

## Petitions Committee

---

Meeting Venue:  
**Committee Room 1 - Senedd**

---

Meeting date:  
**11 October 2011**

---

Meeting time:  
**09:30**

---

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



For further information please contact:

**Abigail Phillips**  
Committee Clerk  
029 2089 8393  
[deisebau@cymru.gov.uk](mailto:deisebau@cymru.gov.uk)

---

### Agenda

---

- 1. Introduction, apologies and substitutions 9.30**
- 2. New petitions 9.30-9.40**
  - 2.1 P-04-333 Stop neglect and abandonment of horses and ponies by enforcement of microchipping laws (Page 1)
  - 2.2 P-04-334 Petition for a new renal unit at Prince Charles Hospital (Page 2)
  - 2.3 P-04-335 The Establishment of a Welsh Cricket Team (Pages 3 - 4)
  - 2.4 P-04-336 A Welsh-language daily newspaper for Wales (Pages 5 - 6)
  - 2.5 P-04-337 Tenovus: Free sunscreen (Pages 7 - 9)
  - 2.6 P-04-338 Petition on the sale of the Vyrnwy estate by Severn Trent Water (Page 10)
- 3. Updates to previous petitions 9.40-10.20**

#### Local Government and Communities

- 3.1 P-04-321 Arriva Trains Wales services between South West and South East Wales (Pages 11 - 16)
- 3.2 P-03-220 Lower the speed limit on the A40 near Abergavenny (Page 17)
- 3.3 P-03-240 Road safety on the A40 in Llanddewi Velfrey (Pages 18 - 19)

- 3.4 P-03-205 Keep Abergavenny Livestock Market (Pages 20 - 23)
- 3.5 P-03-261 Local Solutions to Newtown Traffic Congestion (Pages 24 - 26)

### **Health and Social Services**

- 3.6 P-03-156 Sleep Apnoea (Pages 27 - 28)

### **Environment and Sustainable Development**

- 3.7 P-03-260 The Campaign for Dark Skies (Pages 29 - 35)

### **Education and Skills**

- 3.8 P-03-305 Statutory School Libraries (Pages 36 - 43)

### **Housing, Regeneration and Heritage**

- 3.9 P-03-263 List Stradey Park (Pages 44 - 46)
- 3.10 P-04-322 A call to revise Cadw's hold upon churches (Pages 47 - 50)
- 3.11 P-03-308 Save Gwent Theatre (Pages 51 - 53)
- 3.12 P-03-311 Spectacle Theatre (Pages 54 - 59)
- 3.13 P-03-314 Save Theatr Powys & Mid Powys Youth Theatre (Pages 60 - 67)

### **Business, Enterprise, Technology and Science**

- 3.14 P-04-328 MCA Modernising Coastguard Proposals (Pages 68 - 78)

### **Peace Institute**

- 3.15 P-03-262 Wales Peace Institute (Page 79)

**4. Oral evidence on P-03-288 National Strategy on Independent Living- Minister for Finance and Leader of the House 10.20-11.00**  
(Pages 80 - 86)

**5. Papers to Note** (Pages 87 - 88)

## **P-04-333 Stop neglect and abandonment of horses and ponies by enforcement of microchipping laws**

### **Petition wording**

The Society for the Welfare of Horses and Ponies has been inundated with calls for assistance from concerned members of the public, horse owners and the Police for horses found abandoned, neglected and injured. Many have been injured from wandering on to the roads causing great risk to Motorists.

None of these horses are microchipped which has been a legal requirement for foals born after July 2009 which means the owners cannot be traced. We call upon the National Assembly for Wales to urge the Welsh Government to ensure effective enforcement of microchipping and Equine passports as laid down in the 2009 Legislation.

**Link to petition:** [http://217.140.46.80/cmo-assistantframeset.htm?previewurl=gethome/e-petitions/petitions\\_under\\_consideration.htm](http://217.140.46.80/cmo-assistantframeset.htm?previewurl=gethome/e-petitions/petitions_under_consideration.htm)

**Petition raised by:** The Society for the Welfare of Horses and Ponies

**Number of signatures:** 2114

**Update:** The Committee will consider this petition for the first time.

# Agenda Item 2.2

## **P-04-334 Petition for a new renal unit at Prince Charles Hospital**

### **Petition wording**

We call upon the National Assembly to urge the Welsh Government to build a new Renal Unit at Prince Charles Hospital, Merthyr Tydfil.

The current unit was built in 1989 to treat up to 16 patients per week but that number has now grown to 52. With the number of renal patients rising annually we feel it is very important that a new unit is built now to cater for the increase. Also with a new upgraded unit it would mean that renal patients requiring minor surgical procedures could be dealt within the unit rather being transferred to other hospitals and taking up much needed bed space.

The following are just a few problems that we have at present unit:

1. No Isolation area (which could lead to cross infection);
2. Only one toilet for male and female patients;
3. Cramped waiting area;
4. Poor air conditioning;
5. Unit has been flooded on a number of occasions

**Link to petition:** [http://217.140.46.80/cmo-assistantframeset.htm?previewurl=gethome/e-petitions/petitions\\_under\\_consideration.htm](http://217.140.46.80/cmo-assistantframeset.htm?previewurl=gethome/e-petitions/petitions_under_consideration.htm)

**Petition raised by:** Robert Kendrick

**Number of signatures:** 56

**Update:** The Committee will consider this petition for the first time.

## **P-04-335 The Establishment of a Welsh Cricket Team**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Government to support the establishment of a Welsh international cricket team.

**Link to petition:** [http://217.140.46.80/cmco-assistantframeset.htm?previewurl=gethome/e-petitions/petitions\\_under\\_consideration.htm](http://217.140.46.80/cmco-assistantframeset.htm?previewurl=gethome/e-petitions/petitions_under_consideration.htm)

**Petition raised by:** Matthew Richard Bumford

**Number of signatures:** 187

**Update:** The Committee will consider this petition for the first time. Additional information has been provided by the petitioner.

**Additional information:**

Whereas Scotland and Ireland gained associate membership of the International Cricket Council (ICC) and went on to compete in World Cups, Wales has failed to do so. In fact, no Welsh player has played international cricket for over five years as a result of being affiliated to the England Cricket Board. Recently the England and Wales cricket team played several "home" games in the capital of Wales, although no Welsh players were present. It would be unacceptable in other sports, like rugby, for a team comprised entirely of non-Welsh people, playing under a non-Welsh flag, with the badge of another country on their chest, to ostensibly play a "home" game in the Welsh capital. This would simply not be acceptable for other sports and should not be so for cricket. The current arrangements do not foster the game of cricket in Wales and are to its detriment because there is a lack of opportunity for Welsh cricketers to play at the highest level. At present Wales is completely unrepresented in international cricket and this must change with the establishment of an Welsh international cricket team.

## **P-04-336 A Welsh-language daily newspaper for Wales**

### **Petition wording**

We call on the Government to award a grant to the Welsh Books Council that would enable it to support and fund a Welsh-language daily newspaper.

**Link to petition:** [http://217.140.46.80/cmco-assistantframeset.htm?previewurl=gethome/e-petitions/petitions\\_under\\_consideration.htm](http://217.140.46.80/cmco-assistantframeset.htm?previewurl=gethome/e-petitions/petitions_under_consideration.htm)

**Petition raised by:** Ben Screen

**Number of signatures:** 37

**Update:** The Committee will consider this petition for the first time. Additional information has been provided by the petitioner.

**Additional information:**

We need newspapers in both languages to ensure that the Government can operate democratically. How on earth can the Government govern fairly, openly and transparently if the people who voted for it do not know what it is doing? How much coverage do English-language newspapers in England give Wales? How much coverage does the English-language press in Wales give Wales? The simple answer is: not nearly enough. This situation threatens the accountability of the Government in Cardiff Bay, as well as the mindset of Welsh people and their sense of Welsh people. As a result, a subliminal message is transmitted that permeates the thinking of Welsh speakers and teaches them that Wales is not big enough or important enough to warrant coverage from the mass media. That is why people disregard the notion of a Welsh-language daily newspaper. Britishness is what is offered in these newspapers, not Welshness.



## **P-04-337 Tenovus: Free sunscreen**

### **Petition wording**

We call upon the National Assembly to urge the Welsh Government to provide free sunscreen for all children under the age of 11 in Wales.

**Link to petition:** [http://217.140.46.80/cmo-assistantframeset.htm?previewurl=gethome/e-petitions/petitions\\_under\\_consideration.htm](http://217.140.46.80/cmo-assistantframeset.htm?previewurl=gethome/e-petitions/petitions_under_consideration.htm)

**Petition raised by:** Tenovus

**Number of signatures:** Approximately 9,500

**Update:** The Committee will consider this petition for the first time. Additional information has been provided by the petitioner.

William Powell AM,  
Chair of the Petitions Committee  
National Assembly for Wales

Dear William Powell

**Petition: Free Sunscreen for all School Children under the Age of 11 in Wales**

I would like to present you with the following petition as Chair of the petition Committee of the National Assembly for Wales:

***“We call upon the National Assembly to urge the Welsh Government to provide free sunscreen for all children under the age of 11 in Wales”***

I understand that this petition is admissible for consideration by the Petitions Committee under Standing Orders.

*Tenovus* view this petition as a major public health issue. Skin cancer has more than doubled in the last 10 years and children are especially at risk. The Welsh Cancer Intelligence and Surveillance Unit (WCISU) latest triennial report (27th September 2011) has shown that the incidence of melanoma in 2009 is double of those of a decade earlier and is accompanied by a significant increase in mortality. One blistering sunburn in childhood more than doubles the chances of developing skin cancer later in life. We have already collated over 9,000 signatories for our own petition on this issue and would be grateful if you could consider this at your earliest opportunity.

We would also like to approach this petition as an opportunity for the National Assembly to view the how the Welsh Government will address health inequalities in general in the future. We view this particular public health campaign as part of the wider agenda to improve health literacy, particularly amongst younger people and in giving every child a healthy start.

Increasing awareness of health risks in relation to cancer and the broader chronic disease spectrum has become central to the Programme for Government and we also recognise that the key actions within the *Fairer Outcomes for All* Strategic Action Plan are likely to become central to the way the earmarked Public Health Bill is drafted.

We would like to work with the Petitions Committee and the National Assembly in considering this as part of the wider public health agenda and we're willing to provide further evidence as to how public health campaigns can deliver meaningful outcomes in terms of life expectancy and ultimately bring economic and social benefits in the long term.

Yours Sincerely,

Claudia McVie  
Chief Executive

# Agenda Item 2.6

## **P-04-338 Petition on the Sale of the Vyrnwy Estate by Severn Trent Water**

### **Petition wording**

We the undersigned are concerned about the failures by Severn Trent Water to maintain corporate responsibility which is deemed integral to delivering the highest standards of corporate responsibility of a plc.

In failing to consult and be open with the local community, in the sale of the Vyrnwy Estate, Severn Trent Water has failed in its own corporate strategy based on community engagement and making the improvements and ensuring that the economic and environmental impacts of their actions are sustainable.

We hereby ask the National Assembly for Wales to immediately investigate the sale of the Vyrnwy Estate by Severn Trent.

**Link to petition:** [http://217.140.46.80/cmo-assistantframeset.htm?previewurl=gethome/e-petitions/petitions\\_under\\_consideration.htm](http://217.140.46.80/cmo-assistantframeset.htm?previewurl=gethome/e-petitions/petitions_under_consideration.htm)

**Petition raised by:** Annette Griffiths

**Number of signatures:** 188

**Update:** The Committee will consider this petition for the first time.

## **P-04-321 Arriva Trains Wales services between South West and South East Wales**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Assembly Government to ensure that Arriva Trains Wales provide commuter train services between South West and South East Wales that are timely, convenient, fit-for-purpose and have a suitable number of seats/carriages for passengers to travel in comfort.

### **Link to petition:**

<http://senedd.assemblywales.org/mglIssueHistoryHome.aspx?IId=1014&optionId=0>

**Petition raised by:** Bjorn Rödde

**Number of signatures:** 162

**Previously considered by the Committee on:** 12 July 2011.

**Update:** Correspondence has been received by the Minister for Local Government and Communities, the petitioner, Passenger Focus and Arriva Trains Wales.

Carl Sargeant AC / AM  
Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-321  
Ein cyf/Our ref CS/05494/11

William Powell AM  
Chair, Petition's committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

13 July 2011

committeebusiness@wales.gsi.gov.uk

*Dear William.*

Thank you for your letter of 5 July, on behalf of the Petitions Committee, about a petition submitted by Mr Bjorn Rödde. Mr Rödde calls on the Welsh Government to ensure that Arriva Trains Wales provides commuter train services between South West and South East Wales that are timely, convenient, fit for purpose and have a suitable number of seats/carriages for passengers to travel in comfort.

Overall there is a good train service between South West and South East Wales with, for example, at least two trains per hour for most of the day, increasing to three in some hours, between Swansea and Cardiff, provided by both Arriva Trains Wales and First Great Western Trains. There are also regular train services throughout the day from Cardiff to other destinations in South West Wales, including Carmarthen, Tenby and Milford Haven provided by Arriva Trains Wales. The rolling stock used includes Arriva Trains Wales' longer distance Class 175 fleet of trains, which the train operating company has recently refreshed. These provide a range of through services from South West Wales to popular destinations such as Shrewsbury, Manchester and towns in North Wales.

