

Agenda – Petitions Committee

Meeting Venue:

Committee Room 1 – The Senedd

Meeting date: 5 June 2018

Meeting time: 09.00

For further information contact:

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1 Introduction, apologies, substitutions and declarations of interest
(Pages 1 – 33)

2 New petitions

2.1 P-05-815 Control Rapidly Expanding Intensive Poultry Industry in Wales
(Pages 34 – 60)

2.2 P-05-816 Say 'NO' to pheasant shooting on Welsh public land
(Pages 61 – 80)

3 Updates to previous petitions

Environment

The following two items are grouped together for consideration

3.1 P-04-399 Slaughter Practices
(Pages 81 – 84)

3.2 P-04-433 CCTV in Slaughterhouses
(Pages 85 – 88)

3.3 P-05-778 Protect the Razor Clams on Llanfairfechan Beach
(Pages 89 – 94)

3.4 P-05-786 Save our Countryside – Revise TAN 1
(Pages 95 – 99)



- 3.5 P-05-796 Calling on the Welsh Government to Ban The Use of Wild Animals in Circuses in Wales
(Pages 100 – 103)

Education

- 3.6 P-04-522 Asbestos in Schools
(Pages 104 – 107)
- 3.7 P-05-805 Fair Deal For Supply Teachers
(Pages 108 – 110)
- 3.8 P-05-807 Review and change the guidance for attendance awards in welsh schools
(Pages 111 – 112)

Economy and Transport

- 3.9 P-05-748 School Buses for School Children
(Pages 113 – 117)

Health

- 3.10 P-05-732 Unacceptable Waiting Times for NHS patients in A & E Wrecsam/Wrexham Maelor Hospital
(Pages 118 – 120)
- 3.11 P-05-751 Recognition of Parental Alienation
(Pages 121 – 133)
- 3.12 P-05-754 Lack of support for children with disabilities at crisis
(Pages 134 – 136)

4 Papers to note

- 4.1 P-04-472 Make the MTAN law

4.2 P-04-575 Call in All Opencast Mining Planning Applications
(Page 137)

4.3 Senedd@Delyn
(Page 138)

5 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for items 6 and 7 of today's business:

6 Consideration of draft letter- P-05-784 Prescription drug dependence and withdrawal – recognition and support
(Pages 139 – 143)

7 Forward Work Programme
(Pages 144 – 148)

8 Evidence Session – P-05-771 Reconsider the closure of the Welsh Independent Living Grant and support disabled people to live independently
(10.00 – 10.30) (Pages 149 – 154)

Nathan Lee Davies, Petitioner

Adam Samuels, Supporter

Angie Evans, Supporter

Document is Restricted

Agenda Item 2.1

P-05-815 Control Rapidly Expanding Intensive Poultry Industry in Wales

This petition was submitted by the Brecon and Radnor Branch of the Campaign for the Protection of Rural Wales having collected 2,469 signatures online and 2,098 on paper, a total of 4,567 signatures.

Text of Petition

We the undersigned call on the Welsh Assembly to urge the Welsh Government to take long-term strategic action to ensure that the poultry product industry is environmentally sustainable through effective delivery of the Environment (Wales) Act, Conservation of Habitats and Species Regulations 2017, the Well-Being of Future Generations Act and the Water Framework Directive (WFD).

Powerful agricultural drivers reinforced by BREXIT are increasing intensive egg & poultry production. The WG is ignoring the devastating environmental consequences for biodiversity, soil and water quality and avian and human disease. The public is vocal about poultry welfare but largely ignorant of the environmental impact of intensive poultry farming units (IPUs). "Free-range" egg units with concentrations of up to 2,500 birds/Ha are a particular risk (NRW report 218: Powys Poultry Pilot Study & INI nitrogen alerts 6/17).

Steep-sided valleys, high rainfall causing heavy nutrient run-off and populations of rare natural species make much of rural Wales wholly unsuitable for the current explosion of IPUs. After a decline from 1990, ammonia emissions have been increasing since 2010 (NAEI 2017 report for DEFRA). Critical loads of ammonia and nitrogen deposition (estimated thresholds for unacceptable damage to plant diversity) are far exceeded at some European & UK protected sites, Local Nature Reserves and Ancient Woodland. Excess phosphates threaten our watercourses (Wye & Usk Foundation 2017).

In failing to act on the evidence, WG, Natural Resources Wales (NRW) and Powys County Council (PCC) are neglecting the duty to "maintain and enhance biodiversity" (Environment Act Sec 6).

The WG must use its powers to control the industry:

1. *Provide proper resources for NRW to do urgent research, regulate and monitor IPU's and give better planning help to Local Planning Authorities (LPAs).*
2. *Issue planning policy and guidance to LPAs to improve decisions, ensure cumulative impacts are considered and monitor and enforce planning conditions.*
3. *Make the industry contribute towards the costs of regulation and monitoring and hold it to account for breach of environmental responsibility.*
4. *Publish transparent public reports on progress.*

Additional information

Our evidence is from Powys but our petition applies to all Wales.

Chair Diane McCrea confirms that NRW is shamefully under-resourced (BBC 14/12/17). NRW assesses impacts of IPU applications on European and UK nature sites and issues permits for IPU's over 40,000 birds. Improved NRW guidance (April 2017) covers cumulative impacts but assessment methods fail to prevent development where existing critical loads are exceeded.

The LPA assesses proper description of outdoor ranges and impacts on water quality, air quality, Local Nature Reserves, Ancient Woodland, landscape, residential amenity and local traffic.

LPAs lack the skills and resources for these responsibilities. PCC does not consider the cumulative impact of applications, together with all neighbouring IPU's, on the natural environment, landscape or rural residents. Schedule 2 Environmental Impact Assessment should ensure assessment of cumulative impacts but fails in practice. PCC is reluctant to award EIA status because the WG can overturn the decision (see P/2016/0608 & P/2017/0007).

CPRW has data on intensive poultry planning applications in Powys since 2011. In the last 30 months, there have been 99 APPLICATIONS involving over 3 MILLION BIRDS, of which 72 are for free-range eggs. Of the 99, only 10 have EIA status: 65 applications have been approved and ONLY ONE HAS BEEN REFUSED.

We have evidence of developments approved without contour or outdoor range mapping, close to nature reserves (71m), vulnerable ancient woodlands (adjacent) watercourses (10m) and residents (50m). Residents suffer health risks from flies, airborne ammonia, poultry dust, traffic-generated particulates and offensive smells. Environmental stakeholder and public objections are ignored, rare plant species are dying, disease risks are increasing and watercourses are failing WFD standards.

ENOUGH IS ENOUGH: A unique set of POWYS IPU DATA including applications, interactive map, hot-spot map and animated chronological IPU growth display can be viewed at <http://www.brecon-and-radnor-cprw.wales>.

Assembly Constituency and Region

- Brecon and Radnorshire
- Mid and West Wales

Petition: P-05-815 Control Rapidly Expanding Intensive Poultry Industry

Y Pwyllgor Deisebau | 5 Mehefin 2018
Petitions Committee | 5 June 2018

Research Briefing:

Petition number: P-05-815

Petition title: Control Rapidly Expanding Intensive Poultry Industry In Wales

Petition text:

We the undersigned call on the Welsh Assembly to urge the Welsh Government to take long-term strategic action to ensure that the poultry product industry is environmentally sustainable through effective delivery of the Environment (Wales) Act, Conservation of Habitats and Species Regulations 2017, the Well-Being of Future Generations Act and the Water Framework Directive (WFD).

Powerful agricultural drivers reinforced by BREXIT are increasing intensive egg & poultry production. The WG is ignoring the devastating environmental consequences for biodiversity, soil and water quality and avian and human disease. The public is vocal about poultry welfare but largely ignorant of the environmental impact of intensive poultry farming units (IPUs). "Free-range" egg units with concentrations of up to 2,500 birds/Ha are a particular risk (NRW report 218: Powys Poultry Pilot Study & INI nitrogen alerts 6/17).

Steep-sided valleys, high rainfall causing heavy nutrient run-off and populations of rare natural species make much of rural Wales wholly unsuitable for the current explosion of IPUs. After a decline from 1990, ammonia emissions have been increasing since 2010 (NAEI 2017 report for DEFRA). Critical loads of ammonia and nitrogen deposition (estimated thresholds for unacceptable damage to plant diversity) are far exceeded at some European & UK protected sites, Local Nature Reserves and Ancient Woodland. Excess phosphates threaten our watercourses (Wye & Usk Foundation 2017).

In failing to act on the evidence, WG, Natural Resources Wales (NRW) and Powys County

Council (PCC) are neglecting the duty to "maintain and enhance biodiversity" (Environment Act Sec 6).

The WG must use its powers to control the industry:

1. Provide proper resources for NRW to do urgent research, regulate and monitor IPUs and give better planning help to Local Planning Authorities (LPAs).
2. Issue planning policy and guidance to LPAs to improve decisions, ensure cumulative impacts are considered and monitor and enforce planning conditions.
3. Make the industry contribute towards the costs of regulation and monitoring and hold it to account for breach of environmental responsibility.
4. Publish transparent public reports on progress.

Background

There are two main aspects to the regulation of poultry units – the planning system (which is the responsibility of the local planning authority) and the environmental permitting system (which is the responsibility of Natural Resources Wales (NRW)). Broadly speaking, new units require planning permission and above certain thresholds also require an Environmental Impact Assessment (EIA). An environmental permit is also required above a certain threshold.

Planning

Planning applications for poultry units must be determined in accordance with the Local Development Plan unless material considerations indicate otherwise.

Local planning authorities must take into account the views of statutory consultees (e.g. NRW) and other bodies (e.g. Public Health Wales and local wildlife trusts) and anyone else, including members of the public, who have a view. It is for local planning authorities to satisfy themselves that they have sufficient information and expert advice available to them to properly determine applications.

With regards to EIA, Part 2 of the [*Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017*](#) details development proposals and associated thresholds defining where a development proposal constitutes EIA development. These are contained in Schedule 1 and 2 of the Regulations. Schedule 1 lists those developments where EIA is mandatory and Schedule 2 where the development must be screened to determine if it is EIA development.

Schedule 1 states that the threshold for the “intensive rearing of poultry is 85,000 places for broilers or 60,000 for hens”.

While an EIA is not a mandatory requirement for a proposed development, the floor area of many of the proposed buildings exceeds the applicable threshold of 500 square metres and therefore for the purposes of the Regulations is Schedule 2 development, requiring a screening opinion to be issued by the local planning authority. As such the local planning authority then considers the development against the criteria set out in the Regulations and whether it considers that the development constitutes EIA development or not.

More on EIA can be seen in the Research Service's [EIA Research Briefing \(PDF 1.90MB\)](#).

Environmental Permitting

The Welsh Government has previously provided the Research Service with the following summary:

Larger intensive units with 40,000 or more poultry places are closely regulated by Natural Resources Wales (NRW) under the environmental permitting regime in accordance with the requirements of the Industrial Emissions Directive.

At the heart of the regime are the requirements to apply the Best Available Techniques (BAT) for pollution control and the requirement to prevent any significant pollution.

BAT includes both the technology and the operational techniques necessary to prevent or reduce polluting emissions to air, land and water and impact on the environment as a whole – including noise and odour.

These and other requirements are applied by NRW through environmental permits, which specify a range of conditions in relation to how the units can be operated, such that the environment is protected.

As part of the permitting process, NRW carefully examine potential emissions against established environmental quality. NRW will only issue a permit allowing the unit to operate if they are satisfied that communities and the environment, including any sensitive habitats, will be protected and that no significant pollution will be caused.

Last year NRW issued updated guidance for the assessment of potentially polluting emission from intensive poultry units, for use by local Planning Authorities and in their own environmental permitting process.

In their updated guidance ([Guidance Note 20: Assessing the impact of ammonia and nitrogen on designated sites from new and expanding intensive livestock unit](#)) they set out tighter thresholds in relation to the requirement for operators to undertake detailed assessment of emissions of ammonia and nitrogen, which has enhanced the protection of sensitive habitats through the planning and permitting regimes.

This guidance was initially published October 2017 and [will be] subsequently reviewed [in] December 2018.

Other regulation

Poultry units are also subject to regulation relating to animal and human health disease risk, and animal welfare.

Afonydd Cymru action

Afonydd Cymru is the umbrella body for the six rivers trusts in Wales. In March 2018 it submitted a [complaint to the European Commission concerning agricultural pollution \(PDF 361KB\)](#) in Welsh rivers resulting in an alleged breach of the EU Water Framework Directive. The complaint asserts that the Welsh Government has failed to adequately regulate agricultural activity, including the poultry sector. The European Commission is currently considering the complaint.

Welsh Government action

The Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths AM, has provided a detailed letter to the Chair commenting on this petition and responding to the four requests it makes.

The Welsh Government has recently consulted on a revised version of its national planning policy, Planning Policy Wales (12 February – 18 May 2018). The [consultation draft](#) includes a section on the location of polluting development, see paragraphs 5.136 to 5.138.

National Assembly for Wales action

Simon Thomas AM [asked a question to the Cabinet Secretary on this issue](#) in the Assembly on 21 March 2018:

I've recently been in correspondence with you on planning issues around a development that's very significant in the mid and west region at the moment, which is the expansion of poultry units. We've seen a lot of applications coming in for free-range poultry. It's a response to the market; it's a response, partly, to Brexit, I think. It's something about the industry preparing itself for the future. So, there's no problem with that, but the planning rules around these units do seem to be rather rooted in the past, because we haven't dealt with such a large number before. Natural Resources Wales say that they don't make any remarks around planning applications around these units if they are not intensive farming, but, in fact, free-range poultry can be as polluting, or potentially as polluting, as intensive poultry; it's the nature of the way the hens are kept, particularly when they're indoors. So, are you absolutely sure that the current planning regime for free-range and other poultry units is fit for purpose?

The Cabinet Secretary replied:

You're absolutely right in saying that we are seeing an increase in the number of poultry units going through the planning system and are coming to fruition. And I do think it is about farmers diversifying and, certainly, I think Brexit is having an impact on this.

This is an area that I've actually asked for some advice on, because there was one up in north-east Wales, actually—not in my constituency—where I received a significant amount of correspondence, just absolutely pointing out that it can be much more intensive than some types of agriculture. So,

the short answer is 'No, I'm not', but I am looking for some advice around that to make sure that it is fit for purpose, and I'd be very happy to write to the Member once I've had that advice.

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

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



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-P/LG/1507/18

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

April 2018

Dear David,

Thank you for your letter of 9 April regarding Petition P-05-815 Control Rapidly Expanding Intensive Poultry Industry in Wales.

Poultry production is a vital part of Welsh agriculture. My vision is for a prosperous, resilient poultry industry promoting Wales' present and future well-being. This will be achieved by ensuring the highest standards of health and welfare, minimising use of antibiotics and reducing its impact on the environment.

Poultry farms are regulated under the Environmental Permitting Regulations by Natural Resources Wales (NRW) and careful consideration of the environmental impacts is required as part of the planning process for new units. The petition asks the Welsh Government to provide resources for NRW to do urgent research, regulate and monitor intensive poultry units and give better planning help to Local Planning Authorities (LPAs). NRW is the largest Welsh Government Sponsored Body with a total operating budget of £180 million. This Government continues to appropriately support and resource NRW and provided an uplift in its Grant In Aid funding in 2017-18.

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

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

I refer to the next representation within the petition; issuing planning policy and guidance to LPAs to improve decisions, ensure cumulative impacts are considered and monitor and enforce planning conditions. We are currently consulting on a revised version of Planning Policy Wales (PPW). We propose PPW should be restructured into policy themes, in light of the Well-being of Future Generations (Wales) Act 2015, around the well-being goals and the land use policy updated to reflect new Welsh Government strategies and policies. The consultation draft includes a section on the location of polluting development. The consultation is open for the public to comment until the 18 May.

Planning applications for poultry units must be determined in accordance with the Local Development Plan unless material considerations indicate otherwise. Local Planning Authorities must take into account the views of statutory consultees such as Natural Resources Wales, bodies such as Public Health Wales, Local Wildlife Trusts and other organisations or members of the public who have views about these applications. It is for Local Planning Authorities to ensure they have sufficient expert advice available to them to properly determine applications. If this is not available internally, such as from their ecologists or environmental health specialists they will need to procure external advice in the same way they do for other application types.

The petition asks the Welsh Government to make the industry contribute towards the costs of regulation and monitoring and hold it to account for breach of environmental responsibility. It also asks we publish transparent public reports on progress. NRW have produced extensive guidance to help customers applying for new bespoke intensive farm activities, or who want to expand their existing activity. [Guidance Note 20: Assessing the impact of ammonia and nitrogen on designated sites from new and expanding intensive livestock units](#), sets out how applicants must demonstrate they have considered the potential impacts of ammonia and nitrogen, from their activity. This guidance was initially published October 2017 and subsequently reviewed December 2018. Details of applications for new permits or variations of existing ones are available from NRW in line with transparency and public interest.

Poultry units of any size must also adhere to strict biosecurity requirements in their operation. Larger units are subject to greater regulatory controls for the protection against both animal and human health disease risk. This includes adherence to the Salmonella National Control Plan requirements. The Food Standards Agency is responsible for the enforcement of food hygiene standards at slaughterhouses and manages the health and welfare monitoring system applied at the slaughterhouse, when the broilers are presented for slaughter. The Animal and Plant Health Agency inspects broiler premises in Wales. Producers are responsible for investigating and monitoring the health status of all birds within the whole flock and also monitoring the housing, climate and environmental conditions of the building.

The welfare of poultry is protected by the Animal Welfare Act 2006. Section 9 of the Act, on the duty of a person responsible for animals to ensure welfare, sets out the needs of animals to include; a suitable environment; a suitable diet; ability to exhibit normal behaviour patterns; to be housed with, or apart from, other animals (as necessary), and; the need to be protected from pain, suffering injury and disease. The requirements of the Animal Welfare Act are supplemented by the Welfare of Farmed Animals (Wales) Regulations 2007 which detail the minimum standards under which farm animals must be kept, including those relating to freedom of movement and accommodation.

In addition, our Water Strategy for Wales commits to ensure Wales has a thriving water environment which is sustainably managed to support healthy communities, flourishing businesses and biodiversity.

Yours sincerely,



Lesley Griffiths AC/AM

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



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David J Rowlands AM
Chair National Assembly for Wales Petitions Committee
National Assembly for Wales
Cardiff
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30th May 2018

Dear Mr. Rowlands

PETITION TO CONTROL RAPIDLY EXPANDING POULTRY INDUSTRY IN WALES

We were disappointed not to have had the opportunity to discuss the petition and our reasons for taking this action on 22nd May at the handover with any other members of the Petitions Committee and any of our local representatives. We therefore think it is reasonable to set out the evidence at greater length than we had anticipated would be necessary.

Background to Our Petition

BRB-CPRW has collected data on all IPU applications in Powys, including a regularly updated spreadsheet maintained since mid-2015. In response to our FOI in 2016, Powys CC was unable to produce any robust account of the number or distribution of intensive poultry units (IPUs) in Powys. We therefore created an interactive map of Powys IPU applications with planning approval which is publicly available on our website¹. There are over 300 IPU applications on approx. 190 farms representing approx. 7.5 million birds. Of these approx. 3 million are Free Range Egg (FRE) Layers, though occupying the majority of IPUs. Ceri Davies (NRW) has advised Kirsty Williams AM (Attachment 1) that no data are currently available for distribution of IPUs in parts of Wales other than Powys.

The State of Nature Wales 2016 report shows progressive degradation of our natural environment with intensive agriculture as the main factor. We believe there is now sufficient evidence from NRW and Environmental Organisations to show the Welsh Government that the rapidly expanding intensive poultry industry in Wales poses a significant threat to the Welsh environment and future well-being of Welsh people. Ceri Davies (Attachment 1) has advised Kirsty Williams AM that IPUs are posing potential risks to the environment. She writes that there has been an unprecedented expansion of IPUs in Wales, which is now the largest producer of free range eggs (FRE) in Europe.

David Powell (NRW: Head of Operations Mid Wales) has written to Russel George AM (Attachment 2) that, below the NRW permitting threshold of 40,000 birds, the sector is "largely unregulated for environmental issues". This includes the majority of FRE units. The only piece of Welsh research known to us: NRW Powys Poultry Pilot Study (PPPS) (available 2015, but officially published 2018) showed the ammonia emissions from the smaller unregulated units to pose a greater risk than those from the >40,000 bird units regulated by NRW permit.

In spite of the environmental risks, impacts on Powys communities and evidence from NRW's PPPS, only one out of 112 Powys IPU applications has been refused since mid-2015 (P/2016/0916: Upper Gwestydd). 84 have been approved (one withdrawn and approved on resubmission): the remainder await decision. Applications are still coming forward at a rate of roughly 1/week.

