

## Agenda – Petitions Committee

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Meeting Venue:

Committee Room 1 – The Senedd

Meeting date: 3 July 2018

Meeting time: 09.15

For further information contact:

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### 1 Introduction, apologies, substitutions and declarations of interest

(Pages 1 – 27)

### 2 New petitions

2.1 P-05-818 Introducing a Register of Lobbyists in Wales

(Pages 28 – 35)

2.2 P-05-821 Reintroduce educational support funding to MEAS and the TES to Neath Port Talbot CBC

(Pages 36 – 55)

2.3 P-05-822 Ban plastic straws (when drinking milk) in our schools

(Pages 56 – 64)

2.4 P-05-823 Reduce the speed limit on the A487 in Penparcau

(Pages 65 – 71)

### 3 Updates to previous petitions

#### Environment

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

(Pages 72 – 103)

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

(Pages 104 – 120)



## **The following two items are grouped together for consideration**

- 3.3 P-05-809 Proposed New Fishing Bylaws and Failings of NRW  
(Pages 121 – 123)
- 3.4 P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance  
(Pages 124 – 128)
- 3.5 P-05-814 All New Builds In Wales to Have Solar Panels  
(Pages 129 – 132)

### **Housing**

- 3.6 P-04-519 Abolition of Park Homes Sales Commission  
(Pages 133 – 135)

### **Economy and Transport**

- 3.7 P-05-770 Reopen Crumlin Railway Station  
(Pages 136 – 145)

### **Health**

- 3.8 P-05-812 We call for the Welsh Government to encourage trusts to implement the NICE guidelines for Borderline Personality Disorder or justify why they do not do so  
(Pages 146 – 151)

**4 Motion under Standing Order 17.42 to resolve to exclude the public for item 5 of today's business:**

- 5 Review of processes for petitions with over 5000 signatures**  
(Pages 152 – 159)

## **6 Evidence session with the Cabinet Secretary for Energy, Planning and Rural Affairs**

(10.15 – 11.00)

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

Dr Christianne Glossop, Chief Veterinary Officer for Wales

Stuart Evans, Head of Fisheries Policy

### **6.1 P-04-399 Slaughter Practices**

(Page 160)

### **6.2 P-04-433 CCTV in Slaughterhouses**

(Page 161)

### **6.3 P-05-778 Protect the Razor Clams on Llanfairfechan Beach**

(Pages 162 – 164)

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

(Pages 165 – 174)

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# Agenda Item 2.1

## **P-05-818 Introducing a Register of Lobbyists in Wales**

This petition was submitted by Llyr Powell having collected 55 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to to introduce a Statutory Register for Lobbyist in Wales.

This Petition follows a trend in both Scotland and Ireland towards increased openness around political lobbying.

Lobbying is a legitimate and valuable activity. It is a crucial part of a healthy democracy. The words lobbying and lobbyist can have negative connotations, implying deals done behind closed doors. The reality is that the more voices that inform the Government and the Assembly's thinking in Wales, the more informed politicians are to legislate, to develop new policy and to scrutinise. For this reason, and on the basis that the Assembly is founded on principles of openness and accessibility, lobbying should be actively encouraged. It is positive how open and accessible and willing to engage the Assembly and Government already are. No action should be taken that will change this or indeed put people off approaching politicians on any issue.

### **Assembly Constituency and Region**

- Neath
- South Wales West

## Introducing a Register of Lobbyists in Wales

Y Pwyllgor Deisebau | 19 Mehefin 2018  
Petitions Committee | 19 June 2018

### Research Briefing:

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Petition number: P-05-818

Petition title: Introducing a Register of Lobbyists in Wales

Text of petition:

We call on the National Assembly for Wales to introduce a Statutory Register for Lobbyists in Wales.

This Petition follows a trend in both Scotland and Ireland towards increased openness around political lobbying.

Lobbying is a legitimate and valuable activity. It is a crucial part of a healthy democracy. The words lobbying and lobbyist can have negative connotations, implying deals done behind closed doors. The reality is that the more voices that inform the Government and the Assembly's thinking in Wales, the more informed politicians are to legislate, to develop new policy and to scrutinise. For this reason, and on the basis that the Assembly is founded on principles of openness and accessibility, lobbying should be actively encouraged. It is positive how open and accessible and willing to engage the Assembly and Government already are. No action should be taken that will change this or indeed put people off approaching politicians on any issue.

## Background

### The Standards Committee Inquiry

The **Standards Committee** of the National Assembly for Wales agreed to look at lobbying in Wales as its first piece of substantial work in the fifth Assembly. There have been a number of developments since the last time the Assembly looked at lobbying Westminster began operating a **register of professional lobbyists** in 2015 and Scotland passed legislation establishing a lobbying register in 2016.

The Committee held an open call for evidence and heard from a broad range of witnesses and published its report in January 2018. It concluded that lobbying needs to be part of an ongoing dialogue in an engaged and open democracy. It stated:

It is apparent from the evidence gathered that there is no easy answer to the questions of how to define or share information about lobbying. There is no doubt that there are groups seeking to influence politicians, and that it is in the public interest to establish the impact of this influence. However, the Committee has concluded that there is insufficient evidence at present regarding how best to share this information once it has been obtained.

The findings of the report are an interim position. The Committee felt it is crucial to learn from experience and gather further evidence of best practice. The Scottish legislation is in its infancy and the Committee has stated that it will closely monitor what happens there and the review of its legislation in 2020. The Committee also found that careful attention must also be paid to developments in Westminster.

The Committee **recommended** that:

- the Assembly Commission works with a group of Assembly Members to develop a pilot scheme of voluntarily **disclosing AMs meetings with lobbyist and interest groups** with an evaluation to be undertaken in 2020.
- the Assembly Commission ensure all **National Assembly staff security passes are deactivated on their last day of employment**. This would ensure that no lobbyist holds a National Assembly pass making it easier to maintain the reputation of the Assembly as an institution which allows fair and equal access to all.
- information about **all Assembly Member sponsored events held on the Assembly Estate** and not just those events in public spaces is included within the calendar. This will ensure

that the National Assembly is displaying its commitment to the utmost transparency, and enable the public to see what events are being held on the Estate.

- **research** is commissioned by the Assembly Commission, mapping out routes of influence to build an informed evidence base and consider alternative, and potentially more effective ways to increase transparency other than a Statutory register.
- the relevant sections of the [Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014](#) which apply to Wales are considered by a Committee of the National Assembly for Wales once the [Wales Act 2017](#) is enacted.

### Work in the fourth Assembly

In the fourth Assembly the then Presiding Officer wrote to the then Standards of Conduct Committee in May 2012 regarding lobbying. She asked the Committee to undertake a review to consider the (lobbying) regime that the Assembly had in place as it relates to Members and, if necessary, make recommendations about any additional arrangements that might be needed to strengthen them.

As part of this review, the adequacy of arrangements for cross party groups was also considered.

Subsequently, the Standards Commissioner carried out a wide ranging consultation on the issue of lobbying. He concluded that the arrangements in place regulating lobbying of Assembly Members were essentially **sufficiently robust and fit for purpose**.

The then [Standards Committee agreed with the Commissioner's findings, and made recommendations to reinforce the arrangements for the future](#). The Committee focused its approach on the activity of lobbying, rather than lobbyists. It was thought that lobbying was clearer to define rather than the interaction of 60 members with a wide range of representatives from Welsh civic society.

Through its recommendations the Committee sought to introduce a 'made in Wales' approach to address the activity of lobbying. The Committee believed that transparency regarding the meetings of professional lobbyists was needed without any unnecessary burden on the public purse. The Committee recommended that the Assembly adopted [guidance on lobbying and access to Members](#), which the Assembly did by resolution on 26 June 2013.

The Committee also recommended that the Presiding Officer reviews this guidance every three years.