In addition, I will be at Fishguard Harbour Station on 12 September to commemorate the start of additional train services. These services, which I am funding, will offer the residents of Fishguard five further train services per day, Monday – Saturdays, and will provide through journey opportunities to various towns and cities including Carmarthen, Swansea, Cardiff and Manchester.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA


English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: Carl.Sargeant@wales.gsi.gov.uk  
Printed on 100% recycled paper

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

In his evidence to the Committee, Mr Rödde states that two trains have been re-timed by Arriva Trains Wales and therefore the train is now an unusable mode of public transport. Mr Rödde is correct that Arriva Trains Wales has made some timing changes to the 05:53 service, as he highlights, and the rationale for doing this is to improve overall end to journey times between Carmarthen and Manchester, which the Welsh Government supports. This service offers connections from Swansea, at 06:41, into First Great Western's 06:58 service to London Paddington and provides an overall through journey improvement to Manchester of 15 minutes.

The 16:04 evening service from Cardiff Central that Mr Rödde refers to in his evidence to the Committee has not been re-timed by Arriva Trains Wales, to depart at 15:54, as he has stated, and remains the same.

I am therefore confident that there are a good range of train services overall between South West and South East Wales. Furthermore, I am funding the dualling of the single track between Gowerton and Loughor, which prohibits further service provision. This project is linked to Network Rail's replacement of the Loughor viaduct in early 2013. Once completed, existing services will be more robust, in terms of performance and reliability, and will enable further trains to be provided west of Swansea at a later date.



**Carl Sargeant AC / AM**

Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities

**14-07-2011 E-mail**

Dear Rhodri

Thank you for keeping me informed. Please let me know of any further developments. In the meantime, I have been invited to go to Arriva Trains Wales to meet their Commercial Director, Mr Mike Bagshaw. We are currently trying to arrange a mutually convenient date before the end of the month to discuss the issues raised in the petition. Two other passengers have also shown interest in joining me for the meeting.

I have also maintained contact with Mr Simon Pickering of the Rail Unit in the Welsh Government. Simon has asked to be informed of any occasion when the train is overcrowded due to running with only two carriages instead of the three carriages it is supposed to have.

Best regards

Bjorn.



Rhodri,

Thank you for the opportunity to comment on the petition submitted by Mr Bjorn Rödde, with regard to commuter train services between Swansea and Cardiff. Passenger Focus was consulted prior to the May 2011 timetable change and did raise some points relating to service imbalance and reduction in stops. My colleague, David Beer, has met with the Franchise Manager at Arriva Trains Wales, Mike Vaughan to discuss the issues raised by this petition.

I understand that the May timetable has provided service improvements, which are supported by an increase to ATW's passenger numbers. However some passenger concerns remain with services west of Cardiff, highlighted by this petition. ATW have met with Mr Rödde to address these and have agreed a number of points for their Train Planning Team to evaluate and also for some direct passenger consultation regarding changes to future services, with support from local Community Rail Officers.

We are pleased to see ATW's proactive response in working directly with passengers in this way and will continue to monitor progress. We also note that ATW have opened consultations for their December timetable changes and we are currently assessing these alongside the issues raised in this petition and directly by some rail user groups and will be compiling our response in due course.

Best wishes

David

David Sidebottom  
**Passenger Team Director**  
Passenger Focus  
The independent passenger watchdog

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

y/r: P-04-321

03 October 2011

Dear Mr Powell

**P-04-321 AARIVA TRAINS WALES**

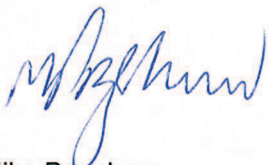
I would like you to know that, since your letter to me of 14 July, I have met with Mr Rodde and a colleague of his to discuss the timetable issues which arose from the implementation of our May 2011 timetable, in particular for the morning peak hour services arriving at Cardiff Central from the west.

Following that discussion, I agreed to consider the issues and investigate whether there were any possible resolutions to the difficulties described by Mr Rodde. I believe that I have achieved much of that with an amended timetable for December 2011. Mr Rodde was apprised of that detail on 03 October 2011 following validation of the timetable by Network Rail and I have asked for his feedback. For the issue of the 1604 hrs service to West Wales, Mr Rodde admits that this was an error on his part in that we had not made any change to it.

Irrespective of the petition, the timetable will also involve additional stops and an additional service between Bridgend and Cardiff Central, and this timetable will be circulated to all appropriate stakeholders in the next few days.

I trust that this response meets with your approval but please do not hesitate in contacting me again should you require any further information.

Yours sincerely



Mike Bagshaw  
Commercial Director

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

### **Petition wording**

Petition to the Welsh Assembly:

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

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

**Petition raised by:** Councillor Maureen Powell

**Number of signatures:** 220

**Previously considered by the Committee on:** 19 May 2009, 7 July 2009, 22 September 2009, 10 November 2009, 8 December 2009, 1 February, 23 March, 25 May and 16 November 2010, and 12 July 2011.

**Update:** Correspondence has been received from the Minister for Local Government and Communities.

# Agenda Item 3.3

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

### **Petition Wording**

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

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

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

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

**Number of signatures:** 154

**Previously considered by the Committee on:** 22 September 2009, 10 November 2009, 8 December 2009, 1 February 2010, 23 March, 25 May, 16 November 2010, 29 March 2011.

**Update:** Correspondence has been received from the Minister for Local Government and Communities.

Carl Sargeant AC / AM  
Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P/03/220 & P/03/240  
Ein cyf/Our ref CS/05599/11

William Powell AM  
Chair Petition's committee  
Ty Hywel  
Cardiff Bay  
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

11 August 2011

Thank you for your letter of 14 July, on behalf of the Petitions Committee, enclosing correspondence from Lynda Hill, Clerk to Llanddewi Velfrey Community Council, on behalf of Llanddewi Velfrey residents.

My officials have started a priority based speed limit review on trunk roads in Wales as set out in the guidelines " Setting Local Speed Limits in Wales. " The review for the speed limits through Llanddewi Velfrey is currently underway and, as part of the process, the Police will also be consulted.

As a result of installing Vehicle Actuated Signs in the village, on average, there has been a 2mph calming in vehicle speeds. Once the speed limit review has been completed, we will investigate if further measures are appropriate. The provision of any speed cameras in Llanddewi Velfrey would be considered by the Wales Road Casualty Reduction Partnership, as part of the 'Go Safe' campaign.

Carl Sargeant AC / AM  
Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: Carl.Sargeant@wales.gsi.gov.uk  
Printed on 100% recycled paper

# Agenda Item 3.4

## **P-03-205 Keep Abergavenny Livestock Market**

### **Petition wording**

We call upon the National Assembly for Wales to preserve Abergavenny's historic character as a market town by not repealing or amending the Abergavenny Improvement Acts 1854 to 1871, thereby preserving all the associated economic, social and cultural benefits of a market town.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-205.htm>

**Petition raised by:** Barry Greenwood

**Number of signatures:** 4757

**Previously considered by the Committee on:** 19 May 2009, 9 June 2009, 23 June 2009, 6 October 2009, 20 October, 24 November 2009, 25 January 2011, and 15 March 2011.

**Update:** Correspondence has been received from the Minister for Local Government and Communities and the petitioner.

Carl Sargeant AC / AM  
Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-03-205  
Ein cyf/Our ref CS/05601/11

William Powell AM  
Chair, Petitions committee  
Tŷ Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

committeebusiness@Wales.gov.uk

11

August 2011

Thank you for your letter dated 14 July sent on behalf of the Assembly's Petitions Committee on the petition to keep Abergavenny Livestock Market.

Monmouthshire County Council first raised the issue of the Abergavenny Improvement Acts 1854-1871 with my predecessor some years ago. These Acts appear to require the Council to hold a livestock market in a small area of the centre of the town, including (but not limited to) the site of the current market. The Council believes that the Acts are obsolete and should be repealed.

I and my predecessors have been minded to agree. The requirements in the Acts are certainly unusual and restrictive; they appear to prevent the Council from taking decisions about the re-development of the town; and all local authorities (including Monmouthshire) have other permissive powers governing livestock markets. However, we have long held the position that we will not act until and unless the Council grants planning permission for the re-development of the current market site.

On 14 June, the Council's Planning Committee granted planning permission to re-develop the market site, subject to certain conditions. I am therefore minded in principle to make an order repealing relevant provisions of the Abergavenny Improvement Acts 1854-1871, subject to consultation.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: Carl.Sargeant@wales.gsi.gov.uk  
*Printed on 100% recycled paper*

I recognise that this has been a controversial issue locally, but I cannot comment on consultations conducted by the Council, or on planning decisions that it makes. I can only note that the papers before the Planning Committee on 14 June recorded your petitioners' views in detail, along with those of many other consultees; and that a representative of the petitioners addressed the Committee in person. Nonetheless, the re-development of the current livestock market site is a planning matter for the Council, which it has now resolved. It is not a matter for me, and I cannot take any comments on such issues into account in reaching my decision about any repeal.

My only responsibility is to address the concerns that the Council have raised about the obligation that the Acts appear to impose. I must decide whether that obligation is "obsolete, spent or unnecessary", to quote my order-making power in the Local Government (Wales) Act 1994. Whether I or others agree with particular planning decisions is irrelevant to that. As such, only users of the market would be affected by any decision I might make, and my consultation will be limited to them and to the Town Council. My officials will begin such a consultation shortly, and it will conclude in the autumn.



**Carl Sargeant AC / AM**

Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities



Rhodri,

**Petition P-03-205 entitled Keep Abergavenny Livestock Market**

Our above petition is, I believe, currently in abeyance waiting for the start of the consultation on the repeal of the Abergavenny Acts.

We have as you know amassed and forwarded to the Petitions Committee over the last two years a large body of evidence demonstrating the widespread support for retaining the Acts so that Abergavenny many continue to enjoy the economic, cultural and social benefits that flow from having an in-town livestock market.

Our evidence has been sent to you in order for it to be sent to the Minister to help inform his decision over whether or not to repeal the Acts. As the long-awaited consultation has now begun we are requesting you to forward all our evidence to the Minister, Carl Sargeant, under an appropriate cover letter from the Petitions Committee.

Should the Minister require us to meet him to substantiate our evidence, or to be questioned about it, we would of course be happy to oblige.

I look forward to your confirmation that our evidence is being sent to the Minister, and in due course to receive via email a copy of the Petition Committee's covering letter.

Regards,  
Barry  
Member of the KALM working group

# Agenda Item 3.5

## **P-03-261 Local Solutions to Newtown Traffic Congestion**

### **Petition wording**

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

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

**Petition raised by:** Gary Saady

**Number of signatures:** 37

**Previously considered by the Committee on:** 19 January, 23 March, 15 June 2010, 08 February 2011, and 29 March 2011.

**Update:** Correspondence has been received from the Minister for Local Government and Communities.

Carl Sargeant AC / AM  
Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-03-261  
Ein cyf/Our ref CS/05003/11

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

29 July 2011

Committee. business@wales.gsi.gov.uk

Thank you for your letter of 29 June following receipt of a petition from Paul Pavia about traffic congestion in Newtown.

From our discussions with residents of Newtown and the area, on site observations and review of the CCTV footage, the signal system is generally working well. However, we do acknowledge that extensive queuing can occur at peak times, but this has always been the case.

We appointed consultants Arup to carry out a reappraisal of the work done to date in Newtown. It is considered that the reinstatement of a roundabout at the Kerry Road junction would cause capacity problems and would mean the remaining sets of traffic lights either side of the roundabout could not operate effectively or efficiently. If a localised improvement were observed at the Kerry Road junction, overall this would likely increase the journey times and delay through Newtown. In addition, the conversion to a roundabout would remove the controlled pedestrian crossings, and thus increase the risk of pedestrian collisions.

The SCOOT (Split Cycle Offset Optimisation Technique) system a tool for managing and controlling traffic signals in urban areas has recently been recalibrated, following the completion of Road Safety Audit works and traffic conditions have improved.

We are carrying out a "before and after" study, which will give a comparison between the current and previous situations. The final report is expected during the summer period.

Last October we announced new plans to ease transport congestion in Newtown, having held a public consultation and taken into consideration the comments received from members of the public. The preferred option comprises a southern bypass, the Orange Option, plus a package of improvements to local transport to tackle local congestion in the town.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: Carl.Sargeant@wales.gsi.gov.uk  
*Printed on 100% recycled paper*

Currently construction of the 'Preferred Route' is programmed to start in late 2014/early 2015 with an anticipated two year construction period. I will however be prioritising the objectives of the National Transport Plan over the coming months, and will publish a rescheduled delivery plan this autumn.

Any major road scheme is subject to the Welsh Government obtaining statutory consent to do so. This means, we publish draft Orders and an Environmental Statement setting out the justification for the Scheme, identifying the land requirements, and assessing the impacts, which we would then mitigate wherever possible. As part of the statutory procedures, once we publish the draft Orders, we give the public and relevant bodies the opportunity to comment, support or object to the proposals. If there are objections then we hold a Public Local Inquiry before an Independent Inspector.



**Carl Sargeant AC / AM**

Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities

## **P-03-156 Sleep Apnoea**

### **Petition wording**

That Wales should have an effective, cohesive, well-funded policy for all patients with sleep disorders. This would include the provision of Constant Positive Airway Pressure (CPAP) machines for diagnosed sufferers of Obstructive Sleep Apnoea (OSA).

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-156.htm>

**Petition raised by:** Welsh Sleep Apnoea Society

**Number of signatures:** 1 organisation

**Previously considered by the Committee on:** 16 October 2008, 6 November 2008, 13 January 2009, 2 March 2009, 31 March 2009, 24 November 2009, 19 January 2010, 23 March, 11 May, 12 October 2010, and 15 March 2011.