We have got nowhere in our efforts to discuss the environmental risks and inadequacies in the planning process with Powys CC. Powys CC has lacked a CEO until recently and the current Portfolio Holder for planning refuses any

¹ http://www.brecon-and-radnor-cprw.wales/?page_id=13

written communication with the public. In discussions with NRW, we have enthusiastically welcomed the strengthened approach to ammonia and nitrogen pollution NRW GN20 & OGN41, while regretting that this only changes the assessment of impacts on European and National designated sites which make up a small proportion of our natural heritage. We note that, one year after OGN41 was issued, NRW has not yet maintained objection to any individual development.

We assume that much of the above applies to other parts of Wales.

We welcome Minister Leslie Griffiths' comments on our petition but would draw the Petition Committee's attention to our wording: we request that the WG take action to ensure the poultry product industry is environmentally sustainable in keeping with Welsh legislation. Reducing the current large and growing impact is not a sufficient aspiration: the planning and regulatory framework described are not currently preventing ever increasing risks. Therefore the Minister's response does not allay our concerns, nor those of other informed environmental organisations including those taking part in the 2018 Water Wales Conference and Plantlife UK (publication on ammonia and nitrogen risks in Wales due in June 2018).

We question whether the WG has raw data and scientific evidence sufficient to assess the risks of the intensive poultry industry and take appropriate action consistent with its own legislation.

Who, in the Welsh Government, has an overview on impacts of IPU expansion on our environment and the impacts on rural residents?

We assume NRW will be consulted about our petition. We would be grateful if details of our petition and any ensuing debate and correspondence could also be made available for comment and provision of further evidence to: **Hannah Blythyn**: Minister for the Environment: responsible for NRW, biodiversity, wildlife protection and water policy²

Sophie Howe: Future Generations Commissioner for Wales: responsible for making changes needed to meet the WBFGA goals.

Also to:

Welsh Scientific Advisory Committee chaired by Professor Julian Sampson

Professor Peter Halligan: Chief Scientific Advisor for Wales

Dr Rob Orford: Chief Scientific Advisor for Wales (Health): responsible for emerging risks.

We would welcome any opportunity for discussion with these people and all other parties concerned.

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Our following response is structured to follow the ministerial letter (9 paragraphs numbered). We have not commented on Para 8 because animal welfare was only mentioned in relation to disease risk which is addressed in Para 7.

LG Para 2: A Prosperous, Resilient future Poultry industry? WG Policy: Wales Future Well-Being and Resilient Ecosystems

Sustainability must be an integrated goal which should include the maintenance of ecosystems, the natural resources (soil and water quality) upon which other agriculture sectors depend, the well-being of Welsh residents and employees and protecting a sustainable tourist industry, so important to Welsh GDP.

Reducing impacts on the environment is imperative. The Environment (Wales) Act 2016 goes further in seeking to '*maintain and enhance the resilience of ecosystems and the benefits they provide*'. The 2016 State of Nature Report³ paints a bleak picture of dramatic declines in biodiversity and in its analysis of the causes cites the intensification of agriculture as having had the greatest negative impacts: "*The intensification of agriculture* [over the last 40 years]

² <https://gov.wales/about/cabinet/ministers/hannah-blythyn?lang=en>

³ <https://www.rspb.org.uk/our-work/conservation/projects/state-of-nature-reporting>

has had the biggest impact on wildlife, and this has been overwhelmingly negative.” (See also diagram SoNaRR pp12-13.) The Welsh Government’s ambitions for resilient ecosystems cannot be achieved without addressing the impacts of intensive agriculture.

Minimising Antibiotic Use⁴

The poultry industry has showcased the very welcome 71% reduction in antibiotic use between 2012 and 2016 under the BPC antibiotic stewardship scheme. However this came after a previous period of steeply increasing use. The identity of particular antibiotics and the impact of their ongoing use in the poultry industry on resistance to organisms involved in human disease is critical. It appears that Fluoroquinolones used in human medicine, and banned for poultry in the US, are still used in poultry drinking water when only a proportion of birds are affected with bacteria (which may be transmitted to consumers and require human AB treatment). We trust Welsh policy is founded on evidence about impacts on soil from manure/fresh droppings from birds treated with ABs and impacts on humans from ingestion of poultry products.

Economic Sustainability of Poultry Industry⁵

Farmers Weekly 23/5/18 warns that the FRE sector is at risk of “unsustainable growth” with supply outstripping demand. If the availability of Farm Business Grants has played a role in the current surge of applications for Intensive Poultry Units (IPUs), we trust that the potential for market distortion is under review.

Economic Sustainability of other Farming Sectors

Excessive manure-spreading on soils, contamination of water systems from manure-spreading and run-off from crowded ranges (up to 2,500 birds/Ha) and water extraction from depleted natural sources have an impact on other agricultural sectors. Over dependence on IPUs risks neglect of proper environmental management of other agricultural sectors.

LG Para 3: Poultry farms are regulated. Petition asks for NRW to provide resources for NRW to do research, regulate and monitor poultry industry and give better planning help to LPAs. The NRW budget.

Threshold for NRW Environmental Permitting: 40,000 birds

Proportion of sheds in Powys requiring environmental permit and regulation is under 20%: Environmental permits are only required for IPUs of over 40,000 birds. From CPRW B&R branch data on IPUs in Powys we can see that this means that **over 80% of IPUs in Powys fall outside the NRW permitting regime** and are therefore not subject to environmental regulation. Many Powys IPUs fall just below the permitting threshold, and one application has been made for 39,999 birds (P/2017/0810).

Smaller unregulated IPUs likely to be greater polluters: In 2015 NRW published the Powys Pilot Poultry Study⁶, examining ammonia impacts of poultry units. This pilot research demonstrates that smaller IPUs not subject to NRW environmental regulation are greater emitters of airborne pollution than larger regulated IPUs. Environmental impacts of smaller IPUs, including potential for water pollution, are also likely to be less rigorously assessed at determination stage.

Regulation and monitoring See section on water quality below.

Research and the NRW Budget

⁴ <https://www.ruma.org.uk/european-antibiotic-report-links-antibiotic-use-resistance/>
<https://www.independent.co.uk/life-style/health-and-families/health-news/poultry-farmers-using-more-antibiotics-linked-to-resistant-food-poisoning-bugs-a6859436.html>
<https://www.sciencedirect.com/science/article/pii/S2405654517302512>

⁵ <http://www.fwi.co.uk/business/free-range-egg-sector-risk-unsustainable-growth.htm>

⁶ https://cyfoethnaturiolcymru.sharepoint.com/teams/advice/airg/_layouts/15/DocIdRedir.aspx?ID=ADVI-1501371034-6

Reduction in Welsh Government grants to NRW since 2013/4: The Minister states that NRW is the ‘largest Welsh Government Sponsored Body’ i.e. the largest non-departmental public body directly funded by WG. As the amalgam of three substantial legacy bodies, this isn’t a surprise. An uplift in the NRW budget to £180m in the current year is welcome. However, NRW’s budget is made up of Welsh Government grant and NRW’s other income - between £60 and £70 million over the last 4 years. It seems likely that the uplift mentioned has done little to reverse the pattern of steady reduction of total Government grant, which fell from £139 to £111 million between 2013/4 and 2016/7. We hope we are wrong.

Likely consequences of budget cuts: In December 2017 Diane McCrea warned Government that NRW would be unable to fulfil the ambitions of recent legislation on existing funds⁷. Concerned environmental NGOs and NRW staff have echoed these warnings and highlighted problems arising from lack of funding⁸. NRW’s remit as statutory consultee has shrunk year on year, leaving more and more of the environmental scrutiny of planning applications to cash-strapped LPAs with inadequate in-house expertise.

Should a regulatory body be self-funding through commercial activities? The Government response to NRW’s plea for funds that NRW must look to raising more money itself is problematic. For a body which is the national regulator and environmental watchdog to depend for its bread and butter on commercial activities poses very serious conflicts of interest.

NRW Responsibilities: The NRW budget has to fund multiple responsibilities. NRW has not only undergone profound organisational change, and the loss of much scientific expertise, but has done so at a time of rapidly changing legislative framework which imposes substantial extra work on NRW. At the same time it must fulfil the role of the following English agencies:

- Environment Agency e.g. re flood risk management
- Natural England – equivalent role in maintaining and enhancing biodiversity
- DEFRA – equivalent role in regulating agriculture
- Forestry – coping with tree diseases and Welsh woodland policy

All of this is essential work for a healthy environment and achievement of the ambitions of flagship new Welsh legislation.

NRW has no Scientific Advisory Panel: NRW Board Meeting 4/9/2013 resolved ‘*To put in place appropriate arrangements to provide independent scientific advice to help ensure the quality of our evidence.*’ This has not happened and we are awaiting a response from the Executive Board about how the research strategy to provide evidence for proactive measures to reverse the decline in biodiversity is planned and authorised. However, the verbal response did not quote any research other than the 2015 Powys Poultry Pilot Study (see above).

What research might lead to a more sustainable poultry industry?: Clear examples of research required to inform a more sustainable future poultry industry are the ‘Next Steps’ set out in the Powys Pilot Poultry Study, including a study of cumulative and in combination impacts of ammonia emissions, which we do not believe has ever been carried out. Of equal importance and urgency is production of scientifically founded advice to LPAs on impacts of IPU on human health, together with appropriate guidance. Environmental NGOs feel it is essential that a ‘before and after’ study of impacts on a sensitive site be undertaken.

LG Paras 4 & 5: Petition asks WG to issue Planning Policy and guidance to LPAs, ensure cumulative impacts are considered, monitor and enforce planning conditions

LPA misunderstanding of their responsibilities

NRW remit in statutory responses is limited: NRW’s remit in responding to Planning Applications is limited to matters described in their remit document⁹ and does not include the potential effects on environmental interests of

⁷ <http://www.bbc.co.uk/news/uk-wales-42340157>

⁸ For example <http://www.bbc.co.uk/news/uk-wales-39732164>

⁹ 150302-natural-resources-wales-and-planning-consultations-final-eng

local importance including local nature reserves, priority habitats etc. NRW may comment on local Ancient Woodland for an EIA development but often it does not. Impacts of IPU's not considered by NRW must be considered by the LPA however, PCC regularly cites NRW's failure to object as blanket evidence of no adverse impact on natural resources.

Also, under the new NRW regulations (GN20 & OGN41), where thresholds for the process contributions of ammonia emissions or nitrogen deposition on designated sites are exceeded, the LPA will have to make an in-combination/cumulative assessment of livestock unit impacts as detailed in Powys application P/2018/0474 (Muslop Farm) website ref. 466651 NRW.

Powys County Council was unable to supply a suitable map of intensive poultry units in response to an FOI request in 2016 and we do not believe that Welsh LPAs will have the basic data or skills to perform these independent in-combination assessments. They are used to relying entirely on applicants' assessments as a basis for their own.

CADW does not address Landmap categories: The fact that CADW did not object to P/2015/0131 (Penarth), was cited by the Case Officer as evidence that the impact of this development in a Landmap outstanding historic landscape layer is acceptable.

LPA misunderstanding of Environmental Impact Regulations

PCC has failed to adhere to EIR regulations: Schedule 1 developments 17. (85,000 places for broilers or 60,000 places for hens) publishing no EIA screening for P/2018/0474 (Muslop Farm 64,000 hens), a negative EIA screening for P/2017/1047 (Gorn 64,000 hens), a positive EIA screening but no Environmental Statement required and a delegated decision made on P/2017/1047 (Ddole Farm 160,000 broilers) in spite of PCC Constitution 19.91 rule that EIA development goes to planning committee.

LPA misunderstanding of Environment Wales Act 6. "To seek to maintain and enhance biodiversity"

P/2017/0325 (Cwmroches) was approved within 70m of a Radnorshire Wildlife Trust ancient woodland reserve, noted for its rare lichens in spite of objection from the Trust Director and other stakeholders. LG says that Authorities **must** take views of WLTs into account but they do not. The expert advice of bodies such as the Woodland Trust, Wye and Usk Foundation (WUF), National Trust and individual environmental experts is ignored and may not even be referred to in the Officer's Report.

Almost two years on, the Environment Wales Act S6 responsibilities appear to have had no impact on the operation of the planning function.

Well Being of Future Generations Act

This legislation is rarely, if ever, cited in IPU decision procedures and the well-being of rural residents has **never** been a reason for refusal of a Powys IPU application, not even in the case of P/2015/0131 (Penarth), where there is an independent property just 65m from a 70m shed and also surrounded by manure-spreading and a chicken range. The property is within the maximum ammonia concentration area (website ref.180200). TAN 6 Para.6.6.3 says authorities should exercise particular care if planning residential housing within 400m of intensive livestock units but livestock units are regularly approved within 400m of existing housing, including when residents operate a tourist business which Powys is "committed to protecting" (LDP 4.2.75) (P/2017/1437: Dol y Garreg)

There is no statutory guidance for set-back from residents and many tranquil country areas have rendered unpleasant and/or unhealthy to be in by smell, dust, traffic, noise from fans etc. Applicants' reports are produced by a very small number of consultants who usually work exclusively for the industry and any expert advice commissioned by residents is given no balancing status. Public Health Wales have not formulated advice on IPU's and public health risks and are not consulted.

PPW10 consultation

Our reply to this consultation should be available to the Petitions Committee. We fear that the proposed structure of PPW10 will prevent both Planning Officers and the public from finding clear policy guidance about how to balance the goals of the WBFGA and halt the decline in biodiversity

The Public Role

All except one of Powys IPU applications since mid-2015 have been approved in spite of many well-reasoned arguments from members of the public and environmental stakeholders. Given the known environmental effects of intensive livestock farming, this strongly suggests that the planning process is heavily biased in favour of approval and that NRW has so far failed to object to the most damaging projects. Sometimes NRW have only become aware of problems via public alerts, for example an inadequate range area of half the required size and protected crayfish in P/2015/0131 (Penarth). There is no prospect of Powys Council being able to make better decisions while their funding situation precludes the employment of a planning ecologist of suitable experience and calibre, or a landscape officer, or the regular commissioning of outside expert advice.

We have explored all avenues for change and, apart from this petition, the only recourse for the public is Judicial Review of a decision which is prohibitively expensive and time-consuming.

LG Para 6. Petition asks WG to make industry contribute to costs of regulation, hold it to account for breach of environmental responsibility and WG to publish transparent reports on progress.

Industry contribution to costs of regulation and 'polluter pays' principle

Who pays for water pollution? The minister has not addressed the point on industry contribution to costs. To give an example, at present approximately 80% of Water Framework Directive compliance costs, e.g. water treatment, are borne by the water industry and so, ultimately, by the consumer; the farming sector, a major contributor to water pollution, contributes 1%¹⁰.

Is the poultry industry minimising environmental pollution? Similarly, while there are measures which can be taken to substantially reduce ammonia emissions from IPUs, at present this is not common practice in Wales. Even simple, low cost measures, such as sealed manure stores, are not usually required. The unquantified cost of the resulting environmental degradation is borne entirely by the public.

Polluter pays: The 'polluter pays' principle is important in that it incentivises action to reduce environmental pollution. If additional costs to reduce harmful pollution challenge the financial viability of smaller IPUs, their true 'sustainability' is surely called into question.

Transparent reporting on progress

There is no reporting on the environmental impacts of IPUs in Wales beyond the Powys Pilot Poultry Study referenced above, which has only recently been published on the NRW website.

No Welsh data is published on any environmental impacts of this rapidly growing and potentially highly polluting industry; the public cannot track progress to address these impacts. For example, the public has no access to information such as regular water sampling data (published by the EA in England), which would demonstrate progress or lack of it in tackling water pollution and achieving Water Framework Directive objectives for water quality.

New NRW Guidance: Guidance Note 020, Quick Guide 9 & Operational Guidance Note 41

¹⁰ Dr Nathan Richardson, RSPB, Welsh WWT Water Conference 17/5/2018

As the Minister says, NRW has produced new guidance GN020, which is aimed primarily at NRW staff. NRW has also published QG9¹¹ which is welcome but – in the absence of mandatory training - has made no discernible difference to the operation of the Powys planning function. NRW has also acted, by publication of OGN41¹² to reduce ammonia thresholds for deposition onto sites with a National or European designation. It is not clear, over a year later, at what point these new thresholds will be adopted by LPAs. P/2017/0325 (Cwmroches) was approved late 2017, despite being located adjacent to a wildlife trust ancient woodland site hosting rare lichens, and despite NRW's statement that under new thresholds the IPU would be refused planning permission¹³.

New guidance OGN41: Ammonia depositions on sites other than national/international designated sites: Local wildlife sites, ancient woodlands and the countryside at large do not benefit from reduced ammonia deposition thresholds.

New guidance OGN41: Ammonia and irreplaceable ancient woodland: Ancient woodland can be among most biodiverse habitats, hosting rare lichens and mosses, which are particularly vulnerable to damage by ammonia deposition. *Each new IPU can deposit on any ancient woodland 100% of the critical ammonia load which the woodland can (theoretically) bear without damage, even if there are other IPUs in proximity to that same wood contributing further emissions, and even if background nutrient levels at that site already exceed the critical load.*

New guidance OGN41: In combination ammonia impacts: There is no requirement to consider in combination impacts with other IPUs at application stage unless an IPU exceeds significance thresholds for depositions. The LPA is expected to undertake this assessment; if Powys is typical, LPAs will not have the data on locations of IPUs to be able to do this work.

Publication of applications for environmental permits

Permitting information *is* published, but ***no permits are required for over 80% of IPU applications in Powys.*** Most free range egg units, carrying a higher pollution risk because of the outdoor ranges and potential for run off, do not require an environmental permit.

LG Para 7 Animal and human health issues are controlled.

The approval of too many units, too close together and the locating of parent stock units producing hatching eggs within short distances of other IPUs is an increasing biosecurity hazard. The AHAAH says they know of no biosecurity zones to regulate separation of units.

As the density of IPUs increases, fertile egg units are closer and closer to large broiler units and, yet more risky, to FRE units. FRE-IPU hens have access to ranges where wild birds can join them so that these sites become vulnerable to zoonotic infections like avian flu and psittacosis. Since many viral infections are airborne, they may easily spread between nearby units.

Risk of the H5N6 HPA1 has precipitated restrictions on outdoor poultry, only lifted this week (25/1/18 to 25/5/15). In January 2017, Pontyberem, Carms was declared a "protection zone" due to risk of highly pathogenic H5N8 HPA1 and restrictions on outdoor poultry due to risk of the H5N6 HPA1 were only lifted this week (25/1/18 to 25/5/15).

A virulent avian influenza could cause massive poultry mortality rendering the industry unsustainable. It could also decimate wild-bird populations. It could also possibly transfer to humans, in whom treatment options for viral disease are very limited.

¹¹ Quick Guide 9: Poultry Units: planning permission and environmental assessment Guidance for applicants, local planning authorities and NRW staff

¹² Operational Guidance Note OGN 41 Assessment of ammonia and nitrogen impacts from livestock units when applying for an Environmental Permit or Planning Permission.

¹³ See website doc 4392145 NRW consultee response

LG Para 9. Water Strategy for Wales

Environmental Impacts of IPU: impacts go beyond the potential for water pollution

We address only several of the key environmental impacts of IPU developments, which include:

- Contamination of soil, ground and surface waters from run-off which may include nutrient dense faeces/manure, residues of veterinary medicines, disinfectants and biologically active materials from ranges, verandahs, tracks and roads;
- Soil and water contamination from waste management i.e. storage and spreading of manure;;
- Impacts on water quantity;
- Air quality impacts: ammonia emissions, emissions of toxic poultry dust¹⁴, odour and noise – all of which have implications for human health – this is currently receiving no attention;
- Impacts on landscape;
- Impacts arising from the introduction of heavy traffic onto minor lanes

This has clear implications for the health and well-being of rural communities and the ability of rurally located businesses, particularly tourism enterprises, to flourish.

Water quality and quantity

Water Strategy for Wales – where are we now? The Water Strategy for Wales was published in 2015. Its objectives have not been achieved. Water quality in some catchments has deteriorated since 2015 and pollution issues have reached crisis point.

EU complaint about Welsh Government failures: On 12/3/2018 Afonydd Cymru formally complained to the EU about the Government's failures against the Water Framework Directive (WFD) to address agricultural pollution¹⁵, having previously made an urgent appeal¹⁶ in conjunction with other environmental NGOs, to Government to act to tackle agricultural pollution. We are grateful that the Minister has acknowledged the need to address agricultural pollution¹⁷.