## Legislation elsewhere in the UK

The [\*Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014\*](#) was [introduced to the House of Commons on 17 July 2013](#). It received Royal Assent on 30 January 2014. Various sections of the Act were commenced at different times but as of June 2016, all aspects of it are in force.

The Act introduced a **statutory register of consultant lobbyists** and establishes a **Registrar** to enforce the registration requirements. Election campaign spending by those not standing for election or registered as political parties is more heavily regulated as a result of the Act. There are also additional legal requirements placed on trade unions in relation to their obligation to keep their list of members up to date.

- It establishes a **register of professional lobbyists** and a **Registrar of lobbyists** to supervise and enforce the registration requirements;
- It changes the **legal requirements for people or organisations who campaign in relation to elections**, but are not standing as candidates or a registered political party; and
- It changes the **legal requirements in relation to trade unions' obligations** to keep their list of members up to date.

[Part 1 of the Act extends](#) to the whole United Kingdom. The requirement to register applies to all consultant lobbyists engaged in lobbying **UK Government Ministers and Permanent Secretaries**, regardless of where the lobbying takes place or where the consultant lobbyist is based.

However, **Part 1 does not make any provision in relation to those who lobby the Devolved Administrations** and Legislatures. It deals only with **reserved matters**.

[\*The Lobbying \(Scotland\) Act\*](#) was passed in March 2016 establishes a **Lobbying Register**. The Bill requires the Clerk of the Parliament to establish and maintain a register containing information about three separate categories of person: active registrants; inactive registrants and voluntary registrants. The Bill sets out the information which must be entered into the register, including the individual's or company's name and address and information relating to the lobbying activity (person lobbied, date of lobbying etc). The information required to be recorded differs between active registrants, inactive registrants and voluntary registrants.

The Scottish Parliament is required to publish guidance on the operation of the Act and must publish, and from time to time review, a Code of Conduct for lobbyists.

## The Northern Ireland Assembly

Chapter 3 of the Northern Ireland Assembly [Code of Conduct](#) prohibits paid advocacy. Members of the Legislative Assembly (MLAs) may not advocate or initiate any cause or matter, either in proceedings of the Assembly or in any other manner, in consideration of any payment or benefit in kind. This recognises the role that lobbying by some organisations can play in informing MLAs. However, it also emphasises the need to ensure there is no suspicion of improper influence over the Assembly and MLAs' relationship with lobbyists must not do anything which breaches the code.

Appendix 1 of the Code of Conduct also contains Guidance for MLAs dealing with lobbyists.

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.



**Elin Jones AC, Llywydd**

Cynulliad Cenedlaethol Cymru

**Elin Jones AM, Presiding Officer**

National Assembly for Wales

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

Your ref:  
Our ref: PO428/EJ/GE

12 June 2018

Dear David

**Petition P-05-818: Introducing a Register of Lobbyists in Wales**

Thank you for your letter regarding Petition P-05-818.

On 16 March 2018, the Commission submitted its formal response to the recommendations made to it in the Standards of Conduct Committee's report on Lobbying. I understand you had some involvement in this piece of work, as a member of the Committee. The Commission discussed the recommendations and expressed support for the Standards Committee's aspiration to increase transparency and provide a greater insight into the work of elected Members.

I am not in a position to present you with a Commission view on the specific suggestion within the petition, although if the Assembly were to decide that it wished a statutory register to be introduced, and legislated accordingly, the Commission would need to give consideration as to the resource that would be needed/available to enable its operation.

The Standards Committee did not recommend introducing a Statutory Register at this time. I understand the findings of the Committee report are an interim position and it wishes to learn from experience and gather further evidence of best practice. Its intention subsequently, is to review its work in 2020 making clear and informed conclusions, setting out a proposals for the sixth Assembly.

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

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**Elin Jones AC, Llywydd**

Cynulliad Cenedlaethol Cymru

**Elin Jones AM, Presiding Officer**

National Assembly for Wales

The Commission expressing a view on a particular idea at this point would not be appropriate and would risk circumventing the relevant avenues of discussion and scrutiny.

Yours sincerely

Elin Jones AM  
Llywydd

## Agenda Item 2.2

### **P-05-821 Reintroduce educational support funding to MEAS and the TES to Neath Port Talbot CBC**

This petition was submitted by Mark Fisher having collected 334 signatures.

#### **Text of Petition**

Neath Port Talbot UNISON branch call on Welsh Government to reverse the decision to cut educational support funding to Minority Ethnic Achievement Service (MEAS) and the Traveller Education Service (TES).

The Cabinet Secretary for Education has essentially withdrawn funding for these groups under the education improvement grant (EIG). Research shows that Roma and Traveller children have the lowest attainment rates of any ethnic group in Wales and the EIG is designed to support their learning and raise attainment.

In NPT we have a percentage of travellers and minority ethnic groups in our schools examples of which are Margam and Briton Ferry who rely on this funding. The council has evidence to show support workers provide a fantastic service engaging with these 'hard to reach' learners. We want all young people to be able to reach their potential and support workers are able to champion the needs of all learners, particularly the vulnerable or disadvantaged. They build strong relationships with families, schools and the communities they serve. This reduction in funding will be devastating and job cuts are already being discussed with the trades unions. Any redundancy costs will need to be funded from an already stretched budget provision. We urge Welsh Government to consult with UNISON and Neath Port Talbot County Borough Council. Welsh Government must complete an Equality Impact Assessment to ensure monies are allocated to those in need.

#### **Assembly Constituency and Region**

- Aberavon
- South Wales West

## Briefing for the Petitions Committee

Y Pwyllgor Deisebau | 3 Gorffennaf 2017

Petitions Committee | 3 July 2018

### Research Briefing: Reintroduce educational support funding for MEAS and the TES to local authorities

Petition number: [P5-05-821](#)

Petition title: **Reintroduce educational support funding for MEAS and the TES to local authorities**

#### Text of petition:

Neath Port Talbot UNISON branch call on Welsh Government to reverse the decision to cut educational support funding to Minority Ethnic Achievement Service (MEAS) and the Traveller Education Service (TES).

The Cabinet Secretary for Education has essentially withdrawn funding for these groups under the education improvement grant (EIG). Research shows that Roma and Traveller children have the lowest attainment rates of any ethnic group in Wales and the EIG is designed to support their learning and raise attainment.

In NPT we have a percentage of travellers and minority ethnic groups in our schools examples of which are Margam and Briton Ferry who rely on this funding. The council has evidence to show support workers provide a fantastic service engaging with these 'hard to reach' learners. We want all young people to be able to reach their potential and support workers are able to champion the needs of all learners, particularly the vulnerable or disadvantaged. They build strong relationships with families, schools and the communities they serve. This reduction in funding will be devastating and job cuts are already being discussed with the trades unions. Any redundancy costs will need to be funded from an already stretched budget provision.

We urge Welsh Government to consult with UNISON and local authorities. Welsh Government must complete an Equality Impact Assessment to ensure monies are allocated to those in need.

It is clear that the funding published in the provisional settlement to support these vulnerable learners, makes it abundantly clear that there are zero transfers in the 2018/19 in respect of education. The assertion that it was cut from the Education Improvement Grant and contributed to the additional £170m which went into the settlement for the education and social care is academic. This simply had the effect of reducing the overall cut to local authority funding.

Welsh Government has seen Revenue Support Grant cut but claimed these two cuts make an increase in funding. They have unequivocally removed the grant with no recompense within the RSG. Although £5M has been made available for Cardiff, Swansea and Newport for 2018/19 it provides no continuity for those councils beyond those financial year. The cut to this funding and the lack of information about future provision has placed directors of education in an invidious position. Equality of opportunity for these pupils cannot be achieved without targeted support previously funded from the EIG. It is clear that Welsh Government wishes to allocate funding directly to schools to assist with their overhaul funding pressures, however, some of this funding could have been allocated to local authorities to maintain specialist support over the coming year. Failure for Welsh Government to address specific grant funding will lead to an equality impact disproportionately affecting gypsy traveller and minority ethnic groups.

