

## Petitions Committee

---

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

---

Meeting date:  
**1 November 2011**

---

Meeting time:  
**09:10**

---

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



For further information please contact:

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

---

### Agenda

---

- 1. Introduction, apologies and substitutions 09.10**
- 2. New petitions 09.10–09.15**
  - 2.1 P-04-339 Enforcement of Animal Welfare Standards in the Puppy Farming Industry in South West Wales (Page 1)
  - 2.2 P-04-340 Create an Enterprise Zone in Newport (Page 2)
- 3. P-03-317 Hijinx funding for arts – oral evidence session 09.15–09.45 (Pages 3 – 18)**

Mike Clark – Board Member, Hijinx Theatre  
Val Hill – Administrative Director, Hijinx Theatre  
Gaynor Lougher – Artistic Director, Hijinx Theatre  
Rhodri Glyn Thomas AM
- 4. P-04-328 MCA modernising coastguard proposals – oral evidence session 09.45–10.15 (Pages 19 – 39)**

Graham Warlow – Lead Petitioner  
Steve Matthews – PCS Union
- 5. Discussion of oral evidence 10.15–10.30**
  - 5.1 P-03-317 Hijinx Funding for Arts
  - 5.2 P-04-328 MCA Modernising Coastguard Proposals

## **6. Updates to previous petitions 10.30–11.00**

### **Equality of Opportunity**

6.1 P-03-288 National Strategy on Independent Living (Pages 40 – 41)

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

6.2 P-03-308 Save Gwent Theatre (Page 42)

6.3 P-03-311 Spectacle Theatre (Pages 43 – 44)

6.4 P-03-314 Save Theatr Powys & Mid Powys Youth (Page 45)

### **Local Government and Communities**

6.5 P-03-261 Local Solutions to Newtown Traffic (Pages 46 – 47)

6.6 P-04-319 Newtown Traffic Petition (Pages 48 – 50)

6.7 P-04-321 Arriva Trains Wales services between South West and South East Wales (Pages 51 – 54)

### **Education and Skills**

6.8 P-03-310 Policies to Help Pupils' Needs and Rights (Pages 55 – 59)

6.9 P-04-323 Save our Small Schools from Closure (Pages 60 – 93)

### **Health and Social Services**

6.10 P-03-153 Body Piercing (Pages 94 – 98)

6.11 P-03-292 Public Toilet Provision (Pages 99 – 103)

6.12 P-03-318 Cross Border Maternity Services (Pages 104 – 116)

## **7. Papers to note**

7.1 P-03-222 National Osteoporosis Society (Page 117)

7.2 P-03-302 Compost Processing Plant (Page 118)

**PET(4)-05-11 Paper 1a**

**P-04-339 Enforcement of Animal Welfare Standards in the Puppy Farming Industry in South West Wales**

**Petition wording**

We call on the Welsh Assembly to urge the Welsh Government to stage an independent inquiry into the enforcement of animal welfare standards in the puppy farming industry in South West Wales.

This intervention and independent investigation is as a result of the widespread abhorrence at the ease with which the licenses are issued and subsequent lack of enforcement. This abhorrence is creating an extremely negative image of Wales throughout Wales, the United Kingdom and internationally. It is our contention that the setting up of an independent inquiry is the only way forward and will go some way in restoring the reputation of Wales throughout the UK and Internationally. Hopefully it will also curtail the activities of unlicensed puppy farmers & their reprehensible practices.

**Petition raised by:** Colin Richardson

**Number of signatures:** 3753

# Agenda Item 2.2

**PET(4)-05-11 Paper 2a**

**P-04-340 Create an Enterprise Zone in Newport**

## **Petition wording**

We the undersigned wish the Welsh Government to create an Enterprise Zone in Newport and wish them to debate this in the Senedd.

**Petition raised by:** Councillor David Williams

**Number of signatures:** 10 (an associated petition collected 40 signatures)

## P-03-317 Hijinx Funding for Arts

### Petition wording

Following the disproportionate cut in the revenue funding of Hijinx Theatre we call upon the National Assembly of Wales to urge the Welsh Government to ensure sufficient funding is available so that the exemplary and ground breaking work undertaken by Hijinx is not threatened. This unique welsh company has spent 30 years developing opportunities for people with learning difficulties to be included at all levels and this cut will result in a serious reduction in their current provision.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-317.htm>

**Petition raised by:** Mike Clark

**Number of signatures:** 1893

### Supporting information:

- Hijinx Theatre is a professional theatre company founded in 1981 touring high quality productions to small venues throughout Wales and beyond. A large part of our remit is working with learning disabled and general community groups.
- Hijinx endeavour to cast learning disabled actors alongside professionally trained actors whenever possible, creating an inclusive cast and, as there is currently no professional drama training for talented adults with learning disabilities in Wales, this is something we are addressing as a matter of urgency with plans in development to provide such training.
- Hijinx set up the **Odyssey Theatre** project in 1999 – funded by the National Lottery up until 31<sup>st</sup> March 2011 [**not** part of the revenue grant]. Odyssey is a participatory community group for adults of all abilities who also collaborate with several local organizations Meadowbank Special School (a school for children with severe communication problems) and music students from Royal Welsh College of Music and Drama
- **Odyssey was runner up in the National Lottery Awards, Best Arts Project category in 2009.**
- **Hijinx Outreach** offers workshops and projects to people within the learning disabled community
- **Hijinx Outreach** produces **Unity Festival** - a week-long mixed ability festival of performances, workshops and other activities from companies across the world in collaboration with the WMC and Mencap Cymru - (historically funded through additional fundraising and with revenue grant support for core staff wages and general office costs.)
- Hijinx's revenue grant in 2010/11 is £234,448 + £29,990 lottery funding for Odyssey Theatre project - a figure which represents standstill funding for the last 5 years.

- From 1<sup>st</sup> April 2011 the grant will be £160,000 to **include** Odyssey. This represents a cut of £74,448 + £29,990 = £104,438
- All ACW Quality Monitoring forms over the past three years have rated the company's work "good" or "excellent"
- ACW's decision flies in the face of the Welsh Assembly Government's priorities and is contrary to the aspirations of its own Investment Review.
- With the new grant Hijinx will not be able develop work with people with learning disabilities and it represents a radical reduction in the activity currently offered.
- There **will** be staff redundancies and a re-structuring of the company – and a marginalized community will suffer.
- Hijinx are unique and innovative - the only company in Wales who offer professional opportunities to adults with learning disabilities, both as performers and workshop assistants. Hijinx are committed to inclusive working and believe that everyone has something to offer regardless of ability.

17 October 2011

HIJINX THEATRE

**Update for Petitions Committee – November 1<sup>st</sup> 2011**

These additional comments relate mainly to the letter dated 19<sup>th</sup> July to the Chair of this Committee from the Minister for Housing, Regeneration and Heritage, plus up-dates on previous papers.

1 The Minister correctly points out that Hijinx have been successful in attracting additional grants from the Arts Council of Wales and we certainly welcome these grants and the confidence that the ACW have shown in Hijinx by awarding them. This is very good news but these grants are for specific purposes or projects and must only be used for them, and not the general development of core activity.

In the interests of clarity here is a comparative table of grants for 2010/11 and 2011/12.

|   | <b>2010/11</b>  | <b>2011/12</b>  |
|---|-----------------|-----------------|
| Core revenue grant  | £234,448        | £160,000        |
| Odyssey project grant (Lottery) *   | £29,990         | 0               |
| Restructuring grant **  | £20,000         | 0               |
| Unity Festival grant (Lottery) *  | 0               | £50,000         |
| Delivering drama training for adults with learning disabilities (Lottery) * | 0               | £30,000         |
| <b>Total ACW grants</b>   | <b>£284,438</b> | <b>£240,000</b> |

Key :

\* all Lottery grants which are for specific purposes, the terms and conditions are governed by DCMS via ACW, which require Hijinx to raise at least 25% of matching funding.

\*\* The restructuring grant of £20K (2010/11) was to pay statutory redundancy to 4 staff, specialised legal advice on employment matters, and an Arts Management Consultant to advise in the restructuring of the company. **This grant did not go into front-line arts projects or activity.**

2 The Lottery grants cannot be viewed as a replacement for the dramatic reduction in core revenue funding and will not enable Hijinx to replace the permanent staff recently made redundant or reinstate the levels of activity provided for work that includes people with learning disabilities, both professional and participatory.

3 Nevertheless Hijinx take pride in having secured the grants and will continue to ensure that all projects are delivered to the highest possible quality and focus on engagement of people of all abilities in everything we do.

4 Unity Festival 2011 was a huge international arts Festival, which included all art forms and people of all abilities working together. The £50K grant helped us to build on the

**17 October 2011**

success of 3 previous festivals which had been put together on a shoe-string. The aim is Unity continues to be an annual event, with annual applications to ACW. The Festival puts Wales at the forefront of inclusion and equality of opportunity – it has a growing international reputation with quality companies from around the world wanting to come and perform, run inclusive workshops and projects. It leaves a big legacy in Wales, and the international companies take a legacy of Wales back to their own countries.

5 The simple financial truth is that our revenue grant was cut by 32% and we were asked to continue to deliver the Odyssey project from within this reduced grant. If Odyssey was factored in, the cut was £39.5%. The community tour (which ACW no longer wanted to support) had a net cost of £33K, while the Lottery grant, which supported Odyssey from 1999 to March 2011, was £29,990. The cost of delivering and developing Odyssey is virtually equal to the net cost of the community tour.

6 Members should also be aware that the 3 year business plan submitted to the Arts Council at the end of September 2011 includes a programme of high quality professional productions and participatory projects aimed specifically at widening access and breaking down barriers to participation. This will not be deliverable if the revenue grant remains at standstill for the next 3 years, and we will be required to make even further cuts to our core activity unless a modest increase in core revenue funding is possible.

7 Offering drama training to adults with learning disabilities to enable them to perform and tour in professional productions is a new initiative. We are working in partnership with Vision 21, and will set up the Hijinx Academy in January 2012. ACW's grant of £30K is to bring in world renowned companies to run short residencies for the students between March and December 2012.

8 We welcome the Minister's commitment to personally keep a close eye on the impact of the Arts Council's Investment Review in terms of meeting the Welsh Government's key aims of widening access and breaking down barriers to participation in the arts for all the people of Wales.

9 We also support the arms-length principle that the Minister refers to in terms of grants to individual organisations.

10 Members of the Committee and The Minister can be reassured that Hijinx have enjoyed a close and constructive relationship with the Arts Council over many years and continue to do so. The current funding issue has not and will not have an impact on this relationship.



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-03-317  
Ein cyf/Our ref HL/05331/11

William Powell AM  
Chair Petitions committee

committeebusiness@Wales.gsi.gov.uk

19 July 2011

*Dear William*

**Petition P-03-317 Hijinx Theatre funding**

Thank you for your letter of 29 June regarding the petition in respect of Hijinx Theatre and their funding from the Arts Council of Wales (ACW).

I have read your letter and the accompanying enclosures carefully, and I am familiar with the Investment Review conducted last year by ACW.

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, while individual funding decisions are solely the responsibility of ACW, who operate at arms-length from Government.

As Minister, I uphold 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 sympathetic to the position of Hijinx and other arts organisations that have had their funding either reduced or cut altogether, I do not feel it would be appropriate to comment on, or intervene in individual funding decisions taken by ACW. I would like to draw your attention to the fact that Hijinx have been successful in attracting £70,000 in grants, supplementary to their core revenue funding, from ACW this year. This means that, overall, Hijinx have been allocated £230,000 for 2011-12, which is very slightly less than their revenue funding for 2010-11 (£234,448). The company can take pride in having secured this funding, which recognises their valued work with learning disabled people.

I do not intend asking ACW to reconsider their funding decision in this case.

ACW have given a commitment to monitoring the impact of decisions taken within the Investment Review in the next few years in order to ensure their strategic priorities are being met. I intend to keep a close eye on the situation myself so I can ensure the Welsh Government's key aims of widening access and breaking down barriers to participation in the arts for the people of Wales is achieved.

In the meantime, I would encourage Hijinx to continue to work closely with ACW to develop a sustainable business model for the business and to maximise accessibility to any available funding streams.

**Huw Lewis AC / AM**

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

PETITIONS COMMITTEE - HIJINX THEATRE'S RESPONSE  
TO THE ARTS COUNCIL OF WALES

- 1 As a direct consequence of ACW's investment review Hijinx are the most disadvantaged of the 71 arts organisations that continue to receive revenue funding. No other organisation has seen its revenue funding cut by anything like the 39.5 % that Hijinx has suffered. The budget reduction is in fact £104.5K because the Odyssey project must now be delivered through core revenue funding; previously it was funded via the lottery route. Odyssey is a mixed-ability community group that includes people with learning disabilities working alongside people without as equals.
- 2 To put matters into perspective in the current financial year, the 71 retained organisations will share £25.25million and 56 will receive an additional £3.7 million; 10 will be at standstill and 5 will see a budget reduction. Hijinx are the only producing theatre company to have a reduction. Meanwhile the Arts Council's grants budget has only received a modest 4% cut from the Welsh Government.
- 3 As a direct result of this savage grant cut Hijinx are currently going through a restructuring exercise and this involves making 4 of the total of 7 staff compulsorily redundant by the end of July.
- 4 The recent award of a £50k project grant for the mixed-ability week long Unity Festival is of course very welcome, however it is a **project grant** and must be spent specifically on the Unity Festival, and cannot be used to "top-up" the revenue grant. It will not enable Hijinx to develop a sustainable activity plan for the next 3 years, which all the other retained organisations will be able to do. Neither will it stop the redundancies.
- 5 Hijinx were awarded a £20 K one-off payment to assist the company restructuring and pay statutory redundancy to staff leaving. In my view this would have been public money better spent on creating activity to be enjoyed by people in Wales.
- 6 Hijinx are a unique and groundbreaking Welsh theatre company whose reputation extends far outside Wales and the UK. They are the only company in Wales and only one of a few in the UK that provide opportunities for people with learning difficulties to experience the joys of live theatre and to work in a truly inclusive environment. They recently took a mixed ability group of 13 people to perform at a Festival in Seville to great acclaim.
- 7 In **June 2010** Hijinx were informed that the Arts Council were no longer prepared to fund the community tour and they would meet with the company to discuss indicative figures for planning purposes. In **September** a formal meeting took place when ACW clarified what range of activity they were prepared to fund. Hijinx made the financial case that the 2009 community tour had a net cost of £33K, and the Odyssey project grant was £29,990. If Odyssey was to be delivered from the core revenue grant from April 2011 it would cost virtually the same as a community tour; if Odyssey was to be developed it needed investment. (We had been on cash standstill for 4 years)

Following the meeting Hijinx were invited to submit plans based on CASH STANDSTILL – we felt that ACW had understood the financial case, as this was the only indication / guidance we ever had of possible grant level for 2011/12. The Board worked hard to find savings, and plan activity based on standstill. Minor restructuring, changes to job descriptions to reflect activity, and shorter working time were all under discussion. It was therefore a massive shock when we heard on **15<sup>th</sup> December (via the media)** that the grant for 2011/12 would be £160 K (2010/11 it had been £234,448 plus the project grant for Odyssey of £29,990)

- 8 In the absence of clear planning advice (promised in writing in June 2010 in 2 different documents), we assumed the substance of the September meeting and letters inviting an application based on cash standstill was a realistic indication of grant level, and understandably, did not start significant restructuring . This is even more depressing when you consider the Arts Council had 5 weeks (from Nov 5<sup>th</sup> - December 15<sup>th</sup> ) to question the activity and financial information submitted and allow Hijinx the opportunity to clarify or respond. Bear in mind that Hijinx received the biggest cut of any retained organisation and so should have been a priority for such a meeting.
- 9 In view of the above (7 & 8), Hijinx have lodged a formal complaint to ACW which is currently on-going.
- 10 The Arts Council recognise that redundancies are essential, they fail to make the connection that with 4 staff out of 7 being made compulsorily redundant it will not be possible to maintain the existing level of activity involving people with learning disabilities, and certainly not develop further. The sad reality is that a reduced programme is inevitable and already a decision has been made not to undertake the usual and much acclaimed Odyssey Christmas production which has involved students from Meadowbank Special School in Cardiff and music students from the Royal Welsh College of Music and Drama for many years.
- 11 Perhaps more worrying of all is the reality that the arts Council simply don't understand what inclusive theatre is all about . It clearly sees the community tour and the inclusive work undertaken by Hijinx as separate and distinct. The whole point and thrust of inclusive theatre is NOT to draw artificial distinctions between provision for learning and non learning disabled people, but to produce high-quality theatre for everyone. Thankfully society is not like this and neither is Hijinx. The Unity Festival is only one feature of our work with includes learning disabled people. Odyssey provides regular weekly drama sessions along with a range of small “pod” performances for festivals, conferences etc. More recently Hijinx have engaged learning disabled actors to perform alongside professional actors in professional touring productions; the current show, “Old Hands”, employs 2 local actors with Downs syndrome. Are the Arts Council seriously saying these tours should stop? Or that inclusive productions should only perform for learning disabled audiences?
- 12 There seems to be implied criticism that the community tour does not present a strong case for support. There have never been any questions raised before

about the consistency and quality of the productions for the general public in community venues. In fact the Arts Council's own quality monitoring forms rated them "good" or "excellent". No concerns have ever been raised at annual review meetings, which have been overwhelmingly positive.

- 13 Hijinx's predicament is unique amongst the retained organisations and it is both complex and detailed. The devil is in the detail and whilst the Arts Council appear to recognise the contribution made to the arts in Wales by Hijinx this has unfortunately not been backed up by their decisions in respect of the level of revenue grant .
- 14 Along with all other revenue organisations, Hijinx have a one-year funding agreement with ACW, with the expectation that revenue funding will remain at the same level for 3 years, i.e. until 2013/14. Hijinx are asking for this to be reviewed and for an increase in 2012/13 to enable real investment and support of inclusive work.
- 15 Hijinx remain committed to the belief that everyone has something to offer regardless of their ability, and that talent must be nurtured and developed whenever possible, always aiming for the highest standards.