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

Lesley Griffiths AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-03-156  
Ein cyf/Our ref LG/05796/11

William Powell AM

committeebusiness@Wales.gsi.gov.uk

19<sup>th</sup>  
August 2011

Dear Bill

Thank you for your letter dated 14 July, written on behalf of the Petitions Committee, about the need for an effective policy on sleep disorders such as sleep apnoea.

The provision of sleep apnoea services is the responsibility of Local Health Boards, which are expected to put in place arrangements for services for their local populations. LHBs recently submitted returns indicating the extent to which they were complying with the Service Development and Commissioning Directives. The results indicated that they were complying with 95 per cent of the key actions detailed in the Chronic Respiratory Conditions Directive.

I am aware the provision of sleep services varies across Wales. In recognition of this, an All Wales Sleep Apnoea Working Group was established, made up of respiratory consultants delivering sleep apnoea services in NHS Wales, and produced a proposal for minimum clinical standards for sleep apnoea in Wales. This was issued jointly by the Welsh Government and the Respiratory National Services Advisory Group in February 2011 to assist LHBs in planning for improved sleep services.

Regards  
Lesley

Lesley Griffiths AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.lesley.Griffiths@wales.gsi.gov.uk

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

Printed on 100% recycled paper

## **P-03-260 Campaign for Dark Skies**

### **Petition Wording**

We call upon the National Assembly for Wales to urge the Welsh Assembly Government to tackle the growing problem of light pollution in Wales. Light pollution is the result of wasted light, which means wasted energy. The Campaign for Dark Skies are calling on the National Assembly for Wales to urge the Welsh Assembly Government to provide clear guidance to Welsh local authorities regarding light pollution. Such guidance should be aimed at curbing light pollution by setting clear limits for lighting on all planning applications and by placing a statutory duty on local authorities to reduce the amount of wasted light in their area.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-260.htm>

**Petition raised by:** The Campaign for Dark Skies

**Number of signatures:** 1643

**Previously considered by the Committee on:** 23 March 2010, 27 April 2010, 11 January 2011, 1 March 2011 and 29 March, 12 July 2011..

**Update:** Correspondence has been received from the Minister for Environment and Sustainable Development and the Royal Society for the Prevention of Accidents.

John Griffiths AC /AM  
Gweinidog yr Amgylchedd a Datblygu Cynaliadwy  
Minister for Environment and Sustainable Development



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-03-260  
Ein cyf/Our ref JG/05816/11

William Powell AM  
Chair Petition's committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA  
committeebusiness@Wales.gsi.gov.uk

( August 2011

*Dear William,*

Thank you for your letter regarding a petition the Committee are considering about light pollution. I am aware that you have also written to the Minister for Local Government and Communities about this matter and this response addresses the issues raised in both pieces of correspondence.

Whilst light pollution is not an area on which the Welsh Government has developed a formal position, it is clearly a matter we are investigating as part of our carbon reduction aims. Unlike many other forms of pollution, light pollution is reversible. Lights can be shielded or replaced with more appropriate designs, and wattages can be adjusted appropriately. For example, we will be trialling LED lighting on the steelwork access road improvement at Llanwern.

In relation to street lighting, the ILE Guidance Note for the Reduction of Obtrusive Light and the Royal Commission on Environmental Pollution report 'Artificial Light in the Environment' contain advice on the reduction of light pollution. The guidance provided in these documents should be followed wherever possible in respect of lighting design criteria and for the specification of appropriate luminaires in order to minimise the impact of street lighting on the night sky.

Full cut off street lighting has been used on all trunk road improvement schemes for many years to restrict the upward spread of unwanted light and ultimately reduce light pollution.

The general advice provided by the Welsh Government to our designer contractors is that they should take steps to minimise the amount of light projected (either directly or by reflection) into the night sky to avoid contributing to skyglow (light reflected or refracted on clouds or airborne dust or moisture particles causing a brightening of the night sky above towns and cities).

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: John.Griffiths@wales.gsi.gov.uk  
Printed on 100% recycled paper



With regard to the role of the planning process, national planning policy contained in Planning Policy Wales (Edition 4 February 2011) already states that planning strategies and policies established through Local Development Plans (LDPs) should contribute towards minimising environmental risks and pollution and LDPs should adopt policies for lighting, including the control of light pollution. Whilst I do not have specific information on how light pollution has been addressed in LDPs across Wales, it is worth noting that LDPs are subject to Sustainability Appraisal, incorporating Strategic Environmental Assessment, and issues which impart on amenity normally feature as part of this appraisal process. This SA/SEA process is iterative, continuing throughout the stages of plan preparation and will inform the framework for monitoring and review of the plan. Further to this, National planning policy is that light pollution can be a material consideration in determining planning applications and local planning authorities can attach conditions to planning permissions for new development which cover the design and operation of lighting systems and the prevention of light pollution.

*Best wishes,*



**John Griffiths AC / AM**

Gweinidog yr Amgylchedd a Datblygu Cynaliadwy  
Minister for Environment and Sustainable Development

Dear Madam,

With reference to your letter dated 14 July, I am unaware of any research undertaken regarding road safety implications specifically in relation to new street light technologies. RoSPA has prepared a paper on street lighting and road safety in general which might be of some use:

[http://www.rosipa.com/roadsafety/advice/highway/info/street\\_lighting.pdf](http://www.rosipa.com/roadsafety/advice/highway/info/street_lighting.pdf)

Yours sincerely,

Steve Baker

Community Safety manager

## Street Lighting and Road Safety

There are a number of benefits to street lighting. It can be used to promote security in urban areas and to increase the quality of life by artificially extending the hours in which it is light so that activity can take place. Street lighting also improves safety for drivers, riders, and pedestrians.

Driving outside of daylight hours is more dangerous – only a quarter of all travel by car drivers is between the hours of 7pm and 8am, yet this period accounts for 40% of fatal and serious injuries to the same group<sup>1</sup>. Pedestrians and vulnerable road users suffer from decreased visibility in the dark too. For these reason, ways of reducing the risk to all road users during the hours of darkness must be found.

A study for the Department for Transport<sup>2</sup> found that road safety was perceived as a key benefit for street lighting improvement. In the study, 73% of respondents agreed that 'better street lighting would improve the safety of children', and 63.8% agreed that 'improved street lighting would lead to less accidents on the roads'.

As well as the public perception that better lighting improves safety, research that compares the quality of road lighting to accident reduction, found that it improves safety.

The most comprehensive study of street lighting to date was carried out by the Cochrane Collaboration<sup>3</sup> which performed a systematic review of the literature and found 17 studies on the introduction of street lighting. The author's conclusion from analysing the studies was "*street lighting can prevent road traffic crashes, injuries and fatalities. However, further well designed studies are needed to determine the effectiveness of street lighting in middle and low-income countries.*"

### Individual studies

- A literature review<sup>4</sup> of studies relating the presence of lighting to accident reduction concluded that "*On urban main roads, with mainly a traffic function, a reduction in accidents involving injuries of approximately 30% can be expected at night following an improvement in the lighting from very bad to good*"

<sup>1</sup> Night-time accidents, a scoping study; Report to the AA Trust; H. Ward et al, UCL  
[http://eprints.ucl.ac.uk/archive/00001978/01/2005\\_44.pdf](http://eprints.ucl.ac.uk/archive/00001978/01/2005_44.pdf)

<sup>2</sup> The value of improved street lighting in rural areas; Ken Willis et al, Centre for Research in Environmental Appraisal & Management, University of Newcastle upon Tyne, October 2003

<sup>3</sup> Beyer FR, Ker K. Street lighting for preventing road traffic injuries. Cochrane Database of Systematic Reviews 2009, Issue 1. Art. No.: CD004728. DOI: 10.1002/14651858.CD004728.pub2  
<http://www.cochrane.org/reviews/en/ab004728.html>

<sup>4</sup> The relationship between the level of public lighting and traffic safety; a supplementary literature study, D.A.Schreuder. R-88-10. Leidschendam, SWOV, 1988

- A Japanese report<sup>5</sup> that looked at the reduction in accidents at junctions, following the provision of lighting, found that there was a 43% reduction in night-time accidents. It also found that the effectiveness of lighting in preventing accidents depended on its illuminance, and that the brighter the lighting, the better it is at preventing accidents. However it did not define an upper limit to brightness beyond which further brightening would have no, or a negative, effect.
- A report by SWOV<sup>6</sup> found that a 'relatively large proportion' of night-time accidents occur on unlit road sections. It also found that *'there are modest indications that the average injury severity and the proportion of accidents at bends is somewhat greater on unlit road sections'*.
- A report conducted by the University of Manchester Institute of Science and Technology<sup>7</sup> found that low illumination is a major contributory factor in the night-time fatality rate.
- A more recent follow up study<sup>8</sup> by some of the same authors using the same methodology reached the same conclusion and presented up to date figures showing the effect that lighting has on the likelihood of fatal injury.
  - On motorways, 2.6% of accidents are fatal where street lighting is present, compared to 4.3% of accidents where it is not.
  - On built up roads, 1.3% of fatal accidents are fatal where street lighting are present, compared to 1.9% of accidents where it is not.
  - Similarly, on non-built up roads 3.1% of accidents are fatal in lit conditions, rising to 4.9% in areas without street lights.

Both studies cited an increase in thinking and stopping distances in non-optimal night-time conditions as the reason why the rate increases. They concluded that on average the presence of street lighting reduces the severity of injuries by a factor of 3.

This reduction in accidents is seen despite the danger that drivers have been found to adapt their behaviour and adopt more risky behaviours at night where there is lighting. Examples of more risky behaviour are increased speed and reduced concentration<sup>9</sup>.

<sup>5</sup> Research on the interrelation between illuminance at intersections and the reduction in traffic accidents; H Oya et al; The Lighting Journal, Vol 68 pp 14-21

<sup>6</sup> Street lighting and road safety on motorways; A.A. Vis D-94-18, SWOV 1994

<sup>7</sup> Road traffic accidents: the impact of lighting; I Murrey et al, The Lighting Journal, Vol 63 pp 42-46

<sup>8</sup> Road traffic casualties: understanding the night-time death toll; S Planis et al, Injury Prevention Vol 12 Issue 2 pp125-128

<sup>9</sup> Risk compensation - the case of road lighting; T Assum et al, Accident Analysis and Prevention, Vol 31, pp 545-553

This raises the concern about the relationship between the safety that a driver perceives and the actual level of safety, and how drivers behave in both conditions. If a driver perceives a better level of safety due to lighting, and therefore behaves in a more dangerous manner when their vision is not noticeably improved, could this lead to a greater increase in risk than simply reducing the luminance would suggest?

## **Conclusion**

The presence of lighting not only reduces the risk of traffic accidents, but also their severity. Surveys have shown that the public are in favour of street lighting as a way of improving road safety and that, if anything, it needs to be improved in some areas.

There are economic and environmental reasons why some organisations may wish to reduce the amount of lighting. However there are safety reasons why lighting needs to be available.

In some locations, a reduction in lighting quality may not increase the risk of an accident. However, there is the danger that an unconsidered removal or reduction in quality could actually increase accidents and their severity.

Therefore, when considering removal or dimming of lights, location based traffic and accident evidence should be assessed. Accident rates should be monitored to ensure that sacrificing the quality of lighting does not unduly increase the risk. Increases in risk may ultimately lead to lives being lost.

# Agenda Item 3.8

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

### **Petition wording**

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

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-305.htm>

**Petition raised by:** Alison Bagshaw

**Number of signatures:**

**Previously considered by the Committee on:** 16 November 2010, 11 January 2011, 15 March 2011, and 12 July 2011.

**Update:** Correspondence has been received from the Minister for Education and Skills; the Minister for Housing, Regeneration and Heritage; Estyn and the Chair of the Children and Young People Committee.

Leighton Andrews AC / AM  
Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-03-305  
Ein cyf/Our ref LA/05569/11

William Powell AM

committeebusiness@Wales.gsi.gov.uk

29 July 2011

*Dear Sir,*

Thank you for your letter of 14 July regarding the further correspondence from Mrs A Bagnshaw concerning the petition received for school libraries to be made statutory.

I reiterate my statement that there are no plans to make school libraries statutory. As I explained in my correspondence dated 28 November 2010 (ref: LA/03039/10), the investment required to ensure that all school libraries would be sufficiently resourced to be effective is beyond the current budget allocation.

There are currently no plans to draw up a new position paper on school libraries or a set of School Library Standards. However, as I also expressed in the previous correspondence, the work being progressed by my department and CYMAL: Museums, Archives and Libraries division, is expected to establish a baseline of the current provision of school libraries in Wales.

*Yn eiddo*

*Leighton Andrews*  
**Leighton Andrews AC / AM**  
Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

*Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)*  
Page 37

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: Leighton.Andrews@wales.gsi.gov.uk  
*Printed on 100% recycled paper*

Huw Lewis AC / AM  
Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-305  
Ein cyf/Our ref HL/05415/11

William Powell AM

William.powell@wales.gov.uk

5 August 2011

*Dear William*

Thank you for your letter of 14 July regarding the petition seeking statutory school libraries.

You specifically asked me 'what the impact on public library provision would be should the aims of the petition be met'.

The initial answer to this question is that a statutory responsibility for school libraries is unlikely to have a large impact on public library provision, other than on the School Library Service which many public library services provide either on their own or in regional consortia. The aim of these Schools Library Services is to provide resources and professional assistance via qualified librarians for the development of libraries in primary and secondary schools.

Following the delegation of funding to schools, many of the School Library Services have to rely on individual schools subscribing to the service. As a result of schools not subscribing, and financial pressures on schools and local authorities, funding available to maintain School Library Services has reduced with the consequential contraction of provision.

