees and wildlife well documented).
- 1.6. The Committee are referred to Appendix 1 for more detail about the issues raised although pertinent issues are addressed further below.

2. Letter from Hannah Blythyn dated 2nd February 2018

- 2.1. The suggestion that the scheme should be considered as a “whole” with the works in Waterloo Gardens and Railway Gardens is something which both NRW and the Minister have relied upon throughout our discussions. The phases formed part of the planning permission application

¹ Although this figure keeps changing. Originally 38 trees were to be felled. An additional 3 trees were left off the list and are to be felled. NRW then re-considered the position to attempt to save additional trees, however, NRW tell us that Cardiff Council seek to fell 4 of them anyway.

² The chair of NRW specifically stated in December 2017 that NRW need clarity from Welsh Government on how reduced resources should be prioritised given changing ways of working under the Environment Wales Act and the Future Generations Act

<http://www.bbc.co.uk/news/av/uk-wales-42341278/natural-resources-wales-can-t-be-everywhere>

submitted by NRW before a contractor had presumably been appointed, and therefore cannot simply be an operational requirement of the contractor.

- 2.2. However the fundamental problem with treating Phase 3 works as part of the “whole” is that, other than physical proximity, there is no connection whatsoever between Phases 1 and 2 and Phase 3:
 - Phases 1 and 2 protect a finite number of properties from tidal flooding, fluvial flooding or a combination of both arising in Waterloo Gardens and Railway Gardens;
 - Phase 3 protects a completely different set of properties from fluvial flooding which may occur in Roath Brook Gardens³.
- 2.3. The only operational convenience is that of NRW in “bundling” the works together with Phases 1 and 2. If treated separately there would be no justification for using a significant amount of the limited funds available to provide flood protection (at least £500,000) on Phase 3 (see 4.1 to 4.6 below).
- 2.4. It is noteworthy that the Minister, after saying that the scheme needs to be treated as a whole, goes on to quote the tree statistics for Phase 3 (in fact if treated as a whole more trees are being felled in the gardens than are being replanted). Whilst it is correct that in Phase 3 numerically more trees are being planted this does not give any accurate indication of the actual “value” of trees to the local environment. It is the tree canopy coverage which governs their ability to improve air quality, provide shade and weather protection (including against flooding), support wildlife and improve the appearance of the area. Many of the trees being felled are mature trees (some around 100 years old) and provide a canopy coverage many times greater that of the young trees replacing them.

3. **Letter from Diane McCrea dated 24th January 2018**

Necessity for the Works

- 3.1. The letter does not address the first, and most fundamental, question which is whether works are necessary at all and/or why they are being prioritised over flood defence works desperately needed in other higher priority areas in Wales. There are a significant number of properties in Wales which suffer either from a greater risk of flooding, historical flooding issues or in most cases, both. Funds should be spent on these higher risk areas (where associated environmental harm is also likely to be negligible or significantly less destructive).
- 3.2. NRW, and the Minister, have consistently relied on the fact that the “Community” of Roath is 17th on the Communities at Risk Register⁴. However, this rating is almost entirely a result of the separate, and far greater, flood risk addressed by the work in Phases 1 and 2. Since early December 2018 NRW have been asked to provide details of those homes and communities at higher risk within Wales, why works in those areas have not been prioritised and where the “community” would sit on the register once Phase 1 and Phase 2 works are complete. NRW have refused to provide the information on the basis that they do not hold the same⁵.
- 3.3. It has emerged over the last two months, as a result of requests made of NRW, that the Phase 3 works are designed to protect a discrete flood risk to 60 properties (located on Alma Road, Cressey Road, Sandringham Road and Blenheim Road):
 - 3.3.1. 20 properties with a flood risk of between 1 in 30 and 1 in 50 in any given year; and
 - 3.3.2. 40 properties with a flood risk of between 1 in 50 and 1 in 75 in any given year.Such a flood risk is categorised by NRW as “medium risk” (any flood risk between 1 in 30 and 1 in 100). After the works are completed the flood risk to these properties will be greater than 1 in 75 in any given year (still classed as “medium risk”).

³ NRW, in their response, admit they are not aware of historical flooding

⁴ See NRW response at Appendix 2

⁵ Appendix 4 – Summary of FOI Requests and Responses - items 1, 7 and 8

- 3.4. Following a further request, a copy of the Communities at Risk Register was provided on Friday 16th February. It is difficult to fully interpret the data (as the underlying software is needed). However, it is clear that once Phase 1 and 2 works are complete the risk of tidal flooding will be almost entirely removed and the risk posed by fluvial flooding (in the area of the Phases 1 and 2 works) similarly mitigated. The likely position of the community after such works is between 100th and 150th. Appendix 5 is a copy of the 150 communities most "at risk". It is likely that there are no plans currently for flood protection works in many of these communities, particularly beyond the top quarter of the table.
- 3.5. NRW's response when questioned on this is that it would not be correct to leave some homes in the community at a greater risk of flooding than others (those protected by Phase 1 and 2 works). This approach must be fatally flawed as it would certainly not be correct to protect these homes at the expense of homes in other areas of Wales at a far greater risk.
- 3.6. We believe that NRW should be required to recalculate the Communities at Risk Register in light of the work to be completed on Phases 1 and 2 and explain, in light of that, why the Phase 3 works should be prioritised over other areas at greater risk within Wales.

Objective Assessment of effect on Local Environment and Ecosystems

- 3.7. We understand that prior to commencing any flood defence project it is normal for a flood risk benefit map to be created to understand both the positive and negative impacts (presumably including the impact on the environment) of carrying out works. We have asked for a copy of such a map for Phase 3 works and have been told that no such map exists.⁶
- 3.8. We have also requested details of whether environmental issues, and the fact that an area is a conservation area, are taken into account at the stage works are contemplated or only at the stage of assessing which works are done, together with a copy of any guidance as to how these matters should be taken into account. Other than a generic answer that such factors are taken into account we have not been provided any further.⁷
- 3.9. It therefore appears that there is little or no objective assessment of the environmental impact, and associated cost, of tree felling (even within NRW the body charged with protecting our natural resources) despite the fact that NRW themselves are studying such benefits and acknowledge:
- "Urban trees are a valuable source of ecosystem services in towns and cities, providing cost-effective solutions to many of the environmental issues facing urban society. Quantifying the services that trees provide in improving local air quality, capturing and storing carbon and reducing flooding reveals the significant monetary benefits that trees deliver year on year."*⁸
- 3.10. There is also a cost to wildlife, many of which include species protected to the highest standard by law. To take kingfishers as an example (which have the highest level of protection). Kingfishers are very rare and our area is one of the only urban areas in Cardiff they are seen. Both the male and female have recently been sighted which indicates they are getting ready to breed. Kingfishers on average live for 2 years and breed after year 1. The works are likely to disturb their habitat. Whilst this is not itself a crime⁹, it will prevent the kingfishers from building their nests to breed. The likely consequence of these works, at best is that they will move out of the area, and at worst, because they cannot breed, they could die out depending on their age. They are unlikely to return to the area as the new sloping of the banks will not support their nests.
- 3.11. We believe that a system should be implemented within public bodies, and particularly NRW, to ensure that the destructive impact of such works to the environment is objectively valued.

⁶ Appendix 4 item 1

⁷ Appendix 4 item 2

⁸ <https://naturalresources.wales/guidance-and-advice/environmental-topics/your-neighbourhood/green-spaces/urban-trees/?lang=en>

⁹ Damage or destruction to their nests, eggs, young or the kingfishers themselves is a criminal offence punishable by fines and/or imprisonment.

Less Environmentally Destructive Options

3.12. Bearing in mind the apparent failure to consider the above, and the failure of the consultation (see below) we do not believe that NRW has actually carried out an accurate appraisal of alternative options (or a combination of them) as a specific alternative to phase 3¹⁰ including:

- temporary storage of flood water upstream including at Roath Park Lake;
- individual property protection;
- temporary barriers on the South Side of Roath Brook and/or Sandringham Road;
- raising the footpath within the parks; and
- weighted valves under bridges to allow controlled back up;

3.13. NRW state that no other options have been identified by the Community. However, it is the community's view that there was a complete failure to consult both on the risks and the alternative options and had that taken place they, in conjunction with NRW experts, could have identified more suitable alternatives. We are continuing discussions with NRW over the options available although this is likely to involve significant expense on behalf of the campaign group.

Failure of Consultation

3.14. NRW state that they have carried out "extensive public consultation". It is a fundamental principle of consultation that "*People involved in the consultation need to have enough information to make an intelligent choice and input into the process*"¹¹. However, it is clear that the consultation, however extensive in terms of size, has failed due to the failure to provide the most basic information (examples of which are set out below).

3.15. It is agreed by NRW that the consultation failed to include the following¹²:

- any details whatsoever of the flood risk the Phase 3 works are designed to protect against (including the size of the flood risk and the number of properties affected);
- the fact that there is no evidence of Roath Brook ever flooding in the area of the Phase 3 works;

3.16. Further in relation to the scheme as a whole, which given the above is the only information people were provided with, NRW (despite their suggestions to the contrary):

- provided little or no information about the actual flood risk (Appendix 4 item 4 & Appendix 6);
- during a 6 month period from at the latest September 2017¹³ exaggerated the actual flood risk by 1300% (stating a 1 in 5 risk of flooding to 400 homes rather than 1 in 75) as part of a concerted press campaign.

As a result, even now, many local residents have no idea of the actual flood risk which NRW are protecting against in any of the phases. This is unsurprising given that those employed or engaged by NRW, including the project manager, failed to understand the actual flood risk for at least a 6 month period.