Cyngor Celfyddydau Cymru  
Arts Council of Wales

19 April 2011

Naomi Stocks  
Clerk  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

*Dear Ms Stocks*

**P-03-317 Hijinx Funding**

I'm writing in response to the letter of 18 March 2011 on the above from Christine Chapman AM.

You asked for further information on three matters:

1. The background to our decision to reduce the level of our revenue funding to Hijinx
2. The impact of this reduction on the Unity Festival
3. Levels of funding in future years

Hijinx Theatre's revenue funding

Over the past two years we've been engaged in a 'root and branch' review of our arts funding, what we called our Investment Review. The Investment Review reflected a requirement placed on us in our 2009/10 Remit Letter from the Heritage Minister. We were asked Council to:

"...develop a funding strategy that places the funding of the Arts Council's revenue funded organisations on a more sustainable basis. This strategy should not be dependent on current or historic funding agreements. You should take a fresh look at funding strategy and be prepared to look robustly at the effectiveness of current investment. We wish to see ambitious proposals for the future. The aim must be to secure a vibrant and dynamic arts sector, better able to bring the highest quality arts activity to audiences and participants across Wales."

Plas Bute, Caerdydd CF10 5AL  
Ffôn: 0845 8734 900  
Ffacs: 029 2044 1400  
Minicom: 029 2045 1023  
Ebost: 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



Supported by  
**The National Lottery**<sup>®</sup>  
Cefnogwyd gan  
**Y Loteri Genedlaethol**



BUDDSODDWR Y MEWN POBL  
INVESTOR IN PEOPLE

The objectives, parameters and conduct of the Investment Review were subject to several months of detailed consultation. The outcome of that consultation was published in its final form in September 2009 as the Review's Terms of Reference.

We received funding submissions from 116 organisations, including from Hijinx. All submissions were assessed according to a common set of criteria. Having considered all of the submissions, we announced in June 2010 a new portfolio of organisations that would receive revenue funding from April 2011.

Hijinx was included as one of those organisations, albeit with a reduced level of revenue funding. Levels of revenue funding for all organisations were announced in December 2010. The level of funding allocated to Hijinx for 2011/12 was £160,000 (2010/11 - £234,448).

The reasons for our decision were summarised in a detailed public document *Renewal and transformation* (available from our website) published in June 2010. The reference to Hijinx is as follows:

"The successes of Hijinx are, in our view, more mixed. Hijinx has attracted praise for its developmental work around Odyssey Theatre and the Unity Festival, but community touring has been less consistent. This dual activity – community touring on the one hand, and work with and for people with learning disabilities on the other – is set out in Hijinx's business plan.

We could see real dynamism in Hijinx's descriptions of its work on the Odyssey Theatre project. This is an area in which we feel Hijinx has excelled. It serves a specific audience, but one that isn't served widely elsewhere. Hijinx's touring activity, however, seemed largely about maintaining more established and familiar ways of working. We couldn't feel confident that this would achieve the kind of transformational change in theatre that we believe the sector needs."

In reaching this decision, we considered Hijinx both on its own individual merits, and as part of the overall 'infrastructure' of theatre activity in Wales. We concluded that the touring activity didn't present a strong case for support, and other theatre activity elsewhere was felt to be a higher priority for our support.



We explained to Hijinx back in June 2010 that we wouldn't be continuing our funding for this touring activity, and that we would, with a reduced allocation of funding, focus instead on the company's well-regarded programme of work involving people with learning disabilities. We remain convinced that this is the right approach.

### The Unity Festival

Hijinx expressed concerns to us that the new level of funding on offer might not enable them to fulfil their revised role to the standard of quality that they would wish. Our discussions looked in particular at the Unity Festival.

As part of our wider Investment Review process, we agreed to take a different approach to the future funding of festivals. In *Renewal and transformation* (June 2010) we said:

"...we'll bring together all sources of funding – grant-in-aid and Lottery – to give us the flexibility we need to ensure effective, 'joined up' implementation of our priorities...

...it's our intention to invest in festivals from Lottery funds from 2011/12. Festivals remain an area of Council priority, but revenue funding will be used to focus on the needs of those organisations delivering a year round programme of activity."

We explained the new arrangements to Hijinx, who submitted an application for the Unity Festival earlier this year. As a result, they've been awarded funding of £50,000 for 2011.

It's possible that there might well be some staff redundancies resulting from our focusing on the priority area of work with and for people with learning disabilities. However, given this reduced remit, we believe that it's right for Hijinx to look at its running costs to ensure that it is able to concentrate as much money as possible on its 'front-line' arts activity. We've provided a further £20,000 of funding to enable Hijinx to develop new business models.

Looking at the funding picture 'in the round', and we believe that Hijinx is now well placed to enhance, rather than diminish, the impact of the Unity Festival, and we look forward to a very successful event later in the year.





Funding in future years

In December 2010 we wrote to Hijinx to say that we expected to continue our 2011/12 level of revenue funding at the same level in the two subsequent financial years. That remains our intention.

We understand that Hijinx will be concerned that part of their annual programme of activity (the Unity Festival) will in future be funded through the Arts Lottery rather revenue funding. However, this is consistent with our agreed and published strategy (as explained above) and applies to our support for all festivals who will in future apply for funding on a competitive basis.

It's worth noting, however, that this does open up new potential opportunities. As we've seen in 2011, Hijinx has been able to secure increased funding for the Unity Festival. We see no reason why Hijinx shouldn't be able to present similarly persuasive cases in future years.

In conclusion, I'd want to emphasise that we have the highest regard for the Hijinx team and we have every wish to see them succeed. And it's why Hijinx will continue to be an important part of our future plans. We believe that with the funding that is in place, this is entirely possible.

With declining budgets we are constantly having to make choices, often very difficult ones. This hasn't always made us popular, but we believe that we have made our funding decisions on a strategic basis that is consistent with our published advice. If I can provide any further information on this issue please don't hesitate to contact me.

*Yours sincerely  
Nick Capaldi*

Nick Capaldi  
Chief Executive





Cyngor Celfyddydau Cymru  
Arts Council of Wales  
5 April 2011

Your ref: P-03-317

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

Dear Christine Chapman

**P-03-317 Hijinx Funding**

The following is by way of an update on the funding of Hijinx Theatre.

In our Investment Review, our Council was clear about those elements of Hijinx Theatre's work it values and wishes to support and this is clearly reflected in our communications with the company and in our published document 'Renewal & Transformation'. In the initial funding decision letter dated 28 June 2010 we note that we remain highly supportive of the development work around Odyssey Theatre and the Unity Festival.

The revenue funding awarded to Hijinx for 2011-12 will be £160,000. We intend to maintain this commitment up until the end of the financial year 2013-14. Hijinx has been successful in our first consideration of Funding for Festivals through National Lottery and has been awarded £50,000 for ongoing work on the Unity Festival. The company has also been given an in-year award of £20,000 to support the development of a new business model.

I hope this answers your queries. If you require further information, please don't hesitate to contact me.

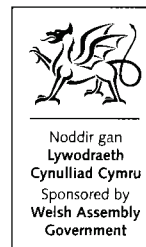
Yours sincerely

**David Alston**  
Arts Director/Cyfarwyddwr Celfyddydau

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



BUDDSODDWR MEWN POBL  
INVESTOR IN PEOPLE

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



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-317  
Ein cyf/Our ref AFJ/00225/11

Christine Chapman AM  
Chair – Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA  
Christine.chapman@wales.gov.uk

*Dear Christine,*

21 March 2011

Thank you for your letter of 9 March about Hijinx Theatre.

I welcome the Committee's continued interest in the provision of arts opportunities for the people of Wales as I attach great importance to extending artistic opportunities for adults and young people, including those from minority groups.

As you are aware, the strategic agenda for the arts in Wales is determined by the Welsh Assembly 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.

In light of this, it would be inappropriate for me to comment on any individual funding decision arising from the ACW Investment Review although I am happy to comment on the Review itself.

In undertaking their Investment Review ACW's Council had a complex task before it, which related to all the artforms it supports, and to all the companies who submitted business cases. I am satisfied that ACW acted in line with the remit I issued in the way they conducted the investment review. My instruction to the Council was that they should undertake a root and branch review of all areas of funded activity. My expectation was that the effectiveness of all aspects of activity should be scrutinised in the same robust fashion as part of the review process. ACW provided clear written advice in advance of the review to all those who would be affected by it explaining the approach that it intended to follow.

Organisations that will lose, or receive a reduction in, their funding will inevitably be disappointed. I know that ACW are continuing to meet with those organisations facing cuts in funding from April 2011 to explore alternative funding sources and to discuss ways of managing budget reductions and develop business plans that reflect their individual circumstances.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
correspondence.alun.ffered.jones@wales.gsi.gov.uk

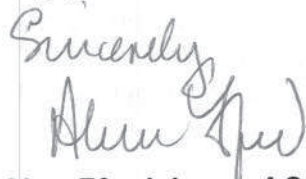
Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

Printed on 100% recycled paper

I am familiar with the work of Hijinx Theatre, and the issue of its funding is a matter that was touched upon during a meeting I had with the Chair and Chief Executive of ACW on 1 February. Hijinx Theatre have been aware that they were to receive a reduction in funding since the recommendations of the Investment Review were announced in June last year, reflecting ACW's decision that the company will no longer be funded to tour productions to Wales, England and Scotland. ACW will, nonetheless, continue to fund Hijinx Theatre for their work with learning disabled people. I would stress that this is an activity to which the ACW Council attaches a high degree of importance and would therefore like Hijinx to concentrate on in the future. I am aware that ACW have met Hijinx Theatre, to discuss future funding proposals and to help them manage their business through this transitional period. That Hijinx Theatre remain a revenue-funded organisation is an expression of ACW's confidence in the company's work with learning disabled people and ACW will wish to see them thrive artistically on a financially sustainable basis.

In terms of funding from alternative sources, eligibility will depend on the type and nature of the funding sought and for what activity. ACW will continue to welcome applications for project funding from Lottery sources but this will not support core activity. It is a similar situation with European Structural Funding which, as I informed you recently in respect of a separate petition, is not available for core activities. The need to discuss options, and to revisit their business model, leads me to stress the importance of Hijinx remaining in dialogue with ACW.

With regard to the final point of your letter, in relation to my priorities for the arts, I would not agree with the statement that the decision by ACW to cease funding Hijinx for community touring work "flies in the face of" my priorities, disappointing as the reduction in funding has undoubtedly been for Hijinx. Indeed, in my remit letter to ACW for 2011-12, I have reminded them of the importance I attach to community arts and asked them to report to me on whether there is more that could be done to support greater community and voluntary engagement in the arts.



**Alun Ffred Jones AC/AM**

Y Gweinidog dros Dreftadaeth/Minister for Heritage

PET(4)-05-11 Paper 4a

## 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?IId=1287&optionId=0>

**Petition raised by:** Graham Warlow

**Number of signatures:** 293

### Supporting information:

On December 16<sup>th</sup> 2010, the UK Coalition Government launched the Maritime & Coastguard Agency (MCA) Consultation on Modernising Coastguard for the 21<sup>st</sup> Century. The consultation process was originally due to end on March 24<sup>th</sup> 2011, though this was later extended to May 5<sup>th</sup> 2011.

Within Wales, the MCA proposal is to shut down the Maritime Rescue Coordination Centres (MRCC) at Milford Haven & Holyhead, and to downgrade Swansea to operate during 'daylight hours' only. (I am assuming that Swansea would be required to cover the whole of the Wales coastline during the daytime, though this detail was not provided within the MCA Consultation).

During the night time, HM Coastguard Rescue Coordination services would be centralised to a Maritime Operations Centre (MOC) at Southampton or Portsmouth.

Serious concerns arose throughout the UK that the closure of MRCC's will also result in a loss of valuable & vital local knowledge, and the impact this would have on response to an emergency situation. Considerable concern also arose concerning the lack of Risk Assessments presented with the Consultation.

The 'compendium' of Risk Assessments were eventually published by the MCA, but these appear to be loaded in support of the MCA proposals, and

also some elements were written subsequent to the Transport Select Committee requesting publication of the documents. (Risk Assessments available)

Many local campaigns throughout the UK were formed along with many petitions. In Milford Haven, a local paper & online petition was started which eventually acquired in excess of 20,000 signatures opposing the MCA Modernisation Proposals. This petition was delivered to Downing Street, along with a 15,000 Signature National Online Petition, on Tuesday 29<sup>th</sup> June 2011.

So great were the concerns of so many, the Transport Select Committee launched a full Inquiry into the MCA proposals for Modernising the Coastguard, Emergency Towing Vessels (ETV), and the Maritime Incident Response Group (MIRG).

The Save Milford Haven Coastguard Campaign submitted a formal response to the Transport Select Committee and was subsequently invited to Westminster for one member of the Campaign to offer evidence at the final Oral Evidence Meeting on May 24<sup>th</sup> 2011. (Campaign Response available)

The subsequent Transport Select Committee Report on the Coastguard Modernisation was highly critical of the MCA Consultation Process. It states;

*“By failing to involve serving coastguard officers, unions, volunteers, stakeholders or the devolved administrations in the drafting of the current proposals for the future of the Coastguard, and by failing to publish a risk assessment of the current plans or an impact assessment of the previous round of closures until prompted, the MCA management has badly miscalculated. It has mishandled the consultation and made it appear opaque rather than clear and open-minded. It has appeared arrogant, and reluctant to open itself to proper scrutiny in the process. The atmosphere of disquiet and suspicion generated by this consultation process is of the MCA's own making.”*

Many debates have taken place in Westminster on the Coastguard Modernisation proposals, as well as a Short Debate at The Senedd. All of these debates have met with cross-party support in opposition to the proposals.

The MCA also conducted a series of public meetings throughout the UK which met with fierce public opposition and many ending with unanimous votes of no confidence in the proposals. (Transcripts available)

On May 19<sup>th</sup> 2011 , the Secretary of State for Transport Mr Phillip Hammond MP announced that the Government were *“looking again”* at the MCA

proposals, fuelling speculation that a reprieve for some Coastguard Rescue Centres may be possible.

The MCA have tasked an 'Independent Review Team' to analyse approx. 1700 responses to the proposals, and is shortly to issue its own report.

The Government have stated that it will make an announcement of 'Alternative Proposals' before the Houses of Parliament rises on July 19<sup>th</sup>. We await that announcement.

In the meantime, the National Assembly of Wales E-petition was started to urge the Wales Government to conduct its own independent Risk Assessments on Coastal Tourism associated with the closure of MRCC Milford Haven, MRCC Holyhead & the downgrading of MRCC Swansea to 'daylight hours' only.

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**

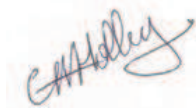
On behalf of all Councillors on the City and County of Swansea, we wish to seriously object to the way in which the announcement was made of the closure of the Swansea Coastguard Station.

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



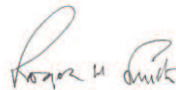
Councillor Chris Holley  
Leader of the City and County of Swansea



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

My ref. / Ffôn gyngorfaidd

Telephone • Ffôn 01437 776231

Web site • Gofynnwch i ni

Email • E-bost **PET(4)-05-11 Paper 4d**

COUNCILLOR/CYNGHORYDD

JOHN T. DAVIES  
Leader

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

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

Arweinydd

Cyngor Sir Penfro,  
Neuadd y Sir, HWLFFORDD,  
Sir Benfro, SA61 1TP  
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**  
Page 26

## **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.



## SAVE MILFORD HAVEN COASTGUARD



*“ ... this same blessed Milford: and by the way tell me how Wales was made so happy as to inherit such a haven... ”*

**William Shakespeare**

**Cymbeline Act 3, Scene 2, (1611)**

*“Milford Haven - the finest port of Christendom”*

**Admiral Horatio Nelson (1802)**

1. On December 16th 2010, the UK Coalition Government launched the Maritime & Coastguard Agency (MCA) Consultation on Modernising Coastguard for the 21st Century. The consultation process was originally due to end on March 24th 2011, though this was later extended to May 5th 2011. One of the Key Drivers for Modernisation was stated to be 'Resilience'.

Within Wales, the MCA proposal was to shut down the Maritime Rescue Coordination Centres (MRCC) at Milford Haven and Holyhead, and to downgrade Swansea to operate during 'daylight hours' only.

The initial proposals meant that Search & Rescue Coordination Services were to be centralised to 2 x Maritime Operations Centres at Southampton/Portsmouth and also Aberdeen.

This would've meant that during night-time, Search & Rescue Coordination would have been carried out at either of these Maritime Operations Centres.

Serious concerns arose throughout the UK that the closure of MRCC's and the centralising services would result in a loss of valuable and vital local knowledge, and the subsequent impact this would have had on emergency response times.

**Considerable concern also arose concerning the lack of Risk Assessments presented with the Consultation.**

2. Many local campaigns throughout the UK were formed along with many petitions.

In Milford Haven, a petition was started which eventually acquired in excess of 20,000 signatures opposing the MCA Modernisation Proposals in its current form. This petition was delivered to Downing Street, along with a 15,000 Signature National Online Petition, on Tuesday 29th June 2011.

So great were the concerns of so many, the Transport Select Committee launched a full Inquiry into the MCA proposals for Modernising the Coastguard, Emergency Towing Vessels (ETV), and the Maritime Incident Response Group (MIRG).

A 'compendium' of Risk Assessments was eventually published by the MCA, but these appeared to be weighted in support of the MCA proposals, and also some elements were written subsequent to the Transport Select Committee requesting publication of the documents.

The subsequent Transport Select Committee Report on the Coastguard Modernisation was highly critical of the MCA Consultation Process. It stated;

*“By failing to involve serving coastguard officers, unions, volunteers, stakeholders or the devolved administrations in the drafting of the current proposals for the future of the Coastguard, and by failing to publish a risk assessment of the current plans or an impact assessment of the previous round of closures until prompted, the MCA management has badly miscalculated. It has mishandled the consultation and made it appear opaque rather than clear and open-minded. It has appeared arrogant, and reluctant to open itself to proper scrutiny in the process. The atmosphere of disquiet and suspicion generated by this consultation process is of the MCA's own making.”*

3. During the initial Consultation Period, the MCA also conducted a series of public meetings throughout the UK. Many of these met with fierce public opposition with the majority ending with unanimous votes of no confidence in the proposals.