If school libraries became statutory there could be a significant increase in demand from the schools for resources, support and professional advice from the School Library Services. Current levels of School Library Service provision mean that they are unlikely to be able to meet this demand. There would be a requirement to reinvest in developing the School Library Service or a similar service to ensure a structured and efficient way of providing advice in making libraries in school statutory.

Making libraries in schools statutory would also increase the demand for qualified library staff and this could impact on the public library service if some public library staff went to work in school libraries. Based on the current level of professionally qualified library staff in Wales, it is unlikely that this increased demand could be met, especially Welsh language speakers.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.huw.lewis@wales.gsi.gov.uk

*Printed on 100% recycled paper*



CyMAL: Museums, Archives and Libraries Wales division of the Welsh Government is active in this area in developing local access to relevant courses and providing financial assistance to enable staff to obtain suitable qualifications.

As well as the question you have asked me, I note from the petitioner's letter dated 15 May that she asks what the evidence is for the statement that public libraries in Wales now have more attractive children's and teenage areas, the actual number that have improved areas and the increase in school visits to local public libraries.

The Welsh Government has modernised 68 libraries under the Community Learning Libraries Capital Grants Programme provided by its CyMAL division. Evidence shows that this has been particularly successful in enhancing children's provision in our public libraries.

One notable example is the teenage library in Treorchy public library in Rhondda Cynon Taff which was designed in co-operation with pupils from a local school. There was an increase of 766% in items issued to teenagers comparing figures from prior to creating the teenage zone and a year after it was opened.

In the publically available annual report of the Community Learning Libraries Programme Adviser for 2010-11 the author states:

*"...issues to children are increasing significantly when a programme of activity, such as school visits, is held... ." (p.6)*

*"In terms of attracting new customers, libraries are reporting increases in a range between 2% and 195%. Significantly, as in 2009-10 many of the new users are still those for whom specific aspects of projects were designed - schools, children and their parents, and young people in particular ... ." (p.6)*

Modernised welcoming public libraries which are attractive to children are not a substitute for good quality school libraries but contribute towards the overall impact libraries have in promoting literacy, reading for pleasure, and lifelong learning.



**Huw Lewis AC / AM**

Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage

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

4 October 2011

Dear Mr Powell

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

Thank you for your letter dated 15<sup>th</sup> September. Please see attached response in respect of the petition in relation to school libraries.

Yours sincerely



**Ann Keane**  
Her Majesty's Chief Inspector of  
Education and Training in Wales

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

Estyn's view is that school library and resource centres can have an important positive impact on pupils' learning. The provision of a school library, however, does not on its own guarantee a positive outcome in terms of the development of pupils' skills. The library also needs to be well resourced and well run, and staff need to exploit its potential in their curriculum planning and in their teaching.

The requirements of the National Curriculum for both English and Welsh outline the need for pupils to experience a wide range of texts to encourage them to read for pleasure and to retrieve and process information. The strands on 'Reading' and 'Writing' in the non-statutory Skills Framework enhance these requirements further.

Our report on 'Best practice in reading and writing of pupils aged 7-14 years' (Estyn, May 2008) states that:

'School libraries and learning-resource centres can help pupils to become enthusiastic readers, discover information and learn research skills. As a result, pupils can become better learners and develop responsibility for their own learning.'

The report describes how, in best practice, school libraries and resource centres, often incorporating ICT equipment, are a central part of a school's drive to improve standards of literacy. In such schools:

'Staff have clear expectations of how the library can support learning, such as helping pupils to become enthusiastic readers, discover information and learn research skills. School policies and plans make certain that the school library is educationally inclusive in promoting and achieving use by all groups of pupils. The library accommodation is attractive and accessible to pupils in and out of school hours and there are opportunities for the wider community to share the use of the library, which helps to ensure that the library contributes effectively to lifelong learning.'

Where a school library is effective, the librarian or teacher-in-charge works to maximise the effectiveness of pupils' work, for example by helping pupils to acquire and use information retrieval skills, including the use of information and communications technology. Curriculum planning and school improvement plans recognise the central role that the library can play in developing these important skills.

The best school libraries provide a very wide range of books and non-book information sources at different levels to meet the needs and interests of all pupils.

Staff use the library to maximise pupils' learning and to complement and extend the work that pupils do in class.

The findings of the May 2008 report are supported by the findings of inspectors in the current round of school inspections, which began in September 2010. In best practice, schools have well-resourced library and resource areas which are well used and these help to improve pupils' literacy, ICT and information-finding skills. For example:

'The school library remains open until 5pm each day for pupils to access the reference, research, computer and study facilities. The school librarian is available to support pupils each evening. The communication resource base effectively supports all of its pupils to achieve their potential.' (Secondary School)

'A well-resourced central library is used daily by the children to choose books to read at home and to support classroom learning.' (Primary school)

The impact of a well-resourced and well-run school library on pupils' skill levels is clearly positive, and helps them to develop as independent learners, well able to research and direct their own learning. This is in line with the supporting documentation that the petitioners provided.

Estyn  
4 October 2011

**Y Pwyllgor Plant a Phobl Ifanc  
Children and Young People Committee**

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

Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff CF99 1NA

3 October 2011

Dear Bill

Thank you for your letter of 14 July 2011, regarding Petition P-03-305 on Statutory School Libraries. The Children and Young People Committee considered your request to take forward the issues raised by the petition in a private meeting on Wednesday 21 September.

The Committee warmly endorsed school library services and recognised that they provide a valuable service in supporting the development of many skills including literacy, research and independent investigative skills. However, we were not convinced that they should be a statutory requirement at this time, particularly in view of the current financial position.

The Committee has written to the Minister for Education and Skills regarding his future intentions for school library services more generally and would be happy to share a copy of his response with you, but in terms of the specific issues raised by the petition, the Committee is not inclined to take this any further.

Yours sincerely



**Christine Chapman AM  
Committee Chair**

# Agenda Item 3.9

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

### **Petition wording**

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

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

**Petition Raised by:** Mr V Jones

**Number of signatures:** 4383

**Update:** Correspondence has been received from the Minister for Housing, Regeneration and Heritage.

Huw Lewis AC / AM  
Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-03-263  
Ein cyf/Our ref HL/05333/11

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

committeebusiness@Wales.gsi.gov.uk

*Dean Willison*

31 August 2011

Thank you for your letter of 29 June about our sporting heritage, in the wake of the Committee's consideration of the petition about the grounds of Stradey Park. I am sorry for the delay in replying.

I am aware of the Committee's inquiry and the previous correspondence. My officials in Cadw are continuing to work on guidance to identify sites of importance to local communities, including places which are known for their sporting heritage. As a first step they have undertaken work to explore the scope for including open-air sports sites on the Register of historic parks and gardens in their own right as sporting venues, as well as identifying sports sites which lie within registered historic parks and gardens, such as the cricket pitch in Sophia Gardens, Cardiff, and the tennis courts in Ynys Angharad Park, Pontypridd.

The Royal Commission is continuing to prepare its book on sports heritage and an early draft is expected shortly. Once this is available, it will provide my officials with a good information base that will allow them to set out general principles about the approach to conservation for sports heritage sites.

As for more detailed guidance, as you say, the new legislative programme for Wales includes a commitment to seeking to introduce a Heritage Bill in 2014-15. As part of the lead up to that Bill, I want to ensure that we have a full debate, involving a wide range of interests, on all aspects of the historic environment. I want to consider the issues currently facing the historic environment and what we need to do to make improvements and to tackle any shortcomings. Consideration of detailed guidance on locally important and sporting heritage will form part of the debate.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.huw.lewis@wales.gsi.gov.uk  
*Printed on 100% recycled paper*

My officials will be planning a series of workshops and seminars to capture opinions and I shall certainly ensure the issues of interest to the Committee form part of the discussion.

*Bob Wickham*  
*Mur*

**Huw Lewis AC / AM**  
Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage



## **P-04-322 A call to revise Cadw's hold upon churches in Wales**

### **Petition wording**

We call upon the National Assembly for Wales to investigate the inflexible way in which Cadw enforces its regulations upon active, vibrant congregations using listed buildings across Wales, thereby keeping them in a state of architectural inertia, unable to take advantage of modern developments in building materials and making it difficult for churches to make changes necessary for them to serve the coming generation and the local community.

**Link to petition:** <http://senedd.assemblywales.org/mgIssueHistoryHome.aspx?IId=1015>

**Petition raised by:** Graham John

**Number of signatures:** 147

**Update:** Correspondence has been received from the Minister for Housing, Regeneration and Heritage.

Huw Lewis AC / AM  
Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-322  
Ein cyf/Our ref HL/05332/11

William Powell AM  
Chair Petitions Committee

committeebusiness@Wales.gsi.gov.uk

19 July 2011

*Dear William*

Thank you for your letter of 29 June asking for my comments on a Petition led by Graham John which refers to Cadw and controls on listed places of worship.

Chapels are a particularly important part of our heritage and help to make Wales distinctive and special. I am anxious to ensure that they are protected and that their contribution to Welsh life and communities is appreciated. At the same time I do not want to suggest that they should be preserved without any changes so they are not relevant to modern day worship.

I think there may be an element of misunderstanding of Cadw's role in this particular Petition. The current legislation places a responsibility on the Welsh Ministers to list a building which has been assessed as being of special architectural or historic interest, at the national level. This statutory responsibility is exercised through Cadw and, if a building is found to have that special interest, it has to be listed – there is no discretion not to list.

Once a building has been listed, any proposals to alter it that would affect its character will need a listed building consent (lbc) from the local planning authority. There are some exceptions to this for listed buildings in the care of 6 prescribed denominations where it has been agreed that they have satisfactory internal controls governing changes to their listed buildings. This is known as ecclesiastical exemption and approved denominations are the Church in Wales, the Church of England, the Roman Catholic Church, the United Reform Church, the Methodist Church and the Baptist Union of Great Britain and of Wales.

The places of worship mentioned in the Petition are generally independent churches which do not come within the exemption and which are generally governed by the secular listed building consent arrangements. In such cases, applications for alterations which affect the building's character are made to the local planning authority.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.huw.lewis@wales.gsi.gov.uk  
Printed on 100% recycled paper

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

If a local authority is minded to approve an application, it has to notify Cadw of its intention so that Cadw can consider whether to recommend that the application is called in for determination by the Minister for Environment and Sustainable Development. Applications are called in if they raise controversial or contentious issues and, in practice, very few - a handful - are called in. If an application is refused by the local authority, there is a right of appeal, similarly to the Minister for Environment and Sustainable Development.

Cadw is not the decision maker on applications for lbc; neither is it responsible for taking enforcement action or instigating court orders if unauthorised works have taken place. However, local authorities, in considering applications, should take into account guidance that Cadw has issued in published circulars (61/95 and 1/98) and its own Conservation Principles

[[http://www.cadw.wales.gov.uk/upload/resourcepool/Conservation\\_Principles\\_ENG.pdf](http://www.cadw.wales.gov.uk/upload/resourcepool/Conservation_Principles_ENG.pdf)].

These seek not only to protect buildings which have been recognised as being of national heritage importance but also to be pragmatic in appreciating the needs of present day congregations in worship. For many churches and chapels, particularly those which have been listed at grade II rather than the rarer grade I or II\* buildings, it is often possible to find an acceptable solution through discussion between the owner and the local authority.

The mandatory design statement required to accompany all applications for lbc provides the opportunity for applicants to address the case for proposed works in terms of a listed building's appearance, layout, scale and environmental sustainability. This provides the means, on a case by case basis, for the use of modern materials in listed buildings to be articulated. It will be for the local planning authority to consider this in the framework of planning policy when deciding whether such consent should be granted. The Welsh Assembly Government has produced guidance – Technical Advice Note 12, Design – on the production of design statements and is available online at <http://wales.gov.uk/topics/planning/policy/tans/tan12/?lang=en>

As for the use of double-glazing, circular guidance explains that windows form one of the most significant constructional elements of any building, and their style and proportion affect the character and appearance of elevations. Therefore, as a rule, original windows in historic buildings should be repaired, or if totally beyond repair, should be replaced exactly like for like. This does not impose a bar on new windows but, if lbc is to be given by local planning authorities for new windows, it is important that their design, scale and proportion should be sympathetic to the historic character of the building. Double glazed PVC windows can compromise the historic and architectural character of historic buildings because of the thickness required for the frames and detailing, and by the use of a non-traditional material. In terms of energy efficiency and heat retention, weather or draught proofing and secondary glazing in a removable inner frame are generally considered to be thermally efficient and cost effective alternatives to PVC windows. If it is thought to be helpful, Cadw is also willing to participate in pre-application discussions with the local authority and those responsible for the listed building.

Listed places of worship may be eligible for grant from the Welsh Government or other organisations. Cadw is able to offer grants for repairs to historic fabric if the building is of particular architectural or historic interest. Indeed, the lead Petitioner's own chapel, Ebenezer Baptist Church, Swansea, received grant of over £17,000 for the renovation of windows in its front elevation last year and has been offered a further grant of almost £5,000 for repairs to the east elevation windows, which it is currently pursuing. The Welsh Government's Communities Directorate can offer grants if the building is used by the local community and several places of worship have benefited from such grants. In addition, organisations such as the Heritage Lottery Fund offer grants, although I appreciate that some congregations may not wish to pursue this route.