3.17. Should works be found to be necessary in relation to Phase 3 we believe there should be a proper consultation on the need for the works and the alternative options available.

Roath Brook Trees Campaign Group

19th February 2018

¹⁰ Appendix 4, Item 3

¹¹ Gunning Principles

¹² Appendix 4, Item 4 and the example quoted (which is equally applicable whether or not the works in phase 3 are carried out) and Item 6

¹³ The statement in the NRW letter is incorrect as their land agents were writing to residents quoting the incorrect flood risk of 1 in 5 in September 2017

Agenda Item 3.1

P-04-522 Asbestos in Schools

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to put measures in place to ensure that parents and guardians of children across Wales can easily access information about the presence and management of asbestos in all school buildings.

Given the health risks associated with the presence of asbestos in public buildings, we believe parents and guardians across Wales have the right;

- to know if asbestos is located in their school;
- to know whether, where asbestos is present, it is being managed in line with the Control of Asbestos Regulations 2012;
- to access that information easily online

Petition raised by: Cenric Clement-Evans

Date Petition first considered by Committee: 10 December 2013

Number of signatures: 448

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-522
Ein cyf/Our ref KW/00147/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
Cardiff Bay
CF99 1NA

government.committee.business@wales.gsi.gov.uk

06 February 2018

Dear David

Thank you for your letter of 25 January in respect of your discussions at the Petitions Committee meeting on 9 January; to which you attached correspondence from your petitioner, Mr Cenic Clement-Evans.

For ease of reference, I will address the issues you raise in the order in which they appear in your letter and that of Mr Cenic Clement-Evans.

Condition and Management of Asbestos in Welsh Schools

As I indicated in my letter of 3 November, information about the presence of asbestos in schools throughout Wales and confirmation that asbestos management plans are in place forms part of our annual condition survey.

I am pleased to report that the vast majority of local authorities have confirmed that those schools in their estate with asbestos present also have an asbestos management plan in place. My officials are currently working with local authorities to ensure that this information is current and that any gaps in the information are addressed.

At present I have no plans for my officials to share the data; however once the information has been received, further consideration will be given to the most appropriate way to deal with it.

When is the consultation referred to by her to commence and close?

Bae Caerdydd • Cardiff Bay
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CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Kirsty.Williams@llyw.cymru
Correspondence.Kirsty.Williams@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.

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.

My officials contacted key stakeholders in December, to inform them that the forthcoming review of our asbestos management in schools guidance would begin early in 2018.

The intention is that the guidance review period will begin before the end of February and last for 12 weeks, so that all feedback and findings can be considered.

When will the results of the consultation be released?

In order to ensure that all stakeholder views are considered, a consultation response document and the revised guidance will be released as soon after the 12 week review period as it is practicable to do so.

When will the meeting take place to which key stakeholders will be invited?

In the letter sent to key stakeholders in December 2017, my officials indicated that we would welcome a joint meeting with them for discussions on the consultation document. My officials are mindful that all stakeholders should have adequate time to review the revised guidance information to inform discussions, so this date will be arranged in agreement with all involved once the consultation is underway.

Who are the proposed key stakeholders and how has this been determined?

Key stakeholders were identified by the Asbestos Management in Schools Working Group (of which HSE Wales and Public Health Wales are part).

Decisions about stakeholder involvement were initially guided by the participants of the steering group in England, but also included those groups specific to Wales.

Information about the review has currently been distributed to all school based unions in Wales and committees such as: British Lung Foundation; JUAC; ColegauCymru; and the WLGA. The Cross Party Group, GovernorsWales and Further Education unions, as well as head teachers, through our Dysg Newsletter, will also be asked to provide comments for this review.

My officials have also been in separate correspondence with both Mr Cenric Clement Evans in his role as Secretary to the Cross Party Group on Asbestos and Dr Joseph Carter as Head of British Lung Foundation Wales, to detail the current key stakeholder list and asking for any additional stakeholder suggestions they may have.

Yours sincerely



Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

Agenda Item 3.2

P-05-733 No Further Actions on Nitrate Vulnerable Zones (NVZ) In Wales At All.

This petition was submitted by Nicola Savage, which collected 30 online signatures and over 400 paper signatures. An associated petition on Change.org collected 497 signatures.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to take no further actions on NVZ in Wales at all. Bringing this directive in would put enormous pressure on an already crippled dairy farming industry and the wider rural communities. We are the backbone of the Welsh Economy, No Farmers, No Food

Assembly constituency and Region.

- Preseli Pembrokeshire
- Mid and West Wales

Written Statement – NVZ Consultation

Last updated 13 December 2017

Lesley Griffiths, Cabinet Secretary for Energy, Planning and Rural Affairs

Last year the Welsh Government consulted on the Review of the Designated Areas and Action Programme to Tackle Nitrate Pollution in Wales. We asked for views on options for the future designation of Nitrate Vulnerable Zones (NVZs) and Action Programme measures implemented within NVZs. We received 256 responses from individuals and organisations, reflecting the importance of water quality to Wales. Nearly 60% of responses supported whole territory designation. A summary of responses will be published in the New Year.

Safeguarding water quality is one of the key priorities in the Water Strategy for Wales. While nitrogen is a vital nutrient which helps plants and crops grow, high concentrations are harmful. The agricultural use of nitrates is a major source of water pollution. International obligations, such as the United Nations Sustainable Development Goal, requires us to take action to improve water quality by 2030 by reducing pollution.

Poor nutrient management is a major problem across our country. Pollution of this kind is preventable and we should not be seeing significant stretches of rivers largely devoid of fish in the 21st Century. Most respondents to the consultation recognised the significant impact nitrate pollution is having and agreed with the need for further action.

I have taken into account the consultation responses alongside the views of stakeholders from my Brexit Ministerial Roundtable and its Land Management Sub-group and the Wales Land Management Forum Sub-group on Agricultural Pollution.

I want to ensure the people of Wales can continue to benefit from our natural resources. To achieve this, our waters need greater protection from agricultural pollution. I am minded to introduce a whole Wales approach to tackling nitrate pollution from agriculture. Over coming months I will work with stakeholders to get the right balance of regulatory measures, voluntary initiatives and investment. I intend to explore options to provide land managers with flexibility, where these would achieve the same or better outcomes than a regulatory approach. This includes further consideration of a proposal from the agriculture industry based on the First Milk off-set project.

I welcome the work being done by the Wales Land Management Forum sub group on agricultural pollution and the willingness of the industry to work with us to tackle this problem. We will continue to work collaboratively with this group and my Ministerial Roundtable Land Management Subgroup to ensure the regulatory regime is sufficiently robust to achieve the outcomes Wales requires, while offering flexibility.

We have some of the finest countryside and stretches of water in Europe which we have a duty to protect and enhance. This new approach will help deliver this.

**P-05-733 No Further Actions on Nitrate Vulnerable Zones (NVZ) In Wales At All -
Correspondence from the Petitioner to the Committee, 19.02.18**

Hi Kayleigh

No I won't be responding I feel that it was a fair decision.

Thank you

Nicola

Agenda Item 3.3

P-05-743 End the Exotic Pet Trade in Wales

This petition was submitted by David Sedley, having collected 222 signatures.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to take action against the trade in exotic animals captured and bred for the pet trade in Wales, and to forbid the licensing of all businesses involved in this destructive, cruel and unethical trade, with clear exemptions for rescue centres and licensed rescue centres. We further urge the Welsh Government to follow the example of the Scottish Government which committed to a review of the trade and importation of exotic animals for the pet trade in Scotland in February 2015, led by The Cabinet Secretary for Rural Affairs and the Environment. For Wales to be taken seriously in the global conservation community, we maintain that we cannot be seen to be allowing this trade – which elicits the concerns of the British Veterinary Association (BVA), The Federation of Veterinarians of Europe (FVE) and the RSPCA – to continue in our own country.

Additional Information

Animals such as monkeys, meerkats, reptiles and turtles are wild animals who belong in their natural habitat, not in cages and glass tanks in somebody's home. Over 1000 species of mammals, birds, invertebrates, reptiles, amphibians and fish are bred and captured for the exotic pet trade, and it is our argument that the complex social, physical and behavioural needs of these animals cannot be met other than in their natural habitats. Furthermore, there is strong evidence linking the trade in exotic animals with habitat destruction and the extinction of species in the wild. In tandem with the suffering of such animals in transit – including many documented deaths – young animals can grow into dangerous adults which can become unmanageable in domestic environments not conducive to satisfying their welfare needs for increased space and food.

Assembly Constituency and Region.

- Swansea West
- South Wales West

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-743
Ein cyf/Our ref LG/00218/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
CF99 1NA

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6 February 2018

Dear David

Thank you for your letter of 25 January on behalf of the Petitions Committee regarding petition P-05-743 on ending of the exotic pet trade in Wales.

The Scottish Government has advised they have completed their desk-top review on exotic pets and it is being considered alongside other matters relating to the breeding, sale and keeping of pets as part of their wider pet welfare review.

Defra is in the process of finalising draft animal welfare regulations, which cover the licensing of activities involving animals, including pet sales in England. The regulations will outline the updated animal welfare standards licence holders need to comply with and will also include a number of specific provisions aimed at improving the care of exotic pets.

We are developing a licensing scheme for mobile animal exhibits in Wales, many of which include exotic species. Officials are also updating a number of our animal welfare codes of practice and are working with RSPCA Cymru and Animal Welfare Network Wales to discuss priorities for revising or creating new species-specific welfare codes where the greatest need is identified.