The MCA Consultation ended on May 6<sup>th</sup> 2011. The MCA then tasked an ‘Independent Review Team’ to analyse an approximate 1700 responses to the proposals.

On May 19<sup>th</sup> 2011, the Secretary of State for Transport Mr Phillip Hammond MP announced that the Government was “looking again” at the MCA proposals, fuelling speculation that a reprieve for some Coastguard Rescue Centres was possible.

On July 4<sup>th</sup> 2011, a National Assembly of Wales E-petition was started to urge the Wales Government to conduct its own independent Risk Assessment on Coastal Tourism associated with the closure of MRCC Milford Haven, MRCC Holyhead & the downgrading of MRCC Swansea to ‘daylight hours’ only.

4. On July 14<sup>th</sup> 2011, the then Secretary of State for Transport Mr Philip Hammond MP announced a revision to the MCA Modernisation Proposals.

The ‘revised proposals’ had clearly addressed some of the concerns demonstrated during the initial consultation and MRCC Milford Haven and MRCC Holyhead were reprieved from closure, and would operate as 24/7 Rescue Co-ordination Centres. An announcement was made at this time that MRCC Swansea would close.

The concept of ‘day-time hours only’ MRCC’s is no longer considered a suitable for maritime search & rescue in the UK. However, the MCA now propose that 1 x 24hr Maritime Operations Centre based in Southampton will distribute Search & Rescue Coordination services throughout the UK.

This will in effect mean that when either Milford Haven or Holyhead Coastguard are busy, any incidents within the area of responsibility will be distributed to a quieter Coastguard Station. Essentially this would mean that a Search & Rescue incident on the coastline of Wales, and off the coast of Wales could well be coordinated from as far away as Shetland or Stornoway.

Local Knowledge is vitally important at a Search & Rescue Coordination level!

The Original Consultation Document stated that *“Managing an incident at sea is a considerable responsibility and requires substantial experience and knowledge, including an understanding of tides and weather, radio communications protocols, the theory and practice of search planning, an ability to assess risks, and decision-making skill. Over time Coastguards in Coordination Centres study for and acquire specialist, professional qualifications covering Search Planning, Radio Communications and how to act in the role of Search Mission Coordinator”*

That statement failed to include a number of points;

I. Managing an incident on the Coast is also a considerable responsibility which requires substantial experience and knowledge - Local Knowledge in particular!

Over time Coastguards in Coordination Centres acquire a significant amount of local knowledge and local expertise and it is recognised that this knowledge is a fundamental tool in the armouries of an SMC.

II. The statement also failed to mention that Coastguards are required under MCA Regulations to undertake an examination on Local Knowledge once every 2 years.

Coastguard Coordination Staff throughout the United Kingdom develop their intimate and vital local knowledge & relationships over many years. Staff in Milford Haven and Swansea are required to undertake a Local Knowledge examination once a year. This Local Knowledge should never be undervalued, it SAVES LIVES.

In practice it can be divided into 3 elements; Location Awareness, Situational Awareness, and Operational Relationships.

I. Location Awareness enables a Search & Rescue Mission Coordinator (SMC) to immediately identify an incident location & task the appropriate SAR resource, when somebody finds themselves in Grave & Imminent Danger. It allows them to assess and plan a SAR Mission quickly and effectively. Additionally, it allows them to be aware of and assess any associated dangers that may exist during the incident.

All 3 MRCC's in Wales have responsibility for areas where both Welsh and English place names are commonly used. There are places with combined Welsh & English names, and uncharted or un-mapped local nick-names for bays or rocks.

**Immediate Local Knowledge is vitally important to giving the swiftest possible response to any incident. Tourists are often unable to pronounce properly their location, especially if they are panicking. They are however, always able to describe their surroundings.**

II. Situational Awareness enables an SMC to maintain a 'Surface Picture' or 'Maritime Domain Awareness' of their particular Search & Rescue Region (SRR). In the event of being alerted to a distress and emergency situation, an SMC is often able to identify a 'Non – Declared Resource' and task them to assist when necessary. A 'Non-Declared Resource' is something other than RNLI or Coastguard. Pleasure craft, Pilot Vessels, Water Ranger, MOD Ranges Safety Vessels & Fishing Vessels could all be considered 'Non-Declared Resources'.

III. Operational Relationships are established over time between SAR providers and their controlling Coordination Centre. It is widely considered that an element of 'local knowledge' is the strong and valued relationships plus mutual respect that Coastguard Operations Room Staff develop with Local SAR Stakeholders, be they Coastguard Rescue Volunteers or RNLI Crew etc. This is something that Volunteers consider to be important, particularly so during SAR (Search & Rescue) Operations.

5. The 'revised proposals' were subject to a further consultation period which ended on October 6th 2011.

The 2<sup>nd</sup> Consultation has now pitted MRCC Milford Haven against MRCC Swansea, and MRCC Holyhead against MRCC Liverpool. It is not a case that any MRCC in Wales is safe yet.

During this 2<sup>nd</sup> Consultation period, Swansea Coastguard developed a campaign to reprieve its Coastguard Station from closure, and delivered a 100,000 + signature petition to Westminster, opposing the closure of MRCC Swansea.

6. In addition to the apparent lack of credible Risk Assessments, no Security Impact Assessments were carried out.

With the increased status of Milford Haven as the 'Energy Capital of the UK' comes an increased security risk. This risk was identified by the Welsh Affairs Select Committee in their Fifteenth Report, which identified the importance of Milford Haven to the whole of the UK. Subsequently additional funding was provided to Dyfed Powys Police to provide a dedicated Armed Response Team for the Port.

The Report recognised that the threat to maritime infrastructure has been raised and addressed by the UK Government's updated National Security Strategy.

It also states that to ensure Welsh ports are secure *“depends on number of different aspects. These include: dedicated police and border agency staff; intelligence-sharing on the threat facing ports; co-operation from stakeholders such as the Coastguard, and the local community”*.

The Report goes on to mention *“the important role that the ports communities and stakeholders play in assisting with the gathering of information and intelligence needed to assess security risks. The role of Maritime and Coastguard Agency was in particular deemed to be significant in alerting the authorities to unusual activities along the coast.”*

7. Maritime Rescue Coordination Centres are also partners in ‘Coastwatch Wales’. This is an initiative designed to enhance the security of the Welsh coast line by identifying both vessels and individuals engaged in suspicious maritime and coastal based activity. Such activity could be linked to smuggling, organised crime or terrorist activity.

Coastwatch Wales is an amalgamation of specialist officers and agencies including Customs, Immigration, Police, Coastguard and the Royal Navy. Its intention is to disrupt those engaged in criminal activity through effective communication with the maritime and coastal community and continue to make the coastline and waterways of Wales a safe environment for all to enjoy.

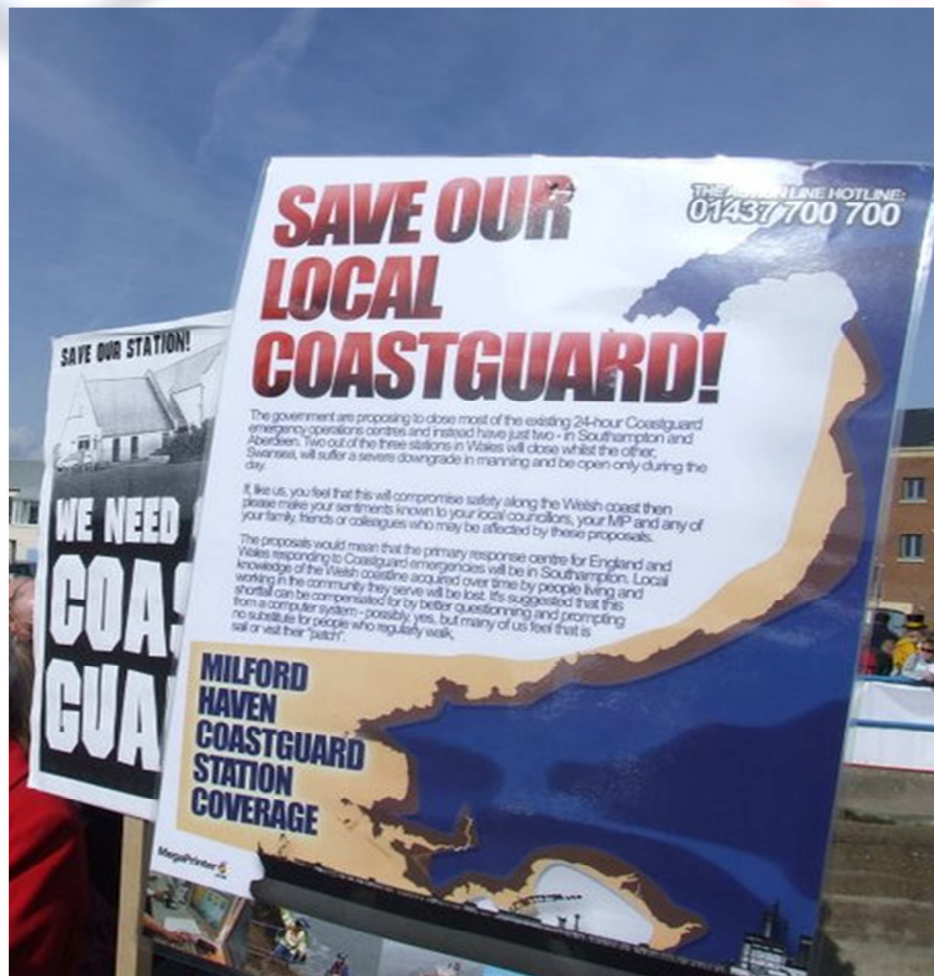
8. Given the level of criticism and suspicion, *“of the MCA's own making”*, it is not unreasonable to mis-trust the Risk Assessments offered by the MCA.

The MCA ‘Revised Proposals’ were published in a little less than 6 weeks after the closure of the 1<sup>st</sup> Consultation process. It is therefore not unreasonable to consider that vital elements may have been overlooked by the MCA given the ‘hurried’ nature of the ‘alternatives’.

The National Assembly E-Petition was started based on the proposed closure of MRCC Milford Haven, MRCC Holyhead, and the downgrading of MRCC Swansea to ‘daylight hours only’.

In light of the MCA ‘revised’ Proposals, we remain committed to calling upon the National Assembly of Wales to urge the Wales Government to conduct independent risk & impact assessments on tourism, if any of the 3 Maritime Rescue Coordination Centres in Wales were to close.





# Agenda Item 6.1

**PET(4)-05-11 Paper 5a**

## **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:** 719

PET(4)-05-11 Paper 5b

Thanks Rhodri,

As you'll appreciate, we're delighted with the Minister's announcement of a Framework for Action on Independent Living. The Minister will be making a public announcement about the Framework at our AGM/seminar tomorrow and we will shortly be meeting with Carys Evans, the civil servant who has been delegated lead responsibility for developing it.

As well as being a huge step forward for disabled people in Wales, we regard it as a success story for the Petitions Committee. I very much doubt whether we would be in this position without the petition process.

Regards,

Paul

**Paul Swann**  
Policy Officer (Independent Living)  
Disability Wales / Anabledd Cymru

# Agenda Item 6.2

**PET(4)-05-11 Paper 6a**

**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

## PET(4)-05-11 Paper 7a

### 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

**Number of signatures:** 2158

#### Supporting information:

The Spectacle Theatre company was established in 1979. The Arts Council of Wales has recently decided to cease its funding for the company, starting from the next financial year (April 2011).

Throughout decades of engagement with schools and diverse community projects in Rhondda Cynon Taf and other local authorities, Spectacle Theatre continues to produce high-quality theatrical work that addresses challenging social and other important issues. The company seeks to promote and enhance equality and a sense of citizenship, hence contributing to community cohesion. It seems clear that the ethos and work of the company has already internalised the spirit and practice of many, relevant elements of the *One Wales* document.

In a Cabinet statement on *One Wales Commitments to the Arts*, earlier in 2010, the Heritage Minister, Alun Ffred Jones stated that *Local communities matter, and providing arts for the people of Wales, wherever they live, to watch or participate in, is essential.*

Spectacle Theatre continues to achieve this aim in reality. For example, over the past twelve months, the company has engaged in a total of 385 performance and workshop sessions, reaching a total of 14,329 participants, of which over 12,000 were schoolchildren.

The Minister added,  
*By laying firm foundations at home, we also ensure that we have high-quality arts to take abroad as part of our work to secure the*

*reputation of Wales overseas.*

Spectacle Theatre's international credentials have already been recognised when, in 2007, they achieved a double-award from the Shanghai International Childrens' Theatre Festival. The entry, *The Lazy Ant*, won both the best production and script prizes. The play was later toured within Wales. Additionally, the loss of future funding for Spectacle Theatre will not only threaten the jobs of its six core staff, but also the potential employment and broad experience offered to many theatre workers (fifty over the past year).

Crucially, the Rhondda Valleys, already designated an area of 'need', together with other areas that the company embraces, will lose their English and Welsh language theatre provision for schools. Communities, too, will become all the more culturally impoverished if this extremely dedicated, professional, skilled and experienced company disbands.

**PET(4)-05-11 Paper 8a**

## **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

# Agenda Item 6.5

## PET(4)-05-11 Paper 9a

### 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

#### Supporting information:

Two thirds of the traffic on the A483/A489 corridor in Newtown is local.

The measures to address traffic congestion on the A483/A489 should include those designed to make better use of road space, such as:

- traffic management measures to reduce conflicting movements at junctions
- dedicated lanes in Pool Road and Llanidloes Road for traffic turning right to industrial and retail premises
- co-ordination of traffic lights

They should also include measures designed to promote alternatives to car travel, such as:

- a redesigned town bus network serving supermarkets & industrial estates, and avoiding the A483/A489 where possible
- a 15 minute interval town bus service
- a footbridge across the River Severn connecting the Llanllwchaiarn river path to Pool Road
- promotion of cycling and walking

We recognise that there is currently a problem caused by high vehicles diverting through residential areas in order to avoid the low railway bridges on Dolfor Road and Llanidloes Road. This can be solved by the following measures:

- raising the railway bridge on the Llanidloes Road



- construction of a link road from Dolfor Road to Heol Ashley in the Mochdre Industrial Estate

# Agenda Item 6.6

**PET(4)-05-11 Paper 10a**

## **P-04-319 Newtown Traffic Petition**

### **Petition wording**

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

1. Install a roundabout at the Kerry road junction and, if flow improves, reinstate a permanent roundabout.
2. Issue an early start date for construction of a Newtown Bypass and for works to be fast-tracked through to completion.

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

<http://senedd.assemblywales.org/mgIssueHistoryHome.aspx?IId=1045>

**Petition raised by:** Paul Pavia

**Number of signatures:** 10 (an additional petition collected approximately 5,000 signatures)

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

**PET(4)-05-11 Paper 11a**

## **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?lId=1014&optionId=0>

**Petition raised by:** Bjorn Rödde

**Number of signatures:** 162

### **Additional information:**

The Arriva Trains Wales service to Manchester Piccadilly currently leaves Carmarthen at 05:50am and arrives at Cardiff Central at 07:40am. After 21<sup>st</sup> May, Arriva Trains Wales have decided that this service will start at Carmarthen only 3 minutes later, at 05:53am, but will not arrive in Cardiff Central until 08:01am. This means that the many passengers that commute to Cardiff on this service to start work at 08:00am will no longer get to work on time. The delay is caused by an increased wait at Swansea station, meaning that commuters who stop at each station East of Swansea will be significantly delayed. A solution that Arriva Trains Wales is likely to suggest is to change at Swansea to the First Great Western service destined for London Paddington. However, this train will arrive in Cardiff Central at 07:52am, which still leaves inadequate time for most customers to arrive at work by 08:00am. In addition, the majority are likely to be opposed to changing trains due to nervousness and inconvenience. It is reasonable to expect a direct service when commuting to work. As holders of the Wales rail franchise, Arriva Trains Wales ought to be committed to providing direct services for those travelling within Wales.

The majority of workers who use the above service return home on the train that leaves Cardiff Central at 16:04pm (the Manchester Piccadilly – Milford

Haven Service). This will change to 15:54pm after 21<sup>st</sup> May and the next train to West Wales won't leave until 17:04pm.

Most passengers will find that this 30minute reduction in their working day will not be justified to their employers and it would be very impractical to travel either significantly earlier in the morning or significantly later in the evening to compensate.

The Arriva Trains Wales summer timetable for 2011 is likely therefore, to render this commuter service an unusable mode of public transport, resulting in many current customers choosing to travel by car instead.

As part of these timetable changes, there are also a number of stations in West Wales where certain services will no longer stop, making public transport even less accessible than it currently is in West Wales. Passengers using these stations feel particularly betrayed since Arrive Trains Wales have community groups that adopt their local stations to aid their operation (particularly in West Wales). These community groups consist of volunteers who give their time for zero cost, but in return, will no longer benefit from trains stopping frequently at their stations.

There are many days, when travelling from Cardiff Central towards West Wales, when only two passenger carriages are in service; this results in inadequate space for passengers and luggage, with train station staff frequently squashing people onto trains so that all passengers can board. This is particularly evident on Friday afternoon and the level of discomfort is widely regarded by passengers as unacceptable.

**From:** Bjorn Rodde  
**Sent:** 10 October 2011 21:08  
**To:** Wyn Jones, Rhodri (Assembly - Committee Services)  
**Subject:** PET(4)-04-11 Agenda 11-10-2011

Hi Rhodri

Thank you for getting in touch ahead of the Petitions Committee meeting tomorrow.

A few things have happened since we spoke last.