Finally, you ask about the Heritage Protection Bill. Our Legislative Programme for the next 5 years was, of course, announced by the First Minister on 12 July and includes provision for a Heritage Bill in the fourth year. I can assure the Committee that, in working up proposals, we will look at all aspects of the protection systems, including the current circulars and other guidance, in discussion and debate as well as a formal consultation. I want to have a wide ranging debate with all those with an interest in the historic environment, including church and chapel representatives or congregations, and clearly will want to keep in view the points made by the Petitioners.

I hope that this is helpful.

*Best wishes*

*Huw*

**Huw Lewis AC / AM**

Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage

## **P-03-308 Save Gwent Theatre**

### **Petition wording**

We call on the National Assembly for Wales to urge the Welsh Government to ensure funding is continued for Gwent Theatre. The removal of this highly valued resource from the communities it has served for over thirty years deprives young people of a significant opportunity to engage with the Arts.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-308.htm>

**Petition raised by:** George Davis-Stewart

**Number of signatures:** 1118

**Previously considered by the Committee on:** 21 June 2011

**Update:** Correspondence has been received from the Arts Council of Wales, the Minister for Housing, Regeneration and Heritage, and the petitioner.



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

14<sup>th</sup> July 2011

Dear Sir,

Petitions: P-03-308 Save Gwent Theatre  
P-03-311 Spectacle Theatre  
P-03-314 Save Theatr Powys and Mid Powys Youth Theatre.

Thank you for your letter of 29<sup>th</sup> June regarding the above and for the opportunity to respond to ACW's correspondence relating to these matters.

Our opposition to the cuts made by ACW to the Theatre in Education sector last June are well known and we continue to be bewildered by such drastic action being taken in advance of any clearly thought out and articulated alternative strategy being in place. To say that ACW have been inconsistent in their attitude and approach to arts provision for young people is to understate the case. As late as April this year they were still awaiting responses from young people's groups they had consulted with some ten months after they had axed three TIE co's.

We believe that the interests of young people would have been better served if ACW had undertaken a thorough review of their priorities and objectives and delivered a clear strategy for consultation before engaging in an ill thought out and damaging change in priorities that has operated unfairly at the expense of a large number of professional arts workers but perhaps more importantly has deprived many thousands of young people access to the arts provided by their TIE company.

ACW state that: 'It's absolutely clear that young people want to engage actively with the arts, but often feel that much of what they see around them from professional arts providers is not of interest or relevant to them. Young people want to be active creators, not just 'consumers' of arts product.'

This statement would seem to betray a lack of understanding of both theatre in education and young people. Theatre in Education is about active engagement and creativity it is about art that is relevant to the lives of our youngsters, work that

stimulates and challenges them to think and act creatively. It does the very thing ACW seem to think young people want.

ACW say it's worth noting that Gwent Theatre continues to exist, this needs to be contextualised. GT exists as a legal entity with a board of unpaid trustees this provides a legal mechanism for the governance of Gwent Young People's Theatre which is funded by MCC and The Worker's Educational Association and has recently been the subject of project grant aid from ACW. GYPT has also received some additional funding from ACW to help develop the use of the Melville Theatre as a hub for community/young people's theatre activities. This financial assistance is welcome and will help to secure the future of youth theatre activities in the area. However, the fact remains that the professional TIE Company no longer exists. Six full time members of staff were made redundant on 31<sup>st</sup> March this year; also employment opportunities for in the region of twenty acting jobs, three designer's jobs; further, to the detriment of fostering new writing, two or three commissions for writers have also been lost. This is a tragic waste of the skills and talents of dedicated arts professionals and is the source of much individual heartache. The greatest loss however, is to the schools and community. Gwent Theatre regularly performed and presented work for in excess of 22,000 children year on year. Some of the areas our company served are amongst the most socially disadvantaged in Europe it is the loss to these children that is the hardest to bear.

We look forward to the Minister's proposed review of Theatre in Education provision and will be making a detailed submission to him when we know the form the review is to take.

Yours sincerely,

Gary Meredith  
Former Artistic Director of Gwent Theatre on behalf of the Board

# Agenda Item 3.12

## **P-03-311 Spectacle Theatre**

### **Petition wording**

We call on the National Assembly for Wales to urge the Welsh Government to ensure that funding continues for the award winning, Rhondda Valley-based, Spectacle Theatre Company. The Company has served schools and communities for over thirty years, and its loss will deprive people of a long-established, invaluable resource and, therefore, future opportunities to engage with local theatre and drama.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-311.htm>

**Petition raised by:** Friends of Spectacle Theatre

**Previously considered by the Committee on:** 21 June 2011.

**Number of signatures:** 2158

**Update:** Correspondence has been received from the Arts Council of Wales and the petitioners, the Minister for Housing, Regeneration and Heritage, and the petitioner.



Dear Mr. Wyn Jones,

**re. Petition P-03-311 - Spectacle Theatre.**

I attach two responses to the request from the new Petitions Committee regarding the Arts Council Letter, dated 20th. April 2011. One is from Mr. Steve Davis, the Business Development Manager and Producer of Spectacle Theatre, and the other from myself as one of the petition organisers for the 'Friends of Spectacle Theatre'.

I will be grateful for an acknowledgement that you have received this email and the attachments.

Thank you.

Michael Jones.

26th. September 2011.

Dear Mr. Powell,

Re: Petition P-03-311 Spectacle Theatre - Response from the 'Friends of Spectacle Theatre' to the Arts Council of Wales letter, dated 20th. April 2011, as requested by the Petitions Committee.

Thank you for inviting a response to the above matter, recently discussed by the Petitions Committee.

As on previous occasions, I forwarded your correspondence to Spectacle Theatre for their response, and attach the reply from Mr. Steve Davis, the Business Development Manager and Producer of the company. His far more informed, experienced and first-hand response, reflects the present views of the company.

As also explained to the previous committee, none of the 'Friends of Spectacle Theatre' group have direct, professional links to the company, but recent participation in a community play and other projects, over a number of years (one member for over twenty years), revealed the depth of dedication, experience and expertise of this well respected, 32 year-old company. We became dismayed when the Arts Council of Wales withdrew their funding in 2010, hence we petitioned the Assembly to attempt to ensure continued funding.

It is pleasing that the Arts Council is currently addressing the potential opportunities for children and younger people in the arts *per se*. However, the broad-brush content of the letter, even with the balanced reporting of some criticisms of their proposed strategy, makes it difficult to comment upon without a deeper, more considered analysis. For example, how many individuals and organisations did not respond to the Arts Council's investigation? How quantitatively and qualitatively different will any new strategy be from what already exists or existed?

Additionally, page eight of the Arts Council's preliminary review document, 'Changing Lives', contains a categorical statement that the issue around the investment review will not be revisited. This seems an affront to the thousands of petition signatories who recorded their concerns. Crucially, the issue that arose from the review remains, namely the claim that some criteria were changed during the process, without prior consultation, creating a seemingly inequitable funding opportunity for the theatres involved. There still appears to be no explanation to justify why such a decision may have been made, and why those companies negatively affected by the investment review were deemed sufficiently different from those retained by, or added to, the Arts Council portfolio. It seems that until this is satisfactorily addressed and resolved, there will remain, rightly or wrongly, questions about fairness.

Personally, arriving from a relatively naive perspective, I find it astonishing that such an apparent paradigm shift in the Arts Council philosophy and policy regarding the investment process, appears not to have been thoroughly and clearly mapped and documented from its inception by, for example, minutes of meetings. How are decisions achieved and subsequently recorded and implemented by such an influential organisation? While appreciating the principle of 'arms length', surely this should not equate to near omnipotence.

The horticultural analogy indicated by the previous Heritage Minister, that the Arts Council should take a radical, root and branch approach to the arts investment review, has witnessed the apparent 'digging-up' of a very long-established, fruitful and flourishing theatre network. What will such a fertile system be replaced with, when some

of what is suggested in the Arts Council strategy, may already have been, or was intended to be, undertaken before the review began?

Yours sincerely,

Michael Jones  
(Petition organiser for 'Friends of Spectacle Theatre').

26th. September 2011.

Dear Mr. Powell,

Re: Petition P-03-311 Spectacle Theatre - Response from Spectacle Theatre to the Arts Council of Wales letter, dated 20th. April 2011, as requested by the Petitions Committee.

I have had a few thoughts about the letter from Nick Capaldi

He prefaces his letter that it is only a 'flavour'. The letter does not have any real substance and, in many ways, is misleading. For example, he states on page five that Spectacle and Gwent continue to exist. He also states that 'Gwent are more advanced of the two'. What does this mean? I do not believe he has any idea of what Spectacle are doing. How can he make any comparison between the companies?

When he says we 'continue to exist', what does this mean? Is he trying to say the organisation is still in operation as it was previously?

He also says we are 'exploring options to play a new role in future'. He then says he has provided funds for both organisations to do this. We are exploring options, but have had no discussion with Mr Capaldi. The options we are exploring, are about the defence of young peoples' entitlement to arts provision where they live. These options are about ensuring that Theatre in Education, and theatre for the most disadvantaged communities, continues to have a place in Wales. In fact we would align ourselves with the 'critical voices' about withdrawal of funding from Theatre in Education, on page two of his letter. He makes no comment about this except to record it. Does he really want us to think of this as a *fait accompli*?

It is worth reminding ourselves that not only was it a withdrawal of funding, it was an abandonment of a ten year Theatre in Education strategy without any consultation, or replacement strategy.

Spectacle continues to exist by struggling to hold on to the idea that

- Young people have cultural entitlements equal to that of any adult.
- People have the entitlement to access Theatre within their own community.
- People are entitled to Theatre Arts of the highest quality, irrespective of socioeconomic, educational or geographical barriers.

We don't exist except as a group of artists who are fighting to recreate an organisation that is capable of delivering the above ideas.

On page two, he talks about 'working with the children and young peoples' partnerships who have responsibility for the child poverty agenda'. He also mentions 'links to the single plans for children and young people'. Spectacle was a perfect example of an arts organisation that was placed to deliver this work. In fact all of the future examples he cites for young peoples' provision, are what Spectacle was already providing, or attempting to provide, in partnership.

The more time goes on I feel that Mr Capaldi had an agenda and, irrespective of what was said or done, he would have carried out that agenda.

He has destroyed provision, and talks of replacing it with new provision. It is very difficult to replace the connections built over thirty years; the experience, knowledge and trust offered to a community arts company. At least we have support from colleagues and organisations that support the ideas above, and we are going to make a fist of it to defend those ideas.

If you want more please feel free to ask.

Steve Davis.

Steve Davis

Business Development Manager / Producer - Spectacle Theatre

# Agenda Item 3.13

## **P-03-314 Save Theatre Powys & Mid Powys Youth Theatre**

### **Petition wording**

Following on from the Arts Council of Wales decision to remove revenue funding from Theatre Powys from April 2011, we the undersigned call on the National Assembly for Wales to ensure Powys County Council funding is retained for Theatre Powys and MPYT. Failure to achieve this will result in the removal of both these provisions from the communities they've served for three decades; depriving young people of a significant opportunity to engage with the Arts. Mid Powys Youth Theatre is also one of a very small number of pastoral activities open to the youth of this area.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-314.htm>

**Petition raised by:** Michael Chadwick

**Number of signatures:** 1152

**Previously considered by the Committee on:** 01 March 2011, 21 June 2011.

**Update:** Correspondence has been received from the Arts Council of Wales and the petitioners, and the Minister for Housing, Regeneration and Heritage.

# Michael Chadwick

3rd October 2011

Your Ref: P-03-314

Dear Committee

Thank you for your continuing interest in this matter, and for allowing my input to the process once again.

I recently spoke with Ian Yeoman, former Artistic Director of Theatr Powys, and I attach a document which he asked me to consider forwarding for your attention. Many of the sentiments expressed I share, with particular reference to his belief that the lasting effects of this ACW decision will not be seen for some time. Whilst one cannot deny its merits, maintaining an "Arts provision" is not the same as maintaining a producing, specialist theatre company such as Theatr Powys, Theatr Gwent or Spectacle.

From whichever viewpoint you choose, this process [ACW Investment Review] was flawed and executed in an inconsistent and unfair manner. This damages the reputation not only of the ACW but Wales and the Arts. In particular I cannot help but feel that Arts Council Wales has yet to answer to my satisfaction a key question which the committee has asked several times now, relating to the change in judgement criteria for the Investment Review "mid-stream". This surely cannot go unchallenged, I urge the Assembly through committee to hold the Arts Minister, Mr Capaldi and their associates to account for their actions.

Yours sincerely

Michael Chadwick

Dear Committee

I write as the most recent and last Artistic Director of Theatr Powys. As you will know, the Company is now closed and all members made redundant. A large number of freelance artists have been denied their chosen place.

The lasting effects on employment/access/and even interest in the arts in mid Wales, are yet to be felt. I say this despite recent appointments by PCC. In my own view, an invaluable resource has been lost. Schools and communities will only really know what has been lost when it is well and truly gone.

I am aware, having read all correspondence currently available to the public and Michael Chadwick, that ACW feels totally comfortable with its ongoing relationship with PCC and totally confident in respect of provision in mid Wales/Powys.

I remain unconvinced.

I am aware that your committee might ask for copies of ACW reports in respect of submissions from YPT/TIE companies in the context of the still recent ACW Review.

I only wish to say again that Theatr Powys, despite all its efforts to maintain productive relations between ACW and PCC - and despite the excellence of its work, was in fact misled, mismanaged, and abused.

I would urge all involved to seek access to the ACW 2010 annual review of Theatr Powys; and Quality Monitoring Reports for the last five years at least. (Even the negative one). Contrast this documentation with a most destructive current reality.