Is Wales managing water sustainably? WWT Welsh Water Conference 17/5/2018: In his opening address Prof. Steve Ormerod, Cardiff University, stated: *'freshwater ecosystems are degrading faster than any other ecosystems'*. Nathalie Hall, NRW, confirmed that *Wales is still not managing water resources sustainably*. , 2016 State of Natural Resources Report confirms this with specific mentions of *increases* in diffuse nutrient pollution from agriculture.

Agricultural pollution and deterioration in water quality: At the same conference, Nathan Richardson (RSPB) evidenced the poor state of Welsh waters. Presentation¹⁸ Slide 3 maps Welsh catchments which have deteriorated in quality between 2015 and 2017 despite the WFD **'no deterioration'** clause. Slide 6 shows that agriculture is the dominant source of nutrient and sediment pollution in Wales. Slide 7 – soil degradation costs £1.2bn p.a. and ammonia emissions £456m p.a. (England and Wales).

Self-regulation by the farming industry has not addressed the problem of diffuse agricultural pollution.

WUF Position Statement on Free Range Poultry 2016: NGOs have been highlighting water quality issues for years. In 2016, the WUF published the Position Statement on Free Range Poultry 2016¹⁹, setting out impacts of pollution on development in Herefordshire and some recommendations for planners and regulators to minimise water pollution risks. These recommendations have not been taken up by NRW, or local or central government. Also included is the

¹⁴ A substance hazardous to human health according to the Health and Safety Executive <http://www.hse.gov.uk/pubns/web40.pdf>

¹⁵ <http://afonyddcymru.org/wp-content/uploads/2018/03/Director-General-Env-March-2018.pdf>

¹⁶ <http://afonyddcymru.org/wp-content/uploads/2018/03/Letter-to-Cab-Sec-Lesley-Griffiths-Agricultural-Pollution-March-9th.pdf>

¹⁷ <http://afonyddcymru.org/wp-content/uploads/2018/03/Letter-from-Lesley-GriffithsMar-18.pdf>

¹⁸ <https://event.wwtonline.co.uk/wales/speaker-presentations/>

¹⁹ http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/ED032.11-6235_2.6_WUF_Position_Statement_on_Free_Range_Poultry_2016.pdf

EU Advocate General's advice of 2014 that member states are required to refuse to authorize a project if it could cause a deterioration in status of a waterbody²⁰.

Progress? WUF critique June 2017 of Welsh Government 'light touch regulation': WUF reported in June 2017²¹ that algal blooms had been observed in the upper reaches of the Wye and:

"However, a combination of light touch regulation of poor farming practices by Welsh Government and its agencies along with an 'explosion' in the number of poultry units in Powys has meant an increase in P levels in the upper Wye catchment.

Each poultry unit has been contested by Radnorshire Wildlife Trust, whose chief executive, Julian Jones has been extremely active. WUF has also been active in promoting best practice and investigation has revealed that although there are controls on units over a certain size, many, if not most, are built just below that size. Worse still, there seems to be little done to ensure that planning conditions are adhered to or they are operated correctly. A recent FOI request reveals that Powys Council has taken no consideration of the cumulative effects of the many units in the planning process, which is somewhat contradictory to the requirements of the Directives."

Downstream pollution issues – Herefordshire County Council and CPRE: Downstream authorities are also concerned about Welsh failures to reduce pollution - see Herefordshire Council's Audit and Governance Committee minutes of 26/1/2016²²: *"The point was made that although Herefordshire was taking this matter seriously and were working on a nutrient management plan, the plan's benefit was reduced if the Welsh authorities upstream are not addressing the issue"*. Herefordshire CPRE²³ have commissioned their own analysis of data on phosphate levels in the Upper Wye and Lugg catchment and confirm that in autumn 2017 only 5 out of 49 water sampling points were within maximum thresholds, as compared to 11 in 2015.

Bacterial problems in drinking water in Brecon Beacons mega catchment (Cardiff supply): Welsh Water report that bacterial issues associated with excess soil nutrients have affected groundwater quality even within the Brecon Beacons National Park (which supplies most of Cardiff's water requirements). There is clearly potential for impacts from intensive agriculture on soils and drinking water, and on private water supplies at properties close to IPUs.

NRW Funding, need for water quality compliance regulation and monitoring: Again at the WWT conference, Jerry Langford (Woodland Trust) emphasised the *need, if good water quality is to be achieved, for NRW to be resourced and enabled to provide catchment level governance, regulation, advice and independent audit*²⁴. It was pointed out that while Scotland operates 'General Binding Rules', effective in controlling diffuse agricultural pollution, and England has new rules for water management, Wales has no compliance requirements, despite deteriorating water quality and the ongoing expansion of intensive agriculture across Wales.

Abstraction and sustainability: In rural areas many households are dependent on adequate quality and quantity of off mains water supplies. A 16,000 layer shed will use 1.168 – 1.92 million litres in a year, excluding shed cleaning²⁵. Roughly calculated – IPUs applied for to date may require up to 600 million litres of water a year. This is a real and growing stress on mains and off mains supplies, at a time when the Climate Change Committee's projections²⁶ advises *'More action needed to reduce pollution and over-abstraction and improve the ecological condition of water bodies. Ensure decisions on use of water allow for necessary environmental flows and take account of climate change.'*

²⁰ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62013CC0461>

²¹ <http://mailer.wyeuskfoundation.org/display?e=f2293965da1a6bc6540bb7389b56e9f0>

²² <http://councillors.herefordshire.gov.uk/documents/g5517/Printed%20minutes%20Tuesday%2026-Jan-2016%2010.00%20Audit%20and%20governance%20committee.pdf?T=1>

²³ <https://www.cpreherefordshire.org.uk/assets/Documents/newsletter/45683cd566/HCPRE-Herefordshire-Highlights-April-2018.pdf>

²⁴ See also similar advice from Wales Environment Link April 2018 http://www.waleslink.org/sites/default/files/restoring_our_freshwaters_-_pollution_final_30_april.pdf

²⁵ From EC 'Best Available Techniques (BAT) Reference Document for the Intensive Rearing of Poultry or Pigs' (http://eippcb.jrc.ec.europa.eu/reference/BREF/IRPP_Final_Draft_082015_bw.pdf)

²⁶ <https://www.theccc.org.uk/wp-content/uploads/2016/07/UK-CCRA-2017-Wales-National-Summary.pdf>

Welsh Water 2050²⁷ anticipates drier summers, more extreme weather events, and a greater demand from England to make up shortages across the border is also anticipated. The sustainability of unchecked expansion of a water-hungry industry is very questionable.

Air quality: ammonia emissions, particulates and poultry dust

2016 Air quality consultation: Welsh Government's 2016 consultation 'Local air quality and noise management in Wales' failed to recognise rural air quality issues, as does the Welsh Government's Air Quality Fund²⁸. By contrast, the UK Government²⁹ has recognised the need for curbs on agricultural emissions of ammonia. It is not news that livestock are emitters of ammonia and particulates - see the APIS website³⁰. There are implications for both environmental and human health.

Wales – nutrient impacts on sensitive sites: JNCC data³¹ on the acidification and eutrophication of sensitive sites (January 2016) indicates that ***in 2012 74.4% of sensitive sites in Wales exceeded critical loads for acidification, while 90.3 exceeded critical loads for eutrophication.*** Emissions from intensive farming are impacting on sensitive sites where biodiversity is already compromised by excess nutrients.

Rural air pollution – need for more action: There's a clear, urgent need to address rural air pollution. NRW scientists have introduced revised ammonia thresholds for designated sites. We would like to see these achievements consolidated by training for planners, who are not consistently operating new thresholds, extended to protect non-designated sites, and ensure real protection of biodiversity across rural Wales.

Impacts of ammonia deposition: Plantlife's report³² 'We need to talk about nitrogen' states '*atmospheric nitrogen deposition fails to gain either the political attention or the practical action that is urgently required to protect and restore the UK's most sensitive wildlife habitats*' and simple steps which might reduce environmental damage, e.g. tree belts, are not employed. Impacts include loss of species richness, habitat degradation and changes in soil chemistry.

NRW's State of Natural Resources Report 2016: Ch. 6 SoNaRR:

"Diversification of agriculture, such as increased production of both poultry meat and eggs, is resulting in atmospheric pollution impacts which include emissions from manure through spreading and storage practices. Dense clusters of poultry developments in East Wales and Anglesey are leading to local air quality problems. Individually, many of these developments fall below the size threshold for limits on emissions, but when clustered in geographic areas their combined effects have a potential impact on resilience, particularly of sensitive ecosystems, and contribute to the amount of particulate matter that could affect well-being."

Impacts on soil and the requirements for adequate size and suitable location of outdoor ranges

Requirement to consider outdoor range as part of IPU: Powys planners do not consider outdoor ranges, despite clear advice contained in response to P/2014/0877 by Neil Hemming, Chief Planner, Planning Directorate, Ministry for Natural Resources that livestock units should be considered to include both indoor and outdoor areas dedicated to the livestock.

Why is this important? Regulations require a minimum size of outdoor range for free range birds, now 2500 per Ha, formerly 1000. Unless the regulation size range is provided, suitably maintained, and rotated the land on which birds forage is liable to become '*poultry sick*' i.e. contaminated by a build-up of parasites and disease carrying

²⁷ <https://www.dwrcymru.com/en/Company-Information/Business-Planning/Welsh-Water-2050.aspx>

²⁸ <https://gov.wales/newsroom/environmentandcountryside/2018/180424-20m-air-quality-fund-among-new-measures-to-improve-air-quality-in-wales/?lang=en>

²⁹ <https://www.gov.uk/government/publications/air-quality-explaining-air-pollution/air-quality-explaining-air-pollution-at-a-glance>

³⁰ <http://www.apis.ac.uk/starters-guide-air-pollution-and-pollution-sources>

³¹ http://jncc.defra.gov.uk/pdf/AirPollutionBulletin_No8_2017.pdf

³²

http://www.plantlife.org.uk/application/files/4214/9086/6241/Workshop_Report_We_need_to_talk_about_Nitrogen_Plantlife_BES_January_2017_FINAL.pdf

organisms³³. The long term impacts for soil health are unknown, but in the short term there are clear risks to poultry health.

WUF run off risks advice disregarded: WUF advice regarding use of Scimap technology (showing water flows across terrain) to inform planners regarding drainage issues and the suitability of proposed range sites has necessarily been disregarded, since in the majority of cases ranges receive minimal or no attention during determination, and range maps, if provided at all rarely indicate contours.

Number of birds on range - topography and other considerations: The same document '*Laying hens - code of recommendations for the welfare of livestock*'²² also requires that range density be determined after consideration of soil type, drainage and the availability of rotation. This is not happening; by contrast we see no attention paid to ranges and application *P/2017/0640 was approved under delegated powers in full knowledge that the applicant had insufficient landholding to provide a range of adequate size for the number of birds.*

Role of the Animal and Plant Health Agency: The Animal and Plant Health Agency have confirmed that they can play no role in determination of applications and their remit does not extend to commenting on environmental suitability of ranges.

Our evidence suggests that parts of Wales are “saturated” with IPU development. The legislation and guidance in place has not been effective in preventing approval for new units which are too close to each other, to sites valuable for biodiversity, to water resources and to residents. Regulation is patchy and does not cover the range of risks. We have no evidence of a research program to assess long term environmental impacts of IPUs or of an integrated approach to the long-term risks. There is a poor understanding of division of responsibilities between organisations and many issues fall into the gaps. We are asking for the WG to support an Industry which is genuinely sustainable and to ensure better regulation and location of IPUs. This will require a change in attitude of LPAs in line with their legal duties. Where a high standard of environmental protection and preservation of residential amenity cannot be achieved IPUs should be refused.

Yours sincerely,

Jonathan Colchester
Chair, Brecon & Radnor Branch,
Campaign for the Protection of Rural Wales Registered charity number 239899

Attachments:

Attachment 1 NRW 2018 03 02 NRW response to Kirsty Williams AM

Attachment 2 NRW 2018 05 16 response to R George AM

Attachment 3 CPRW Brecon& Radnor List of IPU applications in Powys since 2015

³³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69367/pb7274-laying-hens-020717.pdf p19

From: Preece, Richard **On Behalf Of** Davies, Ceri

Sent: 02 March 2018 15:51

To: Williams, Kirsty (Aelod Cynulliad | Assembly Member) [REDACTED]

Cc: Government Business; Ingram, Kevin; Davies, Ceri

Subject: RE: Our Ref:140903 - Response from NRW

Dear Ms Williams,

Thank you for your email to Kevin Ingram on the 22nd February, he has asked me to respond on his behalf.

NRW has a dual role as regulator as well as statutory advisor in relation to poultry unit developments. As you have indicated in your question, in recent years, there has been a massive increase in poultry unit numbers across Wales with bird numbers tripling since 2006. Wales is now the largest producer of free range eggs in Europe. This unprecedented expansion of poultry units poses potential risks to the environment many of which can be minimised by appropriate siting, design and management.

The largest of the units tend to involve the production of birds for meat (broilers). NRW regulates poultry units greater than 40,000 in number and can tightly control emissions via an environmental permit.

However, most new poultry developments fall outside NRW's permitting system (being below the 40,000 threshold) and are dealt with by the Local Planning Authorities. NRW is a statutory consultee within the planning process and we have recently published a guidance note to aid applicants, Local Authorities and NRW staff in the process of submitting, assessing, advising on and determining planning applications for poultry units. The aim of the guidance is to ensure that all environmental constraints have been appropriately considered when an application is submitted. We have also included Local Authority representatives within NRW training workshops to ensure a common understanding of the new thresholds.

Many individuals and local opposition groups have approached NRW about their concerns with the rapid expansion of the industry in Wales. As a result, NRW has investigated the interaction of regulated and unregulated development. In a study area in Powys we have demonstrated that the ammonia emission "footprint" from the smaller units (covered under planning) is much greater than for the larger NRW regulated units. Powys Poultry Pilot Study: https://cyfoethnaturiolcymru.sharepoint.com/teams/advice/airq/_layouts/15/DocIdRedir.aspx?ID=ADVI-1501371034-6

The poultry units are often clustered together and can be close to vulnerable wildlife sites where bird numbers can exceed 15,000 per square kilometre. Our study only looked at a limited area of Powys and we are aware that similar developments are taking place in many other parts of Wales for which no data is currently available.

Two recent pieces of legislation in Wales are helping us develop a more inclusive and integrated approach to reducing the impacts of new livestock developments. The Environment (Wales) Act 2016 places a new duty on NRW to ensure we seek to “maintain and enhance biodiversity”. The same biodiversity duty is also a legal requirement for Local Authorities. The Well-Being of Future Generations (Wales) Act 2015 places a requirement on all public bodies to work together to identify and deliver “shared outcomes”. We are engaging with Local Authorities in developing a shared outcome that links addressing emissions under both the permitting and planning regimes in a joined-up approach.

In 2017 NRW adopted new air quality thresholds to minimise nitrogen (ammonia) emissions. The new screening thresholds were developed by a UK wide working group based on a strong evidence base in relation to the impact of ammonia emissions from Intensive Farms on sensitive species in particular lichen. We have implemented the new screening thresholds ahead of other UK regulators as in Wales we are fortunate to still have internationally important lichen communities and we need to act now to prevent detriment to these ecologically important communities.

We are aware that the tighter standards are not universally popular with the farming community or the farming unions and we continue to work with relevant organisations (including NFU Cymru) to enhance their understanding of the need for the new screening thresholds and to ensure that there is a sustainable approach to the expansion of the poultry industry in Wales.

As well as the threat posed by the livestock unit itself there is growing concern about the lack of a regulatory framework that can be utilised by NRW or Local Authorities to control the land spreading of the poultry manure which can lead to nutrification of our water courses. We advocated the development of basic measures in the SMNR consultation which if accepted could give us the tools to minimise the environmental impact of land spreading.

Although we can recover costs for our permitting and regulatory work on Intensive Farming units via our Fees and Charges, other aspects of our management of these facilities have been a significant challenge on the resource front. The work has been prioritised, and we have

increased awareness of the issues, ensured guidance is in place and collaborated with interested parties.

We are satisfied that by working collaboratively with the Welsh planning authorities (both individually and through the Planning Officers Society Wales), farmers, the farming unions and Welsh Government and by continuing to identify and influence closing the gaps in legislation that we will be able to support the sustainable development of the poultry industry in Wales whilst continuing to maintain and enhance the environment.

I hope the above information is useful to you, but please let me know if you have any further questions.

Regards

Ceri

Ceri Davies

Executive Director for Evidence, Policy and Permitting

Cyfarwyddiaeth Tystiolaeth, Polisi a Thrwyddedu /Evidence, Policy and Permitting Directorate

Cyfoeth Naturiol Cymru / Natural Resources Wales



To: Russell George AM / AC

Ein cyf / Our ref:
Eich cyf / Your ref: email 11 May 2018

Sent via email

Dyddiad/Date: 16 May 2018

Dear Russell

THE POTENTIAL ADVERSE EFFECTS OF INTENSIVE POULTRY UNITS

Thank you for the emails from your constituent Mr Wynn-Jones who has expressed concerns over the environmental effects of intensive poultry units.

As Mr Wynn-Jones writes, poultry units can affect the environment by the production of ammonia, dust, odour and noise. We regulate poultry units with more than 40,000 places under the Environmental Permitting Regulations (EPR) which implement the relevant European Directive for this sector. Below 40,000 places the sector is subject to planning requirements but is otherwise largely unregulated for environmental issues.

The Environmental Permitting Regulations aims to minimise the impact by implementing standards detailed in European Best Available Technique Reference documents (BREF) we are currently reviewing all intensive farming permits to ensure the new standards are incorporated in the permits. The responsibility to require an Environmental Impact Assessment is split between NRW and the local authorities. If an application for a permit also meets the requirements of Schedule 1 of the Environmental Impact Assessment Regulations (Wales) then NRW require an EIA at the permitting stage.

The regulations require NRW to carry out inspections of permitted installations once every three years. We have recently been able to increase the number of inspections we make at intensive poultry units in Powys as we have brought new officers into the local teams. Our inspections are detailed and thorough and are not uncovering widespread non-compliance in this part of the industry in Powys. We inspected 5 units in 2017/18 and plan to inspect 28 units this year across Montgomeryshire and Radnorshire.

Welsh Government have recently consulted on the expansion of nitrogen vulnerable zones.

www.cyfoethnaturiolcymru.gov.uk

www.naturalresourceswales.gov.uk

Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English

A Cabinet Statement on the outcome of the Welsh Government's previous NVZ consultation was issued on 13th December 2017:
<http://gov.wales/about/cabinet/cabinetstatements/2017/NVZConsultation/?lang=en>

The Cabinet Secretary for Energy, Planning and Rural Affairs said that:
"I am minded to introduce a whole Wales approach to tackling nitrate pollution from agriculture. Over the coming months I will work with stakeholders to get the right balance of regulatory measures, voluntary initiatives and investment. I intend to explore options to provide land managers with flexibility, where these would achieve the same or better outcomes than a regulatory approach"

NRW are working closely with Welsh Government and the agricultural industry to ensure that any action taken is effective. The introduction of a whole territory NVZ remains a possibility, however this may not resolve the issue, as other nutrients such as Phosphate also need to be taken into account.

We believe that combining a voluntary farmer-led nutrient management scheme with underpinning regulation will deliver a better outcome than focussing only on an NVZ approach.

Yours sincerely



David Powell on behalf of Martin Cox
Head of Operations - Mid Wales

Ebost/Email: [REDACTED]

Agenda Item 2.2

P-05-816 Say 'NO' to pheasant shooting on Welsh public land

This petition was submitted by Animal Aid having collected 12,706 signatures on an alternative petitions website.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to ensure that Natural Resources Wales, as the Welsh Government-Sponsored Body responsible, stops leasing out public land to commercial shooting operations. NRW's key constitutional function is to act as an environmental steward of the land that it manages on behalf of the Welsh Government and citizens. But leasing this land to shooting operations negatively impacts on conservation, biodiversity and animal welfare. Shooting also pollutes the land with toxic lead shot which is responsible for poisoning and killing many animals. NRW's shooting leases facilitate an activity that is abhorrent to many Welsh citizens: the killing of animals for 'sport'. The leases also mean that public access to land that is owned by Welsh citizens can be restricted.

Assembly Constituency and Region

- Montgomeryshire
- Mid and West Wales

P-05-816 Pheasant shooting on NRW land

Y Pwyllgor Deisebau | 5 Mefefin 2018

Petitions Committee | 5 June 2018

Research Briefing:

Petition number: P-05-816

Petition title: [Say 'NO' to pheasant shooting on Welsh public land](#)

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to ensure that Natural Resources Wales, as the Welsh Government-Sponsored Body responsible, stops leasing out public land to commercial shooting operations. NRW's key constitutional function is to act as an environmental steward of the land that it manages on behalf of the Welsh Government and citizens. But leasing this land to shooting operations negatively impacts on conservation, biodiversity and animal welfare. Shooting also pollutes the land with toxic lead shot which is responsible for poisoning and killing many animals. NRW's shooting leases facilitate an activity that is abhorrent to many Welsh citizens: the killing of animals for 'sport'. The leases also mean that public access to land that is owned by Welsh citizens can be restricted.