A fellow passenger and I met with the Commercial Director, Michael Bagshaw, and Michael Vaughan of Arriva Trains Wales (ATW) on 25<sup>th</sup> July. We took the opportunity to explain, professionally and constructively, the issues surrounding ATW services that prompted petition action by passengers. Aside from general issues such as the lack of suitable luggage space and the number of carriages (and therefore the number of seats available), we also discussed more specific issues relating to the previous timetable changes and how these changes affected commuters in particular. The meeting was very worthwhile and left ATW with a better understanding of why so many of its passengers were so unhappy. We discussed some potential timetable solutions, one of which ATW had not previously considered. The meeting was left with ATW considering this new option further and they would get back to us for further consultation as the December timetable was being finalised.

I have since met with others on the train regarding the issues, including representatives from the South West Wales Community Rail Partnership and the ATW Passenger Panel. I also kept in touch with Simon Pickering of the Welsh Government's Rail Unit for a period to give him an idea of the frequency of occasions when trains from Cardiff ran as two carriages instead of three. I also provided photographs of the overcrowding this caused.

On 3rd October I received an email from ATW with an extract of the draft timetable due to be implemented in December. The extract presents a solution which is likely to resolve the problems that commuters from West to South East Wales for their journey to work in the morning. The proposed train times for the morning journey return almost to what they were prior to the last timetable change in May, which is satisfactory. However, there is no evidence that there will be any changes made to the existing timetable to improve the situation on the return journey for commuters at the end of the working day. This means that the disconnect in train services travelling East-West in the late afternoon/early evening will remain, as will the issue of overcrowding. Passengers now miss the connecting trains to destinations further west which they used to be able to catch prior to the May changes and have long waits on platforms until the next train. The overcrowding is significantly worse after the May timetable change due to ATW trains leaving the larger stations (like Cardiff, Bridgend, Port Talbot, Neath and Swansea) before the First Great Western (FGW) Paddington-Swansea services. The introduction of the Fishguard services has eased this slightly but passenger comfort is still unsatisfactory with too many people being forced to stand, especially when rush hour trains run with less carriages than they are supposed to. One example of this is the 16:00 train from Swansea to Pembroke Dock which frequently runs as a single carriage and the number of people that ATW staff end up cramming on to this single carriage train is nothing short of ridiculous.

Regarding the issue surrounding the lack of stops at smaller stations further west, the uproar caused some request stops to be re-instated after the timetable changed in May. However, it

is still the opinion of many that not enough trains stop in Gowerton. All trains travelling west from Swansea pass through Gowerton station but not all stop – even at peak times during the day. This is the station that services much of the Gower and areas such as Gorseinon, Waunarlwydd, Fforestfach, etc., etc. and more trains should stop there. It is a popular station, not just because of the wide area that it serves but also because of free station parking and sizeable car park within very short walking distance which is also free of charge.

I would also like to point out that I was very disappointed by the letter from Carl Sargeant, which suggested that he did not have a firm grasp of the situation and also came across in support of ATW, rather than with sympathy towards members of the public using the trains for regular commuting.

I hope this is useful information for the Petitions Committee meeting tomorrow.

Kind regards  
Bjorn.



**PET(4)-05-11 Paper 12a**

## **P-03-310 Policies to Help Protect Pupils Needs and Rights**

### **Petition wording**

We the undersigned, call on the National Assembly for Wales to urge the Welsh Government to have a policy that only allows the closure of 6th forms, if there is consent and support in in the community. There should be improvements to the consultation process to make them sturdy, strong and easier for the public to access and participate in. The consultation period should give the public enough time to get the information and act accordingly.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-310.htm>

**Petition raised by:** Mandy Howells

**Number of signatures:** 112 (a related petition collected 2,119)

### **Supporting information:**

This petition seeks to review and challenge current Assembly Government policy and guidelines on the reorganization of schools and specifically in this case any reorganization of post-16 education. We have already presented a petition to the Assembly Government focused upon saving the sixth form in Brynmawr Comprehensive School. This petition titled -We the undersigned appose against the close of brynmawr foundation schools 6th form-we want a choice-and it contained 2119 names this clearly demonstrates the depth of feeling in the local community.

We fully support the Assembly Government's ambitions as set out in the recent legislation on extending education and training options. We also fully support the Assembly Government's transformation agenda which, as we understand it, seeks to ensure that schools and colleges work far more closely together in order to extend the range of options available to children and young people. In terms of Blaenau Gwent we also support the new Learning Campus which we believe will certainly enhance the learning opportunities for the population of the borough.

Our concern is that our children and young people have a choice of options available to them for post-16 education. All too often the Assembly Government's policies appear to force the closure of sixth forms which in turn remove the element of choice from the options for continuing education from 16 onwards. We feel strongly that young people should have the right to stay on at school if that is their wish and that a sixth form education provides an excellent option for some people. Clearly some will choose to attend a sixth form college and we would support their right to do so.

Recently in Wrexham and in Rhondda Cynon Taff proposals to close sixth forms have been defeated and we believe that this reflects the wishes of parents and the local communities. We hope that this petition will help focus political attention on these matters and will persuade the Assembly Government to re-write its current guidelines and policies for post-16 education options. We want to see a level playing field between schools and colleges that will enable all young people to have a choice of options at 16 and onwards.

At the same time we have significant concerns about the robustness of local authority's consultation processes. Our experience is that a local authority regards consultation as simply a box-ticking exercise. There need to be minimum standards set and expectations for local authorities to reach in terms of consultation exercises.,and has mentioned in the epetition they need to be made more sturdy, strong and easier for the public to access and participate in. .

The consultation period should also give the public enough time to get the information and act accordingly

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-03-310  
Ein cyf/Our ref LA/05570/11

William Powell AM

Chair Petitions committee

committeebusiness@Wales.gsi.gov.uk

29 July 2011

*Dear William,*

Thank you for you letter 14 July 2011 in connection with petition P-03-310 *Policies to protect pupils' needs and rights.*

The proposed Schools and Standards (Wales) Bill is expected to replicate the existing requirement on those bringing forward school organisation proposals that they first consult with interested parties. However, unlike current legislation, the Bill is also expected to make provision for the Welsh Ministers to introduce a statutory code on school organisation with which those bringing forward proposals must comply. I anticipate that this code will place specific expectations and obligations on local authorities and others in relation to the duration, content and conduct of school organisation consultation exercises.

A draft code will be published for consultation in due course. Whilst its content is not yet fully determined, it is likely that it will include the elements included in the consultation document published last November and which can be accessed via the following link:

<http://wales.gov.uk/consultations/education/schoolorg/?lang=en&status=closed>

I believe that the code will support local authorities and other promoters of school reorganisation in adhering to best practice when bringing forward proposals and that the resultant proposals will be more robust and command greater public support in consequence.

*Yours sincerely*

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

Page 57

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



PETITIONS COMMITTEE  
NATIONAL ASSEMBLY FOR WALES  
CARDIFF BAY  
CF99 1NA

WED 12<sup>th</sup> OCT 2011

Dear Petitions committee

In regards to your communication, to me, dated 14<sup>th</sup> July 2011, I now give my response to the reorganisation process, regarding education. I do apologise for the late response, but still hope that you will still consider my views and opinions. I have also been asked to quantify on the words I used, strong, sturdy and easier for the public to access and participate in, as used in my petition. I chose these words as a need to change the current public consultation process. And I felt this because so many failings have been made by our local authority. By making them strong, you need them to be made more reliable, and deliver them in a way that is reliable. People need to feel that their concerns are addressed and all concerns need to be kept on file, for future reference. This could help any to avoid any further concerns, and help local councils to be prepared in dealing with them, as well as put peoples' minds at rest. By making them strong, you are also making them sturdy, access to any documents regarding proposals regarding education needs to be accessible to all parents, this could be done by holding meetings, during term time only, and also by post, and online. I feel that our local authority has made many mistakes recently regarding education and that now is the time that our voices as parents need to be heard and listened to. They are our children and we also want what's best for them, therefore I feel that any school that has very good results, where targets are high and met and a success, like Brynmawr should not be at threat of closure, the school or any part of it. And I urge you to look at this in more depth and to deeply consider the futures of any well run school that may be a threat of closure. People need to be more informed, this could be by the local press, internet, meetings, and informed by mail, to what is happening, and what active way they can take part in. Local authorities really do need to be made more accountable to the local people, as this has not been the case in Blaenau Gwent for quite some time. All concerns need to be addressed, and responded to, and honesty needs to be used, not false promises. Choice needs to be put in place, as you take it away you take away a human right and need. The time scale needs to be lengthened and carried out only in term time not during school holidays as they recently were in Blaenau Gwent. I have sent a copy of this letter to you by post as well as my response to school reorganization proposals, I hope to hear from you soon and trust that my views will be looked at and hopefully I can help make a change within the schools reorganization process a change for the better, one children need and deserve, many thanks Mrs Mandy Howells

# Agenda Item 6.9

**PET(4)-05-11 Paper 13a**

## **P-04-323 Save our Small Schools from closure**

### **Petition wording**

We the undersigned call upon the National Assembly for Wales to urge the Welsh Government to support small schools and in particular to support councils in keeping small schools open. We believe small schools to be a bedrock of rural communities, essential in the survival of the Welsh language, and most importantly, as loving, centres of academic excellence for our children. We politely request the Assembly to reconsider its use of the Audit Commissions classification criteria for schools as small, and its preferred funding for new build over refurbishment.

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

<http://senedd.assemblywales.org/mgIssueHistoryHome.aspx?lId=1016&Opt=0>

**Petition raised by:** Leila Kiersch

**Number of signatures:** 244 signatures.

### **Supporting information:**

There are small schools being closed across Wales. This petition is to bring together all who are concerned that their school is under-threat and to recognise that this is a Wales wide issue. The assembly has powers to help prevent these closures. Many schools have been in existence for decades, if not hundreds of years. Not everyone has access to a car and shipping young children for miles on buses everyday is just wrong. These closures go against the founding principles of sustainable development built into the Assembly's constitution.

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-323  
Ein cyf/Our ref LA/05438/11

William Powell AM

William.powell@wales.gov.uk

29 July 2011

Thank you for your letter of 29 June and the petition submitted by Leia Kiersch, which collected 244 signatures. The petition essentially urged the retention of small schools, particularly in rural communities, and challenged a perceived preference, on the part of the Welsh Government, for new schools rather than the refurbishment of existing schools.

I would firstly like to clarify the position on small rural school closures. Between 1999 and 2010, some 50 small rural schools closed. At the same time a significant number of schools in other areas, not all of which might be described as small, closed due to reorganisation and reconfiguration. It can therefore be seen that the closure of small schools must be seen as part of a much wider process of reconfiguring learning provision across Wales.

In around half of the small rural school cases cited above, decisions were taken locally because no-one had objected. In several instances few or no pupils remained at the point of closure. The reconfiguration of schools has resulted directly from the substantial decline in pupil numbers that has been evident during the same period, exemplified by the decline in the number of primary school pupils from 291,712 to 257,445 in the period 1999 to 2010, a reduction of well over 30,000 in the primary school population. It is entirely appropriate that local authorities should plan and if necessary restructure school provision in order to effectively and efficiently meet the needs of the local population so that the resources available for education may be targeted directly at meeting the needs of learners. The need for such action has been highlighted in the Frontline Resources Review, and its update report published earlier this year.

It is for local authorities to decide which schools they will continue to maintain, out of the resources provided to them in the Revenue Support Grant settlement and their own revenues; indeed it is the case that many local authorities provide additional support to small schools through their funding formulae for schools, in order to address the inevitable challenges that such schools face. In addition, the School Effectiveness Grant, which supports my three key priorities of improving standards in literacy, in numeracy, and reducing the impact of poverty on attainment, is available to all schools regardless of size.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff

CF99 1NA

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)  
Page 61

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: Leighton.Andrews@gsi.gov.uk

Printed on 100% recycled paper

Statutory procedures under the School Standards and Framework Act 1998 are necessary prior to school closures being implemented. These procedures provide for consultation to be conducted with all those who could be affected, and are designed to ensure that those with an interest have an opportunity to make representations. Where proposals are submitted to me for determination because objections have been lodged during the time available for the purpose, I pay close attention to whether those who could be affected have been consulted.

I also pay attention to expected travel times when considering closure proposals and would raise concerns if these were to exceed 45 minutes one-way for primary aged pupils. I am not aware of any closures that have caused such concerns in recent years. In addition checks are carried out to ensure that schools receiving pupils are sufficiently large and resourced so that the addition of pupils would not adversely affect educational standards. I also consider the impact that closures might have on the community, and on the Welsh language. The factors considered by me when I am required to determine contested proposals, which include considerations relating to costs, are set out in full in Circular 21/09 which can be found through the following link.

<http://wales.gov.uk/topics/educationandskills/publications/circulars/schoolorganisation/?i:issid=VLJhTdbHhZ6ZFHHNPMGrLFT4QVpqbBjpdWTMB5Q43vW2xnYQr5JTrI:88971951271anq=en>

Whilst research information precisely matching that described by the petitioners may not be available, they may wish to be aware that Estyn undertook research into the effect of school size on outcomes. Their research, published in 2006 as "Small Primary Schools in Wales" found that there was no link between school size and performance and that schools of all sizes can provide education of a high quality. I have recently asked Estyn to re-visit this research in order to establish whether these conclusions still hold true. Estyn are currently planning this work and can be expected to advise me of their findings in this regard within the next 2 years.

I recognise the importance of children being consulted on decisions in relation to school organisation which affect them. In response to concerns raised by the Children's Commissioner for Wales in reports regarding this issue, the revised circular on school organisation (Circular 21/09), sets the expectation that local authorities will include children and young people in consultation exercises when changes to schools are proposed, and this was welcomed by the Children's Commissioner for Wales in his most recent report.

You may be aware that further change to the process for reorganising schools is being considered and the Children's Commissioner has already engaged with the consultation process that was carried out relatively recently. In devising a revised process, I will give full consideration to points raised by him, and to obligations under the UN Convention on the Rights of the Child.

Turning to the points raised in respect of capital expenditure, the Welsh Government in collaboration with the Welsh Local Government Association (WLGA) has, through the 21<sup>st</sup> Century Schools Programme set ambitious targets for the improvement of school buildings. It has not, however, prescribed to local authorities how such improvements should be made. Capital investment proposals are considered on their merits and whilst it is expected that projects for which funding is being sought would achieve efficiencies along with benefits to learners, there is no expectation that a particular type of school should be provided, or position on whether new build is preferable to refurbishment.

The programme is more than a building programme and one of the main aims is to deliver a 21<sup>st</sup> Century Schools Standard for all schools in Wales which reduces recurrent costs, energy consumption and carbon emissions.



The standard is to assist with understanding and applying sustainable design, focusing on energy use and carbon dioxide emissions in school design and refurbishment. It relates to other aspects of sustainability including the indoor environment, green space, attractiveness of design, quality and durability of the building and sustainability of construction materials.

Ultimately, any decisions regarding investment in schools are a matter for individual local authorities based on need and circumstance.

Whilst from time to time, the Welsh Government has adopted the Audit Commission's definition of a small school for the purpose of statistics or the allocation of grant, it has not been commended to local authorities or others as a minimum size of school. Indeed it is for local authorities to decide what size of school is appropriate to their area, in accordance with their duty to plan and provide schools to meet the needs of the local population.

Finally, the petitioners might like to note that in 2008/2009 the Rural Development Sub Committee of the National Assembly for Wales conducted an inquiry into rural school reorganisation, which reported in December 2008. The report of the inquiry, and my predecessor's response can be found at the following link.

[http://www.assemblywales.org/bus-home/bus-third-assembly/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-rd-home/inquiries-3/rdc3\\_inq\\_ruralschools.htm](http://www.assemblywales.org/bus-home/bus-third-assembly/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-rd-home/inquiries-3/rdc3_inq_ruralschools.htm)

Paragraphs 5.10-5.30 of that report consider the issue of "Impact on the community" in some detail and provide a thoughtful and nuanced view of the matter which I would commend to the petition committee's attention. I would like to particularly draw attention to the Committee's view in paragraph 5.29, in respect of the loss of a school as a community resource, that "this is not sufficient reason to retain unsustainable, outdated premises. The principal purpose of a school must be to provide the best education possible for the children it serves. Any further community benefit is an additional advantage but cannot be used as a reason to support the retention of a school where that school may not be delivering the best educational opportunities for its pupils".

I hope that my response is helpful to the committee's consideration.



**Leighton Andrews AC / AM**

Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills



# Comisiynydd Plant Cymru Children's Commissioner for Wales

Keith Towler

Mr William Powell  
AM  
Chair of NAFW

National Assembly for Wales  
Cardiff Bay  
CARDIFF  
CF99 1NA

19 September 2011

Dear Chair

Thank you for your letter (29/06/11) in which you ask for my view in relation to the Save Our Schools (P-04-323) petition submitted to your committee.

This is a hugely complex issue which encompasses considerations of community life, Welsh language, transport, classification of small school and overarching welfare issues. My intention is not to provide my point of view on all the issues but instead to draw the Committee's attention to the need for any school reorganisation to be undertaken sensitively and in compliance with the international human rights standards set out in the UN Convention on the Rights of the Child (UNCRC)

In my Annual Report 09/10, I noted:

*"I welcome the fact that following the guidance issued in September 2009 and effective from January 2010 there is a duty on local authorities to consult with children on school reorganisation proposals that affect them. I have had a number of calls from children and young people who are understandably distressed having become aware of proposed changes which may have a major impact on their lives."*

*There is a need for urgent change in the way that authorities provide information to children and ensure their participation in the process. I may consider looking at how local authorities are carrying out their duties to children under the revised statutory guidance."*<sup>1</sup>

In February 2011, I submitted a response to the Welsh Government's consultation 'School Organisation – Potential to Change the Process Ref WAG 10-10419' (attached – annex 1). This consultation has subsequently become the precursor to the Schools and Standards (Wales) Bill announced by the First Minister in the Welsh Government's legislative programme which is due to change the schools organisation process.