Mr Capaldi and his associates do not yet understand the damage done. (Indeed, It has taken some effort to achieve a borderline commitment to accuracy)

Having said all of this I urge ACW and PCC to maintain a commitment to the Mid Powys Youth Theatre

Ian Yeoman  
Ex Theatr Powys



Huw Lewis AC / AM  
Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-03-308/P-03-311/P-03-314  
Ein cyf/Our ref HL/05330/11

William Powell AM  
Chair Petitions committee

committeebusiness@Wales.gsi.gov.uk

19 July 2011

*Dear William*

Thank you for your letter of 29 June about the petitions in respect of Gwent Theatre, Spectacle Theatre and Theatr Powys/Mid Powys Youth Theatre, arising from loss of revenue funded status following the Arts Council of Wales Investment Review.

I have read with interest the content of your letter and the accompanying enclosures and I am, of course, familiar with the Investment Review.

As you are aware, the strategic agenda for the arts in Wales is determined by the Welsh Government in consultation with the Arts Council of Wales (ACW), while individual funding decisions are solely the responsibility of ACW, who operate at arms-length from Government.

I am a firm believer in the established principle of arms-length funding of the arts in Wales, a principle that enjoys cross-party support within the National Assembly for Wales. Therefore, while I am sorry that some arts organisations were unhappy with the Investment Review outcomes, as I noted in the Chamber recently, it was inevitable that not all organisations would be happy with the outcomes of the review. I am satisfied as to the robustness of the Investment Review process.

As regards the manifesto commitment to review the approach to theatre-in-education, I have already met with the Minister for Education and Skills. We have agreed that there will be a review of the support for arts in schools. This will be a broad based exercise looking at the programmes provided by the Welsh Government with partners including ACW and will include theatre experiences for young people.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.huw.lewis@wales.gsi.gov.uk  
*Printed on 100% recycled paper*

Our officials together with ACW will develop and bring forward proposals for the review including a remit, proposed membership and schedule of work. I hope you will agree that this will help us to examine in close detail how best to ensure the widest possible access to high quality arts experiences.

A handwritten signature in black ink, appearing to read 'Huw', with a stylized, cursive script.

**Huw Lewis AC / AM**

Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage



8 July 2011

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

*Dear Mr. Powell,*

**Petitions: P-03-308 Save Gwent Theatre  
P-03-311 Spectacle Theatre  
P-03-314 Save Theatre Powys and Mid Powys Youth Theatre**

Thank you for your letter of 29 June 2011 on the above.

You've asked to see the assessment reports that we produced on the business plans submitted by eight theatre companies in December 2009 as part of our Investment Review.

You've noted the confidential nature of these reports, and suggested that they needn't be published as part of your public papers. We're very grateful for this offer – we know that this would be a departure from standard practice as the Committee would ordinarily wish to publish all relevant material. However, having considered the matter very carefully, we feel that it would not be proper for us to depart from our original decision to decline your previous requests to receive this material.

I realise that this will be a disappointment for Committee members, and we would naturally wish at all times to provide you with as much assistance as possible. However, we do feel that this is an exceptional situation.

Given this, I'd like to explain why we feel that we must adhere to our original position.

Plas Bute, Caerdydd CF10 5AL  
Ffôn: 0845 8734 900  
Ffacs: 029 2044 1400  
Minicom: 029 2045 1023  
Epost: gwybodaeth@celfcymru.org.uk  
Gwefan: www.celfcymru.org.uk

Bute Place, Cardiff CF10 5AL  
Tel: 0845 8734 900  
Fax: 029 2044 1400  
Minicom: 029 2045 1023  
Email: info@artswales.org.uk  
Website: www.artswales.org.uk

**Swyddfeydd Lleol/Local Offices:**

Caerdydd/Cardiff, Bae Colwyn/Colwyn Bay, Caerfyrddin/Carmarthen  
Rhif Elusen Gofrestredig/Registered Charity Number: 1034245

**Page 65**



Supported by  
**The National Lottery®**  
Cefnogwyd gan  
**Y Loteri Genedlaethol**



BDDODDWR MERN FOB  
INVESTOR IN PEOPLE

1. **We owe the companies a duty of confidence** – throughout our Investment Review process we've taken particular care to explain how we would handle information produced as part of the exercise. As part of our commitment to openness and transparency, we made the decision to publish as much information as possible. And where we did not make information public, we explained our intention and rationale, and produced summary documents wherever we could. There is, therefore, a considerable body of information published on our website which is open to public scrutiny.

For obvious reasons, a company's business plan – and our assessment of that plan – is a highly sensitive document.

At companies' request, and to reinforce confidence in the process, we agreed to treat both the business plans and our assessment of them in strictest confidence. This undertaking was confirmed and published on our website. To depart from that undertaking – even to the extent suggested in your letter – would, we believe, be a significant breach of our duty of confidence. It would also, in our judgement, have a significant and detrimental impact on our future relationship with those organisations, all of whom will be our partners in the delivery of future arts activities.

2. **We would not wish to in any way to endanger companies' ability to attract future work** – the nature of the assessment reports inevitably mean that they will contain information that may be regarded as potentially detrimental to the organisations concerned, should they be released. This might include the identification and highlighting of an organisation's weaknesses, criticism of its performance (artistically and/or administratively), judgements made about the quality of governance arrangements, as well as commercially sensitive and confidential information regarding its financial affairs.
3. **We wish to protect the professional reputations of those individuals associated with these companies** – we've been meticulous in making no negative comments in public about these organisations or the individuals that manage them. You'll appreciate that within the arts, individuals' professional reputations are closely bound up with the organisations that they represent. The material in question does include highly sensitive information pertaining to organisations that, if released, could cause similar harm to both reputation of the organisation (and its staff) and its ability to continue to attract business opportunities in the future.



4. Our ability to discharge our responsibilities in the future depends on maintaining high levels of trust – it is our view that releasing these reports could cause significant harm to the Arts Council in discharging its public responsibilities as the official body for funding and developing the arts in Wales. We have worked hard to develop a trusting and open relationship with the organisations that we fund – we believe that it's in the public interest to ensure that our monitoring is informed by frank and full disclosure of all relevant information. This ensures that the necessary levels of discussion and information gathering can take place in an unimpeded fashion.

To date this has worked well. However, if we breach the trust that has been established, we would be regarded as reneging on our stated commitment to confidentiality, and that trust would be seriously undermined.

Taking these factors into account, we would therefore regard the release of the reports as constituting a significant breach of our duty of confidence to the organisations concerned.

I'm sorry that we do not feel able to agree to this particular request, but please do contact me if you feel we can assist in other ways.

*Yours sincerely,  
Nick Capaldi.*

Nick Capaldi  
Chief Executive



# Agenda Item 3.14

## **P-04-328 MCA Modernising Coastguard Proposals**

### **Petition wording**

We the undersigned call upon the National Assembly for Wales to urge the Welsh Government to conduct independent risk impact assessments on the safety of coastal tourists, of the closure of MRCC Milford Haven, MRCC Holyhead, and the downgrading of MRCC Swansea to 'daylight hours

### **Link to the petition:**

<http://senedd.assemblywales.org/mgIssueHistoryHome.aspx?Ild=1287&optionId=0>

**Petition raised by:** Graham Warlow

**Number of signatures:** 293

**Update:** Correspondence has been received from the Minister for Business, Enterprise, Technology and Science; Pembrokeshire and Swansea Councils; Pembrokeshire Coast National Park and PCS.

Edwina Hart MBE OStJ AC / AM  
Y Gweinidog Busnes, Menter, Technoleg a Gwyddoniaeth  
Minister for Business, Enterprise, Technology and Science



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-328  
Ein cyf/Our ref EH/05306/11

William Powell AM  
Chair Petition's committee

[committeebusiness@Wales.gsi.gov.uk](mailto:committeebusiness@Wales.gsi.gov.uk)

RE July 2011

Dear William

Thank you for letter of 5 July 2011 about the petition your Committee has received on the Marine Coastguard Agency's (MCA) proposals for closing or downgrading Wales's three Maritime Rescue Coordination Centres.

I share the petitioner's concerns that these proposals have not been properly thought out. Whilst the UK Government has now decided that Milford Haven and Holyhead will remain open is good news, the closure of Swansea represents a risk to the safety of mariners and other coastal users, including tourists, in that area.

This is a non-devolved matter and responsibility for the safety of our coastal users lies with the MCA and the relevant local authorities. It is up to the UK Government to account for the consequences of their actions.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
[Correspondence.edwina.Hart@Wales.gsi.gov.uk](mailto:Correspondence.edwina.Hart@Wales.gsi.gov.uk)  
Printed on 100% recycled paper

**CITY AND COUNTY OF SWANSEA**  
**DINAS A SIR ABERTAWE**

News Editor  
South Wales Evening Post  
Adelaide Street  
Swansea  
SA1 1QT

Please ask for:  
Gofynnwch am:  
Direct Line:  
Llinell Uniongyrochol:

Cllr Chris Holley  
01792 636141

E-Mail / E-Bost:  
Our Ref / Ein Cyf:  
Your Ref / Eich Cyf:

[chris.holley@swansea.gov.uk](mailto:chris.holley@swansea.gov.uk)  
CH/SH

Date / Dyddiad:

20 July 2011

Dear Sir

**CLOSURE OF SWANSEA COASTGUARD STATION**

On behalf of all Councillors on the City and County of Swansea, we wish to seriously object to the way in which the announcement was made of the closure of the Swansea Coastguard Station.

It has become quite clear that the decision was made on the back of strong political lobbying and very little accurate factual information. It also ignores the station's unique geographical position.

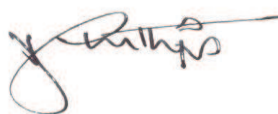
The siting of Swansea Coastguard Station, with its wide views over the Bristol Channel, safeguards not just access to the port of Swansea itself, but Port Talbot, Cardiff, Newport, Gloucester, Bristol, Avonmouth and all other Bristol Channel ports, even as far south as Minehead and Appledore.

Given the huge shipping tonnage using Bristol Channel we find the decision inexplicable and totally unacceptable.

Yours faithfully



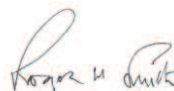
Councillor Chris Holley  
Leader of the City and County of Swansea



Councillor David Phillips  
Leader of the Labour Group



Councillor Rene Kinzett  
Leader of the Conservative Group



Councillor Roger Smith  
Leader of the Communities of Swansea

**COUNCILLOR/Y CYNGHORYDD**  
**CHRIS HOLLEY**  
**LEADER / ARWEINYDD**

CABINET OFFICE, CIVIC CENTRE, OYSTERMOUTH ROAD, SWANSEA SA1 3SN  
SWYDDFA'R CABINET, CANOLFAN DDINESIG, HEOL YSTUMLLWYNARTH, ABERTAWE SA1 3SN

☎ (01792) 636141    ☒ (01792) 636196  
✉ [chris.holley@swansea.gov.uk](mailto:chris.holley@swansea.gov.uk)    [www.swansea.gov.uk](http://www.swansea.gov.uk)



Date • Dyddiad 3<sup>rd</sup> August 2011  
Your ref / Ffôn cyfeirnod P-04-328  
Tel. / Ffôn Cyngor / Ffôn Ffôn  
Telephone • Ffôn 01437 776231  
E-mail • E-bost

COUNCILLOR/CYNGHORYDD

JOHN T. DAVIES  
Leader

Arweinydd

Pembrokeshire County Council,  
County Hall, HAVERFORDWEST,  
Pembrokeshire, SA61 1TP

Cyngor Sir Penfro,  
Neuadd y Sir, HWLFFORDD,  
Sir Benfro, SA61 1TP

Telephone 01437 776231  
email/ebost leader@pembrokeshire.gov.uk

Ffôn 01437 776231



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

Dear William

## P-04-328 MCA Modernising Coastguard Proposals

As I'm sure you are aware, events have overtaken this petition. I am delighted that the UK Government has decided to retain the coastguard station in Milford Haven.

Milford Haven is one of the largest ports in the UK. Its refineries produce twenty-five percent of the UK's petrol and diesel requirements. Up to thirty percent of the UK's gas requirements can now be processed at its liquefied natural gas terminals. On average there are ten large ship arrivals every day as well as numerous pleasure craft entering and leaving the Haven waterway. Clearly any incident involving these types of vessel, particularly those which carry oil or liquefied gas (the like of which we have already experienced in Pembrokeshire), is going to be significant. It was never acceptable to expect the response to an emergency of this scale to be coordinated from a remote location.

Local knowledge and relationships also play a crucial role in coordinating smaller scale search and rescue operations (Pembrokeshire is a popular destination for leisure boating and many other types of coastal activity). It is imperative that staff processing emergency calls are able to ask the right questions at the right time in order to ensure a successful outcome.

On a more general point, I believe the financial assumptions that were built into the original proposals. While it was reasonable to assume that some efficiencies could be achieved by reducing overheads in Milford Haven and elsewhere (to the detriment of the local economy in those localities), it was also highly likely that costs would rise in other areas. The consultation document implied there will be some investment in physical infrastructure, but it was rather vague on the scale of capital works that would be required. More worryingly, it was clear that the success of the new structure hinged on the resilience of a nationally networked communications system. Experience would suggest that such systems are nearly always more difficult and expensive to implement and operate than originally anticipated.