## 1. Summary of this briefing

- The Welsh Government has historically provided local authorities with hypothecated grants to support learners from Minority Ethnic and Gypsy, Roma and Traveller backgrounds. This has been in recognition that these groups of learners are at risk of underachievement compared to other pupils. (See section 2 of this briefing)
- For 2015–16 onwards, the Welsh Government amalgamated two previously ring-fenced grants, the Minority Ethnic Achievement Grant and the Gypsy Children and Traveller Children Education Grant, along with nine other grants into a single Education Improvement Grant (EIG). (Section 3.1)
- In the 2018–19 budget, the Welsh Government removed the funding for these groups of learners from the EIG to finance the protection of schools' core budgets in the Local Government Settlement. (Section 3.2)
- The Welsh Government subsequently decided to provide £8.7 million transitional funding to local authorities: £5 million to Cardiff, Swansea and Newport which it estimates have the greatest concentrations of these groups of learners; £2.5 million to these three as well as Wrexham to lead the transition to a regional approach to supporting these groups of learners; and (most recently announced) £1.2 million to the remaining 18 authorities. The transitional funding was initially announced as a one-off for 2018–19 although the Cabinet Secretary for Education now says she intends to repeat this in 2019–20. The indication is that from 2020–21, provision will be expected to be sufficiently mainstreamed and local authorities expected to support Minority Ethnic and Gypsy, Roma and Traveller learners from their own budgets. (Section 3.3)
- The National Assembly's Children, Young People and Education Committee has been critical of the Welsh Government's decision to de-hypothecate the funding, particularly as it follows a policy inquiry the Committee conducted in late 2016 / early 2017 in which it recommended that funding and support for these groups of learners should be better targeted and evaluated. (Section 4)

## 2. Minority Ethnic and Gypsy, Roma and Traveller learners' attainment

The Welsh Government publishes statistics each January, *Academic achievement by pupil characteristics*, which show the attainment rates of the Level 2 threshold (5 or more GCSEs at grades A\*–C or the vocational equivalent) and the Level 2 threshold inclusive of English/Welsh and Mathematics, broken down by ethnic background. The data is aggregated over three years so that the number of pupils in each ethnic background group is larger, and to enable more robust conclusions to be drawn about the attainment of pupils in each group.

### 2.1 Minority ethnic pupils

Attainment rates vary considerably across different ethnic groups. Compared to the all pupil Level 2 threshold achievement rate of 80.4% in 2015–17, White non-British (73.9%), Mixed ethnicity White and Black Caribbean (74.6%), Black Caribbean (data withheld as would be disclosive), and Black non-African or non-Caribbean (75.0%) pupils, on average have lower attainment.

However, other minority ethnic groups, particularly Mixed ethnicity White and Asian (87.3%) and Asian or Asian British (86.5%) have higher attainment on average than all pupils.

### 2.2 Gypsy/Gypsy Roma pupils

The Welsh Government statistics use the category 'Gypsy/Gypsy Roma'. Data for Traveller learners is not disclosed due to insufficient numbers of learners and data protection. Gypsy/Gypsy Roma learners have the lowest attainment of any ethnic group in Wales.

- 49.4% of Gypsy/Gypsy Roma learners achieved the Level 2 threshold, compared to 80.4% of all pupils, during the period 2015–17.
- 21.5% of Gypsy/Gypsy Roma learners achieved the Level 2 threshold inclusive, compared to 59.0% of all pupils, during the period 2015–17.

## 3. Welsh Government policy

### 3.1 The amalgamation of previously ring-fenced grants into the EIG

Upon the amalgamation of 11 former ring-fenced grants<sup>1</sup> and its formation in 2015–16, the Education Improvement Grant (EIG) was worth £141 million, which was £11.6 million less than the sum of its individual parts in 2014–15. This included £8 million transferred into the EIG for the Minority Ethnic Achievement and Gypsy Traveller grants, which itself was £1.6 million less than the £9.6 million in the last year in which they were ring-fenced.

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<sup>1</sup> In addition to the Minority Ethnic Achievement Grant and the Gypsy Children and Traveller Children Education Grant, the other grants amalgamated were the Foundation Phase Revenue Grant; School Effectiveness Grant; 14-19 Learning Pathways; Welsh in Education Grant; Lead and Emerging Practitioner Grant; Reading and Numeracy Test Support Grant; Additional funding for Band 4 and 5 schools; Teacher Induction; and the Higher Level Teaching Assistant Grant



The Welsh Government allocates the EIG to the four regional consortia who are then expected to distribute their allocations within their region to support all of the former ring-fenced purposes of the EIG. The Welsh Government does not monitor how much of the EIG is spent on any of its individual purposes, as it said fewer administrative burdens would be one of the main benefits in amalgamating the grants:

The new arrangements were intended to simplify systems, reduce bureaucracy and enable a greater focus on achieving outcomes for learners with less resource spent on administering and managing the grants and less focus on recording the inputs and outputs at a national level.<sup>2</sup>

### **3.2 Removal of funding from the EIG and expectation that support be mainstreamed and met from existing resources**

During the [2018–19 budget setting round in autumn 2017](#) (PDF 1MB), the Welsh Government announced that £13.1 million was being ‘removed’ from the EIG as part of a re-prioritisation of local government funding away from specific hypothecated grants to finance the protection of frontline school budgets in the Local Government Settlement. The Cabinet Secretary for Education, Kirsty Williams AM, has since confirmed that this £13.1 million included the element of the EIG which was to support Minority Ethnic and Gypsy, Roma and Traveller learners.<sup>3</sup>

In doing so, the Welsh Government has ended the partially hypothecated funding in the EIG for supporting these groups of pupils in order to maintain funding within the 2018–19 Local Government Settlement (specifically the Aggregate External Finance (AEF)) for schools’ core budgets at 2017–18 levels.<sup>4</sup> The Cabinet Secretary for Education expects support for Minority Ethnic and Gypsy, Roma and Traveller learners to be mainstreamed and provided from local authority budgets. However, she has made transitional funding available (see section 3.3).

### **3.3 Transitional funding until provision is fully mainstreamed**

The Cabinet Secretary for Education has allocated £8.7 million of transitional funding in 2018–19 and said that intends to do the same in 2019–20. This funding has been announced since the setting of the 2018–19 budget and follows representations from local authorities and scrutiny in the Assembly of the decision (see section 4.2). Kirsty Williams AM says it is ‘in recognition that transitioning the service to one which is core provision and sustainable for the long term takes time’.

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<sup>2</sup> [Letter from the Cabinet Secretary for Education to the CYPE Committee](#) (PDF 749KB), 11 November 2016

<sup>3</sup> Letters from the Cabinet Secretary for Education to the CYPE Committee: [28 February 2018](#) (PDF 135KB) and [17 April 2018](#) (PDF 354KB)

<sup>4</sup> This resulted in a £1.5 million rise in the schools service block within the AEF from £1.554 billion in 2017-18 to £1.556 billion (rounded figures) in 2018-19. See the Cabinet Secretary for Local Government and Public Services, Alun Davies AM’s letter. [Letter from Alun Davies AM, Cabinet Secretary for Local Government and Public Services, to the Equalities, Local Government and Communities Committee](#), 13 November 2017

The £8.7 million funding for 2018–19 is broken down as follows:

- £5 million to Cardiff, Swansea and Newport local authorities which the Welsh Government estimated has the greatest concentrations of Minority Ethnic and Gypsy, Roma and Traveller learners;
- £2.5 million in 2018–19 to these three authorities as well as Wrexham to lead the transition to a regional approach to supporting these groups of learners;
- £1.2 million to the remaining 18 local authorities.