Within the consultation response I particularly welcomed the clear reference to the UNCRC within a Statutory Code for proposers of changes to schools. I also referred to the Rights of Children and Young Persons (Wales) Measure 2011 and how those provisions should impact upon Welsh Government policy. Furthermore there are implications of the provisions relating to children and young people's participation under section 12 of the Children and Families (Wales) Measure which should also be explored.

Within the response I also note:

*"...that the proposed changes seek to ensure that those who have a legitimate interest in the process would be enabled to engage more effectively with the process and expect that this will definitely include children's participation throughout the process."*

I see my role as holding authorities to account in the way in which they undertake their schools reorganisation processes, ensuring that they are consistent with relevant articles within the UNCRC (see appendix 1), for instance the right to information and the right to express views freely.

This is always an emotive issue. If you were to take the best interests of the child (UNCRC article 3) as a key consideration it is possible that in an individual school reorganisation proposal, one person's wellbeing may not match another person's perception. This is reflected in the National Assembly for Wales' Rural Affairs Sub Committee report following their inquiry into the reorganisation of schools in rural Wales (November 2008). Members of the Petitions Committee may well be interested in looking at the recommendations made within that report and the Government response.

There will often be those disappointed with a local authority decision but whatever the decision taken, it is important that the authorities examine all relevant consequences of a decision, making a holistic assessment. Importantly, the consultation process must be comprehensive and transparent, ensuring the participation of children and young people within that process.

I hope the committee find this letter useful in its deliberations.

Yours sincerely

A handwritten signature in black ink that reads "Keith Towler". The signature is written in a cursive style and is positioned above a horizontal line that serves as a separator.

**Keith Towler**  
**Children's Commissioner for Wales**

## Response of the Children's Commissioner for Wales to the Welsh Assembly Government's consultation on School Organisation – potential change to the process



February 2011

The Children's Commissioner for Wales is an independent children's rights institution established in 2001. The Commissioner's principal aim is to safeguard and promote the rights and welfare of children.<sup>1</sup> In exercising his functions, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (UNCRC).<sup>2</sup> The Commissioner's remit covers all areas of the devolved powers of the National Assembly for Wales insofar as they affect children's rights and welfare and he may also make representations to the National Assembly for Wales about any matter affecting the rights and welfare of children in Wales.<sup>3</sup>

The UN Convention on the Rights of the Child (UNCRC) is an international human rights treaty that applies to all children and young people aged 18 and under. It is the most widely ratified international human rights instrument and gives children and young people a wide range of civil, political, economic, social and cultural rights which State Parties to the Convention are expected to implement. In 2004, the Welsh Assembly Government adopted the UNCRC as the basis of all policy making for children.

All of the rights of the Convention are important for all children at all times and there are specific articles within the Convention which relate to education and the participation of children in society. This response has been developed using the framework of the UNCRC. Relevant articles of the UNCRC are reproduced at appendix 1.

### Contact details

Organisation Children's Commissioner for Wales  
Name: Keith Towler  
Title Children's Commissioner for Wales  
Address: Oystermouth House, Charter Court, Phoenix Way, Llansamlet, Swansea  
Post code: SA7 9FS  
Tel: 01792 765600  
e-mail : monica@childcomwales.org.uk

**This response is not confidential**

---

<sup>1</sup> Section 72A Care Standards Act 2000

<sup>2</sup> Regulation 22 Children's Commissioner for Wales Regulations 2001

<sup>3</sup> Section 75A (1) Care Standards Act 2000

## **Introductory Comments**

In the Commissioner's annual report for 2009 to 2010 reference was made to the impact on children of school organisation proposals.

*I welcome the fact that following the guidance issued in September 2009 and effective from January 2010 there is a duty on local authorities to consult with children on school reorganisation proposals that affect them. I have had a number of calls from children and young people who are understandably distressed having become aware of proposed changes which may have a major impact on their lives.*

*There is a need for urgent change in the way that authorities provide information to children and ensure their participation in the process. I may consider looking at how local authorities are carrying out their duties to children under the revised statutory guidance*

The Commissioner therefore welcomes the consultation and the proposals contained within the document, particularly the clear reference to the UNCRC within a Statutory Code for proposers of changes to schools. The National Assembly for Wales recently approved the Children and Young Persons Rights (Wales) Measure and will introduce a requirement for Welsh Ministers to pay due regard to the UNCRC when developing new guidance, policy and legislation from April 2012 onwards. That Measure may well impact on the proposals within this consultation given the indication from the Minister that he will be seeking a legislative opportunity to make the necessary legal changes to the process outlined in this consultation. Furthermore there are the implications of the provisions relating to children and young people's participation under section 12 of the Children and Families (Wales) Measure will also need to be explored in the development of any future legislation in this area. The Commissioner would expect that the interaction between provisions of different pieces of legislation are fully explored prior to the development of any new legislation in this area.

The Commissioner would urge the Welsh Government to look at the provisions of the UNCRC holistically when developing any new legislation, guidance or policy in this area.

The Commissioner notes that the proposed changes seek to ensure that those who have a legitimate interest in the process would be enabled to engage more effectively with the process and expects that this will definitely include children's participation throughout the process.

The Commissioner's comments will be constrained to the perspective of children and young people. The Commissioner provides an Advice and Support Service which parents, children and professionals can call and in the past few years we have received a number of calls in relation to school organisation proposals.

**Question 1:** Is the current list of circumstances in which statutory proposals are required appropriate? If not, what would you want to add, remove or modify? [This question relates to paragraph 1 of part 2 and Annex C.]

The Commissioner would agree that the current list of circumstances in which statutory proposals are required is appropriate.

**Question 2:** Do you think that the following amendments proposed are suitable? a) prescription about reduction in capacity; b) prescription about transfers of school site (for all schools including special); and if not, what would be preferable? [This question relates to paragraph 1 of part 2 and Annex C.]

The Commissioner agrees that the suggested amendments are suitable.

The Commissioner understands that there is a drive to ensure efficient planning of school places across Wales and therefore understands the proposal to allow reductions in capacity of a school as this would in our view allow local authorities greater ability to effectively plan school places.

**Question 3:** Do you agree with the current division of responsibilities in respect of making proposals for changes to school organisation? [This question relates to paragraph 2 of part 2 and Annex D.]

The Commissioner is aware of the ongoing court case in relation to the sixth form provision at Brynmawr Foundation School. Therefore whilst that judgement is being awaited it is difficult to comment fully on the accuracy of the statements made on page 28.

**Question 4:** Should proposers be required to publish a consultation document? [This question relates to paragraph 5 of part 2 and Annex E.]

The Commissioner welcomes the proposal that proposers should be required to publish a consultation document. The reason for this is that the Commissioner's Advice and Support service has been contacted by parents and children around a number of school organisation proposals. Concerns have been expressed about what processes proposers have to follow in relation to a school organisation proposal. Particular concerns have been expressed in relation to the participation of children in a process that will clearly impact on their lives.

In the Commissioner's annual report for 2009/2010, the Commissioner made the following observation:

*I welcome the fact that following the guidance issued in September 2009 and effective from January 2010 there is a duty on local authorities to consult with children on school reorganisation proposals that affect them. I have had a number of calls from children and young people who are understandably distressed having become aware of proposed changes which may have a major impact on their lives. There is a need for urgent change in the way that authorities provide information to children and ensure their participation in the process. I may consider looking at how local authorities are carrying out their duties to children under the revised statutory guidance*

If future legislation was developed in this area, the Commissioner would strongly urge there to be a duty on proposers to publish a consultation document.

**Question 5:** If so, should the content of the consultation document (and other matters) be specified in a Statutory Code? [This question relates to paragraph 5 of part 2 and Annex E.]

The Commissioner believes that the content of the consultation document should be specified in a Statutory Code. When addressing individual circumstances which have been brought to the Commissioner's Advice and Support Service attention, there is often a lack of clarity and inconsistency in the approaches of proposers. A statutory code which sets out clearly what must be included in a Consultation document would ensure that a consistent approach is taken across all local authorities. This would ensure a consistent level of participation for children and young people.



**Question 6:** Is the list of matters to be included, as set out in the template document appropriate? Should anything else be included? [This question relates to paragraph 5 of part 2 and Annex E.]

The Commissioner would suggest that in line with the provisions of Articles 12 and 13 of the UNCRC that there should be some additional matters included in the Consultation document.

We would suggest that there should be a requirement to set out the following:

- 1 The impact on children and how children in the affected schools will be supported should the proposal go ahead
- 2 How information will be shared with children and young people in age appropriate formats, which may include both oral and written information
- 3 How children and young people's views will be gathered and acknowledged.

Without access to age appropriate and accessible information, it is very challenging for children to engage with any process effectively. Given that proposed changes to their schools are a considerable change in their lives, it is imperative that children are able to participate in the decision making process. This requires adults to ensure that children understand the issue which is being discussed and that there are processes to gather perspectives which are accessible to children. Children's views are as important as the views of adults in this process. The Commissioner's advice and support service has been contacted by children in one school who felt that the proposer had not taken account of their views during either the consultation or statutory proposal phase. This made the children feel frustrated and that their views were not valued.

We note that on page 8 there is reference to a pro-forma for comments which may be an effective way of gathering the views of adults. However, we would suggest that this may not be the most effective way of gathering the views of children and would suggest that proposers are supported to use a wide variety of methods of gathering children's views.

There is an indication that impact on the staff in the schools affected by the proposals is included and we would suggest that the impact on the children should also be clearly set out.

We would hope that any legislation developed and associated guidance would stress the importance of keeping everyone informed and allowing everyone to participate, and that in doing so people will generally make informed and rational decisions when given the facts.

The Commissioner would be willing to engage with the Welsh Government and local authorities in relation to children's participation to ensure the positive meaningful participation of children. We would suggest that such participation would need to be underpinned by the National Standards for Children and Young People's Participation<sup>4</sup>.

**Question 7:** For promoters: Would the template document contained in Annex E be a useful tool in producing future consultation documents? [This question also relates to part 2.]

The Commissioner would like to suggest that the consultation template as described in Annex E may not be accessible for children and young people and that consideration may need to be given to requiring the production by proposers of children and young people's summary documents. We note that the Welsh Government produced a children and young people's version of this consultation document to gather their views which explained succinctly what the consultation refers to and how children can make their views known. We would hope that in future this process would be replicated across local authorities and other proposers alongside other ways of making information available to children and young people.

**Question 8:** Do you agree:

- a. consultation documents should only be published during term time?
- b. consultation should run for a minimum of 6 weeks, with at least half of the consultation period falling in term time?
- c. with the list of those who should be consulted?

If not what would you wish to change/add? [This question relates to paragraph 7 of part 2 and Annex E.]

The Commissioner notes the recently laid Subordinate Legislation, The School Organisation (Miscellaneous Amendments) (Wales) Regulations 2011. These regulations relate to the publication of Statutory Notices and the timescales for these. It would appear to be appropriate that consultation documents should only be published during term time to ensure the maximum engagement of those affected. We would also support at least half of a consultation period being in term time.

We would suggest that consideration is given to including school councils in the list of statutory consultees as these have been established to provide children with a method to have their voices heard on matters that affect their lives.

---

<sup>4</sup> <http://wales.gov.uk/topics/educationandskills/publications/guidance/nat-standards-young-people-par?lang=en>

We would suggest that the code should include a requirement for there to be a meeting proposed with the school council and also information for all children and age appropriate explanations of how to voice any concerns they may have.

**Question 9:** Do you agree that the proposer should publish a consultation report setting out the issues raised and the response to them; Estyn's assessment; and recommending how to proceed? [This question relates to paragraph 7 of part 2.]

We would agree with this provision to improve transparency within the process, however, we would suggest that there should be a requirement on the proposer to highlight separately and clearly the views of children and young people expressed during the consultation. The proposer should also be required to produce a report which is accessible to the children and young people affected by the proposal. We suggest that such amendments would mean that this would bring the process more clearly in line with Article 13 of the UNCRC which provides the child with the right to information. We note that the consultation document suggests that consultation reports should be sent to governing bodies and community councils. We would suggest that the consultation report is also sent to the school council of the affected schools and this links back to our suggestion to include the school council as part of the list of consultees.

Should a requirement be inserted for a proposer to meet with the school council during the consultation process we would suggest that there should be a follow up meeting with the school council when the response document is finalised.

**Question 10:** Should a time limit be set on deciding how to proceed? If so, should that limit be 3 months from the close of consultation? Should proposers be able to apply to Welsh Ministers for an extension of time? [This question relates to paragraph 9 of part 2.]

The Commissioner would support an upper time limit for proposers to decide how they will proceed. This is because children have expressed concerns to the Advice and Support Service as to the amount of time that school organisation proposals take to complete. There would need to be information provided to the community including children that there is a time limit on the decision making process.

**Question 11:** Are the proposed publication requirements appropriate? If not, what would you want to change? [This question relates to paragraphs 10 and 11 of part 2.]

We again note that there is no reference to children within those who are sent the statutory notices when they are published. We are concerned that again children appear to have been overlooked within these provisions. We would suggest that there is a need to consider how children and young people are informed of the publication of statutory notices. If the consultation process prior to the publication of a statutory notice has been effective in engaging children's participation then the children would be aware of the proposals.

The Commissioner's advice and support service has heard from children in some schools that they have found out about statutory proposals affecting their schools through local media or from their parents. Under Article 13 of the UNCRC, children have a right to information and it is important that proposers consider how they will ensure that children in affected schools are notified of these potentially important changes to their education at the same time as the adults.

**Question 12:** Do you agree with the proposed content for statutory notices? If not, what should be added or removed? [This question relates to paragraph 12 of part 2.]

The Commissioner would agree with the proposed content of the statutory notices, however, we would suggest that there is a need for children to be provided with an age appropriate explanation about how they can make an objection. We would suggest that there is a need to consider how children can be supported to make an objection. Some children and young people have told our Advice and Support Service that they have not understood how to make an objection. Given that children may have clear views to share, it is important that they are supported and enabled to make objections.

**Question 13:** Do you agree that in future all objections should be lodged with the proposer? [This question relates to paragraph 13 of part 2.]

We would agree that in future all objections should be lodged with the proposers rather than the complex set of arrangements that currently exist. We would suggest that this may help to expedite the process.

**Question 14:** Should the right to object be restricted to those groups identified in paragraphs 16 and 18? If not who should be added to or removed from the list?

We welcome the inclusion in paragraph 18 of those children and young people either attending or who might reasonably have wished to attend the schools named in the proposals. However as we have stated previously there is a need to ensure that children are able to participate throughout the process in order to be able to make an objection should a statutory notice be published. If children and young people are not provided with age appropriate information and support they are less likely to be in a position to make an objection to what could be a major decision in their lives. Article 12 of the UNCRC provides that:

*Article 12*

*1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.*

*2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.*

**Question 15:** Do you agree that the only proposals automatically determined by Welsh Ministers should be those attracting objections from a local authority, a diocesan authority or an FE institution? If not, who would you say should be included? [This question relates to paragraph 16 of part 2.]

The consultation document sets out that the proposed changes to the process will ensure that the shortcomings currently perceived in the process will be addressed and thus a reduced number of proposals would require determination from Welsh Ministers. We would suggest that the basis of initiating any process should be an analysis of educational provision in a given area.

We would agree that the three bodies who could trigger a decision by Welsh Ministers are appropriate. However it is critical that children and young people are enabled to understand who would decide should they make an objection.

We note however that at paragraphs 30 & 31 there is provision for Welsh Ministers to retain a power to call-in any proposal but that this would be used only in exceptional circumstances. We would suggest that consideration is given to Welsh Ministers using this power to call in should an objection raise concerns in relation to the UNCRC, which would be consistent with the Children and Young Persons Rights (Wales) Measure.

We would highlight concerns that have been raised with us previously that children have been used by adult campaigners and would seek the views of the Welsh Government as to how this can be avoided as far as possible.

**Question 16:** Should the trigger point for a local determination be an objection by an affected governing body, an MP or an AM; or a total of 10 objections from community/town councils, school staff, pupils or parents? If not, what do you consider the trigger point should be? [This question relates to paragraph 19 of part 2.]

The Commissioner would like to suggest that an objection submitted by a school council should be considered to be a trigger point for local determination as they are an elected body of the children and young people in a school in the same way that the governing body are an elected body of relevant adults. It is hard to understand how school councils could be treated differently to governing bodies in relation to trigger points.

The Commissioner's advice and support service is also aware of schools where children have written a covering letter which is accompanied by a petition signed by a number of children. There have been discussions as to whether this would be counted as a single objection or whether it would be considered to be a multiple objection based on the number of signatures. We would hope how this type of response would be dealt with is resolved as these provisions are further developed.

Such experiences suggest to the Commissioner that there is a need for there to be clear guidance to children and young people about how to make an objection and how different forms of objections would be treated by a proposer.

**Question 17:** Do you agree that proposers should be required to prepare an objection report and submit it to the local decision maker within 4 weeks from the end of consultation? [This question relates to paragraph 20 of part 2.]

We note that the recently laid Subordinate Legislation, The School Organisation (Miscellaneous Amendments) (Wales) Regulations 2011 has already made this amendment to the process following a public consultation in the Autumn of 2010.

**Question 18:** Do you anticipate that local authority decision making cycles could be adapted so as to make a decision to proceed within 4 weeks from the end of the objection period? [This question relates to paragraph 20 of part 2.]

This question is best answered by local authorities, however we note that the recently laid revised regulations have made this a requirement from 1 March 2011.

**Question 19:** Do you agree that where there are local objections a decision making panel or committee should be established to decide whether the proposal should be implemented, modified or rejected? Should the committee consist only of those who do not have an interest in the proposal under scrutiny? [This question relates to paragraph 23 of part 2.]

The Commissioner would take the view that any local decision making committee or panel must consist of those who have no interest in the proposal under scrutiny. This is so that the process can be seen to be fair and independent from those proposing such changes.

The proposals contained in the paper appear to allow for no appeal process to local determination and that this may be something which may need to be considered as legislation is further developed in this area.

We note that local planning committees have appeal mechanisms and whilst we recognise the policy intention to increase the speed at which decisions are made there is a need to recognise that due process needs to be followed.