Background

Natural Resources Wales (NRW) manages the 128,000 hectare Welsh Government Woodland Estate (WGWE) on behalf of the Welsh Ministers, as well as 54 National Nature Reserves (NNRs), and land associated with flood risk management assets. In January 2018, NRW launched a [consultation on proposals about the use of firearms on the land it manages](#). The consultation is part of a wider review process looking at firearms and shooting activity related to its land manager role and remit. The process to date is set out below:

- Stage 1: [Call for evidence](#) (closed 30 April 2017);
- Stage 2: [Synthesis of evidence](#) (September 2017). The synthesis summarises the key points of the evidence received;
- Stage 3: [Independent assurance of the Synthesis of Evidence](#) (November 2017);
- **Stage 4: [Consultation on proposals](#) (launched January 2018);**
- Analysis of consultation responses (was expected April 2018); and
- Stage 6: Publication of a position statement (expected Spring 2018).

The consultation is concerned with the use of firearms for three broad purposes on NRW managed land:

- NRW's use of firearms for managing wild species which impact on its objectives;
- Other people's use of firearms for managing wild species that impact on neighbouring land management objectives; and
- NRW's leasing of land for game shooting and other pursuits.

This petition is only concerned with point three, the leasing of land for game shooting and other pursuits.

NRW Consultation

NRW's current approach

The consultation says:

We want communities and social enterprises to get the greatest possible benefit from the land we manage. We consider applications for a variety of events, activities, projects and enterprise initiatives to make it possible for the people of Wales to make the most of the land that we manage. **This currently involves the shooting of gamebirds on a very limited basis** [Research Service emphasis].

[...] We also have a small number of requests for other pursuits involving firearms such as target shooting, practice ranges and clay pigeon shooting. These are assessed on a case by case basis.

It outlines that NRW currently leases four areas of forest land on the WGWE, covering 440 hectares, to third parties for the purpose of pheasant shooting. The leases are usually for three to five years, but are currently running on an annual renewal basis pending the outcome of the review. NRW says that in 2016 it earned around £6000 of income from the leases.

NRW states that it requires all shooting activity to be managed to best practice standards with an agreed management plan, including public safety measures. This includes compliance with the [UK Woodland Assurance Standard \(2013\)](#). NRW says that none of the leases inhibit public access or its own interests in managing the land, for example timber production. NRW allows lease-holders to keep pheasants in pens at agreed locations prior to release. Management of birds in pens must follow the [Welsh Government Code of Practice for the Rearing of Gamebirds for Sporting Purposes \(2010\)](#). NRW approximates that, in 2016, 6500 pheasants were released.

The consultation says there are areas of land that NRW manages where there is an expectation or condition associated with the original grant of the lease that the shooting rights would continue to be let. Eight of these sites are currently let, covering 4881 hectares. NRW reports that the rights are exercised on all eight sites, but shooting is not permitted on approximately 1120 hectares of this area due to nature conservation interests.

In the consultation NRW says that shooting activities are of economic benefit to Wales. However, it also says it is expensive and complex to assess the contribution of shooting activities to the cohesiveness and well-being of the communities likely to benefit or be affected by such activity.

Potential alternative approaches

The consultation presents two issues associated with NRW's current approach, and identifies potential alternatives. These are outlined below:

Revised criteria for assessing applications: This approach would involve developing criteria for assessing the suitability of proposals and lease renewals to ensure they complement the [Sustainable Management of Natural Resources \(SMNR\)](#) and that decisions support the achievement of the well-being goals under the [Well-being of Future Generations Act \(2015\) \(WBFG\)](#). In practice, this means NRW could re-appraise the areas of the WGWE that are leased, and that conditions could be included in the lease agreements to ensure that stock going into pens on NRW land is from suppliers that adhere to the NRW code of practice. NRW says that there are impacts on biodiversity from the release of pheasants, with benefits for some groups of species and disadvantages for others. The consultation says that the evidence does not suggest a clear conclusion on the impacts, but that it is clear that active woodland management and adherence to the recommendations of less than 700 birds per hectare of pen are necessary to ensure there is no overall negative impact on biodiversity.

Stopping the use of NRW land for commercial shooting activities by terminating leases where possible: In the consultation NRW suggests, based on the evidence it has received, that terminating or ceasing leases may:

- Result in a loss of income for communities, individuals and businesses, reducing the overall economic and social benefit to Wales;
- Reduce options for recreation for some people, which may affect their health and well-being;
- Result in shoots taking place on more sensitive sites elsewhere; and may
- Increase anti-social behaviours in woodlands where leases have been withdrawn.

Conclusions

The consultation says that the activities related to game shooting, mainly pheasant shoots and wildfowling, have the potential to impact upon the SMNR. Impacts of increased bird numbers in woodlands can affect native species and habitats through competition, predation and enrichment. It suggests that the management associated with pheasant releasing can have positive impacts for biodiversity, and that the application of SMNR principles can

balance impacts. It says that the overall balance of benefits versus negative impacts is not conclusive.

Draft proposal

The consultation sets out a draft proposal:

NRW should continue to consider leasing the land for pheasant shooting, wildfowling and other pursuits involving firearms [Research Service emphasis]. In considering applications, the impacts of the activity on SMNR and the Well-Being Goals should be assessed. The location and scale of activity should take account of the potential for negative impacts on the woodland ecosystem and local species of flora and fauna but also the beneficial social aspects of local community cohesion and potential economic benefits. Management plans should be developed and implemented and leaseholders required to demonstrate adherence to the relevant codes of practice. NRW will continue to assess compliance of permitted activities with the UK Woodland Assurance Standard.

NRW has assessed the draft proposal in terms of the contribution it would make to SMNR and the WBFG well-being goals. This assessment is summarised below:

- Third party shooting is linked to several of the well-being goals. It contributes to a Prosperous and Resilient Wales by providing direct employment for service providers and supporting associated businesses;
- The proposal will contribute to a Globally Responsible Wales as it will ensure that the populations of migratory birds are considered when engaging in shooting activities involving wild-birds;
- Various stakeholders have reported the importance of shooting to rural communities and shooting's role in the culture of Wales;
- There are potential positive health benefits for those taking part in the activities and the consumption of game, a low-fat meat, is also a positive;
- In relation to SMNR, the management plans of shoots should include monitoring, reporting and review requirements to enable changes in management action to help ensure populations are sustainable; and
- The scale of areas leased should also be carefully assessed and would be appropriate to the activity, location, habitat type and sensitivity.

Welsh Government action

The Welsh Government wrote to the Committee on 25 April, setting out its response to the petition. The letter states that the NRW review, call for evidence and consultation came about as a consequence of concerns raised with the Welsh Government and NRW over the ethical and welfare issues of pheasant shooting on public land.

The letter refers to the Welsh Government [Code of Practice for the Welfare of Gamebirds reared for sporting purposes](#), and says that any concerns about the health and welfare of animals should be reported to the [Animal and Plant Health Agency](#) (APHA) or Local Authority.

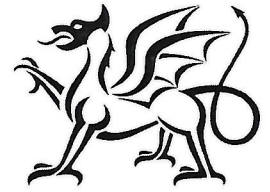
The Cabinet Secretary says that, following the close of the NRW consultation, and the analysis of responses either she or the Minister for the Environment will discuss the matter with the NRW Chair and Chief Executive.

National Assembly for Wales action

The National Assembly has not undertaken any work on pheasant shooting on land managed by NRW, and the consultation has not been discussed in Plenary, or written questions.

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

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-816
Ein cyf/Our ref LG/00814/18

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

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

April 2018

Dear David

Thank you for your letter of 12 April regarding Petition P-05-816 Say 'NO' to pheasant shooting on Welsh public land.

Natural Resources Wales (NRW) are reviewing their policy on the use of firearms and shooting activity on the land that they manage. As part of the review they have undertaken an extensive call for evidence and have issued a consultation entitled *proposals about the use of firearms on land managed by Natural Resources*. This consultation closes on 25 April.

The review, call for evidence and current consultation was as a consequence of concerns raised with the Welsh Government and Natural Resources Wales (NRW) over the ethical and welfare issues of pheasant shooting on public land. The current consultation relates to NRW's land management role and remit and is focused on firearms and shooting activity on land managed by NRW.

My officials have been engaged with the process to ensure all the issues of concern which have been raised with Welsh Ministers are addressed and Welsh Government policy is taken into account

Bae Caerdydd • Cardiff Bay
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Pack Page 67

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

The Welsh Government produced a Code of Practice for the Welfare of Game Birds reared for shooting purposes in January 2011. The Code provides practical guidance in relation to Section 9 of the Animal Welfare Act 2006. The Code refers to all birds bred and reared under controlled conditions for the purposes of release for sport shooting and birds retained for breeding purposes. Currently, any concerns about the health or welfare of animals should be reported to the Animal and Plant Health Agency (APHA) or Local Authority; they are responsible for the delivery and enforcement of animal health and welfare provisions on behalf of the Welsh Government.

Following the close of the NRW consultation and the analysis of responses either I or the Minister for the Environment will discuss this matter with the NRW Chair and Chief Executive.

A handwritten signature in blue ink that reads "Regards Lesley". The word "Regards" is written in a cursive style, and "Lesley" is written below it in a similar cursive style.

Lesley Griffiths AC/AM

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

30 May 2018

Dear Committee Members

Animal Aid would like to thank the Committee for considering petition P-05-816 Say NO to pheasant shooting on Welsh public land.

We would like to make the following observations in relation to the letter from Cabinet Secretary Lesley Griffiths that was sent to the Committee.

Regarding NRW's Shooting Review, the Committee may not be aware of a recent development in relation to the consultation. Specifically, Animal Aid and the League Against Cruel Sports have requested that the two independent reviewers – Dr Hillyard and Professor Marvin – employed to oversee the consultation, should be removed from the process. This request was prompted by the discovery that Dr Hillyard goes shooting and that Professor Marvin's research papers demonstrate an interest in 'country sports'. I have attached a recent article from the Western Mail which substantiates our case.

Secondly, Ms Griffiths' letter makes reference to the Code of Practice for the Welfare of Gamebirds. There are two issues arising from this. Firstly, the Code does not take into account the most basic needs of the birds who are used by the shooting industry. Keeping breeding birds in cages deprives them of their need to fly and results in stress and even mortality. Game farms are not routinely inspected by the Animal and Plant Health Agency (APHA) and visits to game farm establishments only appear to take place if a complaint has been made.

Animal Aid's investigations at game farms have revealed that the Code of Practice is often disregarded. Just this year, Animal Aid found birds kept in barren cages at Bettws Hall game farm in Wales. We reported our findings to the Minister, the Animal and Plant Health Agency and the local Trading Standards department. A 2nd April email from Powys Trading Standards stated, *"I have been in contact with APHA Wales who have informed me, that, in response to your E Mail, they have carried out an inspection of the premises and that they found no breaches in legislation. I therefore have to advise that on this occasion Trading Standards will not be taking any further action in relation to the matter."* This is despite Animal Aid providing clear photographic evidence of barren cages in use at Bettws Hall.

On 24 May, Animal Aid's investigator returned to Bettws Hall. Our investigator checked 20 units used to hold breeding pheasants. All but two of the units were barren, in breach of the Code. Of the two 'enriched' cages, one had a

green plastic privacy curtain and the other had a brick inside. We have, once again, reported our findings to the relevant authorities.

It is therefore our opinion that the Code of Practice is not fit for purpose as it fails the birds under the Animal Welfare Act. Furthermore, the Code is not adhered to by some farmers and reporting breaches of the Code does not appear to result in any action being taken to safeguard the welfare of the birds.

NRW has also stated that it is not currently able to check where the birds shot on its land are sourced from, and whether the birds have come from an establishment that is compliant with the Code of Practice, or not.

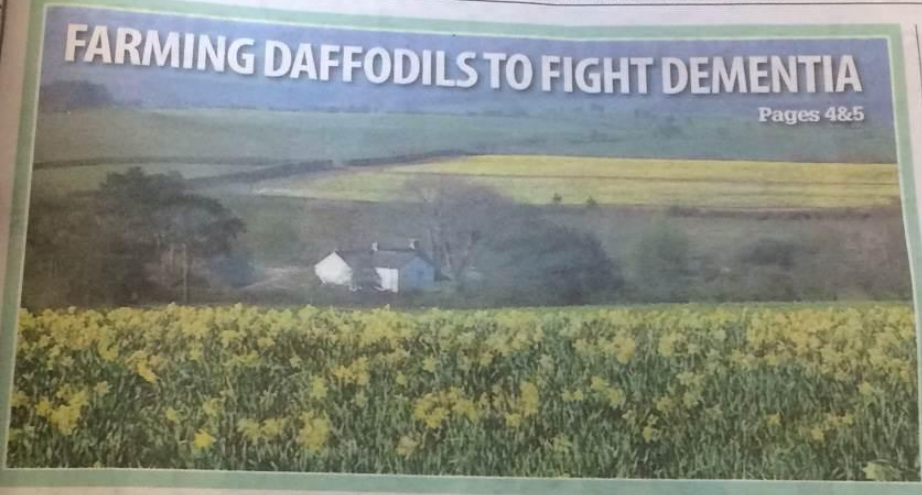
On a final note, it is important to note the level of public opposition to the shooting of birds for sport. In addition to the 12,700+ people who signed the petition that will be considered by the Committee, a poll commissioned by the League Against Cruel Sports and Animal Aid found that 74 per cent of people polled in Wales thought that the shooting of birds should be made illegal. After learning how chicks are bred for sport shooting, 76 per cent said they oppose the shooting of game birds for sport on publicly owned land in Wales.

Thank you again for your consideration of our petition.

Yours sincerely

Fiona Pereira
Campaign Manager, Animal Aid.

Enc: letter to Lesley Griffiths



FARMING DAFFODILS TO FIGHT DEMENTIA

Pages 4&5

Shooting consultation's experts come under fire

ANIMAL rights groups have criticised Wales' biggest quango for hiring an academic who herself goes shooting to evaluate a consultation on whether the killing of birds for sport should be permitted on its land.

Dr Sam Hillyard of Durham University was one of two academics who won the contract from Natural Resources Wales.

The other, Professor Garry Marvin of the University of Roehampton, specialises in the interaction between humans and animals.

NRW is conducting the review following increasing opposition to its policy of allowing pheasant shooting on publicly owned land.

Last month Animal Aid handed in a petition with more than 12,700 signatures to the National Assembly calling for a ban on shooting on land managed by NRW.

A YouGov poll at the same time found that 74% of people in Wales thought that shooting birds should be made illegal.

Fiona Pereira, campaign manager at Animal Aid, said: "We were deeply concerned to learn the identity of the academics assigned to review the evidence presented to NRW's

MARTIN SHIPTON
Chief reporter
martin.shipton@walesonline.co.uk

shooting consultation. The job should have been awarded to independent scientists who were specialists in the appropriate areas."

Bethan Collins, senior public affairs officer for the League Against Cruel Sports, said: "NRW commissioned this external assurance review because, in their own words, 'Due to the level of stakeholder interest in this area, and the contentious nature of using firearms, we believe that additional independent assessment and evaluation of this evidence was required to ensure that the conclusions we have drawn, which form our recommendations and consultation proposals, are balanced, fair and unbiased.'"

"We feel that in using Dr Sam Hillyard and Prof Garry Marvin to do this work, NRW have not met their own aim. Dr Hillyard is a sociologist whose research interests focus on the sociology of country sports and rural life. In documents that are freely available online, she says that she goes shooting herself.

"Prof Marvin is a social anthropol-

ogist whose research focuses on human-animal interactions and includes topics such as cock-fighting, bullfighting, fox-hunting and trophy hunting.

"In their report, Dr Hillyard and Prof Marvin argue for evidence submitted by a pro-shooting organisation, the Game and Wildlife Conservation Trust, to be given more weight by NRW and also comment on what they regard as the 'disproportionately cited' evidence of one respondent, Dr Jake Bicknell, who they note 'works for the RSPB' (the Royal Society for the Protection of Birds).

"We question why NRW felt that it was appropriate to contract Dr Hillyard and Prof Marvin to carry out this particular piece of work."

Ceri Davies, NRW's director of evidence, policy and permitting, said: "Our review has been extremely broad, as the new Environment Act requires NRW to plan and manage its work with sustainable management of natural resources as a foundation for all its decisions. The review looked at how we manage our own land as well as the small amount of land that we lease out to third parties.

"All the evidence submitted during our 'call for evidence' stage of the review was given full and detailed consideration.

"The University of Durham and University of Roehampton provided an independent assurance role on the process undertaken in the evidence assessment stage and consideration of any gaps that there may have been in the evidence that NRW considered.

"We did not ask the assessors to make any comments on the contents of the review itself. The contract was awarded consistent with NRW's procurement policy and procedure."

Speaking on behalf of himself and Dr Hillyard, Prof Marvin said: "It's true that Dr Hillyard shoots and that my academic expertise relates to the interaction between humans and animals. It's understandable that the animal rights organisations will make political points about our involvement and I don't blame them for that.

"However, in my work I have never expressed support for any kind of hunting. NRW commissioned us to review the responses to the consultation and we did so professionally."

Tourism in Wales must be protected from Brexit

MEP's view
Jill Evans, Plaid Cymru

WE COULD not have wished for better weather for last week's Wales Tourism Week.

Tourism creates jobs and supports business across Wales. It is responsible for about 172,000 jobs - and this is expected to rise to 188,000 by 2020. Every year, there are more than 10 million overnight stays in Wales; 80% of visitor spending is from outside the country.

Many come from other parts of the UK, but we are also increasing our profile as an international destination - 10% of our tourists come from overseas, accounting for 20% of spend. Visit Wales estimates that its marketing puts an extra £356m a year into the Welsh economy. But it will become very challenging in the months ahead as we leave the EU.

That is why we need assurances that every penny of EU tourism funding we lose will be replaced.

Fifty-six million trips were made by UK residents to Europe in 2016. So while we are concerned about the effects of leaving the EU on Wales, other EU countries are worried too. A major factor in going on holiday in the EU is the Single Market - outside that, travel will be much more difficult.

The tourism and travel industries have expressed concern. There could be fewer flights and we don't know what will happen to our European Health Insurance or the Package Travel Directive which protects our consumer rights. We have taken our ability to travel freely for granted. All that could change.

Pembrokeshire is more dependent on tourism than Blackpool. It is an industry that Wales could develop if we do it sustainably and in a way that benefits our communities and our countryside. To realise our incredible potential, we must have the necessary powers and resources. In today's Wales, that is a big prospect.

I recently visited Ireland to see how they have invested in sustainable, year-round tourist projects. Waterford Greenway is an amazing 46km cycling and walking route along an old railway line across bridges, over three viaducts through a 400m-long tunnel. I hope success which I hope to see well for the Rhondda Tunnel.

The European Committee of the Regions has set up a working group to look at offering support to areas in Europe which will be affected if we leave the EU. It is essential that we have a strong voice on that committee.

Shooting on Natural Resources Wales land: Briefing Paper

Background

Natural Resources Wales (NRW) was established in 2013. Some of its predecessor bodies (Countryside Council for Wales, Environment Agency Wales and the Forestry Commission Wales) had, in years past, entered into agreements with five shoots to operate on land they owned or managed. Shoots included areas made up in whole or in part of ancient woodlands, some of which fall within or border spaces that enjoy protected status under the Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC) or Areas of Outstanding Natural Beauty (AONB) regimes.

NRW, despite its key objective to act as a good steward to the countryside of Wales and its wildlife, sought to lease out additional sites for shooting. The decision to expand those activities were despite increasing awareness of the role of pheasant shooting in the degradation of natural habitat and the decline in biodiversity, as well as concerns over public access, animal welfare and the lack of economic benefit for local communities.

Issues with shoots on NRW land

Shooting tenants annually release thousands of factory-farmed, non-indigenous pheasants into the woodlands. The standard 'rear and release' model employed by pheasant shoots involves birds being intensively bred at external sites before being transported to release pens located where shooting takes place. Industry figures indicate that a substantial proportion of the released birds will die of disease, of predation or under the wheels of a vehicle. When the shoots themselves are taking place, around 40 per cent of pheasants are shot down but not retrieved. An uncounted number will remain injured, without veterinary attention to alleviate their suffering, until death overcomes them.

Research conducted by The James Hutton Institute suggests that the 'rear and release' approach can also have many negative impacts on the natural environment. These include habitat changes that affect flora, hedgerow structure on the woodland fringe and soil composition.