## 4. National Assembly scrutiny

### 4.1 CYPE Committee inquiry: 2016–2017

In a [policy inquiry in late 2016/early 2017](#), the Children, Young People and Education (CYPE) Committee inquiry criticised the lack of monitoring and evaluation of the use and impact of the EIG, specifically with regard to Minority Ethnic and Gypsy, Roma and Traveller learners. In her [response to the CYPE Committee's report](#) (PDF 402KB), the Cabinet Secretary for Education, Kirsty Williams AM, said that the Welsh Government would put in place a 'strengthened outcomes framework' to address this, adding in [Plenary on 3 May 2017](#):

One of the recommendations I am particularly very strongly in agreement with, and that is that the current education performance framework is not sufficiently robust. It simply is not, and there was no hiding from that during the committee sessions. (...)

It [the Committee's 'valuable report'] has strengthened my arm in being able to galvanise action within the department, especially with regard to monitoring.

In terms of the funding model for supporting Minority Ethnic and Gypsy, Roma and Traveller learners, the CYPE Committee did not hear definitive evidence that the amalgamation of the grants into the EIG had had a detrimental impact on the priority given to this area or on educational outcomes but concluded that this could not be known either way. This is because of the lack of monitoring and evaluation undertaken.

The CYPE Committee therefore concluded the Welsh Government should strengthen its focus, and target funding specifically, on the educational outcomes of these groups of learners. The Committee recommended that the Welsh Government improve the monitoring and evaluation arrangements for the EIG and keep the funding model under review. The Welsh Government accepted this recommendation but has since further de-hypothecated funding for Minority Ethnic and Gypsy, Roma and Traveller learners by removing it from the EIG (see section 3.1). The CYPE Committee has expressed its disappointment at this decision (see section 4.2).

The petition calls for an Equality Impact Assessment of the removal of the funding to be carried out. In its [inquiry report](#) (PDF 739KB) in February 2017, the CYPE Committee recommended that the Welsh Government undertake a 'thorough updated impact assessment' of the decision to amalgamate the grants in 2015–16. However, this was

rejected by the Welsh Government as it '[did] not believe there were deficiencies in undertaking the equality impact assessments which led to significant impact on services and which justifiably call for officials to revisit the original assessments'.

## 4.2 CYPE Committee follow-up

In its report on the [Welsh Government's 2018-19 draft budget](#) (PDF 1.0MB), the CYPE Committee expressed its disappointment at the decision to further de-hypothecate funding for Minority Ethnic and Gypsy, Roma and Traveller learners:

We would be disappointed if the Welsh Government decided to further de-hypothecate funding to support Gypsy, Roma and Traveller, and Minority Ethnic learners when our policy inquiry earlier this year showed a need for far greater monitoring and evaluation of how the funding in the EIG was affecting these groups of learners. (...)

On the basis of the evidence provided in our Education Improvement Grant: Gypsy, Roma and Traveller, and Minority Ethnic Children Report (February 2017) we urge the Cabinet Secretary to retain funding to support Gypsy, Roma and Traveller, and Minority Ethnic learners as part of the Education Improvement Grant.

The [Cabinet Secretary rejected](#) (PDF 1MB) this recommendation but said she would write to the Committee again to provide further information on arrangements for 2018-19. In this letter, issued on [28 February 2018](#) (PDF 135KB), Kirsty Williams AM said:

For more than a decade the Welsh Government has provided targeted additional grant funding to Local Government to support our minority ethnic, Gypsy, Roma and Traveller learners. Over that time Local Authorities have tried and tested arrangements and I fully recognise the expertise and experience in our schools and in those Local Authority services.

Secondly, what is clear to me is that this kind of support should not be allowed to be seen as additional. That is not sustainable in the long term and our expectations should be greater. (...)

Local Government has long called for de-hypothecation of grant funding, simplified arrangements, greater flexibility to deliver services and manage the pressures they have. These are Local Authority services and the Local Government Settlement remains the most sustainable way to fund core delivery.

And lastly, in prioritising funding to Local Government for schools, all Cabinet Secretaries and Ministers have had to make difficult decisions and consider a range of services and the ways they are funded.

The Cabinet Secretary's letter also gave details of the transitional funding in 2018-19 to ease pressures in Cardiff, Swansea and Newport and embed the mainstreaming of support for Minority Ethnic and Gypsy, Roma and Traveller learners on a regional basis.

The CYPE Committee subsequently wrote to the Cabinet Secretary on [14 March 2018](#) (PDF 187KB). This letter highlighted the Committee's concerns that the more robust outcomes framework the Welsh Government put in place for the EIG would have no benefits on Minority Ethnic and Gypsy, Roma and Traveller learners given they have been taken out of the scope

and remit of the EIG. The Committee also reiterated its disappointment with the decision to remove the funding from the EIG and its belief that ‘it goes against the direction of travel set out in your response to our inquiry’:

When the Committee recommended you consider whether the introduction of the Education Improvement Grant has improved outcomes for these groups of learners and keep the funding model under review during this Assembly, we did not envisage that one year later this funding would be de-hypothecated further and local authorities expected to find it from the Revenue Support Grant (RSG).

The CYPE Committee also sought clarification about what was happening to the £13.1 million removed from the EIG and the mechanism for its movement into the RSG as it was not formally transferred as part of the Local Government Settlement. This referred to the concerns of local government regarding the expectation that it continue providing Minority Ethnic Achievement and Gypsy/Traveller education services without any commensurate transfer into the RSG.<sup>5</sup> The [Leader of Neath Port Talbot County Borough Council wrote](#) (PDF 400KB) to support the position adopted by the CYPE Committee.

The Cabinet Secretary responded to the CYPE Committee on [17 April 2018](#) (PDF 354KB). Kirsty Williams reiterated:

Local Authorities are responsible for schools funding as is set out in law and they must ensure appropriate education provision is available for all learners. That is why after 10 years of additional grant funding to try and to test systems and approaches, minority ethnic, Gypsy, Roma and Traveller learner support is now a core provision.

The Cabinet Secretary also said that the transitional £7.5 million<sup>6</sup> was ‘additional’ to the £13.1 million which has been removed from the EIG and made available to local authorities through the RSG. The CYPE Committee sought further clarification in a [letter dated 14 May 2018](#) (PDF 467KB) asking how it can be additional when the £13.1 million for Minority Ethnic and Gypsy, Roma and Traveller no longer exists. It is possible that the Cabinet Secretary meant that the £7.5 million is separate to the £13.1 million which was removed from the EIG and contributed to the money the Welsh Government has used to offset an otherwise reduction to the funding in the Local Government Settlement for schools.

However, the £61.8 million the Welsh Government has taken from budgets such as the Minority Ethnic and Gypsy, Roma and Traveller element of the EIG has only maintained the schools service block of the settlement at existing levels (a £1.5 million increase to a £1.5 billion total).<sup>7</sup> This is why the petitioners suggest that the use of the funding for schools’ core budgets is academic as the overall effect has been a cut to local government funding.

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<sup>5</sup> See for example BBC Wales, [‘Education cuts impossible to defend, says council leader’](#), 22 January 2018

<sup>6</sup> Note this is now £8.7 million following the announcement of £1.2 million for the remaining eighteen authorities, as documented in the Cabinet Secretary’s [letter to CYPE Committee of 25 May 2018](#) and letter to this Committee of 12 June 2018.

<sup>7</sup> [Letter from Alun Davies AM, Cabinet Secretary for Local Government and Public Services, to the Equalities, Local Government and Communities Committee](#), 13 November 2017

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.

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-821  
Ein cyf/Our ref KW/01455/18

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

12 June 2018

Dear David

Thank you for your letter of 15 May asking for my views in relation to petition P-05-821 which the Petitions Committee has received from UNISON Neath Port Talbot, about funding for ethnic minority, Gypsy, Roma and Traveller learners.

The Welsh Government has a clear and long-standing commitment to schools funding, and I am fully committed to reducing inequalities and ensuring all learners are able to achieve their potential and thrive in a learning environment which supports their needs. This is at the heart of our plan of action for education, *Education in Wales: Our national mission*.