There is a duty on all animal keepers to protect the welfare of animals in their care, whether on a permanent or temporary basis, in the Animal Welfare Act 2006. The codes explain what a person needs to do to meet the standards of care the law requires. Essentially, if you own or are responsible for an animal you have a legal duty to take reasonable steps to ensure its welfare needs are met. Better information sharing before point of sale is also essential to ensure responsible decisions are made when considering ownership of an animal.

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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 41

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.

At this point in time there is nothing further to share on this particular issue. It may be of interest to note we have agreed to the UK Parliament legislating by Act for England and Wales to increase the maximum sentence for animal cruelty offences from six months to five years. This will apply to all kept animals including exotic pets. Maintaining a comparative sentencing regime across England and Wales is important to ensure clarity for enforcement agencies, the Courts and the public alike. This will bring maximum sentences for animal cruelty in England and Wales into line with Northern Ireland and the Republic of Ireland. The Scottish Government has also committed to increase the maximum penalty.

Regards
Lesley Griffiths

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Response to Petition P-05-743: End the Exotic Pet Trade in Wales

Pet fish are good for people, their health, and the Welsh and UK economy. The trade supports the livelihoods of people in some of the world's poorest countries

We note that one of the main requests by this petitioner is for pet shop licences to be withdrawn from businesses to stop them trading. We would like to put some further context to that call.

We carried out Freedom of Information requests to local councils in 2014 and 2016 looking at pet shop licensing. From our 2016 report we found there were 145 shops in Wales being licensed by 20 councils. Of these 118 sold fish (just over 80% of licensed pet shops in Wales). That is a lot of shops to shut and livelihoods to lose (and it would be more if other exotic pets like reptiles and small furies are included).

It is worth remembering, what is not counted in any pet shop licensing statistic is the number of 'pet' shops that do not sell animals but everything else a pet owner needs. And behind all those are the companies which manufacture and supply food, accessories, tanks and medications. Cut off the supply to a significant proportion of pet animals and these shops and businesses will equally suffer from lack of trade.

Unfortunately we don't have figures for Wales but in the UK we estimate that:

- 4 million households own fish (that's 14% of the population).
- There are 100+million fish kept in aquariums and ponds (making fish the most populous pet).
- Fishkeepers spend £400 million a year on their hobby while pet owners in general spend around £6 billion a year on their pets (that's all pets) including foods, accessories and veterinary care.
- That generates taxes of more than £2 billion annually.
- 50,000 people are employed by the pet industry within the UK (we estimate around 12,000 are employed by aquatic-related businesses).
- Pets are good for our health and are estimated to save the NHS at least £2.45 billion every year (which could be a conservative estimate). Therefore the benefits of pet ownership in general, in terms of tax generated and NHS spending spared, is about £4.45 billion a year.

Our point is that stopping the trade in exotic pets, whether it's tropical fish, birds, reptiles or small furies like gerbils and hamsters, takes out a significant proportion of the trade which ultimately affects all pet owners. Popular though they are, dogs, cats and rabbits alone cannot keep the pet industry going. We believe that the pet industry – including those importers,

wholesalers, manufacturers and retailers involved in exotic species – make a valuable contribution to Goal 1 of the Welsh Government’s Wellbeing of Future Generations Act. These businesses provide jobs and livelihoods to people in Wales – and indeed people in other parts of the world too (Goal 7).

We would also ask you to consider the unheard voice in the exotic pet debate – the people who catch tropical fish. We enclose a copy of [OATA’s Wild Caught Ornamental Fish: the trade, the benefits, the facts](#) which examines the benefits that tropical fish caught in the wild can bring to some of the remotest and poorest parts of the world. The people who catch wild fish do not have a voice in developed countries in a debate that threatens their livelihoods and the well-being of their families. What’s rarely discussed is the fact that, if best practice is followed as is the case across much of our industry, fish mortalities are low, welfare standards are high, and the benefits can be huge in terms of revenue, infrastructure, carbon fixation and in the lives of many people.

Our industry gives people living in Small Island Developing states, Least Developed Countries and countries classified by the UN as ‘countries of low human development’ the chance to develop a sustainable livelihood from the marine or freshwater resources on their doorstep, helping to meet UN Sustainable Development Target 14.7 which says: “By 2030, increase the economic benefits to Small Island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism.” This in turn actually encourages communities to preserve the environment where they live because it protects their livelihood. If these communities do not receive an income from these low volume, high value sustainable fisheries they are likely to turn to more environmentally damaging activities such as food fishing, slash and burn agriculture, logging or even mining.

Educating people to pick the right pet for their lifestyle and care for it properly is the key to happy and healthy pets

This petitioner calls ‘at the very least’ for an introduction of a positive list which seeks to limit the species that people can keep as pets. All animals have specific husbandry requirements which need to be understood by their owner, regardless of whether they are dogs, cats, small furrries, birds, reptiles or fish. That’s why we believe educating people to pick the right pet for their lifestyle and care for it properly is the key to happy, healthy pets. Reducing the number of animals that can be legally traded and kept as pets will only prejudice responsible businesses and keepers. We believe the solution lies in educating people in how to look after the animals they share their homes with, exotic or otherwise, while ensuring the law to manage illegally traded species is effective and properly enforced.

There is no justification for a positive list approach and it is a disproportionate approach in light of current evidence. There are no identified issues of concern with the species our industry imports. Species should only be restricted where it can be properly demonstrated, based on a scientific risk assessment, that they constitute some form of risk. Tropical fish present no risk because they cannot survive in the temperate climate of the UK and temperate fish are already subject to adequate controls and risk assessment.

The evidence for a problem is often exaggerated by NGOs and is not supported by wider scientific evidence and practical experience. Belgium has introduced a positive list of mammals but that list has been ignored by many owners that simply keep their animals undercover, selling any surplus quietly in Belgium or more openly to clients in other EU Member States. You might also be interested to know that when the Belgians undertook their assessments for a positive list of mammals, dogs and rabbits could not make it on the list. Clearly this was not considered politically acceptable so the criteria was reviewed and a further

assessment undertaken which enabled them to be included on the list. Such lists are therefore not necessarily representative of how hard it is to keep a particular species – which frankly calls into question the credibility of positive lists.

Before Sweden acceded to the EU reptile ownership was banned but upon accession, and a lifting of the ban, many reptiles came to light. Norway has also recently lifted a 40-year ban on reptile ownership and even the Norwegian Government acknowledged there has been a healthy private ownership of reptiles (estimated to be around 100,000) in the country. So there is evidence that these bans, including bans arising as a consequence of positive lists, do not stop ownership. Instead they drive it underground. We do not endorse illegal activity but any law that cannot get the majority of stakeholders to comply is not good law. And it also does nothing to protect animal welfare because sick animals may be denied veterinary attention if they are being kept illegally.

High standards for pet shops are to be welcomed and need to apply to ALL businesses to ensure good welfare

OATA has long campaigned to improve pet shop licensing across the UK (hence our FOI reports in 2014 and 2016). We are aware of the Scottish review, although we are not sure what, if any, progress has been made with this. In England, there is already a well-established review of animal establishment licensing (including pet shops), which includes developing mandatory model licensing conditions based on Chartered Institute of Environmental Health guidelines.

We have worked with fellow pet trade associations and Defra on this review because we want an outcome that sets high standards for ALL businesses which deal with animals – whether that's a 'bricks and mortar' shop or online. ALL businesses selling pets should face the same scrutiny, whether that's about meeting the same high standards of animal welfare, staff training to ensure they know about the species they sell and provision of high quality care information to customers who buy animals. Online businesses need to demonstrate this to the same standards as shops.

Another point we make repeatedly on this subject is that having well-trained inspectors who can enforce the legislation is equally important. Better enforcement of improved mandatory conditions will drive up standards for all businesses, which can only be a good thing. We would urge all UK administrations to follow Defra's lead in introducing an equivalent and consistent approach. As a UK representative body, you will understand that we hope high standards are mandatory across the whole of the UK so there are not different standards based on postcode.

Fish welfare and mortalities

Like any trade that exports and imports live animals, the welfare and mortality rates of exported ornamental fish is a highly emotive issue, and rightly so. Our industry relies on the provision of LIVE and HEALTHY stock. Where best practise is followed, mortalities at all stages along the supply chain have been reduced to very low levels, often achieving mortalities below 1% from exporters to importers, as confirmed by a Ministerial statement in the UK.

As an example, a 2014 report by Wabnitz & Nahacky examined fish collection in the Federated States of Micronesia, a set of small islands in the Pacific. These collectors and exporters had all received training in best practice in collection, handling, transport, holding and shipping from the Secretariat of the Pacific Communities (SPC), an international development organisation. It reported mortalities of less than 1% from collection to export and less than 1.4% at the importer in the United States. There's no reason to believe this level of survivability cannot be achieved across the globe if best practice methods are routinely

followed. In the UK many companies such as Maidenhead Aquatics and Tropical Marine Centre work with their supply chains to provide this type of training.

Codes of Practice

We note from the Wales Animal Health and Welfare Framework implementation plan that Codes of Practice for species are under review. You might be interested to know that we are currently working on a Good Practice Guide for Fishkeeping for Defra and would be very happy to send this to the committee. We will happily assist in any work that is done in this area though our preference would be for codes of practice that are consistent across the whole of the UK. Anything that drives up standards for all businesses involved in the sale of tropical fish is to be welcomed and you will find our industry plays its part in educating customers about the flora and fauna they sell.