Pheasants, furthermore, reduce the biomass of groundactive invertebrates, causing a decline in carabids, all of whom are important food resources for breeding birds. The parasite loads carried by purpose-bred 'gamebirds' such as pheasants are very much higher than is found in their wild equivalents. The spread of disease by released birds not only increases mortality in wild birds, but may also reduce their reproductive potential and make them more vulnerable to disease.

Land purged of native wildlife

Shoot tenants employ a variety of vicious predator control devices to ensure high stocks of pheasants on shoot days. Traps, designed to crush and immobilise are used on foxes, stoats, weasels and other animals who present a perceived threat. Many of these targeted animals will sustain painful and stressful injuries, which they might be forced to endure for up to 24 hours before, as demanded by the law, they are despatched. Animals' distress, however, can continue for much longer, where a trap-setter fails to check the device within the required time limit. Corvids are invariably shot or cage-trapped. In the case of the latter, the standard method of despatch is a blow to the back of the head of the trapped bird.

Lead ammunition

Toxic lead ammunition is also used at each of the sites. The impact is particularly stark with respect to birds of prey, especially when they consume shot 'gamebirds'. Studies have shown increased levels of sickness, death and reproductive failure in birds of prey and other predators. The Oxford Symposium on lead poisoning estimated that between 2,500 and 6,700 tonnes of lead shot is fired at 'gamebirds' each year in the UK. It further stated that 'lead ammunition now appears to be the only significant, geographically widespread and common source of unregulated environmental lead contamination to which wildlife is exposed.' It is because of the loss of biodiversity as set out above that the production of birds for sport shooting has been made illegal in the Netherlands.

NRW's shooting agreements

Animal Aid first became involved in this issue in October 2015, after a well-placed source told us that NRW wanted to rent out some of its land in Myherin for the 'sport shooting' of pheasants. As our research progressed we discovered that at least five other parcels of land managed by NRW are rented out for shooting. While NRW did not initiate these shoot agreements – one or more predecessor bodies was responsible – NRW could have wound down the operations. Instead it wanted to expand them. The current situation (April 2018) is that there are three shoots currently operating on NRW land.

NRW staff concerns:

A number of problems were highlighted in internal consultation documents – an exercise undertaken prior to new shoots being tendered. In those reports, senior NRW staff warned against going ahead with the new leases. They outlined the problems they foresaw, that seemed to be without an obvious solution. As an example, [an] NRW Conservation Manager, wrote: *'My considered opinion is that Myherin is not suitable for a leased shoot as things stand, and that any intention to take this proposal forward should require wider NRW and partner body consultation and an Ecosystem Appraisal of the likely effects of these shooting lease proposals.'* In terms of the income that could be expected to be generated against that which could be lost, [a] Programme Manager, said: *'In my view the financial-, employment- and environmental impacts to harvesting by letting shooting rights here, will far outweigh the monetary income generated by a let. I note that no financial comparison has been carried out as part of this exercise.'* [The Conservation Manager] also challenged a claim that the land earmarked for shooting was in 'inconsistent use' by the public. He pointed to Nantsyddion Bothy, which *'is currently leased/ loaned to the Mountain Bothies Association and is well used by walkers and well maintained at no cost to NRW. It forms part of a chain of bothies through Wales and often used in conjunction with Nant Rhys in Tarenig. Both Nant Rhys and Nantsyddion are well used. Does NRW really want the negative publicity of evicting MBA in favour of creating a shooting lodge.'*

Public consultation

One key issue with expanding shoot operations was that NRW had failed to engage public opinion on the matter. A statement made in a 30 March 2016 letter from Trefor Owen, Executive Director for National Services, to a local resident, stated that 'NRW activity has not attracted significant stakeholder interest in the past; it is for this reason that the new leases were not identified as being of 'High Public Interest'.

Animal Aid sent a dossier to the then Minister for Natural Resources, asking him to intervene to ensure that current contracts were not renewed when they expired in March 2016. The Minister said in a statement that he was going to keep the matter ‘under review’. This Review process began in 2017 with the Public Consultation closing tomorrow, 25 April 2018.

Financial issues

NRW spent a considerable amount of time and money tendering the new shooting arrangement to prospective clients. In return, it receives a mere £5,965 (not £30,000 as stated in NRW’s Briefing to the Minister) for the renting out of all shooting rights – a total that is likely to be comprehensively eclipsed by the cost of administering the deeds, by economic loss to the local communities through the impact on recreation and tourism, and by damage to NRW’s reputation as a custodian of public land.

Animal Aid’s investigations

November 2015:

Animal Aid investigators visited four sites over a weekend in late November 2015. We found numerous pheasants drifting up and down country roads near Maesmawr and Llanfair woods, vulnerable to being hit by vehicles. The evidence we collected pointed to several contract breaches, including the illicit release of birds; laying traps for animals; and the introduction of feeders onto land where it was not permitted to do so.

June 2017

On 19 June 2017, when temperatures in the UK had nudged 30°C, an Animal Aid investigator visited the land leased for shooting by NRW at Cwm Gwnen. Our investigator saw an estimated 35-40 young pheasants, dead on the ground inside a release pen.

Equally disturbing were the four birds who had become stuck in between two sections of wire mesh. We believe they must have died from either dehydration or strangulation. Another three birds were trapped in between the two sets of wire mesh but were still alive. Animal Aid’s investigator managed to free them so that they could return to their pen.

Public opposition

More than 12,000 people have signed an Animal Aid petition which calls for an end to the shooting of birds on public land that is managed by NRW on behalf of the people of Wales.

A YouGov poll, commissioned by Animal Aid and the League Against Cruel Sports, found that 76 per cent of people in Wales thought that shooting birds should be made illegal and the same figure also oppose the shooting of ‘game’ birds for sport on public land in Wales, after learning that game birds used for breeding are often permanently kept in small, mesh-floored cages and their chicks are later released for sport shooting.

Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF991NA

8th May 2018

Dear Committee Members

I write in response to a petition that has been presented to the committee number P-05-816 titled "Say NO to pheasant shooting on Welsh public land".

The petition was started in August 2016 by Animal Aid who also presented the exact worded petition to Natural Resources Wales (NRW) sometime in 2017.

The review conducted by NRW on whether the use of firearms was appropriate on land they own or manage called for scientific evidence based information to be submitted. This was duly received by NRW from a wide variety of interested parties.

NRW have concluded in their written report that they should continue to allow the leasing of land for shooting and note that shooting contributes to the delivery of Sustainable Management of Natural Resources, the Environment Act and indeed delivers on the wellbeing goals as set out in the Future Generations Wales Act.

I would respectfully ask that the committee give full attention to the report published by NRW which refutes the claims made by Animal Aid in the petition and sets out clearly the evidence received and the conclusions. The link to the extensive review and documents numbers 1 - 4 can be found here

<https://naturalresources.wales/guidance-and-advice/environmental-topics/consultations/our-own-consultations-closed/shooting-review-consultation/?lang=en>

I would also ask that the signatures of the petition be scrutinised for authenticity and a factual figure be published on the numbers of signatures received from people residing in Wales. It is evident that the campaigning by Animal Aid and the League Against Cruel Sports lost the argument when asked to present scientific evidence, and it is of no surprise that they have now attempted to obscure the issue by using misleading claims about shooting to generate large numbers of signatures from all over the world via various social media campaigns. However, I would stress the importance of NRW's review being based on evidence and not on emotion and an opinion poll.

(Continued.....)

I would very much welcome further engagement with the committee on this issue and would be happy to forward to you our submission to the review if it was required.

I look forward to hearing your views on the petition.

Yours Sincerely

A handwritten signature in cursive script that reads "Rachel".

Rachel Evans
Director for Wales



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

30 May 2018

Dear Committee Members

The League Against Cruel Sports would like to thank the Committee for considering petition P-05-816 'Say NO to pheasant shooting on Welsh public land.'

We have been invited to respond to the Welsh Government's initial response to the petition – a letter from Cabinet Secretary Lesley Griffiths that was sent to the Committee.

We would like to draw the Committee's attention to the fact that since the petition was submitted and the NRW public consultation closed, Animal Aid and the League Against Cruel Sports have requested that the two independent reviewers – Dr Hillyard and Professor Marvin – employed to oversee the consultation process, should be removed from the process. This followed our discovery that Dr Hillyard goes shooting and that Professor Marvin's research papers demonstrate an interest in 'country sports' – I have included at the foot of this letter a copy of an article on the matter which was published in the Western Mail on 22 May 2018. We have also written to the Cabinet Secretary and the NRW Chief Executive and Chair fully outlining our case. We are currently awaiting replies to these letters.

The Cabinet Secretary acknowledges in her letter to the Petitions Committee that the NRW review of shooting was triggered by ethical and bird welfare concerns raised with Welsh Government and NRW, yet both issues received little attention in the consultation, and on page 2 of their External Assurance Review report, Hillyard and Marvin partially acknowledge this: '*NRW was not charged with exploring these ethical issues. We have not considered issues of ethics in our reading of the submissions*'.^[1] There seems to be confusion of purpose in the whole review process.

^[1] <https://naturalresources.wales/media/683949/paper-4-external-assurance-report-hillyard-and-marvin-2017.pdf>

The Cabinet Secretary also references the Code of Practice for Game Birds Reared for Sporting Purposes.^[2] Referencing this Code of Practice is the standard response from Welsh Government whenever concerns about game bird welfare are raised. While this is a statutory Code, there are no independent checks undertaken to assess whether the Code is being followed by game bird breeders, so in practice, compliance with the Code is voluntary. There are no inspections of game bird rearing sites carried out by the Animal and Plant Health Agency. Any inspection of a game bird rearing site would only be carried out in response to a welfare concern raised directly with APHA or the local authority but given that game bird rearing facilities are private businesses, it is highly unlikely that any welfare breaches would be detected and reported. In addition, the Code itself is eight years old and is insufficient to guarantee the welfare of the birds as it lacks even a basic minimum space requirement per bird. Animal Aid's investigations over a number of years have revealed that this Code is often disregarded with no consequences for the game bird producer. Just this year, Animal Aid has found birds kept in barren cages, at Bettws Hall game farm in Wales. We reported our findings to the Minister, the Animal and Plant Health Agency and the local Trading Standards department. A 2nd April email from Powys Trading Standards stated, *"I have been in contact with APHA Wales who have informed me, that, in response to your E Mail, they have carried out an inspection of the premises and that they found no breaches in legislation. I therefore have to advise that on this occasion Trading Standards will not be taking any further action in relation to the matter."* This is despite Animal Aid providing clear photographic evidence of barren cages in use at Bettws Hall. It cannot and should not be the case that the welfare of game birds has to be monitored by undercover investigations by animal welfare groups.

When the League Against Cruel Sports met with the NRW shooting review team in March this year we asked them to tell us the source of the birds that are shot on NRW land. They were unable to as they do not maintain any records of this type. Therefore they cannot claim, as they do in the consultation, that the birds shot on their land are reared in accordance with the Code of Practice for Game Birds Reared for Sporting Purposes. They do not know where the birds come from or whether the producer is Bettws Hall, or any other, which has been shown to be in breach of the Code in the past. In response to our concerns about the welfare of the birds at the point at which they are released to be shot, NRW responded that all shoots on its land follow the Code of Good Shooting Practice.^[3] Unlike the Codes of Practice for Game Birds Reared for Sporting Purposes, the Shooting Code is entirely industry-produced and led and furthermore, once again, there are independent checks to assess whether or not the shooting participants are following it. We know that many birds are not shot cleanly and do not die instantly, and yet the Shooting Code only says 'On driven days, any wounded game should be retrieved during drives whenever it is safe and practicable to

^[2] WG Code of Practice for the Rearing of Gamebirds for Sporting Purposes (2010). <http://gov.wales/docs/legislation/inforcenonsi/animalwelfare/110106gamebirden.pdf>

^[3] <http://www.codeofgoodshootingpractice.org.uk/pdf/cogsp2017.pdf>

do so.' This results in injured birds being left to suffer while a shoot continues which is entirely unacceptable.

Animal Aid's investigations of 'game' birds kept on NRW land found breaches of both welfare and industry Codes. In 2017, 35-40 dead game birds were discovered inside a release pen on NRW-leased land. In addition, undercover visits to 'game' farms found breeding birds kept in entirely barren cages, again in breach of the welfare Code. In 2017 Animal Aid conducted an undercover investigation which found dead, trapped and suffering 'game' birds on NRW land and land adjacent to it <https://www.animalaid.org.uk/dead-trapped-birds-natural-resources-wales-land/>. In 2015, League Against Cruel Sports professional investigators visited shooting estates in Wales and exposed the indiscriminate practice of snaring which is cruelly killing Welsh wildlife. The video also contains footage of the appalling conditions 'game' birds are reared in: <https://m.youtube.com/watch?v=TX0GylQZVW4>

Welsh Government and NRW cannot ignore the level of public opposition to the shooting of birds for sport. Public opinion matters, especially in relation to activities taking place on public land. In addition to the 12,700+ people who signed the petition that will be considered by the Committee, a YouGov poll commissioned by the League Against Cruel Sports and Animal Aid in April 2018 found that 74 per cent of people polled in Wales answered 'No' to the question 'Do you think that shooting birds for sport should be illegal or legal?' and after learning how chicks are bred for sport shooting, 76 per cent said they oppose the shooting of game birds for sport on publicly owned land in Wales. The full polling questions and breakdown of results are available at https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/1qaemiv24u/YG-Archive-230418-League%20AgainstCruelSports.pdf .

Thank you for your consideration of this petition.

Bethan Collins

Bethan Collins
Senior Public Affairs Officer, League Against Cruel Sports

Shooting consultation's experts come under fire

MARTIN SHIPTON

Chief reporter

martin.shipton@walesonline.co.uk

ANIMAL rights groups have criticised Wales' biggest quango for hiring an academic who herself goes shooting to evaluate a consultation on whether the killing of birds for sport should be permitted on its land.

Dr Sam Hillyard of Durham University was one of two academics who won the contract from Natural Resources Wales.

The other, Professor Garry Marvin of the University of Roehampton, specialises in the interaction between humans and animals.

NRW is conducting the review following increasing opposition to its policy of allowing pheasant shooting on publicly owned land.

Last month Animal Aid handed in a petition with more than 12,700 signatures to the National Assembly calling for a ban on shooting on land managed by NRW.

A YouGov poll at the same time found that 74% of people in Wales thought that shooting birds should be made illegal.

Fiona Pereira, campaign manager at Animal Aid, said: "We were deeply concerned to learn the identity of the academics assigned to review the evidence presented to NRW's

shooting consultation. The job should have been awarded to independent scientists who were specialists in the appropriate areas."

Bethan Collins, senior public affairs officer for the League Against Cruel Sports, said: "NRW commissioned this external assurance review because, in their own words, 'Due to the level of stakeholder

interest in this area, and the contentious nature of using firearms, we believe that additional independent assessment and evaluation of this evidence was required to ensure that the conclusions we have drawn, which form our recommendations and consultation proposals, are balanced, fair and unbiased.'

"We feel that in using Dr Sam Hillyard and Prof Garry Marvin to do this work, NRW have not met their own aim. Dr Hillyard is a sociologist whose research interests focus on the sociology of country sports and rural life. In documents that are freely available online, she says that she goes shooting herself.

"Prof Marvin is a social anthropologist whose research focuses on human-animal interactions and includes topics such as cock-fighting, bullfighting, fox-hunting and trophy hunting.

"In their report, Dr Hillyard and Prof Marvin argue for evidence submitted by a pro-shooting organisation, the Game and Wildlife Conservation Trust, to be given more weight by NRW and also comment on what they regard as the 'disproportionately cited' evidence of one respondent, Dr Jake Bicknell, who they note 'works for the RSPB' (the Royal Society for the Protection of Birds).

"We question why NRW felt that it was appropriate to contract Dr Hillyard and Prof Marvin to carry out this particular piece of work."

Ceri Davies, NRW's director of evidence, policy and permitting, said: "Our review has been extremely broad, as the new Environment Act requires NRW to plan and manage its work with sustainable management of natural resources as a foundation for all its decisions. The

review looked at how we manage our own land as well as the small amount of land that we lease out to third parties.

"All the evidence submitted during our 'call for evidence' stage of the review was given full and detailed consideration.

"The University of Durham and University of Roehampton provided an independent assurance role on the process undertaken in the evidence assessment stage and consideration of any gaps that there may have been in the evidence that NRW considered.

"We did not ask the assessors to make any comments on the contents of the review itself. The contract was awarded consistent with NRW's procurement policy and procedure"

Speaking on behalf of himself and Dr Hillyard, Prof Marvin said: "It's true that Dr Hillyard shoots and that my academic expertise relates to the interaction between humans and animals. It's understandable that the animal rights organisations will make political points about our involvement and I don't blame them for that.

"However, in my work I have never expressed support for any kind of hunting. NRW commissioned us to review the responses to the consultation and we did so professionally."

Agenda Item 3.1

P-04-399 Slaughter Practices

This petition was submitted by Royce Clifford and was first considered in June 2012 having collected 400 signatures.

Text of Petition

We call upon the National Assembly to urge the Welsh Government to ban the practise of slaughtering animals without pre-stunning them.

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-433
Ein cyf/Our ref LG/00911/18

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

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

9

May 2018

Dear David

Thank you for your letter of 27 April regarding petitions P-04-399 Slaughter Practices and P-04-433 CCTV in Slaughterhouses.

I would like to reiterate that here in Wales we have some of the highest animal welfare standards in the world, and strict regulations to address any cases where these standards are not met.

On 22 March I issued a Written Statement announcing the launch of a £1.1million Food Business Investment funding package specifically for small and medium size slaughterhouses. This support will enable these businesses to invest in improvements to ensure their resilience and their ability to continue to provide slaughtering facilities which are often in remote areas.

The grant aid will include both capital investment and provide advice on animal welfare, business improvement and technical matters. Welfare friendly infrastructure and facilities will be supported and also the installation and upgrading of CCTV monitoring systems. CCTV is a useful system to support both the Food Business Operator and the Official Veterinarian but is not a substitute for the important work undertaken by both to safeguard animal welfare.

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Correspondence.Lesley.Griffiths@gov.wales

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

Pack Page 82

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

The details of the grant scheme will be developed over the coming months, in consultation with the industry to ensure the support meets the needs of the sector. It will be launched before the summer recess. We will review the progression of the scheme, uptake by Food Business Operators and the type and scale of investments undertaken. I want Wales' slaughterhouses to be fully prepared as I continue to explore opportunities to legislate in the longer term.

Regards
Lesley

Lesley Griffiths AC/AM

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

P-04-399 Slaughter Practices – Correspondence from the Petitioner to the Committee, 18.05.18

Hiya, Dear Petitions Committee,

i believe we are wasting our time, on this issue, you have had this Petition and the other Petition for CCTV in all Slaughterhouses in Wales, for quite a awhile, mine is from 2012, nothing is going to happen, unless we get a change of Government, UKIP hopefully, i know that my concerns have been sent around the various departments for rulings and opinions in the past five years, with no effect, i still feel passionately about the stopping of NON-STUNNED slaughter, or LABELING the Meat..

While this debacle continues, would it not be respectful for all the meat eaters, in our Country of Wales, for the Welsh Government, to introduce MEAT LABELING, giving our people a choice, to buy or not to buy NON-STUNNED slaughter, of late the Welsh Government have had the courage to implement a few initiatives that have been taken up by the UK Government, or are in process, Plastic Bags and Organ Donor issues successfully. now, please, have a thought for the millions of Animals and our unsuspecting Welsh citizens, who are dupped and sold this cruel barbaric slaughtered meat....

If you have the courage, take a look at NON-STUNNED slaughter, on youtube, you'll find the EU rule book on Animal Slaughter, is far from the norm.....

Yours Respectfully

Royce Clifford

Agenda Item 3.2

P-04-433 CCTV in Slaughterhouses

This petition was submitted by Animal Aid and was first considered in November 2018 having collected 1,066 signatures.

Text of Petition

We call on the National Assembly to urge the Welsh Government to introduce mandatory CCTV in slaughterhouses to help vets with better regulation and monitoring, to provide footage for training and retraining, to deter some of the animal welfare abuses filmed by Animal Aid, and to provide evidence for prosecutions should they be necessary.

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-433
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David John Rowlands AM
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9

May 2018

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I would like to reiterate that here in Wales we have some of the highest animal welfare standards in the world, and strict regulations to address any cases where these standards are not met.

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The grant aid will include both capital investment and provide advice on animal welfare, business improvement and technical matters. Welfare friendly infrastructure and facilities will be supported and also the installation and upgrading of CCTV monitoring systems. CCTV is a useful system to support both the Food Business Operator and the Official Veterinarian but is not a substitute for the important work undertaken by both to safeguard animal welfare.