For more than a decade the Welsh Government has provided targeted additional grant funding to Local Authorities to support these groups of learners. Over that time Authorities have tried and tested arrangements and we fully recognise and appreciate the vast experience and expertise that exists in our schools and in those Local Authority services.

It is clear to me that this kind of support should not continue to be seen as additional. That is not sustainable in the long term and I believe these services should be mainstreamed and prioritised.

I have received assurances from the Welsh Local Government Association that frontline school delivery will continue to be prioritised, including support for our ethnic minority, Gypsy, Roma and Traveller learners. I welcome these assurances and fully expect local Authorities to stand by them.

I have continued to listen to the concerns raised by various stakeholders about the impact of the changes to funding arrangements to support these groups of learners. These are

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

[Gohebiaeth.Kirsty.Williams@llyw.cymru](mailto:Gohebiaeth.Kirsty.Williams@llyw.cymru)  
[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

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

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

challenging times and I have had to make some difficult decisions, but I have agreed funding of up to £8.7million this financial year to support all Local Authorities. This is in recognition that transitioning the service to one which is core provision and sustainable for the long term takes time.

The position will be reviewed for 2019-20 as part of the draft budget. It is however my intention to provide a further £8.7million to all 22 Local Authorities in 2019-20, to support the continuing development of a sustainable model from April 2020-21. This funding will be conditional on evidence of working progress towards more sustainable models of delivery. My officials wrote to all Chief Executives on Friday 18 May 2018 with their funding allocations for 2018-19.

The Welsh Government has taken an integrated approach to our impact assessment and a Strategic Integrated Impact Assessment of the high-level spending decisions was undertaken as part of the outline draft budget 2018-19.

I hope this information is helpful to the Committee in its consideration of the petition.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams', written in a cursive style.

**Kirsty Williams AC/AM**

Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education

**P-05-821 Reintroduce educational support funding to MEAS and the TES to local authorities – Correspondence form petitioner to the Committee, 27.06.18**

**MEAS Black Minority Ethnic (BME) SUPPORT**

MEAS focuses on raising the attainment and achievement of EM/EAL learners in NPTCBC. Interventions with BME pupils are a high priority for the team given BME pupils are likely to significantly underperform in the education system leading to lowered expectations and self-fulfilling prophecies of failure. Academics argue, however, that the failure is in the under-achievement of the system in providing for BME students. Bearing this in mind MEAS adopt a holistic and an individual approach to support for BME pupils. Every year we raise the status of the BME community by celebrating the achievements and success of Black writers, musicians, artists, performers and individuals during Black History Month. We try to encourage schools to involve their BME children in our event and to bring any pupils they think would benefit from an event which profiles positive black role models for young people within Neath and Port Talbot.

The range of activities facilitated by MEAS in schools during Black History Month includes our annual celebratory concert which on average involves the participation of 12 schools (including a special school and Welsh Medium schools); public art displays; participation by NPT schools on the national stage; displays in school; school assemblies; dance workshops; yoga workshops; visits from prominent Black high achievers. As a result of BHM workshops, MEAS has also produced an educational resource pack which was researched in collaboration with learners from St Joseph's Catholic School and 6<sup>th</sup> Form, and is augmented each year and has been lauded as an example of best practice. MEAS receive Arts Council funding through the former Black History Wales Association, now under the umbrella of Race Council Cymru. MEAS collaborate with many BME organisations to ensure a joined up approach to supporting BME learners.

Individual academic support for BME pupils has seen significant success; two of our formerly supported pupils have just successfully completed degree courses and one has just started on a degree course this academic year. The following case study highlights the success of our support. One pupil gained an E grade at GCSE English and was told by his school that he could be entered for the exam again but could not retake his controlled assessments worth 60% of the overall mark. Without the



opportunity to retake controlled assessments the pupil was destined to fail; MEAS entered the pupil in a College English GCSE class, tutored the pupil intensively at his school resulting in him attaining a C grade. This enabled the pupil to meet the university entrance requirements for a degree course which he has just completed. His Mother has told MEAS that without our intervention he would never have had the support or confidence to pursue his English qualification, go on to College and apply for University. Significant collaborative work is undertaken with the schools and college to ensure that learners achievement and wellbeing are supported and to ensure that these BME learners continue to thrive and do not become NEET.

## **First/Home language qualifications supported by the MEAS team**

Neath Port Talbot LA currently have pupils who speak over 63 first/home languages other than English and/or Welsh. Provision to support pupils who speak English as Additional Language (EAL) to obtain a GCSE/AS/A2 qualification in their home language can be a difficult and challenging task, considering the size of the core MEAS team, funded through the EIG grant.

However, we recognise the value and the ethos of the first/home languages of our pupils and nurture the importance of maintaining the language as a life skill and a way of appreciating our multilinguistic community.

We work collaboratively with the all Comprehensive schools in our Local Authority, including the Welsh Medium Comprehensive school, together with Neath Port Talbot College, to recognise the importance and value of the needs of the pupils who speak another language/ languages at home by giving them the opportunity and entering them to sit the Home language examination.

The MEAS Team have provided support and resource materials to those schools and individual pupils who expressed their interest in accessing the GCSE, AS and A Level qualification in their home languages.

In recent years, the MEAS Team members provided support to pupils who speak another language at home to access GCSE qualification in: Polish, Mandarin, Arabic, Russian, Japanese, Tamil, and A/AS Level in Polish.

All grades range from A\* to A Grades.

Last year MEAS supported a Laboratory Technician (and parent of an EAL pupil) from the Polish community, who works in one of our Comprehensive schools (St Joseph's School and Six Form) to obtain GCSE and AS in Polish in which she was awarded A Grades. She continues to study for A Level which she hopes to sit next year.

Home language GCSE, AS and A Level qualifications help EAL/EM learners develop their home language skills and build a broad understanding of the culture of the countries and communities they come from.

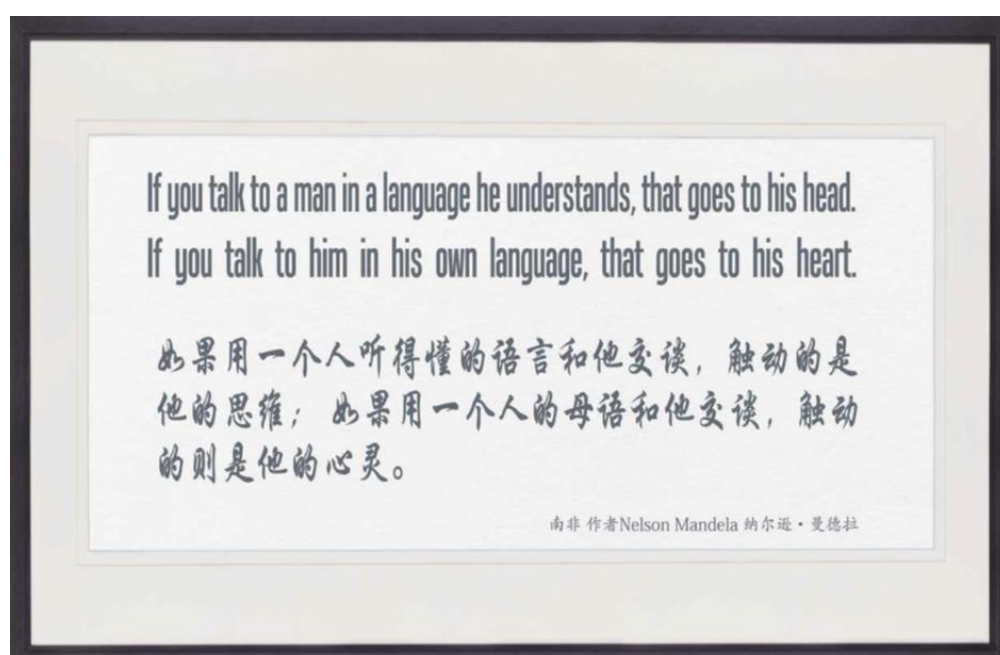
It encourages enjoyment of staying in touch with the language they speak at home and the recognition that language skills will enable them to take their place in a

multi-lingual global society. It also raises the status of community languages in our schools and wider community.