Agenda Item 3.4

P-05-778 Protect the Razor Clams on Llanfairfechan Beach

This petition was submitted by Vanessa L Dye, having collected 225 signatures online and 234 on paper – a total of 459 signatures.

Petition text:

We call on the National Assembly for Wales to urge the Welsh Government to:

- commission a research study to ascertain the state of the health of the razor clam beds and their viability as a long term natural resource, and put in place a moratorium for fishing of razor clams until the research can report its findings;
- ratify a 'closed' season for the harvesting of razor clams aligned to the spawning season i.e. May to September;
- draw up regulations in addition to the minimum landing size of 10cm to include set quotas that individuals are allowed to take; and
- bring forward legislation and regulations to protect the razor clams on Llanfairfechan beach.

"The mass harvesting of razor clams on Llanfairfechan beach has been a matter of concern for many residents and conservationists for a number of years." (Ref: letter to Cabinet Secretary Lesley Griffiths AM from Janet Finch Saunders AM 28th July 2017.

Currently the only regulatory control on razor clams is that they must have a legal minimum landing size of 10cm, and there are checks relating to the control of clams ending in the food chain. Many residents are concerned about the apparent lack of procedures and/or regulations governing the taking of razor clams particularly in respect of designating a 'closed' season during spawning, quotas allowed, and the need for research evidence to be conducted on the razor clams to ascertain the impact on the local environment and ecosystem.

Since 2013 it has been noted by several sources that razor clams are being harvested in great numbers from Llanfairfechan beach. Evidence to support this claim has been documented on numerous occasions on social media. A recent request on the Llanfairfechan Noticeboard for any pictures or video footage of those gathering the razor clams clearly shows that there are large numbers of people involved in this activity. The gathering of the razor clams generally takes place after a high tide.

Additional information:

Just to provide some historic background about this issue. In 2013 the harvesting activity was brought to light by the Weekly News newspaper by Tom Davidson when it was noted that there was “A gang of more than 100 people harvesting huge amounts of razor clams.....” There were also concerns that illegal workers were being exploited and that the clams were being fished for commercial purposes. At the time, one resident said “they had seen similar scenes involving an increasing number of gatherers over the last few weeks. Residents are angry at the sheer number of harvesters with fears the local habitat could be damaged irreparably, with hundreds of clams taken off the beach regularly.” Whilst fears about the gatherers being used as part of modern slavery and the shellfish ending up in the food chain have been allayed by the ongoing efforts of the police and Food Standards Agency. The environmental consequences of this sustained and systematic removal of razor clams remains a major issue, which may impact on the other marine and bird life within the area, along with causing possible changes in the density of sand on the beach. There are some fears regarding the sand being unstable in places and people unfamiliar with the beach could easily get into difficulties e.g. some gatherers harvest the clams some distance away from the safety of the land. It has been quite disempowering and frustrating for ordinary citizens to watch the pillaging of an environmental resource and question why organisations who's remit is to protect the environment appear to be hamstrung because of the lack of appropriate procedures/laws. This is surprising given that Llanfairfechan beach is designated as a Special Scientific Interest (SSSI), Special Protection Area (SPA) and Special Area of Conservation (SAC). 2013. Surely there must be regulations within these bodies of knowledge to tap into as a source to protect this imbalance in such an ecosystem?

Assembly Constituency and Region

- Not provided

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-778
Ein cyf/Our ref LG/00259/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
Cardiff Bay
CF99 1NA

government.committee.business@wales.gsi.gov.uk

7 February 2018

Dear David

Thank you for your letter of 31 January, regarding petition P-05-778 Protect the Razor Clams on Llanfairfechan Beach and for sharing the comments provided by the petitioner.

NAFC Marine Centre, Shetland, won the contract for the research study into the biology, ecology and distribution of razor clams around Wales.

There is currently no agreed best practice for razor clam stock assessments in scientific or fisheries management in the UK or EU. The report will review potential methods and techniques for razor clam stock assessment and will provide recommendations for stock assessment methods to be used by the Welsh Government.

This report is to be completed by 31 March 2018. Welsh Government will then consider its recommendations to enable the development of the most appropriate stock assessment methodology for subsequently assessing the razor clam population at Llanfairfechan.

Regards
Lesley Griffiths

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

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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-05-778 Protect the Razor Clams on Llanfairfechan Beach –
Correspondence from the Petitioner to the Committee, 18.02.18**

Dear Petition Committee Members,

Re: Comments for Petition Committee Meeting February 2018 – See emboldened sections for key points

Thank you for the opportunity to submit comments for the next Petition Committee Meeting.

Firstly, may I draw the Committee members' attention to the fact that, as yet, no prominent Bye law notices have been placed at the beach entrances, to indicate that the razor beds are closed until December 2018.

In respect of the Cabinet Secretary for Energy, planning and rural affairs letter (February 2018), which states that the NATC Marine Centre has been given the contract for the researching razor clams around Wales. It is interesting that the letter notes there is currently no agreed best practice for assessing stocks of razor clams. This point echoes comments made by some of the Llanfairfechan residents attending the Public meeting held by Janet Finch-Saunders(AM) last July, when concerns were raised about the apparent total lack knowledge regarding the types/extent/density/overall health and potential environmental effects of over fishing of the razor clam beds on Llanfairfechan beach.

As has been stated previously, stories about overfishing are being played out across the planet, so it's good to have the opportunity to do something positive to improve the environment at local level. It is important that the people the Welsh Government select to conduct the research of the razor clam beds on Llanfairfechan beach that the researchers are apprised of fundamental concerns outlined within the ongoing documents and information about this Petition and the underpinning need for rigorous legislation to protect the razor clams on Llanfairfechan beach.

In addition; as evidenced in Cabinet Secretary's letter; the lack of a current strategy for assessing razor clam stocks means that whoever conducts this research will be in the unrivalled position of being 'map makers' rather than 'map readers' in collecting evidence and setting benchmarks and

recommendations which will inform 'fisheries' practices to help maintain this precious environmental area for the future.

Once again, I wish to thank the Petition Committee for continuing to take appropriate action towards dealing with some of the concerns within the initial remit of the petition.

Yours faithfully

Vanessa L Dye

Agenda Item 3.5

P-05-740 Petition to Protect our High Street.

This petition was submitted by Sally Stephenson, which collected 939 online signatures and 729 paper signatures.

Text of the Petition

- We, the undersigned, believe that the Welsh Government's transitional rate-relief relief scheme is inadequate to meet the needs of businesses affected by the most recent re-valuation of premises and call on the Welsh Government to develop a package of permanent rate-relief measures to alleviate the financial pressure on small businesses..

Assembly constituency and Region.

- Vale of Glamorgan
- South Wales Central

Written Statement – Delivering a tax cut for small businesses: a permanent small business rates relief scheme for Wales

Last updated 13 December 2017

Mark Drakeford, Cabinet Secretary for Finance

The Welsh Government has previously set out our intention to introduce a permanent small business rates relief scheme from 1 April 2018. This will provide certainty and security for small businesses in Wales, delivering a tax cut to help them drive long term economic growth. Today, I am pleased to announce the details of the permanent scheme.

In 2017–18, we are providing small businesses with more than £110 million of support in paying their rates bills. Our permanent scheme, which will be in place from 1 April 2018, will maintain this investment from the Welsh Government. In line with our tax principles, the new scheme will target the support more effectively towards the businesses that will benefit most, supporting jobs and growth and delivering wider benefits for our local communities.

There has been extensive engagement with stakeholders to inform the design of the permanent scheme and taken account of the views from ratepayers, business representatives, other taxpayers and local authorities. I am grateful to all those who provided their valuable and constructive input into this exercise.

In order to enable us to target relief more effectively, the new scheme will limit the number of properties eligible for small business rates relief to two properties per business in each local authority. This releases approximately £7m which will be reinvested in other areas of relief.

These funds will be used to provide support in the following areas.

- Additional support for the childcare sector, increasing the upper threshold for rates relief for childcare providers from £12,000 to £20,500. This benefits over 100 childcare providers across Wales.
- Provide £5 million support to continue the High Street Rates Relief scheme

into 2018–19.

- Providing an additional £1.3m funding to local authorities, for them to use their discretionary powers to provide targeted relief to support local businesses which would benefit most from additional assistance.
- Targeted support for small hydropower projects.

While the new relief scheme will be introduced on a permanent basis from 2018, I will continue to develop the scheme to ensure it best meets the needs of Wales.

The areas for further exploration will include:

- Targeting support for certain sectors or types of business which support the delivery of the Welsh Government’s policy aims, for example, social care and the priorities identified in the Economic Action Plan.
- Targeting support for the childcare sector, including consideration of the Barclay Review of Business Rates undertaken in Scotland earlier this year. This work will assist with the implementation of the childcare, play and early years workforce plan by supporting childcare providers to operate more sustainably, and align to the aspirations of the Economic Action Plan.
- Potential to time-limit the general period of relief, in order to redirect resources to provide greater help to businesses in the early period of establishment and growth.
- Assessing the feasibility of linking eligibility for relief with the payment of the living wage
- Work to address non-domestic rates fraud and avoidance
- The consideration of possible exceptions from relief where businesses do not align with Welsh Government policy objectives.

My intention is to take a progressive, fair and transparent approach towards

local taxation in Wales which continues to provide vital funding for local services. Delivering a permanent relief scheme for small businesses is a key step in delivering this.