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

Pack Page 86

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

The details of the grant scheme will be developed over the coming months, in consultation with the industry to ensure the support meets the needs of the sector. It will be launched before the summer recess. We will review the progression of the scheme, uptake by Food Business Operators and the type and scale of investments undertaken. I want Wales' slaughterhouses to be fully prepared as I continue to explore opportunities to legislate in the longer term.

Regards
Lesley

Lesley Griffiths AC/AM

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



May 22 2018

Dear Petitions Committee,

Thank you for your continued interest in this issue, and for contacting the Minister once again about plans for independently monitored CCTV in Welsh slaughterhouses.

We are heartened that the Minister also supports the installation and use of CCTV, and will make available an investment package in order to help improve welfare in slaughterhouses.

As you know, after years of seeing the voluntary approach peak and plateau in England, the Government stepped in, and now all English slaughterhouses must install CCTV cameras throughout their premises and make the footage available to the regulators. The Scottish Government has launched a consultation which proposes the same.

While we welcome the Minister's plans to help smaller Welsh slaughterhouses improve welfare, we feel certain that in order to detect and deter abuses and poor practice – and to achieve full CCTV coverage across the sector as well as throughout individual slaughterhouses – legislation will be required. We see this move very much as a first step towards that.

We wait with interest the details of the Food Business Investment package, which we note will be announced before the summer recess, and we will continue to press for full CCTV coverage across all Welsh slaughterhouses, with the footage monitored by an independent body that has welfare as its priority.

Thank you again.

Kate Fowler

Agenda Item 3.3

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

This petition was submitted by Vanessa L Dye and was first considered by the Committee in December 2017, having collected 459 signatures.

Text of Petition

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

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

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

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

Since 2013 it has been noted by several sources that razor clams are being harvested in great numbers from Llanfairfechan beach. Evidence to support this claim has been documented on numerous occasions on social media. A recent request on the Llanfairfechan Noticeboard for any pictures or video

footage of those gathering the razor clams clearly shows that there are large numbers of people involved in this activity. The gathering of the razor clams generally takes place after a high tide.

Additional information

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

Assembly Constituency and Region

- Aberconwy
- North Wales

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-778
Ein cyf/Our ref LG/00910/18

David John Rowlands AM
Chair - Petitions committee.
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15 May 2018

Dear David

Thank you for your letter of 27 April, regarding P-05-778 Protect the Razor Clams on Llanfairfechan Beach.

You will be aware that I instructed my officials to tender a review of what is currently known about Razor Clam biology, ecology and stock assessment and exploitation in Wales. This has now been completed and officials are reviewing the recommendations of the report and considering next steps. Any future work will have full consideration to the health and status of razor clam stocks and the environmental effects of any proposed harvesting methods.

I have enclosed a copy of the report.

The signage advising of the temporary closure to razor clam gathering consists of two sheets of laminated A4, one for the English version and one for the Welsh version, prominently displayed at the five access points to the Llanfairfechan and Penmaenmawr beaches. The signs are checked prior to suitable razor clam collection tides and will be replaced when necessary.

Regards
Lesley

Lesley Griffiths AC/AM

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

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

Dear Petition Committee Members,

Re: Comments for Petition Committee Meeting June 2018

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

1. Comments relating to the Cabinet Secretary's letter

It is pleasing to note that the **Cabinet Secretary** for Energy, planning and rural affairs letter (April 2018), indicates that the "*health and status of razor clam stocks and environmental effects*" remains a continuing theme for any stock assessment and future harvesting methods.

2. Comments relating to the razor Clam Report

2.1 The report is an extensive literature review; and documents potential methods for stock assessment. From reading the report it would appear that much of the literature review is grounded in general knowledge about razor clams, in other locations, with a few specific references to Llanfairfechan beach. However, the report shows that it is not known with any degree of accuracy the extent and viability of the fishery at Llanfairfechan and therefore the sustainability of current practices on this resource for future generations. What is interesting is that it has been an area of study in many areas of the UK and Europe and some fisheries appear to have established, policed and managed effective and sustainable fisheries.

2.2 The report echoes many issues raised at the public meeting held last July. i.e. razor clams have a restricted distribution, therefore populations can be vulnerable to over exploitation. There is a suggestion in one section of the report that there may be evidence of previous overfishing:

*" With no evidence of a vast subtidal bed, and no indication of recruitment in the fished areas, it was suggested that the groups may be targeting an important brood stock, and it was thought from anecdotal evidence that the razor clam catch per person was decreasing in the intensely targeted areas"*p12. This comment may be indicative of a reduction in the size of the RC beds.

2.3 In addition, there is a need for detailed understanding of the local environmental, biological landscape, intertidal areas to inform authorities what effective management and assessment of the resource needs to be undertaken, if it is to be properly utilised.

Some potential questions for research are:

- Clear detail to determine if the E Siliqua is the most abundant intertidal clam locally;
- What the density of E Siliqua per M² locally?
- When is the prime spawning season for E Siliqua locally?
- When is the optimum time to apply a closed season for harvesting?(*see comments below also);
- What is the growing rate of the clams locally?

*The report outlines some very helpful information relating to the life cycle, spawning and maturity of razor clams which will hopefully enable the Petition Committee to help within the fulfilment of one of the themes of the petition i.e. to recommend a suitable 'closed' season for the harvesting of razor clams and this should be aligned to the spawning season. In addition, the information regarding Minimum Landing size is useful, although there are no suggestions regarding optimum quotas which may be taken, or what constitutes overfishing.

2.4 A point raised in the report's recommendations states the potential for research bias. Perhaps this could be counteracted by the timely co-opting of interested locals, during the research process e.g. fishermen, commercial fishermen and environmentalists. This would help to make the process more open, transparent and lead to a genuinely local- led initiative.

2.5 It has been muted at previous Petition Committee meetings that the Marine Biology Department of Bangor University is best placed to be involved in any ongoing investigations, and as has been outlined before, this is an ideal opportunity to conduct some highly useful, original and unique local research.

3 Comments relating to continued harvesting and signage

With regard to the current signs, which indicate the razor beds are closed; it was noted last week that there were a few spring tides and a handful of gatherers were seen on the beach on three occasions. Janet Finch-Saunders (AM) is aware of this infringement of the Bye-Law. Once again, it must be reported that the current signs appear to be inadequate, both in terms of their lack of prominence and they do not appear on or near all access points to the beach.

I wish to thank the Petition Committee for their steadfast interest and actions when working on this petition.

Yours faithfully,

Vanessa L Dye in collaboration with John Jones(Llanfairfechan resident and local angler)

Agenda Item 3.4

P-05-786 Save our Countryside – Revise TAN 1

This petition was submitted by Cllr Mike Priestley and was first considered by the Committee in November 2017, having collected 706 signatures.

Text of petition

Changes in 2015 to Technical Advice Note 1 (TAN1) have resulted in unachievable annual housing targets. This has taken planning decisions away from the local democratic planning process and undermined Adopted Local Development Plans (LDPs) across Wales.

We call on the National Assembly for Wales to urge the Welsh Government to reinstate within TAN1 the use of "past building rates methodology" alongside the "residual methodology". This will ensure that Councils are able to undertake intelligent and credible housing land supply needs assessments. Past housing delivery performance reflects economic conditions and local building industry capacity and resilience.

To ensure credible and deliverable land supply, and to balance the need for housing with the need to protect our environment and heritage, it is essential that economic conditions and local building industry capacity are factored into annual calculations of 5 Year Land Supply for Housing.

Changes to TAN1 have forced Local Councils to allow housing developments in excess of what is considered to be local demand. These developments are often large scale and have a detrimental effect on the green belt and the heritage of our County as urban and rural areas over expand. This in turn puts added demands on already stretched services such as GPs, Hospitals, Social Services and Schools.

The withdrawal in 2015 of the past building rates methodology is causing increasing numbers of Local Authorities to declare a 5 Year Land Supply shortfall. This, in turn, is forcing Local Councils, against their will and better judgement, to approve speculative development applications on locally sensitive Greenfield land, land unallocated within their LDPs and, where local approval to these speculative applications is not granted, local democratic decisions are being overturned on appeal, specifically due to the lack of a 5 Year Land Supply for Housing.

Additional information

In 2014 Conwy Council had a 7+ Year Land Supply when its LDP was examined and approved by the Planning Inspector. Less than 12 months later the changes to TAN 1 reduced Conwy's Land Supply to less than 5 years. This has reduced with successive annual land supply calculations. In 2017, Conwy's land supply now stands at 3.1 years as a direct result of the changes to TAN1, and the Council is receiving speculative development applications for land unallocated within the LDP despite allocated land being available. If the past building rates methodology was still permitted, Conwy would today have an 8.5 year supply.

WG's guidance document TAN1 tells Local Councils how to work out their supply of housing land. All Councils should have enough land to meet the need for 5 years of house building. In the previous TAN1 there were two methods of working out how much land was needed:

1. The residual method based on the total housing need from an adopted Plan
2. The past build rates method, using the house building rates from the last 5 years to project forward for the next 5 years.

The Wellbeing and Future Generations Act requires us to be balance our decisions and actions in terms of impact today and impact in the future. Surely, we should apply this thinking to land planning and land use? Current Welsh Government policy is forcing prime Greenfield land to be concreted over and forever become brownfield land. The imposition and restriction to the use of the "residual methodology" was fiercely contested at the consultation stage and beyond, but Local Councils' voices were ignored. Local Councils need to be able to:

- protect heritage and environment and sensitive Greenfield land use and exercise local discretion, judgement and control of where development is needed and where it is allowed.

Assembly Constituency and Region

- Aberconwy
- North Wales

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-786
Ein cyf/Our ref LG/00909/18

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

SeneddPetitions@assembly.wales

10 May 2018

Dear David,

Thank you for your letter of 27 April regarding Petition P-05-786 concerning Technical Advice Note 1 (TAN 1).

The draft revised *Planning Policy Wales* places increased emphasis on the delivery of housing to meet the needs of local communities across Wales. To give effect to the revised policy, more rigorous assessments of the deliverability and viability of housing sites from the outset of the Local Development Plan (LDP) preparation process will be required to enable Local Planning Authorities to maintain a five-year housing land supply throughout the plan period. As TAN 1 provides the methodology for Local Planning Authorities to monitor the housing land supply required to meet their LDP housing requirements, the relationship between TAN 1 and LDPs is integral to the delivery of housing and therefore to the *Planning Policy Wales* consultation. I look forward to receiving the responses on this aspect of the *Planning Policy Wales* consultation.

In response to the current housing land supply position and the directly related situation regarding the delivery of LDP housing requirements, this summer I will be undertaking a 'call for evidence' and wide-ranging review of the delivery of housing through the planning system. The 'call for evidence' will look at the interrelationships between the LDP process, the measuring of housing land supply under TAN 1 and the actions to be taken to address any shortfall in a systematic way. It will provide all parties involved, including Local Planning Authorities and the house-building industry, with the opportunity to put forward proposals, supported by evidence, to address the issues which have been raised regarding housing land supply.

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

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

In addition, to alleviate some of the immediate pressures on Local Planning Authorities when dealing with speculative planning applications for housing, allowing them to focus on LDP preparation and the 'call for evidence', I am consulting on my intention to dis-apply paragraph 6.2 of TAN 1 for the duration of the review. This paragraph states the absence of a five-year housing land supply should be given considerable weight when dealing with planning applications. This consultation runs from 10 May to 21 June 2018.

Regards
Lesley

Lesley Griffiths AC/AM

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

Agenda Item 3.5

P-05-796 Calling on the Welsh Government to Ban The Use of Wild Animals in Circuses in Wales

This petition was submitted by Linda Joyce Jones and was first considered in January 2018, having collected a total of 6,398 signatures.

Text of Petition

We call on the Welsh Assembly to ask the Welsh Government to ban the use of wild animals in circuses in Wales. Animal Welfare (except hunting and animal experimentation) is a devolved matter in Wales.

In December 2015 Rebecca Evans AM (then Deputy Minister for Farming and Food) said "The Welsh Government believes there is no place for the use of wild animals in circuses".

Under her instructions the WG commissioned a independent report which took evidence from over 600 experts in the field. This report was published in July 2016, and the conclusions it reached were clear.

The report stated "The scientific evidence indicates that captive wild animals in travelling circuses do not active their optimal welfare requirements set out under the Animal Welfare Act of 2006". The report also stated" Life for wild animals in travelling circuses and mobile zoos does not constitute either a "good life" or a "life worth living".

In December 2016 Lesley Griffiths AM (Cabinet Secretary for Environment and Rural Affairs) stated that the WG were working towards a licensing system , similar to the one currently operated by DEFRA in England. It should be noted that this system was put in place by the UK Government in 2011 as a temporary measure until a ban was put into place.

It can clearly be shown by the licensing documents available in the public dominion that this licensing system fails the animals. The two animal circuses currently licensed by DEFRA have repeatedly breached the conditions of their licenses, and had them suspended at one time or another.

In a poll carried out by RSPCA Cymru 74% of the Welsh public wanted this outdated practice banned. They also submitted a petition to The Petitions Committee of the Welsh Assembly in 2015.

Assembly Constituency and Region

- Arfon
- North Wales

P-05-796 Calling on the Welsh Government to Ban The Use of Wild Animals in Circuses in Wales – Correspondence from the Petitioner to the Committee, 25.05.18

For the Petitions Committee meeting 05/6/2018.

Petition calling on the Welsh Government to ban the use of wild animals in circuses in Wales.

Thank you for considering this as an agenda item this morning. As I write the two remaining travelling circuses that use wild animals are touring Wales. Peter Jolly's Circus are in the north near Corwen. Circus Mondao started off in Chepstow, and have been to Porthcawl next stop is Tenby remaining in Wales until mid July.

There has been protests at every show.

Thomas Chipperfield with his show "Big Cats Live" , has on appeal been refused a circus licence to tour England by DEFRA. With The UK Government stating that they "are determined to bring a ban into force by January 2020". He can however still come to Wales, he has indicated he intends to tour this year .

I wish to thank those Members who took part in the debate on the 7/3/18, which was triggered by my petition which I presented to your Chair David J Rowlands AM in January. Members of all parties spoke passionately, each one favouring a ban.

I was pleased that Lesley Griffiths AM in her capacity as Cabinet Secretary for Energy Planning and Rural Affairs remained in the chamber to hear the debate and then chose to respond. It was wonderful to hear that she shared our concerns and did think that travelling circuses that use wild animals have no part in a modern Wales.

While I understand the need for consideration of the best way to bring a ban into place, I am dismayed to note that a firm timescale has yet to be announced. I welcome the Cabinet Secretary's announcement that a statement will be released in the Summer. But as the information above shows yet again circuses that use wild animals are touring our proud Country. Every year since 2015 we have had statements released on this subject by the Welsh Government, and every year the animals remain on the road in Wales.

I note that Lesley Griffiths did share the information in her response that the former Minister for Environment and Rural Affairs Rebecca Evans AM had looked at bringing legislation forward in 2015 via the Animal Welfare Act. But Rebecca and

her advisers ruled out this way forward. Surely then the route of bringing a ban into force via primary legislation should be looked at, which is the route Scotland took earlier this year.

I am very concerned as are certain members like Simon Thomas AM and Bethan Sayed AM. That if we delay further than due to the Brexit issue these powers may be lost and therefore Wales may not be able to act in this matter.

It seems every other country around us, Scotland, the Republic of Ireland and even England are standing up and making it clear how they feel. My late Father Richard Arthur Wyn Jones, instilled in me a firm belief that once we – Cymru had our own Parliament we would be able to set our own agenda and standards that others would see and indeed follow. This is a matter devolved to our Assembly, an Assembly I know Members believe passionately in. This isn't a political issue to my mind, but an animal welfare issue.

So I would like to ask you today to consider contacting Lesley Griffiths AM Cabinet Secretary for Energy Planning and Rural Affairs to see if any more progress has been made in establishing a firm timescale for legislation to be brought forward by the Welsh Government.

Once again I thank you for considering this matter today.

Linda Joyce-Jones 25/5/2018. Arfon Constituency, Caernarfon Gwynedd.

Agenda Item 3.6

P-04-522 Asbestos in Schools

This petition was submitted by Cenric Clement-Evans and was first considered in December 2013, having collected 448 signatures.

Petition Text

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

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

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

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-522
Ein cyf/Our ref KW/01176/18

David John Rowlands AM
Chair - Petitions committee
National Assembly for Wales
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15 May 2018

Dear David

Thank you for your letter of 2 May in respect of your discussions at the Petitions Committee meeting on 17 April about what information should be made publically available in relation to asbestos management in schools.

For ease of reference, I will provide two separate updates on the specific information you enquired about.

Asbestos management in schools responses in the school condition survey

My officials are awaiting final assurances from a few outstanding local authorities to confirm that the information they have provided is current and valid.

However, I am pleased to reconfirm that, thus far, all of the local authorities that have responded have verified that all of the schools in their estates with asbestos present have an asbestos management plan in place.

I am minded to make this high level information available and will make a decision as to the best way to do this once full assurance from all local authorities has been received.

Asbestos Management in Schools Guidance

The revised Asbestos Management in Schools Guidance is still under review by key stakeholders. To ensure feedback and findings from all key stakeholders is considered, my officials have convened a discussion meeting on Monday, 21 May. This is, of course, in addition to any written feedback we may receive from stakeholders.

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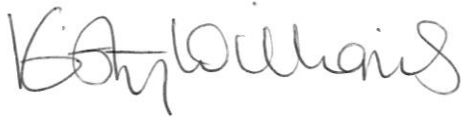
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

Once all views have been considered, the revised guidance documents will be published online to replace existing information. This will happen as soon as practically possible after the review period.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams'.

Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg

Cabinet Secretary for Education

**P-04-522 Asbestos in Schools –
Correspondence from Petitioner to Committee, 31.05.18**

I have in effect commented upon the Cabinet Secretary's letter with regard to the meeting of the 21st May. I very much welcome the fact of the meeting and also the positive contribution of all who attended. It was a positive meeting and I am sure that it will be reflected in the Guidelines in due course. As you will be aware from the lengthy correspondence with the Petitions Committee, that I have been calling for such a meeting for over 2 years now. I have to complete my response to the consultation by the 6th June and I will share this with the Committee as soon as I have done so.

With regard to the other aspect of the Cabinet Secretary's letter,

*“Asbestos management in schools responses in the school condition survey
My officials are awaiting final assurances from a few outstanding local
authorities to confirm that the information they have provided is current and
valid.*

*However, I am pleased to reconfirm that, thus far, all of the local authorities
that have responded have verified that all of the schools in their estates with
asbestos present have an asbestos management plan in place.*

*I am minded to make this high level information available and will make a
decision as to the best way to do this once full assurance from all local
authorities has been received.”*

I note that full assurance from all local authorities would still appear to be awaited. At the meeting of the 21st May there were general concerns raised about how the standard of surveys being relied upon and also how information was to be shared including to whom.

I hope that this is helpful and I shall await hearing from you further.

Kind regards

Cenric

Agenda Item 3.7

P-05-805 Fair Deal For Supply Teachers

This petition was submitted by Sheila Jones, having collected 997 signatures online and 428 signature on paper, a total of 1,425 signatres.

Text of Petition

We, the undersigned, request that all supply teachers be paid fairly and have full access to training opportunities and other terms and conditions. There should be a qualified teacher in every classroom and taxpayers' money should be going directly into education and not into the pockets of private agencies.

Supply teachers are being exploited and teachers are leaving the profession as they cannot afford to be supply teachers.

Agencies reduce teachers' pay by forty to sixty percent and teachers lose their pensions, this is public money going into the private sector for profit. Lessons are being covered by unqualified staff.

Assembly Constituency and Region

- Caerphilly
- South Wales East

**P-05-805 Fair Deal for Supply Teachers –
Correspondence from Petitioner to Committee, 21.05.18**

Dear Petitions Committee

Thank you for your correspondence regarding our petition Fair Deal for Supply Teachers.

You asked if we could present any specific solutions to the issues raised in our petition:

In response to our request to be paid fairly we want to be paid according to scale to STPCD i.e. according to our qualifications and experience with access to the Teachers Pension Scheme. Kirsty Williams has told us schools are free to employ supply teachers in whatever way they wish. This is also outlined in her document *“Effective management of school workforce attendance:”*

1.29 If a school employs a qualified supply teacher directly, they are then considered to be the employer. It is therefore, the schools responsibility to carry out all employer functions including relevant employment checks and payment for work is made. It is advisable that schools keep a list of supply teachers who could be called upon at short notice. Relevant details (e.g. CV, DBS, EWC registration) should be on file and the school should ask for an update of this information at each appointment. It is particularly important that EWC registration is checked at each appointment as the Register is ‘real-time’ and the registration status of an individual can change at any time. *Building a relationship with these teachers over a period of time would benefit the school, pupils and the supply teachers.*

With devolved powers coming into place in September 2018 we fail to see why it will take till September 2019 at the earliest to effect any change. As previously said, a trial for 50 supply teachers that hasn't had the uptake expected has had little effect for the rest of us.