Yours sincerely

  
Cllr John Davies  
Leader

10<sup>th</sup> August 2011

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



**Awdurdod  
Parc Cenedlaethol  
Arfordir Penfro**  
Parc Ilanion, Doc Penfro  
Sir Benfro SA72 6DY

**Pembrokeshire Coast  
National Park  
Authority**

Ilanion Park, Pembroke Dock  
Pembrokeshire SA72 6DY

Ffôn/Tel: 0845 345 7275

Ffacs/Fax: 01646 689076

pcap@arfordirpenfro.org.uk  
pcnp@pembrokeshirecoast.org.uk

www.arfordirpenfro.org.uk  
www.pembrokeshirecoast.org.uk

*Croesawn ohebioeth  
yn Gymraeg a Saesneg  
We welcome correspondence  
in English and Welsh*

Dear *Will*

**RE: P-04-328 MCA Modernising Coastguard Proposals**

Thank you for your letter dated the 14<sup>th</sup> July 2011 in relation to the above-mentioned matter.

The tourism product in Pembrokeshire and indeed in much of West Wales is founded on the experiences provided from visiting the coast and inshore waters of the county. Despite the current economic climate there are a number of factors working together to increase the numbers of people, both visitors and local people, using the coast for recreational purposes and this use has inevitable safety implications. For visitors, the provision of an acceptable balance between experience, risk and safety is one of the 'givens' of a holiday in the UK and security and safety may in fact be important in deciding to holiday in Wales.

Factors that may increase the importance of the Coastguard Service in Pembrokeshire include:

- The current emphasis on coastal access stemming from government policy and specifically linked to the development and promotion of the Wales Coast Path. While Pembrokeshire has had its own Coast Path for many years, we may expect to see an overall increase in coast path use as part of the promotion of the Wales Coast Path. Coastguards become involved in apparently routine incidents of broken ankles on the Coast Path because their local knowledge (including knowledge of access points and landowners) and 4 wheel drive vehicles allow them to reach places where the Ambulance service is unable to provide support. The Park Authority works closely with the Marine Coastguard Agency (MCA) and follows up on reports of accidents on the Coast Path to look for ways to maintain the path in a safe condition.
- The Marine Leisure Industry is at present suffering the same static trading conditions as experienced in most other sectors, but leading specialist economists anticipate a start to recovery from 2012 onwards (source: Marine

Leisure Conference, 2010, Dun Laoghaire). In the last seven years the number of moorings on the Milford Haven Waterway has increased from 1020 to 1160. There is a waiting list for berths at Neyland Marina and looking to the future we may expect a significant increase in inshore water use from new marinas proposed at Fishguard (450 berths) and Pembroke Dock (250).

- The promotion of Wales as both an activity holiday destination and an area for wildlife watching. Both of these are key themes of ongoing Visit Wales initiatives and both are likely to see increases in activities on the cliffs and inshore waters.
- The South West Wales Recreation Audit <http://www.walesactivitymapping.org.uk/> shows the level of use for a wide variety of activities around the coast of Pembrokeshire. The number of new uses in recent years includes coasteering, kite surfing, parascending and sit-on-top canoeing. The last of these in particular is showing a significant increase with 89% of used sites recording an increase in the last 5 years. This is an area where the NPA believes that joint work with MCA to produce information about opportunities for safe use may be worth pursuing.
- Specifically we have seen increases in adventure activity companies in the area (there are 32 registered with the Pembrokeshire Outdoor Charter Group) and in marine sightseeing companies.

Coastguards are regularly involved with canoe, climbing and coasteering rescues and if we want to promote these activities for their economic and health benefits we need to be able to maintain a balance of safety and risk. In terms of a preventative and educational role the Coastguard in Milford Haven host an annual cliff climbing group which has for many years considered climbing safety on what are some of the finest sea-cliff climbing venues in Europe. Coastguards have been involved with both the Marine Code and Outdoor Charter groups and with a personal watercraft monitoring initiative managed by the Pembrokeshire Coastal Forum.

In terms of bigger shipping and tourism the Coastguard also has a significant role. With two regular ferries into Pembrokeshire and an increasing number of cruise ships stopping in Fishguard and Milford Haven to send their passengers ashore, the provision of safe navigation information and a quick response in the event of an emergency is critical for the reputation of the area. Likewise, with something like one third of the UK energy imports coming into Milford Haven, the importance of managing shipping cannot be overstated. In the event of a major oil spill as experienced in this area in 1996, having senior Coastguard staff based locally with high levels of local knowledge is essential for the coordination of a quick response to limit damage and to coordinate clear up of any resulting spillage. Once again, a clean and safe coast is a basic foundation for the type of tourism that South West Wales depends upon. Having a fully staffed and locally coordinated Coastguard presence is a key element in the package of services.

Should you require any further information, please do not hesitate to contact me.

Yours sincerely



**Councillor JA Brinsden**  
**Chairman, Pembrokeshire Coast National Park Authority**

# PCS response to the MCA consultation document, Protecting our seas and shores in the 21<sup>st</sup> Century (July 2011 proposals)

## 1. Introduction

1.1 The Public & Commercial Services Union represents 290,000 members in the Civil and public services, non departmental public bodies and some commercial areas. PCS is the biggest union in the Maritime & Coastguard Agency (MCA) with over 550 members. Many of these members are employed at Maritime Rescue Co-ordination Centres (MRCCs) along the UK coastline and are directly affected by proposals in the consultation document.

1.2 This is the second time PCS has submitted a consultation response to the UK Government on Coastguard reform. We welcome the abandonment of the original plans following a massive public outcry and scathing parliamentary criticism. However, whilst the revised plans are less destructive, they remain deeply flawed. This submission sets out our objections to the revised plan and our concerns about public safety should the proposed cuts programme be implemented

1.3 Despite seeking assurances during the first consultation process that revised proposals would be drawn up in full consultation with PCS, we are extremely disappointed that the second set of proposals published in July were tabled without any formal discussions with ourselves.

1.4 The Transport Select Committee was extremely critical of the MCA earlier in the year about the fact that operational officers were not consulted, and yet the MCA and government has now published revised proposals which still have not been the subject of discussion with our members. It seems incredible that an organisation that relies on the professionalism and skills of its front line staff has not consulted those staff on the future structure of the Coastguard before submitting a second set of proposals to Ministers.

1.5 In the absence of consultation from management, PCS has carried out its own consultation. We have just concluded a ballot of Coastguards on the revised plans.

We asked, ***“Do you have any confidence that the proposals for the future of the coastguard service will protect the public’s safety?”***

86% of Coastguard members responded “NO”. This is a serious indictment of the revised MCA plans and a result that MCA management and the Government should consider most seriously.

1.6 We believe that the proposed closure of one station in each pairing as currently recommended, with a reduction in the staffing in the remaining station, would lead to serious operational difficulties making twenty four hour cover impossible. Moreover we will lose vital local knowledge in those areas where stations will close

1.7 The feedback to PCS from the general public and also the response at public consultation meetings has been one of complete opposition to the current MCA proposals.

1.8 The MCA has still failed to make its case for change. The proposals are at odds with announcements made by the European Commission on improved international collaboration and a possible single European coastguard service.

1.9 There has been cross party opposition to the MCA proposals. Our members continue to send in letters of support for the coastguard service from their MPs and MSPs. EDM 1256 which opposed the Government's plans to close coastguard stations has been signed by 113 MPs. The Governments of Scotland, Wales and Northern Ireland have publicly registered concerns.

1.10 We recommend that this second set of proposals is put on hold to allow for a genuine consultation exercise on the future of the Coastguard with staff. Nevertheless we do set out below comments to be considered which we hope can inform the need for a proper consultation exercise.

## **2. The proposals – our response**

2.1 PCS supports a national structure as opposed to the current paired structure.

2.2 We believe that there should be a national network of MRSCs (including London) across the UK which are all 24 hour operational and are linked together and into, a central Maritime Operation Centre (MOC). The MOC in this scenario would provide resilience should any MRSC go down or go offline

2.3 PCS acknowledges that the current structure of the Coastguard Service has come about, not by design, but by piecemeal evolution. The current 19 MRCC structure has developed over the years. Whilst it may not be the ideal design, we believe the service works well overall, despite being in need in need of technological advancement including the provision of a "Vessel Tracking System".

2.4 The current proposals however hold no credibility with staff delivering "Search and Rescue" (SAR). This is reflected in the fact that 86% of staff have said they have no confidence that the proposals will protect the public. The MCA has still not made its case for change.

2.5 PCS does not believe that the proposed structure will work. The establishment of one MOC with nine satellites will, we believe, result in too much pressure within the MOC and the MRSCs as the staffing levels in the MRSCs are inadequate to provide safe SAR in what will be a wider geographical area.

2.6 In the initial consultation we stated that our members, even those most likely to staff the MOC, believe that resources assigned to the proposed MOC will result in undue pressure. The establishment of a centralised operation will not address one of the key concerns PCS has over the loss of local knowledge.

### **Local knowledge**

2.7 Local knowledge is essential to the effective and rapid deployment of search and rescue around the coast. We have countless examples of where our members' local knowledge has been instrumental in ensuring no loss to life.

2.8 The MCA says they hope to replicate local knowledge through two means. Firstly, by using local Coastal Safety Officers (CSOs) and Coastguard Rescue Officers (CROs). However, this is impractical as contacting CSO and CROs may cause a delay in the deployment. Furthermore, if a MOC is receiving a 999 call and local knowledge of the area or dialect is relevant, then it is possible that considerable time may be lost by the deployment of resources in completely the wrong part of the country or a considerable time delay, which could result in the loss of life.

2.9 A second flawed assumption on the part of MCA management is that staff in MRCCs due to close, will move to the MOCs. This is at best a very brave and at worst, a foolish, assumption.

2.10 During the initial consultation exercise we spoke to all our members and it was clear that very few staff (less than 10%) would be willing to move to the MOCs. That position has not changed and bodes ill for the MOC being able to replicate local knowledge.

### **Technology - Radio communication**

2.11 Concerns expressed in our last submission have still not been addressed.

2.12 At present two stations cannot share the same aerial. This means that if an incident commences at one station it effectively takes that aerial out of use by any other station that may need it to communicate to persons in distress in their area.

2.13 Under the proposed consultation we understand it is intended to implement the new structure with existing technology via a software upgrade only. Within the current rolled out upgrade there are already numerous faults. We believe that any national structure must have a new system.

2.14 PCS believes it would be negligent to introduce a new structure into an emergency service, unless it is fully tested prior to implementation. Incorrect decisions could result in the loss of life. We believe that the proposals must be tested before any decision is made, otherwise the MCA will be culpable in the event of loss of life.

### **Location of the MOC**

2.15 PCS has already submitted our alternative proposals regarding how any MOC should function and be staffed. We have also stated our opposition to any station closures that result in compulsory redundancies or compulsory relocation. PCS still has grave concerns over the location of the MOC and we would also wish to re-emphasise our proposals regarding pay and reward that we submitted to the initial consultation particularly in relation to relocation.

2.16 Staff in MRCCs due to close, are being unrealistically expected to relocate to Southampton with higher costs of living. Southampton is one of the most expensive areas for residential homes out of the areas where we currently have Coastguard stations. Coastguard Officers are most likely to be the secondary wage earner within the household. Unless the primary wage earner is able to relocate to such an expensive area, they will not be able to follow. The age profile of many staff in itself will prohibit them from moving as they will not be able to get mortgages.

### **HR and linked remuneration issues**

2.17 In addition to concerns regarding the affordability of relocation we have ongoing concerns generally regarding remuneration and PCS has been in dispute with the employer for more than four years over levels of pay. It has been said to us that the current proposals would hopefully resolve that pay dispute. However, as there is no mention anywhere in the document of the pay levels assigned to the new jobs it seems unlikely that this will be achieved.

2.18 Our members employed in the MCA are some of the lowest paid within the Civil Service and are the lowest paid of the emergency services. Our members are underpaid and undervalued for the work they do. The effect of this undervaluing and underpayment of Coastguard Officers can be seen in Yarmouth where recruitment to Wind Farms, on better wages, has seen the Coastguard station at Yarmouth decimated in terms of staff there. As a result the MCA has to draft in other resources from other MRCCs

which potentially leave other stations short of staff. Many of our members have to take on additional jobs to supplement their income.

2.19 In a recent ballot of our members 99% supported a call for full and open consultation with PCS on the MCA's plans including pay rates. We have asked management repeatedly to table proposals, but to no avail. If management were serious about finally resolving the dispute why have they not, even if only on an "in confidence" and "without prejudice" basis, given PCS sight of any proposals. We have already submitted in our first response our proposals for a revised pay and reward structure. We would welcome discussions on progressing our proposals.

2.20 Any moves to modernise the Coastguard service need to finally address the inequalities and unfairness in our member's pay and this should be done as part and parcel of any re-structuring process.

### **Up skilling of staff**

2.21 PCS acknowledges that the Coastguard will need to have VTS in the future. This will require additional skills which should result in a revision to the current grading levels. No mention is made in the consultation document of how staff will be up-skilled or regarded. No mention has been made of what will happen to staff that are unable to undertake the new duties and what options will be available for them.

### **Compulsory Redundancies & Relocation**

2.22 We have repeatedly asked for a commitment to a no compulsory redundancy agreement. In a recent ballot 93% of Coastguard staff voted yes in support of a demand for a no compulsory redundancy agreement. PCS believes that the employer should give that commitment to staff.

### **Transition to new structure**

2.23 In the event that there are staff willing to move to the MOC we would expect every permanent member of staff currently within the MCA to have equality of opportunity to apply for and take up posts within the new structure irrespective of when their station is due to close.

2.24 We believe that the current closure programme of MRCCs is too rigid and flexibility would need to be shown in the timetable for closure to reflect local circumstances including age profiling and other factors.