Agenda Item 3.6

P-05-748 School Buses for School Children

This petition was submitted by Lynne Chick, having collected 1,239 signatures – 502 on paper and 737 on-line.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to ensure every child's safety is put first when traveling to and from school.

We want designated school buses so children can travel safely to and from school, each with a seat and seat belt, with no child forced to travel on overcrowded public buses. Children's safety must come first.

Our children have a right to feel safe. Public buses can become over crowded. We have no clue who may board a public bus. Public buses are for public use not school transport. We are not asking for this service to be free, We don't want something for nothing, Just peace of mind that our children are safe when traveling to and from school. We teach our children about stranger danger yet we are expected to send them on a public bus full of strangers daily.

Having lost my daughter under the wheels of a public bus she had travelled home from school in, I feel it's only a matter of time before another parent lives my nightmare if something isn't done to ensure children have a safe means of transport to and from school.

Additional Information

A lot of people will remember my Daughter Louise and the horrific way she lost her life. For those that don't, Louise was 11 years old and had not long started high school. Because of the distance to get to school my children relied on using a public bus. On the 19th March 2001 Louise was due home from Connah's Quay High school at her normal time, only this day the bus was late. I started to worry as I headed out the door I was greeted by Louise's friends telling me she had been run over. I ran to the end of my street to find my beautiful Daughter clinging to life in the road, distressed school children all around. I couldn't understand what had happened. Over months it emerged the bus Louise had travelled home from had been over crowded, adults had stood talking to the driver, there was an alleged push, also a mention her bag had got caught in the door or wheel causing her to be

dragged under the bus she had just alighted from, it was proven the mirrors had blind spots that had been a contributing factor.

After the decision to close a local school, John Summers High School, a lot of parents have spoken to me with concerns for their Child's safety travelling on public buses to and from school. Points have been raised that totally alarm me, So I'm heading a campaign in my Daughter's name to make sure no Child is forced to use public transport buses as school transport.

Assembly Constituency and Region.

- Alyn and Deeside
- North Wales



Eich cyf/Your ref P-05-748
Ein cyf/Our ref KS/00262/18

David John Rowlands AM
Chair - Petitions committee.

government.committee.business@wales.gsi.gov.uk

31 January 2018

Dear David,

Thank you for your letter of 25 January regarding petition P-05-748 - School Buses for School Children.

The Welsh Government undertook a recent review of learner travel policy. This resulted in the publication of the revised Learner Travel Statutory Provision and Operational Guidance in 2014 which included more information about education policies which related to or impacted upon learner travel. The Welsh Government also produced new guidance on the risk assessment of walked routes to school which extended the criteria by which walked routes are judged to be unsafe by including social dangers. Last year, the Welsh Government produced the revised All-Wales Travel Behaviour Code ('the Code') which set out the standards of behaviour learners aged 5-19 are expected to adhere to on the journey between home and school regardless of the mode of transport. The Code also includes advice on safe travel. The Welsh Government will keep learner travel policy and legislation under review on an ongoing basis.

Under current learner travel legislation, primary learners are entitled to free home to school transport if they live 2 miles or further from the nearest suitable school while secondary learners are entitled to free transport if they live 3 miles or further from the nearest suitable school. Local authorities decide which school is the nearest suitable school by referring to a range of criteria, such as age, ability, aptitude, including any learning difficulties. Local authorities operate a spare seat policy under which learners who are ineligible for free transport may purchase a seat on dedicated learner transport; however, such seats have to be surrendered to those learners who are eligible for free transport once they start using or re-using the service.

The Safety on Learner Transport (Wales) Measure 2011 includes the provision that seat belts must be fitted to every seat on dedicated learner transport buses used to transport

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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.

learners between home and school. This provision had to be met by local authorities by 1 October 2014. There are learners who travel between home and school on public service buses, however the Assembly may not legislate in relation to public service vehicles. This is the responsibility of the UK Parliament at present.

Under the Safeguarding Vulnerable Groups Act 2006, the drivers of buses used for dedicated learner transport must be checked by the Disclosure and Barring Service ('DBS'). The DBS only covers those who may have regular or close contact with children and vulnerable adults - such activities are described as 'Regulated Activities' in the legislation, that is, work that a barred person must not do in relation to children.

All vehicles used for learner transport are required to comply with UK road safety and transport legislation requirements. The Welsh Government's learner travel guidance recommends that local authorities and the Governing Bodies of maintained schools liaise with the Driver and Vehicle Standards Agency, the Health and Safety Executive and the Traffic Commissioner about any suspected or alleged breaches of legal safety standards. This guidance also recommends that local authorities should put in place robust monitoring and evaluation procedures to ensure that all current legislative requirements are met and clearly set out in their contracts.

In 2016-17 local authorities in Wales spent £117,409,000 on home to school transport.

Yours ever,



Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport

P-05-748 School Buses for School Children – Correspondence from the Petitioner to the Committee, 13.02.18

Dear Sir/Madam.

I thank Ken Skates for his response however it is very focused around learner transport, my concerns are for those Children that do not qualify for dedicated school buses/learner transport and their only way to school being commercial buses as their form of transport to and from school, there are no thoughts for their safety it seems? Surely seat belts should be provided in all buses standard, all drivers should be DBS checked and no Children should be stood up in a moving bus of any kind nor should they be sat in the luggage space (please see attached photos) I request that the attached photos are shown to each committee member due to meet at the next meeting and also shown to Ken Skates.

I appreciate that to have dedicated school buses for every school would come at a cost and budgets are not at their best in Wales but if we could have some changes to prevent another death isn't that a good positive outcome for all? No child should be standing! Seat belts are law in cars so why not buses? And DSB checks need to be standard for all bus drivers, even if this cost comes to the driver themselves. What if you are the last child on that commercial bus or last vulnerable adult it can happen right? I previously pointed out the case of murdered school boy Jamie Lavis this is just one example why we shouldn't be compromising Children's safety.

The number 10 Arriva bus runs two buses now at school times, one is marked as a school bus I question has that driver been checked? This is a commercial service bus displaying as a school bus? .

I stand by what I said in my past email points being

1. DBS checks on all bus drivers
2. Seat belts on all buses
3. Every child to have a seat if dedicated or commercial bus
4. All buses to be checked they are up to standard.

Kind regards

Lynne Chick



Agenda Item 3.7

P-05-768 A call for the return of 24 hour Consultant led Obstetrics, Paediatrics and SCBU to Withybush DGH

This petition was submitted by SWAT (Save Withybush Action Team), having collected 759 signatures online and 2,773 on paper – a total of 3,532 signatures.

Petition text:

SWAT has fought for the retention of safe, effective and accessible secondary health care services for the people of Pembrokeshire since 2005. A previous petition failed to retain Consultant led Obstetrics, Paediatrics & SCBU at Withybush DGH. The Health Minister and Hywel Dda Health Board unjustly removed 24 hour Emergency Consultant led Obstetrics, Paediatrics & SCBU from Withybush DGH in 2014 and left the people of Pembrokeshire with an unsafe, inequitable and poorly accessible third class health option for, in particular, mothers, babies and children.

On behalf of SWAT and the people of Pembrokeshire I call upon the National Assembly for Wales to urge the Welsh Government to ensure that Consultant Obstetrics, Paediatrics & SCBU provision be immediately returned to pre 2014 levels. SWAT and the people of Pembrokeshire do not agree with the centralization of services onto the Glangwili site.

The Health Board was obliged to carry out Equality Impact assessments and these have clearly shown that a whole swathe of the most vulnerable in our society have been and are being put at risk by these changes. In particular the most vulnerable, the very young, pregnant women, the economically challenged and those with disabilities have been profoundly affected and continue to be. The Health Board have all this documented in their assessments but they seem to be unable or unwilling to find remedies for these issues.

Assembly Constituency and Region

- Carmarthen West and South Pembrokeshire
- Mid and West Wales



Bwrdd Iechyd Prifysgol
Hywel Dda
University Health Board

Eich cyf / Your ref:
Ein cyf/Our ref: CEO.2290.1117
Gofynnwch am/Please ask for: Emily Davies
Rhif Ffôn /Telephone: 01267 239579
Ffacs/Facsimile:
Dyddiad/Date: 5 February 2018

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

David J Rowlands AC/AM
Chair Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Rowlands

Re: Petition P-05-768 - A call for the return of 24 hour Consultant led Obstetrics, Paediatrics and SCBU to Withybush DGH.

Thank you for your letter of 24 October 2017. Please accept my sincere apologies for the delay in responding to you.

The Health Board has been requested to provide further information on specific areas which have been addressed in the reports enclosed.

I trust that this has provided you with a full and comprehensive response to the specific areas identified in your letter. If there is any further detail you require please do not hesitate to contact me.

Yours sincerely

Steve Moore
Chief Executive

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 63

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-fwg Hywel Dda University Health Board operates a smoke free environment

Hywel Dda University Health Board Comments in response to Welsh Government Petitions Committee Request for Further Information

The All Wales Perinatal Survey

The All Wales Perinatal Survey (AWPS) report presented data on stillbirths, infant deaths by the seven Health Boards in Wales by residency of the mother, and by individual hospitals. The majority of the mortality rates were presented unadjusted for variables, such as social deprivation and case mix, which are known to influence mortality rates, therefore, caution was required when interpreting the data. It was advised that any increase noted in mortality rates, either at Health Board level or at individual hospital level should be further explored locally.

From 2015 onwards MBRRACE-UK (Mothers and Babies: Reducing Risk through Audits and Confidential Enquiries across the UK) and Each Baby Counts superseded AWPS report and recommended, local reviews should be facilitated. It was also agreed and recommends that Wales required a robust system to assess both stillbirth and neonatal death. Therefore Hywel Dda University Health Board (HDUHB) no longer refers to AWPS data set.