**Question 20:** Should the decision making panel/committee have membership broadly as set out in paragraph 23 or, alternatively, as in paragraph 25? If not, how should a decision making body be constituted?

Should legislation be developed in this area, there will clearly be public discussion as to the membership of such panels or committees. There would also need to be consideration given to ensuring effective training for local decision making panel or committee members so that they fully understand the criteria which they will need to apply.

**Question 21:** Do you agree that the decision makers should have 4 weeks within which to make its recommendation? If this is not considered sufficient time, what

timescale would be more appropriate? [This question relates to paragraph 26 of part 2.]

Local authorities would be best placed to comment as to whether local decision making processes would allow for decisions to be made within 4 weeks. The Commissioner's advice and support service is aware of cases relating to children's complaints in education where appeal panels are unable to meet within the timescales set out in guidance because of panel members being unavailable. There would need to be consideration given as to whether panels could operate with less than a full number of members being present so that decisions could be made even when there are illnesses or other reasons for panel members being unavailable.

**Question 22:** Do you agree that if the proposer did not accept a recommendation to modify the proposal, then the proposal would be considered rejected? [This question relates to paragraph 27 of part 2.]

Yes because the local decision making panel or committee would be using the criteria in the existing guidance and if they made a recommendation to a proposer who then did not accept that then the proposal would not have local approval.

**Question 23:** Do you consider that if the decision makers failed to make a recommendation a proposal should lapse? [This question relates to paragraph 28 of part 2.]

It would appear to be inappropriate for local decision makers to fail to make a recommendation on a proposal which has been referred for local decision making. The consultation document lays out how members of the community could make their objections known and thus trigger local decision making. If there was then a possibility that a proposal could lapse because local decision makers could not reach a decision, there is a clear possibility that communities would feel disaffected by the entire process. However the proposer could then decide to reintroduce the proposal and the entire process could have to be replicated with no guarantee that there would be a final decision.

The consultation document on page 5 sets out that the Welsh Government is seeking to develop a system which leads to speedier and more efficient decision making and the possibility that local decision makers could fail to come to a decision appears to not lead to this outcome.



**Question 24:** For local authorities: What costs might be incurred by local authorities in establishing and supporting a decision making panel/committee for school organisation proposals? [This question relates to paragraphs 23, 25 and 29 of part 2.]

**Question 25:**

- a. Should Welsh Ministers have a fall-back power to call-in proposals for determination?
- b. If so, should this only be used in exceptional circumstances?
- c. What do you consider those circumstances might include? [This question relates to paragraph 30 of part 2.]

The Commissioner would support the provision that Welsh Ministers should have fall-back powers to call in proposals for determination. In response to question 15 we raised the extending the range of issues when this call in power could be used to include the possibility of Welsh Ministers having a power to call in should there be concerns raised in terms of the UNCRC. The Commissioner is concerned that should there be no appeal to Welsh Ministers then the whole process has no additional determination stage.

b) Yes and we have suggested an additional exceptional circumstance previously.

C) We would suggest that if children raised concerns that they felt had not been addressed during either the consultation or statutory proposal stage and had communicated this to the Commissioner then the Welsh Ministers should have a call in power in such circumstances.

**Question 26:** Should modified procedures be available for proposals for closure of mainstream small schools? [This question relates to paragraph 32 of part 2.]

The Commissioner is concerned that small schools would not be subject to the same process as other schools and thus in effect policy for children in those schools would be different based on the number of pupils alone. One of the key principles of the UNCRC is non discrimination against children. There appears in the first option presented that there would be no opportunity for stakeholders including children to be able to object and trigger referral to a local decision making panel. In the second option presented there appears to be the potential that a proposer could decide on a proposal with no local decision making process.

The Commissioner is unable to support either of these proposals and would suggest that there is a need to review the proposals in this area.

**Question 27:** If so what should the pupil threshold be? Should it be 15 or 20 or higher?

[This question relates to paragraph 32 of part 2.]

The question as to how to define a small school is a more complex issue than simply a set figure, particularly with reference to community impact for all children. The Commissioner notes that the Proposed Education Measure has also made reference to the issue of defining small schools. There is a need to consider what is in the best interests of the children in small schools in as wide a context as possible rather than simply defining schools as small according to the number of children on roll.

**Question 28:** Should simplification take the form of omitting the statutory notices and objections stage? Or in the event of objections should the local review or determination by Welsh Ministers stage be omitted? Would any other modification of the full process be appropriate? [This question relates to paragraph 32 of part 2.]

See response to question 26.

**Question 29:** Should the requirement for statutory proposals for closure be removed when a school has no pupils, to be replaced by notification of closure by the local authority or governing body? [This question relates to paragraph 33 of part 2.]

The Commissioner would seek clarification as to who the local authority or governing body would notify in such circumstances.

**Question 30:** Do you agree that proposers should be able to give notice of a change of timing of a proposal by up to 3 years or the abandonment of a proposal without reference to Welsh Ministers? [This question relates to paragraph 36 of part 2.]

The Commissioner recognises that these proposals would give local authorities and other proposers a greater level of flexibility but only to retime or reschedule proposals. We would wish to emphasise that there would need to be clear communication to the children and young people affected as changes to timescales can cause uncertainty for children.

**Question 31:** Do you agree that Welsh Ministers should continue to have fall-back powers to address rationalisation of school places for use in cases where local authorities or governing bodies have failed to take action to match supply and demand? If not, how would you suggest this problem should be addressed? [This question relates to paragraph 37 of part 2.]

Yes we would agreed to the retention of these fall back powers to address the rationalisation of school places. We note that the powers have never been used as yet but there needs to be some safety net in terms of an overall national framework for planning of school places

**Question 32:** We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Responses to consultations may be made public - on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

## Appendix 1 Extract from the United Nations Convention on the Rights of the Child<sup>5</sup>

### Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

### Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

### Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

---

<sup>5</sup> <http://www2.ohchr.org/english/law/crc.htm>

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

## **Article 29**

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

## **Recommendations and Ministerial response to Rural Development Sub-Committees' Report on Re-organisation of Schools in Rural Wales (2009)**

### **Summary of Recommendations**

**Recommendation 1:** The Committee recommends that the Welsh Assembly Government:

- provides clearer guidance to local authorities on how surplus places are to be defined and addressed;
- commissions further research on the actual cost of a surplus place.

**Recommendation 2:** That the Welsh Assembly Government, in any new guidance on surplus places, states clearly that it is the responsibility of each individual local authority to deal with issues of resource use and surplus places within their overall budget and education policy.

It should be made clear that local authorities take these decisions and that the Welsh Assembly Government guidance is not designed and should not be taken to be pressure on individual authorities.

**Recommendation 3:** The Welsh Assembly Government should publish a clear vision for Welsh primary schools:

- To include a definition of what “fit for purpose” means;
- To define and describe a “School Standard for Wales”.

**Recommendation 4:** The Welsh Assembly Government should carry out a comprehensive audit of the school estate to establish how many school premises would comply with the standard and the amount of investment that will be needed in order to bring all Welsh schools up to this standard.

**Recommendation 5:** That the Welsh Assembly Government establishes a clear strategy to ensure that all schools in Wales reach this standard within an agreed and published timescale.

**Recommendation 6:** That the Welsh Assembly Government does not need to define a small school in terms of enrolled pupil numbers at any one time – but does define a small school in terms of staff and the teaching load of its Head in order to provide and focus support on those schools where such support is most needed.

**Recommendation 7:** The Committee recommends that the Welsh Assembly Government develops a code of practice for consultation and meaningful community engagement which should be followed by local authorities in managing this process.

**Written Response to the Rural Development Sub Committee Report  
“Inquiry into the Reorganisation of Schools in Rural Wales”  
by Jane Hutt AM, the Minister for Children, Education, Lifelong Learning  
and Skills**

**January 2009**

**Executive Summary**

I welcome this inquiry which was wide ranging and the report which is well balanced.

I have set out below my response to the Report’s individual recommendations.

**Detailed Responses to the report’s recommendations are set out below:**

The Committee recommends that the Welsh Assembly Government:

- 1 (i) provides clearer guidance to local authorities on how surplus places are to be defined and addressed;
- (ii) commissions further research on the actual cost of a surplus place.

**Response:** Accept part (i), Accept in principle part (ii)

I can accept the first part of this recommendation because action has already been taken to enable local authorities to consistently assess the capacity of their schools. Guidance Circular 09/2006 which was issued in July 2006 provides a consistent method of measuring the capacity of schools. Local authorities have gradually re-measured schools and are now in a better position to assess whether schools are of the right size for the number of pupils on roll. This important activity informs a local authority’s need to plan school places. Revised draft guidance on school organisation will indicate that the identification of surplus capacity can assist local authorities in carrying out strategic reviews of school provision so as to assess whether the pattern of provision is appropriate. The removal of surplus capacity is not an end in itself. Improving efficiency in the provision of education should be for the purpose of improving educational outcomes.

I can accept part (ii) in principle but this will be subject to discussion with a range of stakeholders on the need for and scope of such research.

**Financial Implications – None.**

**Recommendation 2:** That the Welsh Assembly Government, in any new guidance on surplus places, states clearly that it is the responsibility of each individual local authority to deal with issues of resource use and surplus places within their overall budget and education policy.

It should be made clear that local authorities take these decisions and that the Welsh Assembly Government guidance is not designed and should not be taken to be pressure on individual authorities.

**Response:** Accept

I accept this recommendation. Revised guidance will make it clear that it is the role of the local authority to plan school provision in the light of local knowledge, in the interests of pupils, and with due regard for efficiency. The Welsh Assembly Government needs also to make it clear that resources available for education need to be used as cost effectively as possible, whilst protecting and where possible, improving standards of education.

**Financial Implications** – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets (in 2008/09 or 2009/10).

**Recommendation 3:** The Welsh Assembly Government should publish a clear vision for Welsh primary schools:

- To include a definition of what “fit for purpose” means;
- To define and describe a “School Standard for Wales”.

**Response:** Accept in principle

I can accept this recommendation in principle. The Welsh Assembly Government in line with its commitments set out in ‘One Wales’ has already begun work on creating and building a shared vision of 21<sup>st</sup> Century Schools, (both primary and secondary) by working in partnership with the Welsh local Government Association (WLGA) and all local authorities. Moving on from the concept of “fit for purpose”, a 21<sup>st</sup> Century School will be defined providing a consistent standard for local authorities to work towards. The WLGA and Local authorities will be involved in this process.

**Financial Implications** – None.

**Recommendation 4:** The Welsh Assembly Government should carry out a comprehensive audit of the school estate to establish how many school premises would comply with the standard and the amount of investment that will be needed in order to bring all Welsh schools up to this standard.

**Response:** Accept in principle

I can accept the principle of this recommendation, and local authorities are already taking action to meet that principle. Local authorities are required to have in place Asset Management Plans covering all their capital assets. A vital element of an Asset Management Plan is a comprehensive, structural audit of their physical assets; including school buildings. These audits are based on surveys of building condition, suitability and sufficiency and should be reviewed and updated.



In addition authorities are required to have Asset Management Plans for individual services. A robust Asset Management Plan for the education service should comprise a thorough analysis of condition and investment need. The Welsh Assembly Government accepts there is value in an aggregated and comprehensive knowledge base of the school educational estate in Wales; to enable national and local planning in relation to 21<sup>st</sup> Century Schools. The individual Asset Management plans will provide this.

**Financial Implications – None.**

**Recommendation 5:** That the Welsh Assembly Government establishes a clear strategy to ensure that all schools in Wales reach this standard within an agreed and published timescale.

**Response:** Accept in principle

I can accept this recommendation in principle. There is a need to recognise that not all Local Authorities are at the same position regarding the development of their school investment and re-organisation strategies. In line with Recommendation 3, the delivery of 21<sup>st</sup> century schools will implement a step change in the Welsh Assembly Government's capital investment programme. We will be taking a strategic approach to funding, design and procurement, including ICT integration, and we will be working in partnership with local authorities and assisting in the development of their capital investment programmes. 21<sup>st</sup> Century Schools will be a multi year, long term programme of investment recognising the differing stages that individual local authorities will be with regards to their school capital investment and re-organisation strategies.

**Financial Implications – None.**

**Recommendation 6:** That the Welsh Assembly Government does not need to define a small school in terms of enrolled pupil numbers at any one time – but does define a small school in terms of staff and the teaching load of its Head in order to provide and focus support on those schools where such support is most needed.

**Response:** Accept in principle

I accept that there is no need to define “small schools” for the purposes of planning school places. It is for a local authority to decide on the appropriate size of schools within the local context. It is however necessary to define such schools for specific practical purposes such as distributing targeted grants. The Welsh Assembly Government has provided additional grant funding for small and rural schools since 2002. In 2008/09, a total of £4.1 million is available. The Audit Commission identified a 90 (or fewer) pupil school as one which would cost proportionately more to run. Therefore when distributing funding targeted on small schools local authorities are instructed to prioritise schools with 90 or fewer pupils on roll. Part of the additional funding is also to

be targeted on schools which have head teachers with a significant timetabled teaching commitment.

**Financial Implications** – None. Existing budgets cover activity related to the distribution of grants.

**Recommendation 7:** The Committee recommends that the Welsh Assembly Government develops a code of practice for consultation and meaningful community engagement which should be followed by local authorities in managing this process.

**Response:** Accept in principle

I can broadly accept this recommendation. Future practical guidance on bringing forward statutory proposals will aspire to extend the good practice on undertaking consultation that already exists. It may not be appropriate to be overly prescriptive and issue a code of practice, but it will be made clear that interested parties need sufficient information and sufficient time to make their views known when they are asked to respond to proposals for change.

**Financial Implications** – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2009/10)

**Recommendation 8:** The Committee recommends that the Welsh Assembly Government guidance includes the need for openness and transparency by LEAs when consulting on school reorganisation proposals. The Committee expects that active informed and meaningful consultation is at the heart of this process.

**Response:** Accept

I accept the need for consultation to be of the highest possible quality. The revised circular indicates that the sufficiency of consultation is a consideration when I need to determine whether statutory proposals which have resulted in objections should be approved. Officials in my department are also responsible for providing practical guidance to local authorities who are considering changes to schools. Revised guidance is currently under development. Consultation issues form part of that guidance.

**Financial Implications** – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2009/10)

**Recommendation 9:** The Welsh Assembly Government in their revised guidance should clarify and formalise the roles of all stakeholders in the closure process. The revised guidance should be clear in expecting local authorities to proactively inform local communities and then to help those communities to participate in a debate on the future configuration of primary

education in any given area.

**Response:** Accept in principle

Guidance recently subject to consultation is the broad policy guidance which sets out the principles that are relevant to considerations about reorganising schools. Guidance on procedural matters such as consultation and engagement with interested parties is due to be revised within the next year. That guidance will include examples of good practice on consultation with interested parties and will aim to share that practice amongst authorities. I expect local authorities to engage thoroughly with the main stakeholders when consulting on proposals to change school provision. The key stakeholders will vary according to the nature of the proposal. Some changes might have relatively little impact beyond the parents, pupils and schools involved whilst in other cases, impacts will be far-reaching. The revised guidance will encourage authorities to carefully consider the question of who would be affected by change so as to ensure engagement with all relevant parties.

**Financial Implications** – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2009/10)

**Recommendation 10:** The Committee recommends that the Welsh Assembly Government commissions research into the academic and social effects on children after they have moved to a larger school.

**Response:** Accept in principle

Whilst I accept in principle, this requires further consideration in conjunction with recommendation 11. Whilst I fully understand the Committee's purpose in making this recommendation this is a difficult area in which to conduct meaningful quantitative research. Whilst it is possible to identify a suitable, albeit very small sample and measure academic achievement, it would not be possible to identify the many influences on pupil outcomes amongst the sample, nor identify if attainment is better or worse than it would otherwise have been. It would be more appropriate to consider effects of transfer to a larger school alongside the type of social qualitative research suggested in recommendation 11.

**Financial Implications** – To be assessed once further consideration of scope for research is completed.

**Recommendation 11:** The Welsh Assembly Government should commission research to assess and to fully understand the impact of school closures on communities in rural Wales.

**Response:** Accept in principle

Whilst I accept this recommendation in principle, I need to consider this recommendation in conjunction with recommendation 10 further in order to ascertain the feasibility and scope of the recommended research. An initial step could be to undertake a review of any existing research and information on the impact of school closures, including the impact on communities and on the educational and other outcomes for pupils before deciding whether any new research is required. Since this recommendation cuts across other Ministerial portfolios, it is important that all those with an interest in such impacts are involved in discussions about the proposition. I am asking officials to provide me with further advice after discussions have been held.

**Financial Implications** – To be assessed once further consideration of scope for research is completed.

**Recommendation 12:** LEAs should carry out robust community impact assessments prior to the closure of any small school. The Welsh Assembly Government should provide guidance to LEAs on undertaking such community impact assessments based upon its research.

**Response:** Accept

I can broadly accept this recommendation. Current guidance already indicates that for school closure proposals, the overall effect on the community of closure and the extent to which the school is serving the whole community as a learning resource is a relevant consideration. Where a school is a focal point for community activity and its closure could have implications beyond the issue of education, it is expected that cases presented for Ministerial determination should show that options for maintaining community facilities in the area have been considered. The revised draft guidance suggests that that consideration by local authorities should be formalised as a community impact assessment. If research on impacts is commissioned then that could inform, in due course, a local authority's consideration of community issues. In the meantime authorities will continue to use their own judgement on how to assess the impact of a closure. Current guidance makes it clear that whilst the interests of the local community should be taken into account, educational interests should always be the prime concern. Revised guidance will continue to reflect this position.

**Financial Implications** – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2008/09 or 2009/10)

**Recommendation 13:** That the impact on the Welsh language be considered as a major determinant when local authorities take decisions in school closures.

**Response:** Accept

I can broadly accept this recommendation. Revised draft guidance suggests that potential impact on the Welsh language should be assessed by local

authorities prior to bringing forward proposals. Impacts on the language within schools and on standards of pupils' learning are of the greatest importance. Local authorities that have brought forward proposals for the reorganisation of schools where pupils are taught mainly through the medium of Welsh have historically offered equivalent schools as alternatives. Local authorities have therefore already been addressing this issue.