The number of EAL/EM learners and their successful grades have had an enormous impact on school results as well as on life and the future of the learners themselves by providing them with enhanced College and University choices or job opportunities.

EAL pupils (who are or have received MEAS support) who are currently studying in College or at the University benefit from their additional Home Language GCSE/A Level qualification. Further Education institutions, where former NPT EAL learners attend, have included NPT College Group, Southampton University, Cardiff University and Trinity St David.

As with our other groups of learners. ie. EAL, BME, Chinese EM learners, training is available from MEAS to schools, to help them build capacity for supporting first/home language examination courses. Schools have been encouraged to join up to teach learners from different schools to meet in one school to have support for examinations. ie. St Joseph's, Ystalyfera, Dwr y Felin and Llangatwg schools. MEAS multilingual staff provide interpreting and translating as part of their teaching role and have supported other NPT services and other LA MEAS services with their needs. Languages currently available on the team are the main languages spoken by our EAL learners: Bengali/Sylheti, Polish, Mandarin and Cantonese, Arabic, Romanian. We also employ a Bulgarian speaker.





## WHAT WILL GO IF MEAS GOES

1. Meeting the needs of learners/schools (bespoke to NPTCBC) supporting English as an Additional Language and enabling access to the academic language required for achievement in other academic subject areas i.e. Mathematics, Science, English Literature, Design and Technology. Diverse Specialist Trained and Qualified (Degree and Masters) teaching and support staff (Many of whom were teachers in their home countries and can support learners with the following Languages: Polish, Bengali/Sylheti, Mandarin/Cantonese, Arabic and Romanian. (4.3 Full Time Equivalent Staff). NPT CBC has over **1300** Ethnic Minority and English as an Additional Language Learners and over **63** different Languages other than English or Welsh. WG Grant ranged between £70 K to £140 annually since 2008.

2. Collaborative planning - support for schools/Programmes of Work

3. Training and development of school staff (additionally training on supporting Refugees for the team and schools SMT)

4. Developed partnership with the Dwr y Felin cluster group of schools (SMT) and Bae Baglan SENCO cluster group of schools to share up to date EAL pedagogy and good practice to ensure EM/EAL learners attainment

5 Translating and interpreting (including use of own casual interpreters and outside translation services)

6. Induction Meetings with parent/carers and other home/school liaison activities, such as the newly formed Bangladesh Parents forum in Central Primary school and signposting ESOL



## WHAT WILL GO IF MEAS GOES

### 8. Assessment in first/home language

Since 2014 MEAS Learners have achieved A\*-C in the following Home Languages

Polish GCSE (8 A\*-A & 1C)      Russian GCSE (1 A)

Polish AS (5 A\* & 1 A)      Arabic GCSE (3 A & 3A\*)

Polish A2 (4 A & 2Bs)      Mandarin GCSE (5 A\*)

Spanish GCSE (1 A)      Greek GCSE (1 A)

9. Learners encouraged to use first languages and gain home language qualifications – GCSE, AS and A level

and events

10. Working with community language schools and clubs

Pupils join other schools to sit Home Language exams

7. Transition support for learners between Key Phase/Stages, post 16 and University (Currently 5 in University, supported from School

Facilitate the British Council Chinese Language Assistant Programme in South Port Talbot with partner Primary and Secondary schools in order to

13 Promoting Cultural diversity/languages reflected in the curriculum through teaching and learning, Partnership working local community groups, nationally and internationally



## WHAT WILL GO IF MEAS GOES

14 Accurate EM/EAL data collection – Stages of English, Ethnicity and first/home languages

Numbers of EM/EAL Learners have continued to increase annually. Now reaching 1300 +

Top Eleven Languages spoken are 1. Polish (85) 2. Bengali, Telugu, Hindi, Panjabi, Gujarati, Pashto & Urdu (208) 3. Mandarin/Cantonese (65) 3. Tagalog/Filipino (43) 4. Arabic (40) 5. Romanian (36) 6 Thai (32) 7. Portuguese (23) 8. Hungarian (21) 9. Turkish (21) 10. Tamil (20) 11. Bulgarian (8)

15 Work in partnership with Black History Wales / Race Council Cymru and Primary and Secondary schools to participate in Black History Month and celebrate Black Minority Ethnic achievement in NPT

17 Work in partnership with other local authority participation of supported EM/EAL learners in L Day events

18. The MEAS work with at least 40 Primary schools annually, either giving direct or indirect support. In addition

MEAS work with all Secondary Schools annually (9) as well as learners attending Neath Port Talbot College

16 MEAS have successfully bid for a Chinese Teacher every year via the British Council to work with schools within the LA to promote Chinese Culture. MEAS has been fortunate to host 12 Chinese Teachers to date, who have visited over 40 different schools and taught thousands of children

as working with their parents.

20. Samples of the work we do with EM/EAL learners to diversify their backgrounds and encourage them to take part and understand the importance of growing up in a multi-cultural society.



## WHAT WILL GO IF MEAS GOES

21. Black Minority Ethnic Learners at risk of becoming NEET are supported with various academic subjects, learning and employment pathways and are involved in workshops with high achieving black authors and celebrities. All school communities benefit from this high profile given to BME learners.

22. Proactive Partnership working with various BME organisations which benefits all learners/families/school: NPT City of Sanctuary , Ethnic Youth Support Team, Swansea Bay Community Cohesion, NPT BME Association/Forum, Show Racism the Red Card, South Wales Police Hate Crime Officers and Black History Month Wales/Race Council Cymru

Working to Raise the Attainment of Black and Minority Ethnic Pupils and those with English as an Additional Language



## WHAT WILL GO IF MEAS GOES





# Agenda Item 2.3

## **P-05-822 Ban plastic straws (when drinking milk) in our schools**

This petition was submitted by Nia Jones having collected 1,034 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to [urge the Welsh Government to] consider banning the use of plastic straws which are used to drink milk in our schools. As a large school we receive around 285 milk bottles (in the Foundation Phase) daily including the same number of straws. Bearing in mind the global campaign to reduce plastic waste, we feel that plastic straws have a detrimental effect on our environment, especially as that they are used once and then thrown away. If this practice continues, it could lead to the possibility of there being more plastic than fish in our seas by 2050. The fact is that all these straws contribute significantly to the pollution of our seas and endangers wildlife.

### **Assembly Constituency and Region**

- Cardiff North
- South Wales Central

## P-05-822 Ban plastic straws (for milk) in schools

Y Pwyllgor Deisebau | 03 Gorffennaf 2018

Petitions Committee | 03 July 2018

### Research Briefing:

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Petition number: P-05-822

Petition title: Ban plastic straws (when drinking milk) in our schools

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to consider banning the use of plastic straws which are used to drink milk in our schools. As a large school we receive around 285 milk bottles (in the Foundation Phase) daily including the same number of straws. Bearing in mind the global campaign to reduce plastic waste, we feel that plastic straws have a detrimental effect on our environment, especially as that they are used once and then thrown away. If this practice continues, it could lead to the possibility of there being more plastic than fish in our seas by 2050. The fact is that all these straws contribute significantly to the pollution of our seas and endangers wildlife.

### Background

Single use plastics, or disposable plastics, are designed to be used once and thrown away or recycled. They are typically items such as plastic bottles, drinking straws, coffee cups and take-away food packaging. Recent media coverage, notably the [BBC Blue Planet II](#) series, has highlighted the scale of plastic debris in our oceans as a result of our 'throw-away' culture. The impact of single use plastic on the marine environment is evidenced by its prevalence in beach litter surveys. The [Marine Conservation Society's](#) 2017 [Beachwatch](#) Report showed "tiny bits of plastic were the most commonly found item" on beaches across the UK.