HDUHB routinely collects and monitors data (including rates of perinatal mortality and intrapartum stillbirth) for both local review and for submission to a number of national surveys inclusive of MBRRACE and Each Baby Counts programme. The latest available data from both MBRRACE and Each Baby Counts demonstrated that the perinatal mortality and intrapartum stillbirth rates in HDUHB compare favourably with other UK Maternity units of comparable birth numbers.

The data below in table 1 (included in our previous Health Board response), addresses the stillbirth rate \geq to 24 weeks gestation. MBRRACE data advocates stillbirth rates \geq to 22 weeks. This differentiates from the historical data set of AWPS which reported data in triennia, and differs to the Annual reports published by MBRRACE and Each Baby Count which was highlighted as a concern by Mr Overton.

STILLBIRTH SUMMARY REPORT FOR HYWEL DDA HEALTH BOARD PEMBROKESHIRE DATA: 2015-2017					
Period	Stillbirth ≥ 24/40	Therapeutic Terminations ≥24/40	Gestation(=n)		
2015	13	3	24-30: 11	31-36: 1	37-42: 4
County of Residence			CERED: 1 CARMS: 6 PEMBS: 4 (25%)	CERED: 1 CARMS: 0 PEMBS: 0	CERED: 1 CARMS: 1 PEMBS: 3 (18.7%)
2016	19	2	24-30: 9	31-36: 6	37 – 42: 6
County of Residence			CERED: 0 CARMS: 5 PEMBS: 4 (19%)	CERED: 0 CARMS: 4 PEMBS: 2 (9.5%)	CERED: 1 CARMS: 2 PEMBS: 3 (14.2%)
2017 (1st Quarter)	2		24-30: 1	31-36:1	37-42:
County of Residence			CERED: 0 CARMS: 1	CERED: 0 CARMS:1	CERED: 0 CARMS:0

			PEMBS: 0	PEMBS: 0	PEMBS:0
All Reported Deaths	34	5			

Contrary to the concerns highlighted by Mr Overton, the above data is accurate as there were no stillbirths for Pembrokeshire residents during January 2017 and no early Neonatal deaths. This has been confirmed and verified by cross reference with data via the Child Health Records Department. The reference made by Mr Overton to a neonatal death in Ceredigion on the 13th March is correct however the data in the table above (and reflected in our previous response) referred specifically to stillbirths and not neonatal deaths and was clearly referenced as such.

Although the report/ data included in our previous response clearly referenced the first quarter of 2017, Mr Overton's subsequent comments referred to the period April 2017 onwards quotes a further three cases without defining whether they were stillbirths or neonatal deaths. We can confirm that during the second quarter of 2017 (April to June 2017) there were a total of 4 stillbirths inclusive of:

- 1 medical termination of pregnancy (Carmarthenshire),
- 1 x Road Traffic Accident (Carmarthenshire) and
- 2 x Antepartum Stillbirths (Carmarthenshire).

Mr Overton's referred to Datix HD32358. The clinical review has revealed that this was an antepartum stillbirth where clinical advice was not followed resulting in an unexpected admission to A&E at Worthybush general Hospital. It is imperative that conclusions regarding individual cases are based on reviewed evidence.

Mr Overton referred to a further six stillbirths in August 2017. During the third quarter of 2017 (July to September) there were 6 stillbirths within the Health Board. Five cases occurred in August and all have been individually reviewed in line with national guidance and graded accordingly. Detailed review of all cases highlighted relevant maternal clinical factors in the antenatal period and they were not associated with the place of birth. Antenatal care provision in HDUHB has not changed since reconfiguration of maternity services in 2014. Worthybush General Hospital continues to provide Consultant Led antenatal care with additional satellite Consultant Led clinics in Pembroke Dock, Tenby and Cardigan. In addition there has been no change of service to the established Day Assessment Unit at Worthybush General Hospital.

In total during 2017, there were 17 recorded stillbirths across the HDUHB area compared to 21 stillbirths in 2016. This number is not excessive and below the total number of stillbirths in 2016 for the same period.

Mr Overton referenced a 50% reduction in midwives employed within Pembrokeshire following reconfiguration of services in 2014. The Midwifery Led Unit at Withybush General Hospital and community midwifery services and staffing levels within Pembrokeshire were reviewed during the reconfiguration to accommodate the required level of service provision. We can confirm that all clinical areas are staffed according to Birth Rate plus a National workforce tool.

HDUHB actively supports national and local initiatives and have embraced the Welsh Assembly Government (WAG) Flying Start initiative whose remit is to support vulnerable families within the community. Furthermore HDUHB has embraced and is at the forefront for driving perinatal mental health initiatives in Wales, supporting these vulnerable groups.

For information, the table below summarises the key learning actions and recommendations progressed and implemented by the Health Board following routine review of all stillbirth cases during 2017.

HDUHB Maternity Review of Stillbirths Recommendations & Learning Actions 2017				
RECOMMENDATION	ADDITIONAL CONTROL MEASURES	RESPONSIBILITY	TARGET DATE	ACHIEVED
Review of Antenatal Referral Criteria for High Risk Women	Review of antenatal service provision in WGH, Pembrokeshire on-going.	HoM, DHoM, Obstetric Lead, Operational Lead for Community, Antenatal and MLU Services	December 2017	Completed Referral criteria implemented In WGH ANC and disseminated to Pembrokeshire Community Midwifery Team Leaders –audit commenced 31.8.2017

	Update training of GAP/GROW for all Obstetric and Midwives. Initial completion October 2016	HoM, DHoM, Obstetric Lead, Operational Lead for Community, Antenatal and MLU Services.	November 30 th 2017	Completed
Review of Antenatal Record	Organisation of antenatal notes to include repeat admissions to DAU and inpatient admissions	HoM, DHoM, Obstetric Lead, Operational Lead for Community, Antenatal and MLU Services, Operational Lead for GGH and BGH	30 th November 2017	Completed
Training Needs Analysis (TNA) for all community midwife	CPD leads to disseminate TNA to all community midwifery teams.		31 st August 2017	Completed
Review process for admission for elective caesarean	Elective Caesarean Section/ Peri-operative Proforma to be amended	HoM, DHoM, GGH/ BGH Operational Leads, Clinical Risk Midwife; Obstetric Lead Consultant; Labour Ward Lead Consultant.	5 th October 2017	Completed
Review process for postponement of elective CS, ECV, IOLs	Maternity Trigger list to be circulated throughout the HB in line with All Wales Maternity Trigger List. Dissemination of updated Trigger	HoM, DHoM, Obstetric Lead for Clinical Risk, Clinical risk Midwife, Operational Leads.	July 2017 July 2017	Completed Completed

	list in Labour Ward Forum; monthly Band 7/ Team-leader's Meetings; HB Maternity Unit Meetings; quarterly Maternity Risk Newsletter			
	<p>Monthly review of Datix to ensure compliance with reporting and robust investigatory process using IR3 proforma; pathway for Datix investigatory responsibility to be finalised</p> <p>MDT Learning event following Maternity Clinical risk Committee Review.</p>	HoM, DHoM, Obstetric Lead for Clinical Risk, Clinical risk Midwife, Clinical Midwifery Leads	Scheduled to take place in HB Labour Ward Forum 4 th October 2017	Completed



GIG
CYMRU
NHS
WALES

Ymddiriedolaeth GIG
Gwasanaethau Ambiwllans Cymru
Welsh Ambulance Services
NHS Trust

**Year Three Review
of the
Dedicated Ambulance Vehicle
(for emergencies)
D.A.Ve**

Women & Children's Services WGH / GGH

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1.0 Situation & Background

Hywel Dda University Health Board (HDUHB) launched the consultation on future service configuration on 6th August 2012. The consultation; *Your Health –Your Future: Consulting our Communities*, ran for 12 weeks until 29 October 2012. A number of mechanisms were put in place to ensure that staff, patients, the public and key stakeholders were given a range of opportunities to feed their views back to the Health Board¹.

The Health Minister subsequently released a statement of 21st January 2014 confirming that the provision of specific services (Neonatal, Paediatric & Obstetric) currently provided at Worthybush General Hospital (WGH) in Pembrokeshire would be consolidated at Glangwili General Hospital (GGH) in Carmarthenshire.

Recent research supported a model of care in which the most critically ill children would be transferred to a tertiary Paediatric Intensive Care Unit (PICU). The 2003 Welsh Government report on care of the critically ill child states that “*the hazards of transport do not appear to confer added risk in terms of mortality outcome*”², and so a Dedicated Ambulance Vehicle for EMS (DAVe) was proposed by the Welsh Ambulance Services NHS Trust (WAST) as the safest way to ensure timely and safe access to services in Carmarthen.

The DAVe service became fully operational on 4th August 2014, based within the Midwifery Led Unit (MLU) at WGH with the remit to provide safe, appropriate and timely ambulance transfers for Women and Children³ who require on-going care which, due to the necessary re-configuration of services, was no longer sustainable at WGH.

This review provides a summary of the DAVe activity over the first three years of the service.

¹ Your Health, Your Future, Consulting our Communities (2013) Hywel Dda Health Board

² Improving Health in Wales: Caring for Critically Ill Children (2003) Welsh Government

³ Gynaecology, Maternity, Obstetric & Paediatric Services

2.0 Purpose of Review

The intention of this review is to present the activity data of the DAVE in a variety of formats to demonstrate the range and number of transfers (and other activity) being undertaken by the DAVE crews.