**Financial Implications** – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2008/09 or 2009/10)

**Recommendation 14:** The Committee recommends that the Welsh Assembly Government reviews the process for reorganising schools to strengthen the role of local education authorities, supports them in their responsibilities in the reorganisation process and gives consideration to transferring the right to hear appeals against school reorganisation proposals to an independent arbitrator.

**Response:** Accept in principle

I can accept this recommendation in principle. Local authorities already have the power to make changes to schools as provided for by the School Standards and Framework Act 1998. My department assists authorities with guidance on the procedures that are necessary as a result of that legislation. I have the role of deciding contested proposals. The sub-committee report recognises the current division of responsibilities. Changes to the procedures and responsibilities in the manner suggested by the sub-committee would necessitate fresh legislation. I am willing to give consideration to the Sub committee's suggestions, contained in this recommendation, including that of transferring decision making to an independent arbiter, but this will require substantial investigation by my department. In the meantime I am content with the robustness of current legislation and the extent to which it permits authorities to engage with those affected by proposed change.

**Financial Implications** – none arising from the consideration of transferring powers.

**Jane Hutt AM,**  
**Minister for Children, Education, Lifelong Learning and Skills**

**Recommendation 8:** The Committee recommends that the Welsh Assembly Government guidance includes the need for openness and transparency by LEAs when consulting on school reorganisation proposals. The Committee expects that active informed and meaningful consultation is at the heart of this process.

**Recommendation 9:** The Welsh Assembly Government in their revised guidance should clarify and formalise the roles of all stakeholders in the closure process. The revised guidance should be clear in expecting local authorities to proactively inform local communities and then to help those communities to participate in a debate on the future configuration of primary education in any given area.

**Recommendation 10:** The Committee recommends that the Welsh Assembly Government commissions research into the academic and social effects on children after they have moved to a larger school.

**Recommendation 11:** The Welsh Assembly Government should commission research to assess and to fully understand the impact of school closures on communities in rural Wales.

**Recommendation 12:** LEAs should carry out robust community impact assessments prior to the closure of any small school. The Welsh Assembly Government should provide guidance to LEAs on undertaking such community impact assessments based upon its research.

**Recommendation 13:** That the impact on the Welsh language be considered as a major determinant when local authorities take decisions in school closures.

**Recommendation 14:** The Committee recommends that the Welsh Assembly Government reviews the process for reorganising schools to strengthen the role of local education authorities, supports them in their responsibilities in the reorganisation process and gives consideration to transferring the right to hear appeals against school reorganisation proposals to an independent arbitrator.

# Agenda Item 6.10

**PET(4)-05-11 Paper 14a**

**P-03-153 Body Piercing**

**Petition wording**

We call upon the National Assembly for Wales to place restrictions on the age at which a minor can have body piercing. The age for body piercings, other than the ears and nose, should be regulated up to the age of 16 years.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-153.htm>

**Petition raised by:** Councillor Russell Downe

**Number of signatures:** 14



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-03-153  
Ein cyf/Our ref LF/LG/5101/11

William Powell AM  
Chair - Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA  
committee.business@Wales.gsi.gov.uk

12<sup>th</sup> October 2011

Dear Bill,

I refer to petition P-03-153 which called upon the National Assembly for Wales to: "place restrictions on the age at which a minor can have body piercing. The age for body piercings, other than the ears and nose, should be regulated up to the age of 16 years".

As stated in my letter of 5 July, I have decided to undertake a consultation in order to seek views from the public and stakeholders on the cosmetic piercing of young people. I attach a list of stakeholders who will be specifically consulted during the consultation. The consultation will be published on the Welsh Government website on 18<sup>th</sup> October 2011 and will run until the 31<sup>st</sup> January 2012.

Yours sincerely

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

# Cosmetic piercing of young people Consultation distribution list

## Academic and Research bodies

- Cardiff Institute of Society, Health and Ethics
- Health Information Research Unit for Wales
- Institute of Medical and Social Care Research
- London School of Hygiene and Tropical Medicine
- Liverpool School of Tropical Medicine
- Welsh Universities with Healthcare schools
- Welsh Universities with Law schools

## Advisory groups

- Advisory Group of Hepatitis
- Expert Advisory Group on Aids
- Joint Committee on Vaccination and Immunisation
- Chairs and secretaries of the Welsh Health Statutory Advisory Committees

## Charities

- Action for Children Wales
- Barnardos
- Carers Wales
- Children in Wales
- Council for Wales Voluntary Youth Services
- Family Planning Association
- Hepatitis C Trust
- Liberty
- Mothers' Union
- National Aids Trust
- NSPCC
- The Patient's Association
- Parenting UK
- The Patient's Forum
- Rathbone Cymru
- Save the Children Wales
- Snap Cymru
- Terrence Higgins Trust
- Wales Council for Voluntary Action

## Local Government

- Children and Young People's Partnerships in Wales
- Directors of Public Protection Wales
- LACORS
- Local Authorities in Wales
- Local Better Regulation Office
- The Society of Local Authority Chief Executives
- Wales Heads of Environmental Health Group
- Welsh Local Government Association

- WLGA
- Youth Forum coordinators

## **NHS**

- Community Health Councils in Wales
- Health Protection Agency
- Local Health Boards in Wales
- Healthcare Inspectorate Wales
- National Leadership and Innovations Agency in Healthcare
- NHS Trusts in Wales
- Welsh Blood Service
- Welsh Health Specialised Services Committee

## **Representative Organisations**

- The Academy of Medical Royal Colleges Wales
- The Association of Directors of Public Health
- Audit Commission
- British Association of Dermatologists
- British Body Piercing Association
- Biochemical Society
- The British Dental Association (Wales)
- The British Medical Association (Wales)
- The British Medical Association (Wales) General Practitioners Committee
- British Retail Consortium
- Care Council for Wales
- CBI Wales
- Chartered Society of Physiotherapy
- Chief Probation Officers in Wales
- Church in Wales
- Christian Science Committees on Publication
- College of Occupational Therapists
- Community Pharmacy Wales
- Consumer Focus Wales
- The Chartered Institute of Environmental Health in Wales
- Children's Commissioner Wales
- Citizen's Advice Cymru
- The Community Practitioners and Health Visitors Association
- The Ear Piercing Manufacturers of Europe LTD
- Equality and Human Rights Commission
- The Faculty of Public Health
- The Federation of Small Businesses in Wales
- The Forum of Private Business
- Gofal Cymru
- GMB
- Guild of Health Care Pharmacists
- Habia
- Institute of Health Care Management Wales
- International Planned Parenthood Federation
- MEWN Cymru
- NHS Centre for Equality and Human Rights
- Nursing and Midwifery Council
- Optometry Wales
- One Voice Wales

- Older People's Commissioner for Wales
- PHA Cymru
- The Public and Commercial Services Union
- Public Services Ombudsman for Wales
- RNID Wales
- RNIB Wales
- The Royal College of General Practitioners Wales
- The Royal College of Midwives Wales
- The Royal College of Nursing Wales
- The Royal College of Paediatrics and Child health
- The Royal College of Pathologists
- The Royal Pharmaceutical Society of Great Britain
- The Royal College of Physicians
- The Royal Society for Public Health
- The Royal Society of Medicine
- The Society of Applied Microbiology
- Society for General Microbiology
- The Society for Social Medicine
- Society of Sexual Health Advisers
- Socialist Health Association
- South Wales Chamber of Commerce
- Tattooing and Piercing Industry Union
- UNISON
- UNITE
- Wales Audit Office
- Wales Carers Alliance
- Wales Council for the Blind
- Wales Council for the Deaf
- Wales TUC
- Well-being Wales
- Welsh Combined Centres for Public Health
- Welsh Language Board
- West Cheshire & North Wales Chamber of Commerce
- Youth Justice Board

### **Other**

- Cosmetic piercing operators in Wales
- Clic online
- Department of Health
- The Department of Health, Social Services and Public Safety, Northern Ireland
- Food Standards Agency
- Funky Dragon
- The Health and Safety Executive
- Ministry of Justice
- Mums net
- Petitions Committee
- Scottish Government

**PET(4)-05-11 Paper 15a**

## **P-03-292 Public Toilet Provision**

### **Petition wording**

We, the undersigned, call upon the National Assembly for Wales to investigate the health and social well-being implications resulting from public toilets closures and to urge the Welsh Government to issue guidance to local authorities to ensure adequate public toilet provision.

### **Link to petition:**

<http://senedd.assemblywales.org/mgIssueHistoryHome.aspx?IId=887>

**Petition raised by:** Cllr Louisa Hughes

**Number of signatures:** 430

### **Supporting information:**

#### **The state of public toilets in Wales**

From research conducted by Age Cymru in Spring 2010, 434 older people from across Wales, with a representation from every local authority, were asked the following question:

**‘How good is the access to public toilets in your local area? Are they safe and of a high standard?’**

- The average rating given to public toilets by 434 older people, from across Wales, is 3 out of 10
- 31 per cent (134 of 434) gave public toilets a rating of 0 out of 10
- 41 per cent (177 of 434) gave public toilets a rating of 0 or 1 out of 10
- 54 per cent of older people gave public toilets in their area a rating of 3 or below (out of 10).
- 61 per cent of older people gave a rating of less than 5 out of 10 for public toilets in their area.
- Only 3 per cent (12 people from 434) gave public toilets in their area a rating of 10 out of 10

**Nowhere to Go report into public toilet closures in Wales published by Help the Aged in Wales in January 2009 states that:**

1. 95 per cent of respondents found that their local public toilets are not open when they need them;
2. 79 per cent of respondents do not find it easy to find a public toilet;
3. 62 per cent of respondents agree that the lack of public toilets in their area stops them from going out as often as they would like;
4. 78 per cent of survey respondents told us that public toilet provision in their area does not meet their needs;
5. 80 per cent of respondents are frequently disturbed by the lack of cleanliness of their local public toilets;
6. 84 per cent of respondents find that safety concerns make public toilets unappealing;
7. 87 per cent of survey respondents felt that shops and businesses should make more effort to provide public toilet facilities;

**Welsh Assembly Government: A statistical focus on Age in Wales** states that in 2009 1 in 4 people are aged 60 or over. However by 2030, 1 in 3 people will be aged 60 or over.

Pwyllgor Cymunedau, Cydraddoldeb a  
Llywodraeth Leol

Communities, Equality and Local Government  
Committee

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

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff  
CF99 1NA

11 October 2011

Dear William

**Petitions: P-03-292 Public Toilet Provision; P-03-301 Equality for the  
Transgender Community**

Thank you for your letter of 29 June, in which you notified me that the Petitions Committee had referred two petitions to the Communities, Equality and Local Government Committee.

I am sure you will appreciate that the remit of the Committee is extremely broad and that it needs to consider a range of subjects. At the moment, the Committee's schedule is full, and the Committee will not be able to look at these subjects.

However, the Committee appreciates that these are important issues and we will ensure that they are considered as possible topics for inquiries when the Committee considers its forward work programme.

Yours sincerely

Cadeirydd / Chair  
Communities, Equality and Local Government Committee

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg / We welcome correspondence in both English and Welsh  
Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol / Communities, Equality and Local Government Committee  
Gwasanaeth y Pwyllgorau / Committee Service  
Ffôn / Tel : 029 2089 8429  
Ebst / Email : [Communities.Equality&LocalGov@wales.gov.uk](mailto:Communities.Equality&LocalGov@wales.gov.uk)



**Y Pwyllgor Menter a Busnes  
Enterprise and Business Committee**

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

10 October 2011

Dear William

**Petition P-03-292 Public Toilet Provision**

Thank you for your letter dated 27 September referring the above petition to the Enterprise and Business Committee as part of our inquiry into the regeneration of town centres.

The issue of public toilets has cropped up in our inquiry, so we shall keep you informed if we do reach any conclusions or make recommendations in our report. However, I understand that the Health and Social Care Committee will be carrying out a short inquiry into the subject.

Yours sincerely,

Nick Ramsay AM  
Chair, Enterprise and Business Committee

Bae Caerdydd  
Cardiff Bay  
CF99 1NA



**Y Pwyllgor Iechyd a Gofal Cymdeithasol**  
**Health and Social Care Committee**

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



**William Powell AM**  
Chair  
Petitions Committee  
National Assembly for Wales

18 October 2011

Dear William

**P-03-292 Public Toilet Provision**

Thank you for your letter of 28 September providing additional information from the petitioner in relation to the above petition.

At our meeting on 12 October, the Health and Social Care Committee considered the petition and agreed to schedule a session after the Christmas recess to consider the issues raised by the petition on public toilet provision. I will let you have further details in due course.

Yours sincerely

*Mark Drakeford*

**Mark Drakeford AM**  
Chair

Bae Caerdydd  
Caerdydd  
CF99 1NA

Cardiff Bay  
Cardiff  
CF99 1NA

Ffôn / Tel: 029 2089 8403  
E-bost / Email: [HSCCommittee@wales.gov.uk](mailto:HSCCommittee@wales.gov.uk)

# Agenda Item 6.12

**PET(4)-05-11 Paper 16a**

## **P-03-318 Cross-border maternity services**

### **Petition wording**

We, the undersigned, note the proposal to move the consultant-led maternity unit, neonatal intensive care unit and child inpatient unit from the Royal Shrewsbury Hospital (RSH) to the Princess Royal Hospital (PRH) at Telford.

We believe this would cause a great deal of hardship and stress for patients and their families travelling from Montgomeryshire. It would add an extra twenty minutes onto a journey which is already fifty minutes at best and ambulance response times will inevitably be significantly increased.

It is vital that these proposals are not considered in isolation to proposals in Wales and that the Welsh Government adopts a strategic approach to cross border health issues, to ensure that the needs of patients from Mid Wales are fully represented in any proposals at catchment hospitals.

We therefore call on the National Assembly to urge the Welsh Government to fully engage in the 'Keeping it in the County' consultation process, to ensure that patients from Mid Wales are not disadvantaged by any changes.

**Link to petition:** <http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-317.htm>

**Petition raised by:** Mrs Helen Jervis

**Number of signatures:** 164



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

Bwrdd Iechyd  
Addysgu Powys  
Powys Teaching  
Health Board

Y Prif Weithredwr

Chief Executive

Ffôn: 01874 712662

Phone: 01874 712662

Ffacs: 01874 712554

Fax: 01874 712554

E-bost/Email : Andrew.cottom@wales.nhs.uk

Ref: AC/CS/sj

1<sup>st</sup> September 2011

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

*William*  
Dear Mr Powell,

**P-03-318 Cross Border Maternity Services**

Thank you for your letter of 29 June 2011 highlighting the Petition Committees consideration of the petition calling for the Welsh Government to engage with the 'Keeping it in the County' consultation process, and for seeking the views of the teaching Health Board on the proposed changes.

I attach for your information the letter of response to the consultation that the teaching Health Board submitted into the process. The letter summarises the involvement the teaching Health Board had during the consultation process and in particular the establishment of a response based upon:

- the views of the public who attended consultation events in Powys,
- the views of front line staff, many of whom are residents and some are service users themselves,
- the views of clinical leaders in the specialties in question,
- the views of other key stakeholders such as Welsh Ambulance NHS Trust; and
- the case for change put forward by the Shrewsbury and Telford NHS Trust.

One of the teaching Health Boards key objectives for its population is to help people to stay well. Our focus on public health is ever increasing and considerable efforts are being placed on ensuring the health and wellbeing of our population.

Pencadlys y Bwrdd Iechyd  
Y Plasty, Bronllys, Aberhonddu, Powys LD3 0LS  
Ffôn: 01874 711661 Ffacs: 01874 711601



Health Board Headquarters  
Mansion House, Bronllys, Brecon, Powys LD3 0LS  
Tel: 01874 711661 Fax: 01874 711601

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



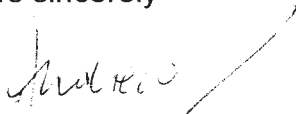
We welcome correspondence in Welsh  
Powys Teaching Health Board is the operational name of  
Powys Teaching Local Health Board

Where our population does need to access health services, we endeavour to provide these as local as possible. We are having considerable success in providing a greater range of services within Powys, whereby our population would previously have had to travel. We also have further work underway specifically in relation to maternity services to explore whether we can safely provide enhanced local services for care which women are currently travelling further afield to access.

Where more specialist care is required, we want our population to access the best care as near as possible. There is no doubt that there will be circumstances in which clinical practice developments mean that in order to access specialist services people will be required to travel. Although such changes to the way in which services are configured are likely to affect large parts of the Wales population, the rurality of mid Wales does bring this into sharp focus. The teaching Health Board is acutely aware of issues regarding access and is committed to both informing and influencing the debate and decisions in relation to service configuration.

I hope the information assists the Committee, however please do not hesitate to contact me for any further information you feel will assist or for any points of clarification.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Cottom', with a long, sweeping flourish extending to the right.

**Andrew Cottom**  
**Chief Executive**



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

Bwrdd Iechyd  
Addysgu Powys  
Powys Teaching  
Health Board

Y Prif Weithredwr

Chief Executive

Ffon: 01874 712716

Phone: 01874 712716

Ffacs: 01874 712554

Fax: 01874 712554

E-bost/Email: Andrew.cottom@wales.nhs.uk

Our ref: AC/NT

11 March 2011

Ms Jo Chambers  
Chief Executive  
Shropshire County PCT

Mr Leigh Griffin  
Chief Executive  
NHS Telford and Wrekin

Mr Adam Cairns  
Chief Executive  
Shropshire & Telford  
Hospital NHS Trust

Dear Colleague

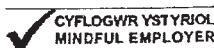
**Consultation on "Keeping it in the County" – securing the future of hospital services in Shropshire, Telford and Wrekin**

The purpose of this letter is to provide the formal response of Powys teaching Health Board to the above consultation document.