2.25 In any event, we question how stations earmarked for closure can be closed until the MOC is up and running. For example it is proposed that Clyde be closed before the MOC is operational. In the event this were to happen, where would those staff go to?

2.26 Any migration to a new structure would need a revised relocation policy which would ensure that staff were in a position to move without financial detriment to new posts within the new structure. The current relocation policy does not allow for whole scale movement of staff especially to areas where housing prices are considerably higher than their current location.

### **Equality Impact Assessment**

2.27 No equality impact assessment has been carried out on the second set of proposals. This is completely unacceptable.

### **3. Conclusion**

3.1 There is public opposition and cross party parliamentary opposition to the current proposals. 86% of PCS coastguards balloted have no confidence in the proposals. There has been no proper consultation exercise with the staff by the employer. The only consultation has been carried out by PCS. The proposals are unworkable and will put people's lives at risk. We urge the MCA to put the proposals to one side and embark on a meaningful, genuine consultation exercise that takes account of what the public, the coastguards themselves and many elected representatives in Westminster and the devolved parliaments, would want to see from a modern coastguard service fit for purpose and the protection of lives.



## **P-03-262 Academi Heddwch Cymru / Wales Peace Institute**

### **Petition wording**

We call upon the National Assembly for Wales to investigate the potential for and practicality of Wales having a Peace Institute concerned with Peace and Human Rights, comparable with those supported by state governments in Flanders, Catalonia and elsewhere in Europe

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-262.htm>

**Petition raised by:** Welsh Centre for International Affairs, Cymdeithas y Cynod, Cynefin y Werin and CND Cymru

**Number of signatures:** 1525

**Update:** An update will be considered to this petition.

# Agenda Item 4

## **P-03-288 National Strategy on Independent Living**

### **Petition wording**

We call upon the National Assembly for Wales to urge the Welsh Assembly Government to introduce a National Strategy on Independent Living that recognises the equal right of all disabled people to live in the community, with choices equal to others, and to ensure that this is facilitated through effective and appropriate measures.

**Link to the petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-288.htm>

**Petition raised by:** Disability Wales

**Number of signatures:** 284

**Update:** The committee will receive oral evidence from the Minister for Finance and Leader of the House.

## **Evidence paper for presentation to the Petitions Committee by the Minister for Finance and Leader of the House - Tuesday 11 October 2011**

### **Independent Living**

1. I agree with the definition as it is set out in Disability Wales' Manifesto for Independent Living where it means:
  - removing the barriers that prevent full social and economic participation in mainstream society, and
  - ensuring that disabled people have the same freedom, choice, dignity, control and opportunities as any other citizen – at home, at work and in the community.

The detail of what this means in terms of policy responsibility for the Welsh Government will need to be worked through in the development of a **Framework for Action on Independent Living**.

### **Equality Act 2010**

2. The Equality Act 2010 contains a general public sector equality duty, which came into force on 5 April 2011. The general duty says that public bodies are required to have 'due regard' to the need to:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act;
  - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
  - Foster good relations between people who share a relevant protected characteristic and those who do not
3. 'Due regard' means to consider these three aims consciously when making decisions about policy or practice which would affect people. For example, the duty covers:
  - how a public authority acts as an employer;
  - how it develops policies;
  - how it designs and delivers services; and
  - how it procures services.
4. Consideration of the three aims of the Equality Duty must form an integral part of the decision-making process. The Equality Duty is not a matter of box-ticking; it must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
5. This means that we have to consider actively the impact of all our policies, programmes and practices to ensure that disabled people, and

those who share the other protected characteristics, receive fair and equal treatment. It also means that we must encourage people with protected characteristics to participate in public life or in other activities where their participation is low; and tackle prejudice and promote understanding between people who share a protected characteristic and others.

### **Welsh Specific Equality Duties**

6. To support performance of the general public sector equality duty, the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 specify what public bodies (including the Welsh Government) in Wales must undertake to fulfill their legal obligations and perform better on equality and good relations. The focus of these Welsh specific duties is on outcome focused equality objectives, which will be published by April 2012.
7. A project has been set up to enable the Welsh Government to comply with the Specific Duties. It is called the “Strategic Equality Plan Project” and a Project Board has been convened with external organisations and senior Welsh Government representatives. The Welsh Government will be engaging with stakeholders throughout the process of developing the Plan, which includes its equality objectives.
8. We are therefore developing our approach to Independent Living under the specific equality duties. The duties will help us to mainstream actions that will support Independent Living across all Welsh Government departments. The Strategic Equality Plan, which will set out our equality objectives, will be a high-level document and will be underpinned by a framework for action, as mentioned above.
9. The framework will contain the detail of what will be undertaken across Welsh Government departments and with our external partners to support independent living. The framework will be based on the Social Model of Disability, which the Welsh Government adopted in 2002, and which advocates that it is society which creates attitudinal and physically disabling barriers. It is a positive approach, focused on removing barriers to equality.
10. I discussed this approach with representatives from Disability Wales in July when they agreed that this focus on delivery would have a positive impact on the priority areas which are identified in their manifesto.

### **Current Activities**

11. Disability Wales has also recognised that the Welsh Government is already engaged in work that supports Independent Living. The Petitions Committee has seen the evidence that we supplied to the Joint Commission on Human Rights, which highlights existing activities in education, employment, housing, transport, health and social services,

and culture, sport and leisure, which will support disabled people to live independent lives.

12. Social services play a crucial role in supporting many disabled adults to live more independent lives. They also assist many older people to retain their independence, and help prepare disabled and vulnerable children and young people for living independently in the community. The Welsh Government set out its vision for social services in 'Sustainable Social Services for Wales: A Framework for Action' in February 2011, and has embarked upon a five year programme of implementation, including using its new legislative powers to bring forward a Social Services Bill in 2012. The principles underpinning this programme, as set out in 'Sustainable Social Services', include giving people a strong voice and real control over decisions that affect them, building supportive communities, treating people with respect and dignity and enabling them to make balanced decisions about how they wish to live their lives. They also include promoting recovery and restoration so that people can return to living in the way they choose and supporting people to adjust to new circumstances where that is not possible.
13. Central to 'Sustainable Social Services' is a commitment to citizen-centred services. It sets out a clear expectation that service users and carers, including children and young people, will have a stronger voice in the design, running and evaluation of social services. We expect a much greater range of services to be run by citizens themselves. Direct payments are one means of achieving this, as is also the development of social enterprises.
14. New guidance on direct payments was issued in April 2011, to take account of new legislation extending direct payments to people without capacity or who are subject to mental health legislation, where a 'suitable person' may be appointed to receive the payments on the person's behalf. The Welsh Government hopes that extending direct payments to formerly excluded groups of people will allow more disabled people and their carers to make their own decisions and control their own lives.
15. 'Sustainable Social Services' contained a commitment to developing a model of Self-Directed Support in Wales that is consistent with our principles for social services. Direct Payments and other funding mechanisms will be considered as part of the development of this model. Consultation on models of self-directed support will be included as part of the wider consultation on the Social Service Bill later in the year.
16. The Welsh Government is also committed to supporting carers, through implementation of the Carers Strategies (Wales) Measure 2010 and through refreshing the Carers Strategy for Wales. The Measure enabled the National Assembly to legislate to introduce a new requirement on the NHS and local authorities to prepare, publish and implement local Information Strategies for Carers. As well as providing better information for carers, these strategies should ensure better identification of carers

(including young carers), and better signposting and referral pathways. Consultation on draft Regulations and Guidance was completed in June 2011, and the Regulations will come into force early in 2012. Local Health Boards and local authorities will be expected to consult carers and draw up their local strategies by the autumn 2012, and then to implement them. The Welsh Government is making £5.8 million available to support implementation, with additional funding in the first year to help consultation with young carers in particular.

17. Refreshing the Carers Strategy for Wales will begin in 2012. The Strategy aims to support carers effectively in their caring role, and help them maintain their own health and wellbeing. This includes enabling them to have a life beyond caring. A key focus of the refreshed Strategy will be on enabling and supporting local authorities, the NHS and the Third Sector to deliver services for carers. This will include the further development of respite care services, following on from the 'Review of Respite Care in Wales' (December 2010) – the first systematic and comprehensive quantitative research commissioned in Wales on the demand and supply of respite services. Consultation on the review earlier this year revealed widespread support for increased investment in a range of respite services that are outcome-focused and tailored to individual need.
18. Our Housing Strategy for Wales 'Improving Lives and Communities: Homes in Wales' recognises the housing needs of disabled people and enabling them to have a range of choices focusing on living independently for as long as possible in their own homes and, where necessary, providing quality care and support.
19. The Strategy for Older People in Wales has improving well being and independence as key objectives to ensure that older people - especially those who are disabled - have access to the help they need to remain in their own homes including timely access to heating, adaptations, repairs, 'telecare' as well as other assistive technologies and supported housing programmes.
20. Access to public transport is a key issue in supporting people to live independently. However, it should be remembered that matters relating to accessibility are not devolved and the Welsh Government does not have any powers from Westminster to carry out improvements to the national rail network or its stations.
21. All new railway stations that the Welsh Government has funded, including all stations on the Ebbw Valley Line, and Llanharan Station are fully accessible. We have also supported a range of projects and programmes to help improve accessibility to public transport, including funding to make train stations more accessible, more low-floor buses, and the availability of audio-visual information on trains and buses, and at stations and bus stops. We know there is more to do, especially in rural areas, and will continue to work to remove the barriers which

prevent disabled people accessing the transport network, as set out in our Transport strategy 'One Wales: Connecting the Nation'.

### **Welfare reform**

22. A real concern for us is the UK Government's agenda on welfare reform, which will undoubtedly have a big impact on disabled people's incomes and therefore on their standard of living and ability to live independently. The pace of reform is worrying. In relation to disabled people there are changes to Incapacity Benefit, Employment Support Allowance, and Disability Living Allowance, where individuals are being re-assessed for eligibility, and the Independent Living Fund, which has been closed to new claimants.
23. The impact that changes to Disability Living Allowance and to the Independent Living Fund will have on the capacity of Social Services departments in particular, is also a major concern. It is clear that the UK Government expect local authorities to meet any shortfall in provision caused by the changes and we have received no indication that the UK Government will provide additional funding to Wales to assist in this regard.
24. The impact on the incomes of individual people and on local authority budgets, taken together, could prove to be a major constraint on our ability to deliver on our aims for supporting Independent Living.
25. Many disabled people rely on welfare benefits, either as their main source of income or to supplement their income to help them cover the increased costs of living with impairments. We are keen to ensure that everyone who is entitled to benefits should receive them and we are funding Citizens Advice Cymru to help increase benefit up-take for families with disabled children and to deliver the Better Advice Better Health initiative.
26. Since the launch of the benefit up-take pilot scheme, in July 2009, over 2500 families/children have been helped with over £2.5million confirmed gains to date. The real sum of benefits gained for these clients is yet to be confirmed as many of the applications for benefits are still awaiting decisions. 'Better Advice: Better Health' provides a range of advice across Wales for clients referred through health settings. The service is improving general health by tackling causes of non-medical problems such as debt, poor housing and relationship issues. Local authorities are also receiving funding to identify and help those who are eligible for council tax benefit to take up their entitlement.
27. I am also concerned about the Department for Work and Pensions' proposals arising from the Sayce review, particularly the suggestion that Remploy factories should become commercially viable enterprises or be closed.

28. Remploy currently delivers essential services for disabled people and a number of Welsh communities rely heavily on Remploy factories, as they are a major employer within their area. They are essential in the provision of opportunities for people who find it hardest to access employment in a harsh economic climate and a highly competitive labour market. Removing these opportunities without offering viable alternatives is a great concern.
  
29. Supporting Independent Living in the face of the changes that are taking place around welfare reform and in a time of severe financial constraint will be challenging. However, I believe that by using the specific duties regulations to establish a framework for action on independent living, we will be in a position to influence policies and programmes across the Welsh Government, so that we mainstream actions that will support people to live truly independent lives.



## **Enterprise and Business Committee Inquiry into the Regeneration of Town Centres**

### **Terms of Reference**

The terms of reference for the inquiry are:

- What approaches have been followed to successfully deliver and finance the regeneration of town centres in Wales? Are there lessons to be learned from elsewhere?
- How does the Welsh Government use the levers at its disposal to assist in the regeneration of town centres in Wales?
- How are the interests and activities of communities, businesses, local authorities and Welsh Ministers identified and coordinated when developing and implementing town centre regeneration projects?

## **Environment and Sustainability Committee Inquiry into Energy Planning and Policy**

### **Terms of Reference**

The National Assembly for Wales' Environment and Sustainability Committee is undertaking an inquiry into energy policy and planning in Wales. The terms of reference for the review are as follows:

The Committee will consider how the current devolution arrangements for energy policy and planning affect the delivery of the Welsh Government's desired future 'energy mix' in Wales, as set out in [A Low Carbon Revolution - Energy Policy Statement](#) and the [UK Renewable Energy Roadmap](#).

- What are the implications for Wales if responsibility for consenting major onshore and offshore energy infrastructure projects remains a matter that is reserved by the UK Government?
- How does this affect achievement of the Welsh Government's aspirations for various forms of renewable and low carbon energy as set out in the Energy Policy Statement?
- How does this affect delivery of the Welsh Government's target for a 3 per cent reduction in Green House Gas emissions per annum from 2011?
- What will be the impact if consenting decisions on major infrastructure projects and associated development are not all taken in accordance with Welsh planning policy?

Alongside these questions, the Committee will also consider the two petitions about Welsh Government planning guidance as it relates to onshore wind energy and the impact on local communities and infrastructure.