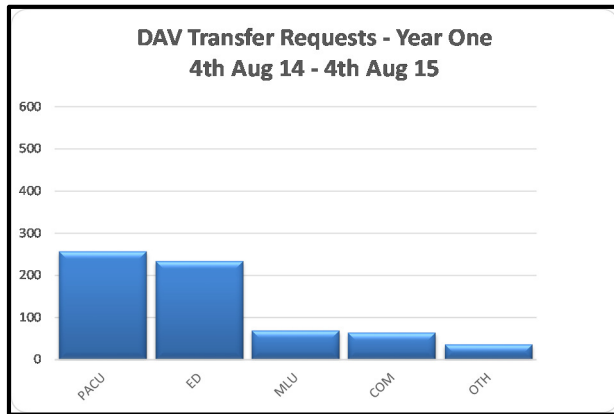
Please note:

1. Additional data has been included to evidence where the DAVE crew have responded as part of the hospitals' Medical Emergency Team (MET). This data also includes significant activity where DAVE crews have responded as Hospital Ambulance Liaison Officer (HALO) to support activity in the Emergency Department (ED)
2. Some examples of where the category '*Other*' has been used in the 'Departments' section are; GP Out-of-Hours, Theatres, Ante Natal, Hospital car park.
3. Examples of where the category '*Other*' has been used in the patient group section are; male patient treated, and patient was a woman but also a child (<18yrs)
4. The category '*Community*' refers to situations where the DAVE has been requested to respond to Women or Children in the community (Midwife call, GP or 999 where DAVE is closest appropriate resource), or where the DAVE has come upon an incident when returning to WGH and had stopped to assist.
5. The numbers shown are numbers of requests and do not reflect the number of hours spent engaged in that request.

3.0 Key to Tables

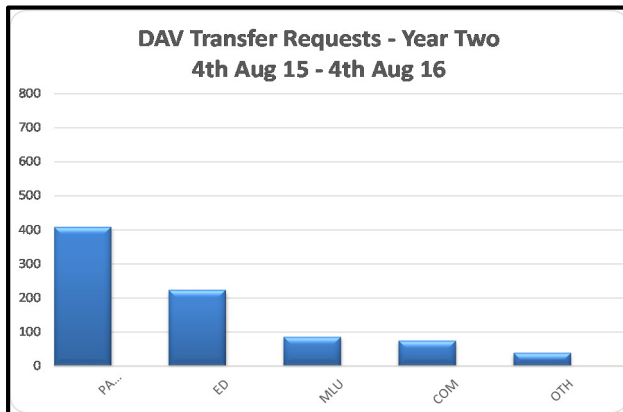
Abbreviation	Meaning
PACU	Paediatric Ambulatory Care Unit
MLU	Midwifery Led Unit
COM	Community
ED	Emergency Department
OTH	Other service areas / Other patient
MET	Medical Emergency Team
HALO	Hospital Ambulance Liaison Officer

Table One: Activity by Department 4th August 2014 to 4th August 2015



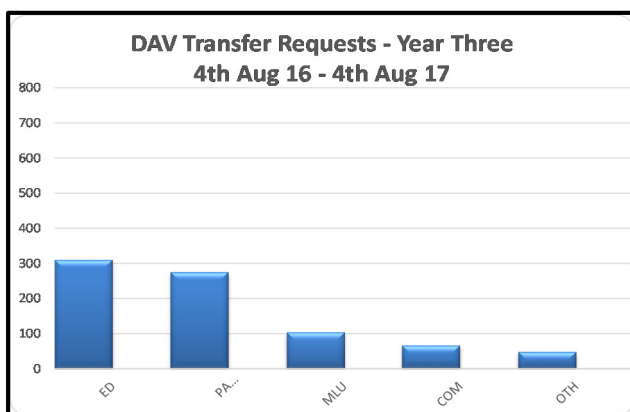
Data	Count	Percentage
PACU	257	39%
ED	234	35%
MLU	69	10%
COM	64	10%
OTH	36	5%
Total	660	

Table Two: Activity by Department 4th August 2015 to 4th August 2016



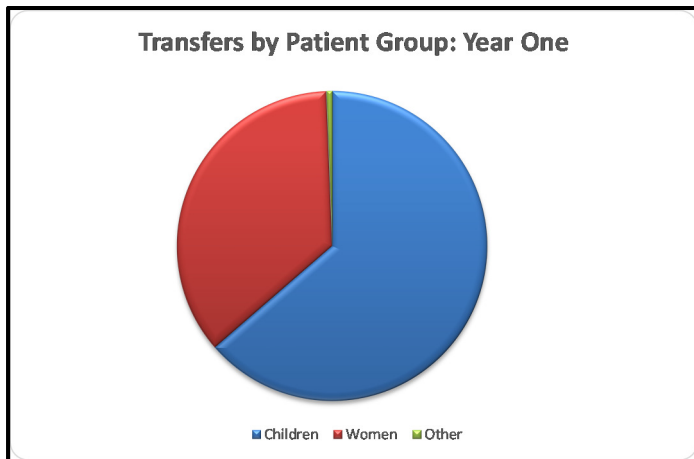
Data	Count	Percentage
PACU	409	48%
ED	244	29%
MLU	86	10%
COM	75	9%
OTH	39	5%
Total	853	

Table Three: Activity by Department 4th August 2016 to 4th August 2017



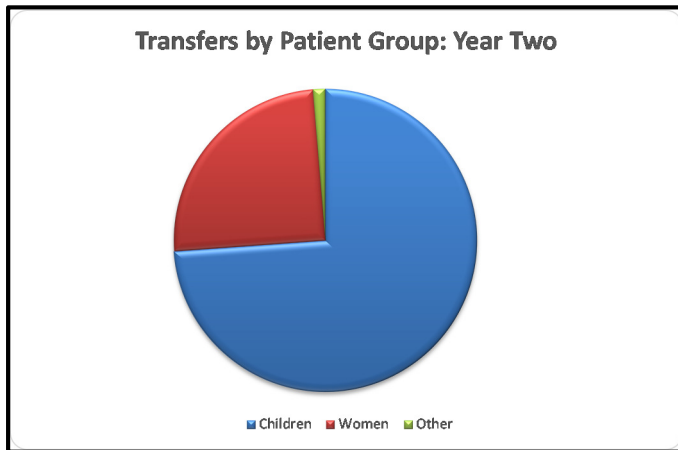
Data	Count	Percentage
ED	310	39%
PACU	275	34%
MLU	104	13%
COM	66	8%
OTH	48	6%
Total	803	

Table Four: Transfers by Patient Group: Year One



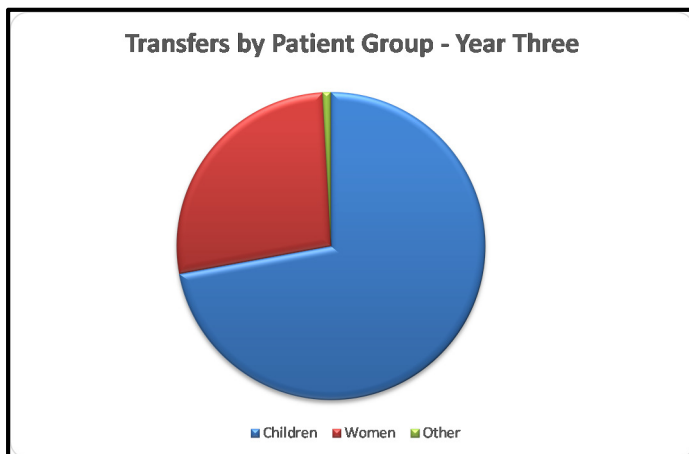
Data	Count	Percentage
Children	420	64%
Women	236	36%
Other	4	1%

Table Five: Transfers by Patient Group: Year Two



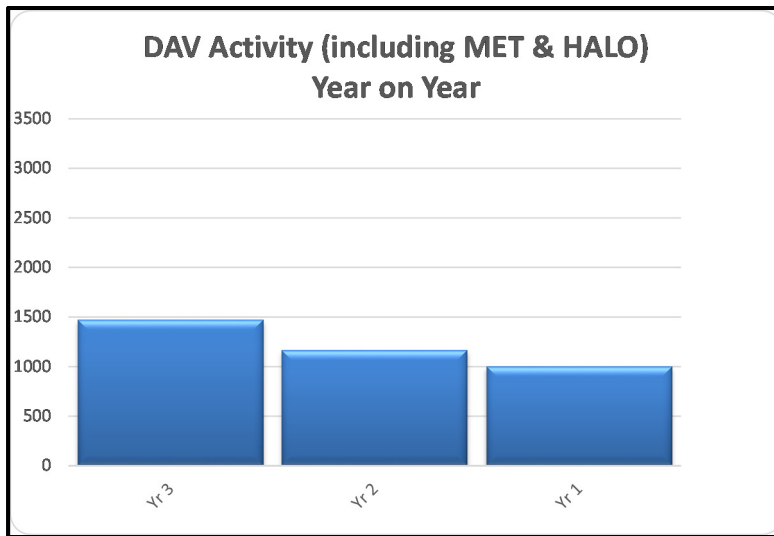
Data	Count	Percentage
Children	630	74%
Women	212	25%
Other	11	1%