In compiling our response, we have drawn on a number of documents, discussions and presentations in order to provide as well informed a position as possible. This has included:

- The views of our clinicians who we acknowledge were consulted in the formation of the consultation document. In particular we have sought the views of those who actively provide treatment as part of the pathways of care associated with the Shrewsbury and Telford Hospitals.
- Presentation and discussion with our Board given by Adam Cairns and colleagues. We were grateful to Adam for taking the time to do this and a subsequent meeting that was held between the Chairmen and Chief Executives.
- The senior Executives from the Health Board attending the public consultation events that were organised by the Montgomeryshire Community Health Council in Llanidloes, Welshpool and Newtown. As we made clear at the events, our attendance was to hear the views of the public.

Pencadlys y Bwrdd Iechyd  
Y Plasty, Bronllys, Aberhonddu, Powys LD3 0LS  
Ffôn: 01874 711661 Ffacs: 01874 711601



Health Board Headquarters  
Mansion House, Bronllys, Brecon, Powys LD3 0LS  
Tel: 01874 711661 Fax: 01874 711601

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



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

In the first instance we would like to acknowledge the issues that have led to the need for you to consider reconfiguring services. The drivers for change are not uncommon across the UK with many areas facing similar issues. We have been convinced, through your presentations and document, that doing nothing is not an acceptable option and that change in a number of areas is necessary. However, we are not at this stage in a position to fully support these proposals as we believe there remain a number of concerns that need to be resolved.

It is clear that your proposed resolution to the matters does, at this stage, disadvantage the population of north east Powys for whom we are responsible for securing services. In particular, we feel that the disadvantages are in terms of:

- Increased travel distance – whilst we accept that you need to take a whole population view of your catchment, the proposals do have a particular impact on those living on the western edges of your current catchment area. In addition, whilst the numbers of people affected can be argued as being relatively low in terms of episodes of hospital treatment, those episodes will be for the more severe situations which require longer and more intensive treatment. We are concerned that this will have a disproportionate impact on young families and their relatives. The distance increases will add additional stress to already stressful situations.
- Associated with the increased travel distance is an increased risk which you acknowledged. Evidence shows that in some situations the shorter the time taken to reach place of treatment, the more successful the outcome for the patient. At this stage, the plans do not include appropriate compensation particularly in terms of additional ambulance services.
- We are concerned that underlying the increased distance issue is a question over the longer term viability of two sites providing the more acute services and that the configuration you are proposing compromises both Shrewsbury's and Telford's positions.

Therefore, it is not possible for the Health Board to fully support the proposals without the specific issues being addressed.

### **Maternity/Obstetric Services**

From the information we have received the move appears to be generated by an economic calculation associated with replacing the obstetrics/neonatal block in Shrewsbury. From the presentations this emerged as a main driver for change for these services. In our view this has usefully highlighted a service quality issue that does need to be addressed and for which we would like to discuss what immediate steps

that can be taken to improve the facilities available to the women and babies of north Powys.

As part of our consideration, we have discussed the proposals with our midwifery service. As you are aware they are providing an acclaimed midwifery-led service which achieves recognised high levels of home and local birth centre midwifery-led births. Where hospitalisation is necessary it is also achieving a lower than average caesarean section rate. We acknowledge that this high quality service is part of a partnership between our midwifery-led services and your own obstetric-led services in Shrewsbury and that there are significant governing arrangements in place between the services.

However, it does need to be acknowledged that:-

- The proposal to move services to Telford will mean that midwives are spending more time out of their natural catchment area and that in order to sustain current levels of safety is likely to require additional resources which are not incorporated within your proposal.
- The additional travel times leads to there being a need to review risk thresholds which may, in turn, impact on demand figures that you are assuming.
- The existing service has been built up over a large number of years and is based on well established protocols and relationships. The change being proposed will be disruptive and the impact on these should not be under-estimated.

The issues related to the increased distance will have an impact on our ambulance services. Whilst the numbers of patient transfers involved are relatively low, at the point at which they occur, the incidents are often intensive and represent a significant drain on ambulance resources for a protracted period of time. This will need to be addressed ahead of any changes. As we discussed with Adam, there may be a need for us to work to achieve reciprocal arrangements between the West Midlands Ambulance Service and the Welsh Ambulance Service to ensure cross cover. There may well also be a need to increase the resources available to our ambulance services in order to maintain safety.

The final concern we have in relation to Obstetrics/Maternity services is the one of strategy. It is our responsibility to secure, for our residents, services that are safe and as accessible as possible. To this end we will consider whether pathways to other providers are of equal or increased benefit to our residents to ensure that we can compensate for any drift or move to Telford. Given the long history of links into Shrewsbury, we would like to see this process supported by yourselves and I am grateful that this dialogue has started.

### **Children's Services (including neonates)**

Some of the issues for children's services and neonates are similar to those as maternity services. Through the presentations it was made clear that the absolute numbers of episodes involved were fairly low and that there will remain a 24 hour assessment service within Shrewsbury. However, for those children and families requiring treatment in Telford, the level of intensity, the length of stay and the disruptive impact on vulnerable families is high. The operational planning associated with the move of children's services also appears to us to be one which is more complex as it represents the whole transfer of a service rather than from one site to another. It was also of concern to us that we have received copies of correspondence indicating some of lack of support for the proposals from your own clinicians. Clearly for such moves to work the majority of clinical support is required.

### **Surgery**

The moves being proposed for surgery do not disadvantage the population of Powys and also would be consistent with ensuring sustainable position in Shrewsbury. We are re-assured by you that the maintenance of critical care services on both sites could be achieved and that this did not represent a risk.

It is clear from the above that the key areas are in relation to moves of Obstetrics and Children's (inc Neonatal) services. From the information we have gathered, including our public's concern, we are of the view that there remain a number of issues that need to be addressed in advance of any final decision. Whilst we acknowledge that no moves would take place for 18 months, we believe that at this stage of consultation, the key questions we have raised should have been addressed. The Health Board is, therefore, not in a position to fully support your proposed configuration at this stage.

Yours sincerely



**Chris Mann**  
Chair



**Andrew Cottom**  
Chief Executive





Cyngor Iechyd Cymuned Maldwyn  
Tŷ Ladywell  
Y Drenewydd  
Powys  
SY16 1JB

Montgomeryshire Community Health Council  
Ladywell House  
Newtown  
Powys  
SY16 1JB

SIR DREFALDWIN | MONTGOMERYSHIRE

JDA/EL

P-03-318

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

*Dear William,*

**P-03-318**  
**CROSS BORDER MATERNITY SERVICES**

1. Thank you for your letter dated 29<sup>th</sup> June 2011 concerning the petition received by your committee.
2. Your letter was discussed by Montgomery Community Health Council at its council meeting held on 14<sup>th</sup> September. As you may be aware the Community Health Council (CHC) played a significant role in the public consultation undertaken by the Shropshire and Telford NHS Trust. At the CHC's previous council meeting held on 2<sup>nd</sup> March 2011, the CHC's then Chief Officer reported concerning the three public meetings held in Montgomeryshire. A copy of the relevant minute is attached for your information. The minute advises it appeared that there was little or no support in Montgomeryshire (presumably from those who had attended the public meetings) for the changes proposed by the Trust. Concerns were expressed strongly about the changes being promoted in respect of obstetric and paediatric services. Your committee will wish to note that members of the public had voiced their desire not to have to travel to Telford or Wrexham. I hope the committee will

Continued/  
ffôn | tel: 01686 627632  
ffacs | fax: 01686 629091  
e-bost | e-mail: [info@montchc.org.uk](mailto:info@montchc.org.uk)

-2-

William Powell AM

20 September 2011

recognise the well established west to east flow from Montgomeryshire to hospital services in Shrewsbury. This is the case both for individuals using private and public transport. Journey times, particularly for ambulance vehicles in an emergency, are shorter to Shrewsbury than to Wrexham and clearly shorter to Shrewsbury than to Telford.

3. John Howard, Chief Officer, Montgomeryshire CHC wrote on 10<sup>th</sup> March 2011 to the Shropshire Primary Care Trust setting out the response of Montgomeryshire CHC to the proposals. The conclusion of the CHC was and remains that it does not agree that the proposed movement of the obstetric and paediatric services to Telford is in the interests of patients living in mid-Wales. The CHC considered that health care in the areas of mid-Wales would be put at greater risk as a consequence of the proposed transfer of services to Telford from Shrewsbury. For ease of reference a copy of Mr Howard's letter is enclosed. From his letter, your committee will note that the CHC seeks a "better mechanism for open involvement recognising that there is, currently, a dependence upon safe services being available at Shrewsbury Hospital".

4. I am sure that your committee will wish to take many matters into consideration in relation to the petition presented to you. In our view, there remains a requirement for a continuing dialogue and engagement concerning the proposed service changes. This dialogue may need to take place at a number of levels, not least at the governmental level, as well as that involving the public and patients.

5. I trust that the foregoing will assist your committee. If you require further information please let me know

Yours sincerely



**J David Adams**  
**Interim Chief Officer**

Encs.

**4. RESTRUCTURING OF SERVICES IN SHROPSHIRE**

The chief officer reported that three public meetings had now been held in Montgomeryshire, attended by 150 people in Llanidloes, 250 in Welshpool and 350 in Newtown. Representatives from SaTH gave presentations at these meetings and explained what changes were proposed and why these changes were thought to be necessary. It appeared that there was little or no support in Montgomeryshire for these changes, concern was strongly expressed about Maternity and Services for Children. The public would not wish to have to travel to Telford or even Wrexham. Representatives including the Chief Executive from Powys teaching Health Board attended the meetings. The CHC were agreed that the meetings were very informative.

The chief officer said that it was difficult to gauge the stance of the Welsh Assembly and Powys Health Board on the restructuring proposals. The CHC and the general public they represent would not wish to lose any services from Shrewsbury and there was concern that the service may be poorer due to access issues if moved to Telford. Health services should be in the best place for patients to access. He added that services were of the best clinical quality at Telford but the additional travel time still gave cause for concern.

Members said that these issues had been under discussion for four years, their main concerns were emergency maternity and children's services, if there was no capacity for Welsh children at Wrexham where would they have to travel to then?

Adrian Osborne said that Adam Cairns was concerned about travel times and wanted the whole journey to be as quick as possible.

The chief officer said that services in Wrexham and Bronllys were to be maintained.

Mr Osborne informed members that the Trust would continue to meet representatives of other organisations concerned to discuss the ongoing debate. Plans were being made for a cross border rural symposium possibly in June, it was hoped to maintain as many rural services as possible.



Cyngor Iechyd Cymuned Maldwyn  
Tŷ Ladywell  
Y Drenewydd  
Powys  
SY16 1JB

Montgomeryshire Community Health Council  
Ladywell House  
Newtown  
Powys  
SY16 1JB

SHROPSHIRE | MONTGOMERYSHIRE

10<sup>th</sup> March 2011

Reconfiguration of Hospital Services  
Oak Lodge  
William Farr House  
Shropshire County PCT  
Mytton Oak Road  
Shrewsbury  
SY3 8XL

Dear Sirs

### **Public Consultation – Keeping Hospital Services in Shropshire, Telford and Wrekin**

Montgomeryshire Community Health Council has statutory rights to represent the views of local people within the NHS. Consequently, we write in response to the public consultation document “Keeping it in County” on behalf of the 60,000 residents in Mid Wales that use services in the Shrewsbury and Telford Hospital NHS Trust.

There are over 20,000 individual appointment/treatments of Welsh residents at an annual cost of £21m. Between 700 and 800 people attended the public meetings in Mid Wales and there was no indication of support for the proposals whatsoever.

The CHC would like to congratulate the producers of the consultation document for its clarity and straightforward style. It is an easy document to read.

The CHC recognises the difficulties faced in Shropshire and the desire to minimise the drift of services into the West Midlands conurbation with its better resourced hospital network. The title of the document and its focus on Shropshire’s needs fails, in our view, to recognise the established historic link with Mid Wales.

The coming together of the Princess Royal and Royal Shrewsbury Hospitals was supported by the people of Mid Wales as it created a more sustainable product. We did ask that consideration be given to recognition of the contribution Mid Wales made to the new unified Hospital; this seems to have been ignored.

We are not convinced that these new proposals will strengthen the case to retain services in Shropshire as we see that, the more specialist services become, the greater the catchment area needed to support that service, both in numbers and financial terms. We already see patients being turned away from the Royal

ffôn | tel: 01686 627632  
ffacs | fax: 01686 629091  
e-bost | e-mail: [info@montchc.org.uk](mailto:info@montchc.org.uk)

-2-

## Consultation Response

10 March 2011

Shrewsbury Hospital in ambulances, being directed to Stoke or Wolverhampton, with no hope of achieving the time target for cardiac care. Such decisions have been made without consultation or information.

With the proposed changes in NHS England and the abolition of PCTs we cannot see Shropshire's hospital health economy growing and, by taking decisions that make Mid Wales review its commissioning, further compound the issue.

We are pleased that you have considered the clinical implications and propose that a better outcome should be available by creating single units. We would suggest, however, that patients have to arrive in a saveable condition before your excellent clinicians can perform their miracles. Extending access, distance and time could be fatal.

During the course of the public meetings, there was a focus primarily on obstetric and paediatric issues, with very vocal concerns about the extended travel distance to Telford. There was a general opinion that these services would be a higher risk than the current ones.

An option that has been suggested is that the midwifery unit at RSH could be transferred to another building in Shrewsbury (8 bedroomed detached buildings with ½ acre of land are available for £700,000) and that vacated unit be developed/transformed to accommodate the specialist maternity unit.

There is a view that, should an unexpected incident arise during a low risk birth, a travel time of up to 90 minutes may be problematical. Llanidloes is some 60 miles from Telford and has a journey time of 90 minutes. The statement in the Assurance Panel Report that the maternity pathway appears to offer better outcomes for a greater number of the population fails to continue with potentially worse outcomes for others. On neonates, to improve benefit for those reaching the consultant unit within 20 minutes, which seems to exclude most of rural Shropshire let alone all of Mid Wales.

We are very concerned that there has been no whole system approach to the financial costings, only limited costs have been considered without inclusion of additional cost to the Welsh commissioners, patients, potential insurance claims, etc. Should someone have extensive impairment which could be attributed to the extended journey, is the settlement figure worth considering? Accepting now that some people will be disadvantaged could open considerable complex legal issues and liabilities.

The report makes a case for a single unit but not for the siting of it. This decision seems to be based on finance. It seems to the CHC that a facility should be based where most people can access it. No evidence has been given reflecting this access on road network or travel times etc for the catchment area as a whole.

-3-

Consultation Response

10 March 2011


The CHC has concern about the demands that will be made on the ambulance services in Wales which can impact on emergency category A calls.

We appreciate that, since the start of the consultation process, there has been better communication between all NHS parties concerned, we regret this did not happen earlier so that the public would be able to know all the options that are available and that potential problems could be minimised. An underpinning conclusion by the majority of people attending the public meetings in Wales was that this was a done deal with no room for movement, it was information not consultation, and sent signals of 'consider options elsewhere'. The CHC has grave concerns over such a way forward which could result in significant changes to patient pathways and the resultant disruption to services, etc.

### **Conclusion**

The CHC does not agree that the movement of obstetric and paediatric services to Telford is in the interest of Mid Wales patients and, consequently, healthcare in these areas will be put at greater risk. We are concerned over other changes which have not been consulted and ask that there be a better mechanism for open involvement recognising that there is currently a dependence upon safe services being available at Shrewsbury Hospital. It is no use having the best services in the world if you cannot reach them.

Yours sincerely

  
An John Howard  
**Chief Officer**  
**Montgomery CHC**

Dear Abigail,

Thank you for updating me on the status of our petition. A cost-benefit analysis of Fracture Liaison Services has been conducted by the All-Wales Osteoporosis Advisory Group (WOAG). This was published in December 2009 and is available on pages eight and nine of the following online document:

<http://www.nos.org.uk/document.doc?id=564>. We would be delighted for this document to be placed on public record.

WOAG is an independent body, comprised of healthcare professionals with an interest in osteoporosis from across Wales. The National Osteoporosis Society is also represented on the group. The aims and objectives of WOAG include the provision of advice and guidance on matters related to osteoporosis. The current chair of WOAG is Dr Mike Stone.

WOAG estimated that the cost of establishing universal access to Fracture Liaison Services across Wales in 2010 and treating patients according to NICE Technology Appraisal 161 for five years thereafter was £2.8 million. The savings for NHS and social care attributable to fractures averted is estimated at £3.0 million, the majority being delivered during the first three years.

Since the report was written, the cost of prescribing Alendronate, a generic bone protecting treatment recommended by the National Institute for Health and Clinical Excellence (NICE) as the first-line treatment for osteoporosis, has fallen. Other bone-protecting treatments are also coming off patent, which means that the overall cost of providing a Fracture Liaison Service will also now be lower.

The Committee may also be interested in the health economic analysis of fracture prevention services undertaken by the UK Department of Health for England in 2009. This is available online at:

[http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/documents/digitalasset/dh\\_110099.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_110099.pdf). This provides an analysis of the fractures prevented and net cost-savings achieved at both national and local levels (examining a population of 320,000, the average population size served by an English primary care trust).

I hope that this is useful; please do let me know if you have any queries or would like any further information.

Kind regards  
Jeanette

Jeanette Owen  
Country Development Manager  
Wales, Northern Ireland & I.of Man

National Osteoporosis Society

# Agenda Item 7.2

PET(4)-05-11 Paper 18a  
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-03-302  
Ein cyf/Our ref JG/06483/11

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

14 October 2011

*Dear William,*

## **P-03-302 Compost Processing Plant**

Thank you for your letter of 28 September on behalf of the Petitions Committee advising that as a result of operational changes made at the Bryn Composting site and improved relations between local residents in Gelligaer and the Environment Agency Wales (EAW), the Committee has decided to bring deliberations on the Bryn Compost petition to an end.

I am pleased to hear that relations between EAW and local residents near to the Bryn Compost site have improved. I have been advised that improvements to the site are still ongoing and that these include new equipment and changes to how operations and processes at the site are managed.

My officials are in regular contact with EAW and will keep me apprised of developments.

*Best wishes,*

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