There is a centralised register in Northern Ireland that works well over there.

It is run by Belfast Council, Kirsty Williams has visited Northern Ireland while ago to look at iit but felt it wouldn't work here. We think an alternative could be we could have a similar scheme here that would work with the geographical landscape. The EWC holds all the data on qualified teachers, a central database could be set up easily following the NI model.

Ideally we would like there to be no agencies in existence as they have made huge profits whilst paying very poor wages and giving very little in return. However, realistically we understand that there may always be agencies that will fulfil the need for cheap labour. But by encouraging schools to employ direct great benefits all round will be provided. Schools will employ familiar teachers with the skills required, teachers will become known to the school and problems with having a series of unfamiliar teachers trooping through classrooms will be avoided.

Standards will rise, behaviour will improve, teacher retention will improve as will morale. Certainly just having a preferred supplier has driven down wages in Wales.

In the interim all agencies need to be offering free CPD that is relevant and current to keep supply teachers up to date with new initiatives.

We would like the use of unqualified staff taking lessons to be outlawed and for every child to be taught by a qualified teacher.

Agenda Item 3.8

P-05-807 Review and change the guidance for attendance awards in Welsh schools

This petition was submitted by Laura Charles-Price and was first considered by the Committee in April 2018, having collected 123 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to review any guidance it issues on school attendance awards in Wales.

Many children across Wales suffer with chronic illnesses that affect their school attendance. A child may miss school due to the illness itself or due to hospital appointments which they have to attend related to this illness.

Each year attendance awards are given out at school which many of these children miss out on. Not only is this unfair but it also discriminates against those children.

I would like to propose that the Welsh Government either makes allowances for those children or advises local authorities and schools that attendance awards should not be given.

Assembly Constituency and Region

- Gower
- South Wales West

P-05-807 Review and change the guidance for attendance awards in Welsh schools -

Correspondence from Petitioner to Committee, 21.05.18

Good morning,

In response to the letter from Kirsty Williams.

On speaking with the school and governors, I have been informed that the school are instructed to follow guidance, and movement from this framework causes problems.

I believe it is down to the Welsh Government to put something in place that enforces schools to make adjustments that reflect the attendance of children with chronic health conditions. The current targets are not realistic for these children as it had been suggested in the original letter, it should not be guidance but a rule that all schools must follow.

The school have also informed be there is no code available to input into the register, a simple code should be available to each school which would allow it to be recognised as an absence due to a chronic health condition. When the end of term then arrives they are able to clearly see that this child has been absent but through no fault of their own, therefor should not be excluded from the reward scheme. The school have said they simply do not have the time or resources to manually check this at the end of each term.

I honestly feel, that it is far too easy to say it is up to the individual school, without higher powers involved how am I able to fight this discrimination? That is what we are encountering at the moment. I have to fight daily for my son this is one thing I should not have to fight for.

Many thanks

Laura Charles-Price

Agenda Item 3.9

P-05-748 School Buses for School Children

This petition was submitted by Lynne Chick and was first considered by the Committee in April 2017, having collected 1,239 signatures – 502 on paper and 737 on-line.

Text of the Petition

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

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

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

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

Additional Information

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

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

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

Assembly Constituency and Region.

- Alyn and Deeside
- North Wales

PRIVATE OFFICE CORRESPONDENCE



Department
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OUR REF: ID/221787

YOUR REF:

26 APRIL 2018

Dear Mr Rowlands

Thank you for your letter of 12 March to Nusrat Ghani MP, regarding Petition P-05-748 School Buses for School Children.

The subject of this correspondence is primarily for the Welsh Government, I have therefore transferred your correspondence to that Department, asking them to reply to you direct.

Yours sincerely

R A Apelogun

Rosemary Apelogun
Correspondence Team



Ein cyf/Our ref KS/01132/18

David John Rowlands AM
Chair - Petitions committee.

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14 May 2018

Dear David,

On 12 March, you wrote to Nusrat Ghani MP, Parliamentary Under Secretary of State for Transport about petition P-05-748, school buses for school children. As Learner Travel is a devolved matter, your letter has been transferred to me to respond as I have responsibility for Transport in Wales.

The safety of all children and therefore learners is of paramount importance. For learners travelling to and from school the Learner Travel (Wales) Measure 2008 (the Measure) and the Safety on Learner Transport (Wales) Measure 2011 place duties on both Welsh Government and local authorities.

I wrote to you on 31 January about the actions that the Welsh Government has taken to ensure that children are able to travel to school in safety. This includes the revised guidance issued under the Measure in relation to undertaking risk assessments for safe walking routes to school and the rules governing the use of dedicated learner travel.

The Measure places a duty on local authorities to assess the travel needs of all learners in their area. As a result of the assessment local authorities must make travel arrangements including provision of free transport based on age, distance and aptitude criteria. Any arrangements local authorities make resulting from their assessment must not be unsafe or cause unreasonable stress to learners.

Local authorities are also required to promote sustainable modes of travel including active travel. The Welsh Government aims to significantly increase the number of people who walk and cycle for everyday journeys and the Active Travel (Wales) Act 2013 plays a key role in this. We have invested nearly £90 million over the next three years to create new active travel routes across Wales, and this will connect learners to schools enabling more learner travel journeys to be made by walking and cycling. Building physical activity into children's lives improves their health.

Bae Caerdydd • Cardiff Bay
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

Promotion of sustainable modes of travel will include the use of public service vehicles, where available and appropriate. Using public service buses will reduce the number of vehicles on the road network and in turn reduce congestion and air pollution. The aspiration of providing private bus or coach travel for all learners, whilst understandable in the case of the petitioner, does not meet the Well-being Goals of the Future Generations (Wales) Act 2015.

The Safety on Learner Transport Measure introduced the compulsory fitting of seat belts on dedicated home to school learner transport, this came into force on October 1, 2014. There is no requirement for seat belts to be fitted on public service buses as these services can also be used by members of the public and are therefore not dedicated learner transport. The Learner Travel Guidance provides advice on how to encourage and persuade children to wear seat belts. However, it must be acknowledged that fitting seat belts does not always result in them being used.

Disclosure and Barring Service (DBS) checks are to assist employers in making safer recruitment and licensing decisions. However, a check is just one part of robust recruitment practice. DBS checks do not provide a guarantee of safe practice.

Legislation places duties on employers when recruiting for some specific roles requiring them to check that the job role is eligible for a DBS check. DBS checks are required for drivers of dedicated learner transport as they are undertaking regulated activity, i.e. working unsupervised with the opportunity for contact with children on a frequent basis. They are therefore not appropriate for drivers of public service vehicles who may or may not come into contact with vulnerable groups on a frequent basis.

As I indicated at the Economy, Infrastructure and Skills Committee on Wednesday, 25 April 2018, when new powers under the Wales Act 2017 were discussed, I will shortly issue a white paper consultation about the planning and delivery of local bus services. In doing so, my intention is to provide a framework that enables local authorities to work more closely with local bus operators to better organise local transport in their areas. In some cases, this will capture services that may serve schools and other educational establishments and will improve all aspects of the transport provision.

Providing the appropriate safeguards are in place therefore, it will be appropriate for safe travel to school to take place using scheduled local transport services.

*Yours ever,
Ken*

Ken Skates AC/AM

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

Agenda Item 3.10

P-05-732 Unacceptable Waiting Times for NHS patients in A & E Wreccsam/Wrexham Maelor Hospital

This petition was submitted by Charles Dodman and was first considered by the Committee in January 2017, which collected 14 signatures.

Text of the Petition

I am petitioning the Welsh Assembly to debate and discuss and implement measures to resolve unacceptable waiting times for the Welsh people at A & E Wreccsam/Wrexham Maelor Hospital. Welsh people look undermined and demoralised by this unacceptable situation.

Assembly Constituency and Region.

- Wrexham
- North Wales

Vaughan Gething AC/AM
Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau
Cymdeithasol
Cabinet Secretary for Health and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref VG/01133/18

David John Rowlands AM
Chair - Petitions Committee
National Assembly for Wales
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16 May 2018

Dear David,

Thank you for your further letter of 5 October regarding Petition P-05-732 about A&E waiting times at Wrexham Maelor Hospital. As requested I am providing an update on the outcome of the NHS Wales Delivery Unit's (DU) intensive support programme in respect of Wrexham and Glan Clwyd hospitals.

I should explain at the outset that the DU's intensive support programme focussed on improving the health board's escalation processes and the use of the Welsh Government's Risk Based Escalation (RBE) tool rather than intending to directly improve performance, though it was anticipated that improved executive grip may result in more general improvements.

The DU commenced its intensive support programme with Betsi Cadwaladr University Health Board on 25 April 2017 at the request of the Chief Executive of NHS Wales and provided a total of seven months on-site support (averaging 2-3 days per week) up to the end of November 2017. This saw the Delivery Unit work with the health board's executive triumvirate, wider Executive and moving through the organisation to cover Gold, Silver and Bronze on call and the ward and operational ED staff to embed an improved awareness and understanding of escalation processes. Following the conclusion of this work and with mutual agreement, the DU stepped back to allow the health board to progress this work through its broader improvement programme.

Unfortunately, the health board continues to face significant challenges across its sites and despite improvements in the timeliness of ambulance handovers since the beginning of the year, it has not been able to demonstrate the sustained improvement in respect of emergency department waiting times. This was particularly evident over the winter period when an increase in the number of patients requiring emergency admission to hospital, as well as difficulty in sending people home from hospital beds resulted in some patients waiting longer for access to care.

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

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

I have been very clear with the health board about the need to increase the pace of improvements and in my Written Statement, published on 1 February 2018, I updated Assembly Members on the health board's progress against the expectations set out in the special measures improvement framework and set out additional support for the health board under the special measures arrangements.

This support will help the health board build on progress made and ensure delivery and improvements in mental health services and in its finance and performance positions and include:

- the appointment of David Jenkins, previous Chair of Aneurin Bevan University Health Board in an advisory role on board governance and performance progress;
- BCUHB to appoint a Turnaround Director and team to deliver and increase pace on actions;
- increased primary care leadership and planning capacity and capability to be put in place; an action plan progressed to deliver on the Deloitte Review recommendations;
- additional support to extend management infrastructure in place for mental health team, and
- allocation of £13.1 million committed from within performance funding to improve waiting times and £1.5 million invested in an unscheduled care programme.

I have since published a special measures improvement framework that sets out the milestones and expectations for the health board for the next 18 months in leadership and governance, strategic and service planning, mental health and primary care, including out-of-hours services. I expect the health board to provide detailed progress reports against the new improvement framework and the first report will be provided in October this year.

The committee will also be aware that Peter Higson, chair of the health board will be stepping down in August and that Mark Polin, currently Chief Constable of North Wales Police will take up the role of chair in September. Mr Polin will bring a wealth of public sector leadership and governance experience, which will stand him in good stead to lead the next critical phase of the health board's improvement journey.

Monitoring and oversight of the health board will continue at a heightened level and I will continue to provide ministerial oversight with monthly accountability meetings with the chair and the chief executive.

Yours sincerely,



Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
Cabinet Secretary for Health and Social Services

P-05-751 Recognition of Parental Alienation

This petition was submitted by Families Need Fathers Both Parents Matter Cymru and was first considered by the Committee in May 2017, having collected 2,058 signatures – 752 on paper and 1,306 online.

Text of the Petition

We call upon the Welsh Assembly to persuade the Welsh Government to protect children and young people in Wales by formally recognising 'Parental Alienation' as a form of emotional abuse of children. We further call upon the Welsh Government to take specific actions to reduce the impact of Parental Alienation on children and their families.

Additional Information

We propose the following action by Welsh Government

- Recognise 'Parental Alienation' as emotional abuse of children with a definition incorporating the one given by the Ministry of Justice (paragraph 1) here <https://petition.parliament.uk/petitions/164983>)
- Commission and fund mandatory training for professionals including but not Social Work and Cafcass Cymru staff, in recognising Parental Alienation including pathways to protect children from harm.
- Establish and fund a national campaign to inform children and families about Parental Alienation and the harm that it causes.
- Place a duty on Welsh Ministers to act to protect children from abuse and harm where Parental Alienation has been identified.

Parental Alienation has been defined by the Ministry of Justice as:

‘In cases where parents are separated, parental alienation refers to a situation in which one parent (usually the parent with whom the child lives) behaves in a way which creates anxiety in the child, so that it appears the child is opposed to living or spending time with the other parent.’

This definition is taken from the first paragraph of the Government’s response to Mr. Darren Towill’s petition. <https://petition.parliament.uk/petitions/164983>

CAFCASS in England have already recognised Parental Alienation as an abuse of children. CAFCASS CEO Anthony Douglas stated in an article in the Telegraph online

dated 12th Feb 2017 about Parental Alienation that "It's undoubtedly a form of neglect or child abuse in terms of the impact it can have".

<http://www.telegraph.co.uk/news/2017/02/12/divorced-parents-pit-children-against-former-partners-guilty/>

Assembly Constituency and Region.

- West Cardiff
- South Wales Central



Our ref: DC HID 203 18

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

16 May 2018

Dear David

Petition P-05-0751 - Recognition of Parental Alienation

Thank you for inviting me to appear at the Petitions Committee on 1 May to discuss the above petition. Following my attendance, I thought it would be helpful to set out how Welsh Government is addressing each of the four points raised within the petition about parental alienation.

1. Recognise 'Parental Alienation' as emotional abuse of children with a definition incorporating the one given by the Ministry of Justice

Welsh Government recognises that some parents can behave in a way that alienates the other parent from their child's life and that these behaviours in extreme form can have a significant, adverse impact on the emotional well being of the child. There are a number of ways to describe Parental Alienation. We prefer to refer to parental alienation not as a syndrome or a classification but as alienating behaviours. The most important issue for us is that these behaviours when they occur are appropriately dealt with using the existing regulatory and legal framework.

The Family Justice Network for Wales, which includes key stakeholders in the family justice system in Wales, reviewed its position on parental alienation in March 2017. The Network recognises the behaviours described and the significant impact they can have on the emotional well being of the child. Network members agreed that under existing legislation, the Family Court already has a sufficient range of powers to deal with cases where alienating behaviours feature and where appropriate, cases can and have been considered by Welsh local authorities under child protection procedures. On that basis, the Network's view remains unchanged in that when children are impacted by parental alienating behaviours the current legal provisions are more than sufficient to safeguard the emotional well being of children. The Family Court's primary concern when making decisions is always focussed on the welfare of the child.

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

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

2. Commission and fund mandatory training for professionals including but not exclusively Social Work and Cafcass Cymru staff, in recognising Parental Alienation including pathways to protect children from harm

Safeguarding and the protection of children are fundamental features of social workers' training and the Continuing Professional Education and Learning Framework equips practitioners with the knowledge and skills they need to work in complex situations.

Social work professionals are well versed in working with families where there is a breakdown in relationships and in particular where behaviours are emotionally abusive. Private law cases often involve disputes between parents over child arrangements. Social workers and Cafcass Cymru practitioners, as professionals, are experienced in handling disputes of varying levels of severity. Social workers are supervised by senior staff in their organisations, this provides an additional level of scrutiny to support safe and robust practice.

In recognition of the importance of this issue within Cafcass Cymru, 'implacable hostility' and alienation as a practice area together with the associated learning and development of practitioner staff is being actively refined in the light of the literature review by Cardiff University which has recently been completed (attached at annex 1.) The learning and development plan for 2018-19 will reflect the priority given to working with 'implacable hostility' and alienating behaviours in a child centred and evidenced based manner.

Cafcass Cymru employs experienced and highly competent Family Court Advisors / Children's Guardians who work on some of the most complex cases before the Family Court. At a case level these officers provide independent advice to courts and families centred on the rights, welfare and best interests of the child.

Aside from their professional skills and judgement, Cafcass Cymru Family Court Advisers (FCAs) have at their disposal a suite of assessment tools to assist and support them in their work. One of those tools is the Child and Adolescent Welfare Assessment Checklist (CAWAC). This is an academically validated tool in which all relevant Cafcass Cymru practitioner staff receive accredited training.

The CAWAC helps to assess the psychological impact on the child of living with inter-parental conflict. The CAWAC also helps to identify situations where a child has been negatively influenced against a parent. The CAWAC is used in conjunction with the application of professional social work assessment and judgement in identifying safeguarding issues (including emotional harm) and in assessing the quality of relationships between the child and parents.

As a result practitioners provide evidence-based analyses focused on the experience of and impact upon the child. It is from this perspective that Cafcass Cymru considers the issue of alienating behaviours.

3. Establish and fund a national campaign to inform children and families about Parental Alienation and the harm that it causes.

Whilst I recognise the severe impact alienating behaviours can have on the emotional well being of the child the key issue is that these behaviours when they occur are appropriately dealt with using the existing regulatory and legal framework.

Whilst highlighting the impact of such behaviours is a valid concern, our focus is on tackling these alienating behaviours rather than on treating parental alienation as a syndrome or a classification in its own right.

More widely, Welsh Government has placed a firm focus on positive parenting and has supported a range of parenting support services through its Families First and Flying Start programmes. It is important that families are provided with support when parental separation occurs to help ensure a positive approach to parenting is maintained.

4. Place a duty on Welsh Ministers to act to protect children from abuse and harm where Parental Alienation has been identified

Welsh Ministers already have a duty to protect children from abuse and harm in all instances. Welsh Ministers must have due regard to the substantive rights and obligations within the United Nations Convention on the Rights of the Child (UNCRC) and its optional protocols when considering proposed new legislation, proposed new policies and a review of, or change to an existing policy and/or legislation.

Wales was the first country in the UK to make the UNCRC part of its domestic law. This is reflected in our Social Services and Well-being (Wales) Act which places a focus on prevention and early intervention in supporting families, particularly those with complex needs. It also introduced safeguarding reforms including a strengthened legal framework for safeguarding children and vulnerable adults.

Yours sincerely



Huw Irranca-Davies AC/AM
Minister for Children, Older People and Social Care
Y Gweinidog Plant, Pobl Hŷn a Gofal Cymdeithasol

Response to the Welsh Assembly Children's Committee on Parental Alienation for the evidence session on 5th June 2018



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Introduction

We thank the Committee for sharing with us the correspondence from the Minister and the research from CASCADE / Cardiff University. We have also reviewed the evidence session of the 1st May.

There is much assertion from Welsh Government / Cafcass Cymru that they recognise Parental Alienation and have the necessary tools to protect children from it.

We are very grateful to the Committee for their continued involvement with these complex and challenging issues about the protection of children in Wales. We believe that without the Committee's scrutiny the Welsh Government and Cafcass Cymru would not have now formally recognised Parental Alienation.

We are particularly pleased to note the Committee's action point from the 1st May evidence session to write to the Minister for Children and Social Care to ask for more detail of the future intentions of the Welsh Government and Cafcass Cymru to revise policies and pathways in relation to parental alienation, including training for staff. This is crucial in ensuring that social workers have the tools necessary to identify and tackle this insidious form of child abuse which is currently poorly understood by professionals.

Executive Summary / key points

- Parental Alienation is NOT a 'syndrome' – it is an emotional and psychological abuse - primarily of the child - but also of the other ('Target') parent. Claims that the Family Justice and Child Protection systems already work well in recognising and dealing with Parental Alienation fly in the face of the facts. The Courts depend upon expert advice from Welsh Government to ensure they are making the right orders. This is a statutory duty under the Children Act 2004.
- Welsh Government / Cafcass Cymru currently have no systems in place and no structured training to recognise the emotional and psychological abuse of children through parental alienation in stark contrast to those of their opposite numbers in England (Cafcass). We were however delighted to hear in the evidence session on 1st May from Nigel Brown CEO of Cafcass Cymru that they

were now going to follow the proposed structure being adopted by Cafcass in England, and that this would be discussed in detail over the summer of this year with stakeholders through the Advisory Committee - of which we are a member.

- The literature review from Cardiff University is a confusing mixture that repeats the 'syndrome' mantra at various points and vacillates between suggesting that existing systems are already in place to tackle PA, denying that it exists / has any evidence base, and suggesting that more research needs to be undertaken.

NOT a 'syndrome'

We welcome the Minister's clear statement to the Committee in evidence on 1st May that the Welsh Government recognise Parental Alienation and its effect on the child. However we were then surprised to hear him state that the Welsh Government preferred not to categorise this as a 'syndrome'.