Table Six: Transfers by Patient Group: Year Three



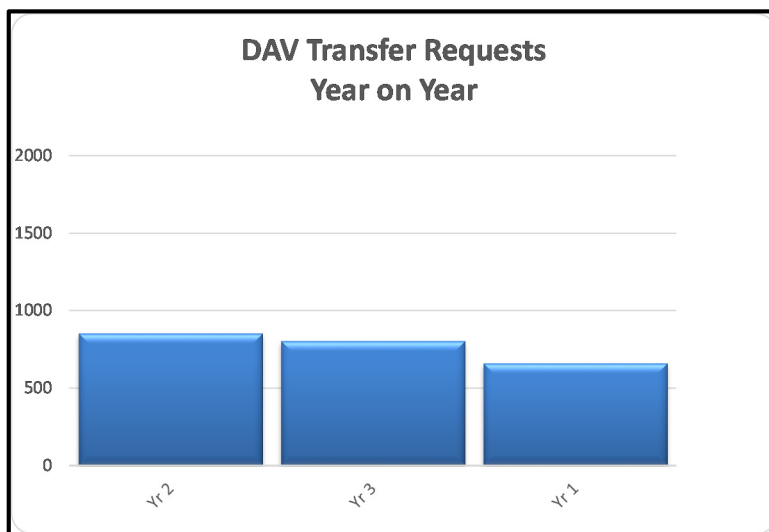
Data	Count	Percentage
Children	579	72%
Women	217	27%
Other	7	1%

Table Seven: DAVe Activity Including MET & HALO - Year on Year



Data	Count	Percentage
Yr 3	1474	40%
Yr 2	1168	32%
Yr 1	1003	28%

Table Eight: DAVe Transfer Requests - Year on Year



Data	Count	Percentage
Yr 3	803	35%
Yr 2	853	37%
Yr 1	660	28%

4.0 Key Findings

Table Nine: Year-on-Year Activity Comparison

Activity	Three Year Data	Year One	Year Two	Year Three
Average Daily Responses	3.3	2.7	3.2	4
Average Daily Transfers	2.1	1.8	2.3	2.2
Premium Service User	PACU	PACU	PACU	ED
Premium Patient Group	Paeds	Paeds	Paeds	Paeds

Table Ten: Combined Three Year Data⁴

PACU	MLU	Com	ED	Other	Transfers Only Total	MET HALO	Women	Child	Other	Combined Total (with MET/HALO)
941 (41%)	259 (11%)	205 (9%)	788 (34%)	123 (5%)	2316	1329 (36%)	665 (18%)	1629 (45%)	22 (0.6%)	3645

5.0 Summary of Three Year Activity Data

- 70% of transfer requests are to convey children
- 11% of transfer activity is generated through the MLU
- 41% of overall 3 year activity was undertaken on behalf of the PACU, with ED being the second biggest user at 34%
- 36% of all DAVE combined 3 year activity was for MET and HALO support during times of increased demand

6.0 Notable Practice

- MDT working within WGH
- No DATIX or SAI (specifically relating to the DAVE service) have been recorded over the three year duration of the service
- Positive year one RCPCH⁵ review findings in relation to DAVE service
- Details of the DAVE service are being shared in both England and Wales as an example of current 'best practice'⁶ for other HB undergoing service reconfiguration.

⁴ For explanation of categories, please refer to 'caveat' on page 2

⁵ Royal College of Paediatric and Child Health HDUHB Invited Review (2015)

⁶ Cumbria, North of England and Aneurin Bevan HB in Wales.

7.0 **Recommendations**

1. There is significant data to evidence that the DAVe service is fulfilling its key objective which was: '*To provide a safe and timely ambulance transfer service for Women and Children between WGH and GGH*', and it is recommended that this vital service be maintained.
2. Due to the volume of data now being stored, an on-line electronic recording spreadsheet is recommended. This would improve accuracy and simplify analysis.
3. Please note that following clarification of some activity detail in year one, this necessitated some minor amendment to previously submitted data.

P-05-768 A call for the return of 24 hour Consultant led Obstetrics, Paediatrics and SCBU to Wthybush DGH – Correspondence from the Petitioner to the Committee, 20.02.18

Dr C Overton

Chairman SWAT

David Rowlands AC/AM

Chair Petitions Committee

National Assembly for Wales

Cardiff Bay

Cardiff

CF99 1NA

Dear Mr Rowlands

Re Petition P-05-768

I note the lateness, as usual, of Mr Moore's response.

It is unfortunate that the Health Board seek to mislead and confuse us with their new approach to reporting the figures. It is also notable that the figures pre August 2014 have been lost when the whole point of the audit was to show how much worse the figures have become post service changes which happened at that time. Remaining at a similar level in recent years is no comfort when the figures were so much better prior to the changes.

No matter. I, no longer, can delve into the data entry, which I found during my audit was very poor with a number of occasions where the type of baby death was incorrectly recorded, and so it would be prudent of me to not waste your time repeating what I have already stated. It would require the committee to sanction an independent Inquiry to get to the truth about baby deaths in Hywel Dda, and Pembrokeshire in particular, and the comparison before and after the service changes.

Of much greater interest to me on reading the Hywel Dda documents was the data from "Dave", the extra ambulance they employed originally to be dedicated, but which quite clearly from the report isn't. Not only that but the use of "Dave" seems

to be increasing, year on year. At first glance it appears to be the opposite but once I realised that year 3, the most recent, was put on top of 2 and 1 it made sense to me from the feeling on the ground. Why, you must ask, did they present the numbers in this way?

So, there we have it, the Health Board's own statistics show that Pembrokeshire women and families have been and are being disadvantaged since the maternity, SCBU and Paediatric wards were moved to Glangwili. The large number of transfers is also just the tip of the iceberg as far as how these changes have impacted on women and their families because many more have had to travel to Glangwili under their own steam, sick children and mums in the back of cars being driven 33 miles or more by distraught relatives. Many visitors are also having to make the long round trip in order to provide support for their loved ones.

Hywel Dda had to carry out Equality Impact assessments on the run up to the service changes but the rules dictated that's all they had to do, recognise the problems and strive to find solutions but there is no requirement that solutions are found. Hywel Dda recognised in their EqIAs that almost every person in Pembrokeshire would be disadvantaged by the service changes and to make matters worse they are currently considering further service change to the detriment of the people of Pembrokeshire.

On behalf of the SWAT Team and the people of Pembrokeshire I ask you to stop this madness and reverse the original service changes before any more damage is done. Centralisation works in cities but not in very rural areas.

Regards

A handwritten signature in black ink that reads "Chris Overton". The signature is written in a cursive, slightly slanted style.

Dr Chris Overton

Chairman SWAT

Agenda Item 3.8

P-05-800 Urgent Appeal for a Welsh Veterans Commissioner for the Health & Wellbeing of Wounded, Injured, Sick and Homeless veterans

This petition was submitted by Nicola Hester, having collected 50 signatures online.

Text of Petition

Here in Wales, I was proud that we were first for a Commissioner for both Children & Young People, and Older Persons. Unfortunately Scotland has beaten us to have a Commissioner for Veterans.

We veterans need someone to be our voice and true representation to the Welsh Government. Not what the "chiefs" want you to know.

We need someone who can meet with us, know our views and what we need. To support those unfortunate who end up in prison instead of having mental health treatment for PTSD.

Assembly Constituency and Region

- Torfaen
- South Wales East

P-05-800 Urgent Appeal for a Welsh Veterans Commissioner for the Health & Wellbeing of Wounded, Injured, Sick and Homeless veterans – Correspondence from the Petitioner to the Committee, 18.02.18

Response to the letter from the Cabinet Secretary for Local Government and Public Services

The letter appears ambivalent to me even though this is about the lives of those who fought for Queen and Country.

What was the result from the debates completed by both the Armed Forces Group and by the Conservative AM's towards a Veteran's Commissioner?

It is now February, has the Secretary met with both Expert group (who are these?) and the cross party group. If he has what is the result of these meetings?

I would like to meet with the Secretary, and the Expert groups, to discuss and explain what it really is like to be a veteran.

Myself and fellow veterans have more information and knowledge gathered that we have gained from Veterans from all of Wales, which we would like to meet show all and are willing to discuss our findings.

Nicola Hester

Agenda Item 4

P-05-736 To Make Mental Health Services More Accessible.

This petition was submitted by Laura Williams, which collected 73 signatures.

Text of the Petition

To make mental health services more accessible the Government should ensure that no-one who approaches a mental health service should be turned away without help. Anyone who goes to their GP or any other health care professional who is experiencing a mental health problem should be automatically referred to the crisis team who should act immediately. The onus should not be on the individual to contact the Crisis Team on their own. There should also always be a one to one therapy option, rather than group therapy.

Many people will know I haven't had an easy time with life or with mental illness; I suffer with depression, anxiety, PTSD and OCD. Recently, I've hit rock bottom and have screamed for help but have been let down by mental health services who I thought would help, instead they have let me down majorly.

I want my experience to help others around Wales and to get the help they need.

Assembly constituency and Region.

- Cardiff West
- South Wales Central

Document is Restricted

P-05-736 To Make Mental Health Services More Accessible – Correspondence from the Petitioner to the Committee, 09.02.18

My comments which are for the cabinet secretary Vaughan Gething,

Why is there a 18 month waiting list to see someone from the ptsd clinic when people need these services.

Why aren't there one to one therapies?

You say there's a ring fence around mental health budget but there isn't services are being cut and so are children mental health services, leaving adults and children very vulnerable.

Mental health services need to be improved majorly, I will not give up until I have made sure that every single person in wales gets the correct amount of support and treatment from our mental health services instead of being let down by our welsh government.

I will look forward to your answers.

Laura Williams