A 2017 report [Single Use Plastic and the Marine Environment](#) by [Eunomia](#) for [Seas at Risk](#), calculated the quantity of 'on-the-go' single use plastic waste "as these are most likely to escape normal waste collection systems". Key findings from the research include:

- many of these items either do not need to be made from plastic (e.g. glass and paper alternatives exist), while others are used unnecessarily e.g. drinking straws;
- measures to reduce plastic consumption enjoy a high level of public support, which increases after the measures are implemented;

- solutions to reduce consumption of single-use plastics exist, and have been running in multiple places around the world; and
- drastically reducing consumption of key single-use plastic items would effectively eliminate a major source of marine pollution in all of Europe's seas.

A 2018 report by Eunomia, commissioned by the Welsh Government, [Options for Extended Producer Responsibility in Wales](#), estimated that “a total of 404 million straws [are] consumed annually” in Wales, and “this is equivalent to waste arisings of approximately 150 tonnes of material.” It continued:

Drinking straws are typically constructed from polypropylene, which is recyclable, however very little separation of these items for recycling takes place. Without further data we have made the assumption that the recycling rates for these products is similar to that for disposable cups at 5%, and therefore 7.5 tonnes of straws are recycled per annum in Wales.

The report estimates the end of life costs of a number of single-use items in Wales. The ‘Total Municipal Residual Cost’ of plastic straw use in Wales is estimated at £22,566, a cost of 0.01p per item. However due to the ‘on-the-go’ nature of straws, an estimated 13 tonnes of plastic straws are littered per annum, this is estimated to cost £29,430, a cost of 0.08p per item.

[Extended Producer Responsibility](#) (EPR), as introduced by the [EU Waste Framework Directive](#), is a way of encouraging producers to consider the post-consumer phase of a product's lifecycle by giving them responsibility for it. Applying an EPR approach to school milk supply would involve encouraging producers to minimise waste in packaging design.

## Mechanisms in schools

Local authorities are responsible for procuring milk (and its packaging) from suppliers.

Schools participating in the free school milk scheme can offer free milk to Foundation Phase children and subsidised milk to learners in Key Stage 2. At Foundation Phase, the European Community pays a subsidy and the Welsh Government pay a top up subsidy. For pupils at Key Stage 2, the Welsh Government subsidises the cost of school milk alongside the European Community. Schools, local authorities, suppliers or other organisations can claim for the subsidy. Eligible pupils may receive up to 250ml of subsidised milk products each school day.

School milk suppliers may provide milk to schools in large bottles which the school would then distribute to pupils (in beakers), or may be provided in individual portions which may be packaged in cartons which often have a straw, in a plastic sleeve, attached, or straws may be provided separately by the supplier.

## Welsh Government action

In a [written statement](#) on 27 September 2017, the then Cabinet Secretary for Environment and Rural Affairs, Lesley Griffiths AM, stated that “as a Government we accept more needs to be done to improve our recycling rate still further and tackle litter and the issues associated with a ‘throw away’ society and ‘disposable’ culture”. She suggested that, in order to address this issue, the aim should be to “prevent litter entering the environment in the first place”, and “to value the resources we all too often take for granted”. She announced the Eunomia study into EPR (above) to assess possible options, saying:

I have commissioned a study to assess possible interventions to increase waste prevention, increase recycling and reduce land and marine based litter. Producer responsibility schemes such as the current schemes in place in the UK will be included in the research. Deposit Return Schemes will also be included. The research will also assess the likely environmental, economic and social impacts of potential extended producer responsibility (EPR) schemes, including any potential unintended consequences

In a Welsh Government statement delivered in Plenary on [27 February 2018](#), the Minister for the Environment, Hannah Blythyn AM, discussed the Welsh Government’s action on single use plastics:

And we have secured Wales’ involvement in the UK Government’s call for evidence about how it will address the issue of single use plastics, including through the use of tax.

Alongside this, we will continue to work on a potential standalone disposable plastics tax for Wales.

In a Welsh Government statement delivered in Plenary on [8 May 2018](#), the Minister for the Environment announced the outcomes of the EPR study. She said:

I am considering amendments to the Producer Responsibility Obligations Regulations so that producers and retailers pay a larger share of waste management costs.

... We continue to work with HM Treasury on a UK single-use plastics tax.

...I can announce that the Welsh Government has signed up to WRAP UK’s Plastics Pact.

She also announced ways in which the Welsh Government are working to “practice what we preach”:

I am committed to ensuring Welsh Government offices are single-use plastic free by the end of this Assembly term...

...We do not use plastic straws, stirrers or cutlery in our canteens. In addition, Welsh Government will continue to influence the broader public sector in Wales – for example through ‘catering disposables’ procurement contracts across the Welsh Government estate, working with Value Wales.

In Plenary on [13 June 2018](#), in response to a question from the Conservative Party spokesperson David Melding AM, the Minister for the Environment said the Welsh Government was working alongside the National Procurement Service to:

develop a range of measures that allow us to identify trends and actions to help reduce the use of plastics, including things like straws within the public sector, particularly within schools

## National Assembly for Wales action

The Petitions Committee considered a [previous petition](#) on banning polystyrene packaging between 2014 and 2016. Following the response from the then Cabinet Secretary for Environment and Rural Affairs, Lesley Griffiths AM, to the Committee, agreed that there was little more that the Committee could do to take the issue forward and agreed to close the petition.

In Plenary on [23 January 2018](#), in response to a statement from the Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths AM, on the food and drink industry, Joyce Watson AM highlighted the [‘Ditch the Straw’](#) campaign. The Cabinet Secretary responded:

The plastic straws initiative is so simple, but it's so important... So, just small things like changing from plastic to paper—because we know people want to use straws—could save so much.

In Plenary on [12 June 2018](#), Joyce Watson AM asked “whether the Welsh Government would consider looking at stopping or indeed reducing the supply of those types of straws through its public procurement policy”.

In response, the Leader of the House, Julie James AM replied:

We have got Value Wales and the National Procurement Service working closely with the Future Generations Commissioner for Wales's office and WRAP to develop and deliver several pilots in conjunction with local authorities and partners across Wales to demonstrate new approaches in procurement that fully embrace the Well-being of Future Generations (Wales) Act 2015, and one of those pilots covers the plastic straws issue. Officials are looking to see what we can do to develop a range of measures to identify trends and implement actions to reduce or eliminate the use of plastics, including food packaging and straws, in our contracts in the future.

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.

**Hannah Blythyn AC/AM**  
**Gweinidog yr Amgylchedd**  
**Minister for Environment**



**Llywodraeth Cymru**  
**Welsh Government**

Ein cyf/Our ref HB/00495/18

David John Rowlands AM  
Chair  
Petitions Committee  
National Assembly for Wales

15 June 2018

Dear David,

Thank you for your letter of 16 May regarding the petition to ban plastic straws (when drinking milk) in schools.

Procurement of school milk and its packaging is the responsibility of each local authority in Wales. However, the National Procurement Service (NPS) is currently working alongside the Waste and Resource Action Programme (WRAP) and the Future Generations Commissioner's office to develop a range of measures to allow us to identify trends and implement actions to help reduce the use of plastics (including straws) in the future. The NPS will be consulting on these measures with suppliers in June 2018 and will monitor the outcomes as part of its formal contract management.

The Welsh Government will continue to work with councils to help suppliers consider different ways of providing milk to schools and reduce the amount of non-recyclable plastic straws and packaging. Pilot projects are currently underway with several councils to look at the issue of plastic waste reduction in relation to procurement and, following this, guidance can be provided to all councils on how they can improve their processes to help the environment. We will also work with the UK Government on any future action on banning plastic straws.

Yours sincerely,

**Hannah Blythyn AC/AM**  
**Gweinidog yr Amgylchedd**  
**Minister for Environment**

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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.