The Welsh Government's position – despite the Minister's best intentions - remains confused and confusing. Our petition – and our evidence both to the Committee and to Welsh Government independently has **NEVER** used the term 'syndrome'. We see no merit in 'medicalising' a form of emotional abuse of children in that way, and cannot understand why Welsh Government consistently state in evidence to the Committee that it is NOT a 'syndrome'.

Our concern in relation to the use of the term 'syndrome' is that it demonstrates a lack of understanding of the reality of the issues. In a written statement coinciding with the Minister's evidence session to the Committee he said that:

*"We view parental alienation not as a syndrome or a classification, but as a set of behaviours. The most important issue for us is that these behaviours, when they occur, are appropriately dealt with using our family and parenting support programmes and the existing regulatory and legal frameworks."*ⁱ

Welcome as these comments and reassurance from the Minister are they stand in stark contrast to the words of Anthony Douglas CEO of Cafcass in England writing on the Cafcass 'blog' in November 2017ⁱⁱ

'Recently in public we have been talking about the negative impact of parental alienation on children. I am glad we have brought this pernicious issue to the surface more. Many of our private law cases feature alienating behaviours in some form. They can cause significant emotional harm to children. However, I am worried that public debates can easily over-simplify a complex issue. Alienation is one type of adult behaviour which causes adverse childhood experiences. At worst it is emotionally violent. This is why I have suggested that alienation is a form of child abuse. It can have as devastating an impact as physical abuse and can lead directly to child or adolescent mental health problems and other impacts like disturbances to learning, such as not being able to concentrate in class.'

Lack of training and systems for recognising alienation / public confidence

The details of the training and development of Cafcass Cymru are not publicly available. We believe that this fact makes it very difficult for the Committee to properly scrutinise this important aspect of their work. We are aware however that the current Learning & Development Plan 2016-2019 has been published through a Freedom of Information request ⁱⁱⁱ That document includes some significant information about the learning culture and the views of staff but includes nothing whatever about Parental Alienation.

The lack of transparency is also unfortunate for public confidence in the work of the organisation as this contributes to the feeling expressed to us by many parents that they have very little confidence in the professional judgement of Family Court Advisers. This is equally regrettable because children and parents depend upon Cafcass Cymru staff providing the correct assessment and advice to the Family Court to mitigate the conflict that they are experiencing around maintaining a positive relationship following divorce or separation. Our Welsh Dads Survey for 2017 included 110 responses about the personal experience of dealing with Cafcass Cymru services. The view was overwhelmingly a negative one with a ratio of negative to positive comments totalling 3.5:1 We always urge Cafcass Cymru – both in direct discussions and through our membership of the Advisory Committee to go the extra mile to make the way that they perform their work more relatable and understandable to parents as well as children.

More worryingly it seems that Cafcass Cymru staff have little confidence in the organisation in terms of training and development. In the foreword to the Learning & Development Plan 2016-2019 former CEO Gillian Baranski says:

*I am committed to CAF/CASS Cymru being 'an open, outward-facing and dynamic organisation, enabling staff to be the best they can be'. Fundamental to this is building on our strong learning culture and providing the necessary training, learning and development to enable you to have the skills and knowledge to undertake your roles. **The people survey for 2016 identifies that only 51% of you think we do this well.** This is the year I am determined to turn that round.*

We are aware that individual FCAs have attended British Psychological Society approved training provided by Dr Sue Whitcombe. We are therefore asking the Committee to maintain its focus on the training aspect to ensure that frontline staff are equipped with the tools to be able to do their jobs effectively and to safeguard children appropriately.

Our sister charity Families Need Fathers is involved with Cafcass in England in detailed consultation on the development of a range of training, developmental and practice pathways – specifically around issues of parental alienation. We hope to be able to bring the learning from that experience into the development of more robust structures in Wales.

CASCADE literature review

This is a curious and perplexing document that has clearly found favour within Welsh Government as evidenced by the Minister's comments in evidence to the Committee. We struggle to share his enthusiasm for the work which seems to have a number of fundamental flaws.

Firstly it repeats the 'syndrome' mantra though never fully explaining when it is using the term Parental Alienation Syndrome and when just the term Parental Alienation.

The review emphasises a lack of a robust definition – which again is a difficult concept because of the volume of literature on the subject and the clearly enunciated recognition of parental alienation by Cafcass in England. The listing of case law is somewhat helpful but is limited by the fact that publication of judgements are confined to cases heard at Circuit Judge level or above which is itself an extreme rarity with Private Law cases.

We urge the Committee and the Minister to review the presentation ^{iv} given to the Nuffield Foundation in 2011 by Professor Nick Bala of the Faculty of Law at Queen's University Canada – as this presents a concise overview of all of the issues that Cardiff University have struggled to come to terms with. That presentation draws upon the article published in the AFCC's Family Court Review ^v - which has consistently published articles from academics and practitioners about Parental Alienation.

We do however welcome Cardiff University's call for more research – particularly in a Welsh context – on the experience of Parental Alienation to drive and improve the response of child protection professionals at all levels within the system.

ⁱ <https://gov.wales/newsroom/health-and-social-services/2018/parents/?lang=en>

ⁱⁱ <https://www.cafcass.gov.uk/2017/11/27/alienation-rarely-exists-isolation/?highlight=Parental%20Alienation%20pathway>

ⁱⁱⁱ <https://www.whatdotheyknow.com/request/410123/response/996213/attach/4/CAFCASS%20Cymru%20Learning%20and%20Development%20Plan.pdf>

^{iv}

<http://www.nuffieldfoundation.org/sites/default/files/files/Alienation%20UK%20July%2013%202011%20Bala%20Presentation.pdf>

^v <https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1744-1617.2009.01296.x>



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David J Rowlands
Chair Petitions Committee
National Assembly for Wales
Cardiff Bay
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30th May 2018

Dear Mr Rowlands

Re: Petition P-05-0751 - Recognition of Parental Alienation

Further to my evidence before the Committee in January 2018, I have been invited by the petitioner to respond to the recent letter to the Committee from the Minister for Children, Older People and Social Care dated 16 May 2018.

It is important to recognise that the alienated state in a child arises out of the behaviours of one or both caregivers. Such alienating behaviours are common, as evidenced in the research literature (Harman, Biringen, Ratajack, Outland, & Kraus, 2016; Harman, Leder-Elder, & Biringen, 2016). However, not all children exposed to alienating behaviours become alienated. There are many mitigating and mediating factors. It is important that these behaviours and factors are fully acknowledged and recognised by practitioners, including where the intervention of services and practitioners unwittingly perpetuates alienation.

It needs to be acknowledged that a child's resistance or refusal to spending time with a parent is a psychological defence and a sign that the child has underlying psychological distress. There is often a failure to recognise this distress when a child seems to be functioning well in other aspects of their life. While there is an appearance of coping, there is a risk of lifelong psychological dysfunction and harm. Failure to undertake an early assessment of the aetiology of the signs and symptoms in a child leads to inappropriate interventions which may themselves cause harm.

I agree that there is likely a sufficient range of powers to deal with cases where alienation is a factor. However, my experience as a psychologist who works within the Family Court in Wales suggests that that there is often a failure by front-line practitioners to identify alienation and contributory behaviours and take appropriate action at the earliest opportunity. It is rare that there is a recommendation for an early Fact Finding hearing to determine the veracity of allegations. It is rare to have children represented by a 16.4 Guardian at an early stage, despite this being recommended where:

- the child has a standpoint or interest which is inconsistent with or incapable of being represented by any of the adult parties
- where there is an intractable dispute over residence or contact, including where all contact has ceased, or where there is irrational but implacable hostility to contact or where the child may be suffering harm associated with the contact dispute
- where there are complex medical or mental health issues to be determined or there are other unusually complex issues that necessitate separate representation of the child
- where there are serious allegations of physical, sexual or other abuse in relation to the child



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To date, I have not worked on a case in Wales where there has **not** been an allegation of abuse in relation to the child. Ultimately, the majority of these allegations are found to have no basis or to be unproven. The presence of allegations serves to fracture the child-parent relationship, enabling the furtherance of an alienated state. The failure to act promptly and appropriately means that alienation becomes entrenched. Children remain at risk of significant harm and the likelihood of effective outcomes is reduced. Further, where the behaviours are identified at an early stage, practitioners often do not intervene appropriately and do not have access to the necessary interventions. In my experience, there is often a history of failed inappropriate interventions, which further exacerbate the alienation.

With regards to the training and skills of Cafcass Cymru practitioners and the supervision of their practice. It is evident from my work as an Expert Witness that there are cases where alienation is a factor which have not been correctly identified. This is most apparent where cases return to Court, and a newly appointed FCA or Guardian subsequently identifies the presence of alienation factors. There is inconsistency in the knowledge and skills of practitioners. Of concern are those cases which do not return to court due to the lack of care-giver resources, including funds, and a belief that the system is ineffective. These children then slip through the net, remaining at risk of harm and placement with an abusive parent.

I have worked with many local authority social workers and Cafcass Cymru FCAs and Guardians. Almost universally they have indicated to me that they do not have sufficient knowledge in how to intervene appropriately. Where they have the knowledge, they often find it difficult to put the case across in a manner where their recommendations are taken on board. I regularly receive calls from practitioners in Wales, asking for my advice on how to proceed. Practitioners indicate that the number of cases is growing, and that there are many more cases than the few suggested by the leadership at Cafcass Cymru. I would urge the Petitions Committee to seek evidence, anonymously, from front-line practitioners in Cafcass Cymru and local authority Children's Services who may feel unable to openly put their views across.

I am aware that there is often conflation of "implacable hostility" and alienation. There is a tendency to conceptualise cases as ones of conflict and hostility, apportioning equal blame to both parents, without adequately exploring the factors in the case. Hostility is often symptomatic of the alienation process, not causal as it is often conceptualised. In other cases, conflict and hostility is absent, yet the child is severely alienated.

It is to be hoped that the Cafcass Cymru proposed learning and development plan for 2018-19 will incorporate a sufficient understanding of the complexity in cases where alienation may be a factor, rather than conflating "implacable hostility" and alienation. I would urge Cafcass Cymru to consult with Cafcass in England who appear to have taken on board the input and feedback from experts, practitioners and stakeholders in the UK and elsewhere in the development of their Private Law Pathways. While I am not at liberty to comment on their proposed Pathways as they have not yet been finalised, proposals acknowledge the complexities and multiple interrelating factors that influence a child's resistance or refusal to spending time with a parent. These factors include alienation, conflict and domestic abuse.

With regards to the CAWAC. My understanding is that this is a tool used to assess the impact of a child living with inter-parental conflict. As already stated, alienation does not always involve conflict. My understanding is that this is an in-house tool, commissioned by Cafcass Cymru. I am not aware of any independent or peer reviewed literature which would enable a critical analysis of this tool and would welcome the opportunity to read any that is available. As a psychologist, I am required to use evidence-based and evidence-informed assessment tools and methods. The recent *Annual Research Review* by Harold and Sellers (2018) highlighted the need for a renewed focus on early assessment where there is a risk to child outcomes and the need for practitioner training using standardized assessment tools for profiling the quality of the inter-parental relationship. The validity and reliability of any test or tool used must be open to scrutiny, and my selection of any tool is often the subject of cross examination in the Court. It is not sufficient to state that a tool is valid and reliable, without the evidence to support this.

With regards to the use of the CAWAC in cases in which I have been instructed. The CAWAC has been used minimally. It has been used in cases where alienation is present, acknowledging the presence of conflict and the impact on the child, but failing to identify the root cause of the conflict and as a consequence, an appropriate way forward. It has also not been used in cases where alienation is present. In my experience its use is inconsistent. Perhaps Cafcass Cymru could produce figures around its use and effectiveness in leading to appropriate outcomes.

With regards to the *Social Service and Well-being (Wales) Act*. I have particular concerns that requests for assessments by parents who are perceived as “non-resident” are not sufficiently considered. Often a parent’s legitimate concerns about the emotional well-being and mental health of their child is dismissed as an issue of “contact”, with advice to seek legal advice and initiate Private Family Law proceedings. Further, there seems to be a lack of provision and early intervention for separating families where alienation may be a factor, with Local Authorities offering inappropriate support.

As a professional who has a duty to report safeguarding concerns, I have had a variable response from local authorities. Children who are alienated are a safeguarding concern. In most cases they are experiencing psychological distress. In some cases they have been subject to psychological abuse. While this is acknowledged by some practitioners in some local authorities, in others it appears to be dismissed without further investigation. While my duty is to report, I am faced with the knowledge that by reporting to authorities where there is insufficient knowledge, I may be exacerbating the situation for a child.

I have not had the opportunity to fully digest the Cascade report at this time, although I have noted the absence of some key journal articles in relation to the psychological effects on those who were alienated as a child. In addition, I am of the opinion that some important texts were sifted out by the selected methodology. It is important in considering alienation to consider structural factors which perpetuate it and protect children, such as shared parenting. I have included a short bibliography below.

In summary, I would urge the Petitions Committee to survey the child and family workforce – those in social care in local authorities and working for Cafcass Cymru; those who work in family support and in supervising parent-child time. I am confident that they would find a different picture to that portrayed by the Government and the leadership in its agencies.

Yours sincerely



Dr Sue Whitcombe CPsychol AFBPsS
HCPC registered counselling psychologist
Director and Principal Psychologist

Cc: Paul Apreda

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Agenda Item 3.12

P-05-754 Lack of support for children with disabilities at crisis (there is a crisis team but do not support children with disabilities)

This petition was submitted by Rebecca Weale and was first considered in June 2017, having collected 200 signatures.

Text of the Petition

I am trying to highlight the need for the Cwm Taf children's crisis team to recognise there is a vital need for children with disabilities to be supported through crisis and have the right to be treated as any other child would.

I am a mother of four children, my middle son Tom has numerous needs, severe learning difficulties, autism, a mood disorder as well as other additional health issues. Tom hits a crisis point every now and again. Which involves increase in aggression, shouting louder than usual, hurting himself as well as others, as well as many other changes in behaviour. Tom has extremely limited communication skills and is unable to tell us what is wrong or what we can do to help. We have been at crisis point with Tom who is now 15yrs old and on high doses of medications, many times over the years and it's astonishing how things have not progressed with regards to support for children with disabilities while at crisis. Tom is currently at a crisis point and has been for some time. We as a family have had very little if any support to help him through this difficult period. I have been made aware there is a children's crisis team however they do not support children with disabilities! Surely a child at crisis no matter if they have disabilities or not, is still a child at crisis. In fact I may be wrong but in some cases may need more crisis support. I can not believe at this day in age this divide is still acceptable. I am trying to highlight the need for the Cwm Taf children's crisis team to recognise there is a vital need for children with disabilities to be supported through crisis and have the right to be treated as any other child would.

Assembly Constituency and Region

- Merthyr Tydfil and Rhymney
- South Wales East



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Cwm Taf
University Health Board

Your ref/eich cyf:
Our ref/ein cyf:
Date/Dyddiad:
Tel/ffôn:
Fax/ffacs:
Email/ebost:
Dept/adran:

AJW/TLT
8 May 2018
01443 744803
01443 744888
Allison.williams4@wales.nhs.uk
Chair and Chief Executive

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

Dear Mr Rowlands

Petition P-05-754 Lack of support for children with disabilities at crisis

Thank you for your letter of the 2 May 2018 further to my letter of the 19 March which the Petitions Committee had considered at its meeting on the 17 April, together with further comments from the petitioner.

I think that the best way to take this forward now is if my Director of Nursing - Mrs Lynda Williams, or my Director of Primary Community and Mental Health - Mr Alan Lawrie, along with Mr Chris Coslett, Directorate Manager for Children and Young People/CAMHS, and possibly Mr David Deeklou, Clinical Director for Children and Young People meet with the petitioner.

I would therefore be grateful if you could let me have the name of the petitioner, or alternatively if the petitioner would like to give my office a call and appropriate arrangements can be made.

I look forward to hearing from you.

Yours sincerely

Mrs Allison Williams
Chief Executive/Prif Weithredydd

- c. Ms Nesta Lloyd-Jones, Policy and Public Affairs Officer, NHS Confederation

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

**P-05-754 Lack of support for children with disabilities at crisis –
Correspondence from the Petitioner to the Clerking team, 25.05.18**

Hi Kathryn,

Sorry for the late reply. I would be most grateful if you could pass my details on. I believe meeting up face to face and discussing the whole situation would make things a little more clear to the professionals involved.

Kind regards,

Rebecca Weale

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

Agenda Item 4.2



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-472
Ein cyf/Our ref LG/00890/18

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

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

9 May 2018

Dear David

Thank you for your letter of 26 April regarding a summary of consideration of petitions P-04-472 Make the MTAN law and P-04-575 Call in all opencast mining applications.

I acknowledge the detailed considerations which the Committee has given to the issues raised in the petitions. The Welsh Government has committed to substantial emissions reductions and renewable energy targets as part of its decarbonisation agenda. As a result I am consulting on a revised Planning Policy Wales which significantly strengthens planning policy in relation to coal.

I fully support the conclusions in the report which the Committee has reached. In particular, I welcome and encourage the petitioners, local communities and others with an interest to submit their views to the consultation on Planning Policy Wales prior to the May 18 closing date.

I look forward to debating the report in plenary in due course.

Regards
Lesley

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

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

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

Committee Chairs
National Assembly for Wales
Cardiff Bay
CF99 1NA

Your ref:
Our ref: EJ/LPR

15 May 2018

Dear Committee Chair

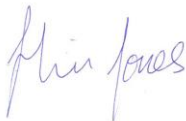
I write to you about our plans to reschedule the postponed Senedd Delyn event for the week commencing 25 June 2018.

As part of our programme we will host a series of activity to promote the Assembly's work, the Welsh Youth Parliament and mark the Centenary of the Women's Suffrage Movement. This will be complemented by outreach and education sessions with schools, colleges, youth groups, community groups, businesses and charities in the area. We will also have a presence at Mold Market during the week.

During previous Senedd@ initiatives, committees have held formal meetings and informal engagement sessions in community locations, to encourage people to participate in their work. Senedd Delyn provides an opportunity to raise your Committee's profile, and directly engage with local stakeholders and citizens. I appreciate that on this occasion there is limited notice to make arrangements but if you would like to get involved we are happy to assist. I intend on ensuring that greater notice is provided on upcoming Senedd@ programmes in future to allow as much opportunity to co-ordinate activity.

Thank you in advance for your co-operation.

Yours sincerely



Elin Jones AM
Llywydd

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

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Agenda Item 7

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

Document is Restricted

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

Document is Restricted

Agenda Item 8

P-05-771 Reconsider the closure of the Welsh Independent Living Grant and support disabled people to live independently

This petition was submitted by Nathan Lee Davies and was first considered by the Committee in October 2017, having collected 631 signatures.

Text of Petition

I am a recipient of the Welsh Independent Living Grant (WILG) and a disability activist who intends on asking Welsh Government to reconsider their decision to close WILG as of April 2019.

The WILG was introduced to help people who previously claimed from the UK government's Independent Living Fund (ILF), which closed in 2015. More than 1,500 people are helped by the scheme across Wales. Recipients all have high degree of care and support needs.

It was due to run until the end of March 2017, but Social Services Minister Rebecca Evans said in November that funding would continue for another year.

The annual £27m fund will then transfer directly to local authorities during 2018-19 so they can meet the support needs of all former ILF recipients by 31 March 2019.

Additional information

Why we oppose this decision:

The Welsh Government said the decision was taken on stakeholder advice. The majority of representatives on the stakeholder group were third sector or citizens. But they didn't want WILG scrapped and the key point is that our advice was not accepted.

It should also be remembered that closure of WILG is not inevitable as is proved through the formation and success of the Scottish Independent Living Fund; which also works to support the Northern Ireland ILF.

Furthermore, the hugely popular Labour Party Manifesto outlined plans to set up a national care system to exist independently of local authorities.

This is exactly the time that the Labour Party should be united on such issues against the Tories. We must question why Welsh Labour are not playing their part in the changing political landscape?

Indeed, eventually it should be our aim to set up an Independent Living Fund for Wales so that no disabled person should have to suffer the same uncertainty and isolation as WILG recipients are now experiencing. We can only begin to believe that true social justice and equality for all is possible if Welsh Labour revisit their WILG decision.

Welsh Labour will no doubt argue that we should give the Social Services and Well-being (Wales) Act a chance to succeed. However, this idealistic act needs hefty investment and resources to ensure it is a success – with no sign of any of the necessary improvements to our infrastructure that the success of the Act depends on. This may indeed be the time for a revolutionary change in the way social care is delivered, but such a transformation could take a decade or more and WILG recipients do not deserve to be treated like guinea pigs when their high care and support needs require long-term stability and structure.

Assembly Constituency and Region

- Wrexham
- North Wales

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

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