Ysgol Y Wern  
Heol Llangrannog  
Llanisien  
Caerdydd  
Cf14 5BI



**Tystiolaeth ychwanegol ar gyfer trafodaeth e-Ddeiseb yr ysgol:-  
'Gwahardd gwellt plastig(wrth yfed llaeth) yn ein hysgolion'  
Dydd Mawrth 3ydd o Orffennaf 2018**



### Geiriad y Ddeiseb

“Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ystyried gwahardd y defnydd o wellt plastig sy'n cael eu defnyddio wrth yfed llaeth yn ein hysgolion. Fel ysgol fawr derbyniwn tua 285 o boteli llaeth (ar gyfer y Cyfnod Sylfaen) yn ddyddiol gan gynnwys yr un nifer o wellt. Yn sgil yr ymgyrch byd-eang i leihau gwastraff plastig teimlwn fod gwellt plastig yn cael effaith andwyol ar ein hamgylchedd yn enwedig wrth ystyried eu bod yn cael eu defnyddio unwaith ac yna eu taflu. Pe bawn yn parhau gyda'r arfer yma byddai hyn yn arwain at y posibilrwydd fe fydd mwy o blastig yn ein moroedd na physgod erbyn 2050. Y ffaith amdani yw fod yr holl wellt yma yn cyfrannu'n sylweddol at lygru ein moroedd ac mae bywyd gwyllt mewn perygl.”

Rydym yn ddiolchgar iawn i chi fel Pwyllgor Deisebau am drafod ac ystyried ein deiseb i wahardd gwellt plastig pan yn yfed llaeth yn ein hysgolion.

Hoffwn atgyfnerthu ein deiseb wrth gyflwyno tystiolaeth ychwanegol ac i dynnu eich sylw at y canlynol :-

- Mae'r ysgol wedi ymrwymo i leihau defnydd o blastig. Rydym yn ysgol fawr ac yn derbyn 285 o boteli llaeth plastig yn ddyddiol. Mae gwelltyn plastig ar gyfer pob potel. Felly mae 1425 o boteli a gwellt yn cael eu defnyddio yn wythnosol. Mae'r gwellt plastig yn cael eu taflu yn y bin a'r poteli llaeth yn cael eu taflu yn y bin ailgylchu.
- Mae ein disgyblion a rhieni yn ymwybodol o effethiau andwyol plastig ar fywyd môr ac afonydd ac yn teimlo'n gryf y dylid cymryd camau positif i wahardd gwellt plastig.
- Rydym eisioes wedi gwahardd y defnydd o wellt plastig with yfed llaeth yn yr ysgol a hoffem weld pob ysgol drwy Gymru gyfan yn gweithredu yn yr un modd.
- Mae llais y dysgwr yn hollbwysig yn ein hysgol . Mae trafod pynciau llosg mewn ffordd ddeallus ,gwybodus ac egwyddorol yn ran annatod o ethos yr ysgol ac yn hollbwysig i wireddu dibenion Cwricwlwm i Gymru i greu dinasyddion sydd yn ofalgar tuag at ein byd. Hyfryd byddai meddwl fod lleisiau'r disgyblion yn cael effaith positif ar eu dyfodol.
- Yr unig ffordd, rydyn ni'n teimlo, i gael cynghorau i gymryd camau pendant tuag at leihau gwastraff plastig yw drwy ddeddfwriaeth yn hytrach nag argymhellion.
- Mae Eco Ysgolion Cymru yn cefnogi'r ddeiseb felly byddai'n hawdd i wireddu gan fod gymaint o faneri gwyrdd yn hofran o flaen ein hysgolion yng Nghymru.
- Y cam nesaf byddai edrych ar sut i leihau y nifer o boteli llaeth plastig a ddefnyddir.





285 potel o laeth yn ddydiol



285 gwelltyn yn ddydiol



Bin Ailgylchu

Dyma luniau o'r gwellt plastig a'r poteli llaeth a ddefnyddir yn yr ysgol yn ddydiol.



Crewyd pysgodyn allan o wastraff plastig





Document is Restricted

# Agenda Item 2.4

## **P-05-823 Reduce the speed limit on the A487 in Penparcau**

This petition was submitted by Rhian Lewis having collected 262 signatures.

### **Text of Petition**

We, the residents of Penparcau and visitors, petition Ceredigion Council Highways Committee, to reduce the road traffic speed from 30mph to 20mph, on the A487, from the Pelican Crossing, Penparcau Road, to the Zebra Crossing on First Avenue, in order to reduce the risk of injury and death to pedestrians on this dangerous stretch of road.

### **Assembly Constituency and Region**

- Ceredigion
- Mid and West Wales

# Petition: Road Safety Improvements Along the A487

Y Pwyllgor Deisebau | 3 Gorffennaf 2018

Petitions Committee | 3 July 2018

## Research Briefing:

Petition number: P-05-823.

Petition title: A487 Reduce the speed limit on the A487 in Penparcau.

Text of petition:

We, the residents of Penparcau and visitors, petition Ceredigion Council Highways Committee, to reduce the road traffic speed from 30mph to 20mph, on the A487, from the Pelican Crossing, Penparcau Road, to the Zebra Crossing on First Avenue, in order to reduce the risk of injury and death to pedestrians on this dangerous stretch of road.

## Background

The A487 trunk road forms part of the north-south network of trunk roads linking Fishguard in Pembrokeshire with north Wales. A map of the Welsh trunk road network is available [here](#).

The Welsh Government is the highway authority for the Welsh trunk road and motorway network, including the A487. Maintenance and operation of the A487 north of Cardigan is the responsibility of the [North and Mid Wales Trunk Road Agent](#). The Welsh Government is responsible for the safety of the trunk road network, and as highway authority is responsible for setting speed limits.

There are two approaches to the introduction of 20mph speed restrictions: the 20mph speed **limits** requested by the petitioners; and 20mph **zones**. The [Royal Society for the Prevention of Accidence \(RoSPA\) website](#) describes 20mph **zones** as follows:

20mph zones, are designed to be "self-enforcing" due to traffic calming measures which are introduced along with the change in the speed limit. Speed humps, chicanes, road narrowing, planting and other measures are typically used to both physically and visually reinforce the shared nature of the road.

RoSPA describes 20mph **limits** as follows:

20mph limits, which consist of just a speed limit change but no physical measures to reduce vehicle speeds within the areas. Drivers are alerted to the speed limit with 20mph speed limit repeater signs.

20mph limits are most appropriate for roads where average speeds are already low, and the guidance suggests below 24mph. The layout and use of the road must also give the clear impression that a 20mph speed or below is the most appropriate.

RoSPA has also [published a factsheet \(PDF 529KB\)](#) on 20mph limits and zones, which discusses the history, characteristics and effectiveness of the interventions.

A national campaign organisation, [20's Plenty for Us](#), was established in 2007 “to help communities who want a more live-able street environment where they live by setting a mandatory 20mph limit for most roads.” It provides a [map of local campaign groups](#), including a number in Wales – though none in the area covered by the petition.

## Welsh Government Policy

The Welsh Government issued guidance on [Setting Local Speed Limits in Wales](#) in 2009. This guidance is to be used in setting “all local speed limits on trunk and county roads”. In relation to 20mph speed limits on trunk roads, the guidance says (paragraph 5.7):

20mph speed limits may be used on trunk roads in exceptional circumstances, generally over short lengths and for limited times of the day.

The guidance continues (paragraphs 5.8 to 5.11):

To be successful, 20mph speed limits and zones should ideally be self-enforcing. Highway authorities should take account of the level of police enforcement required before installing either of these measures and must always formally consult the police when considering their use.

Where highway authorities introduce 20mph speed limits for part of the day (e.g. around school hours), care should be taken to ensure that signing is clear and unambiguous to drivers.

20mph speed limits should only be used for individual roads or for a small network of roads. Research indicates that 20mph speed limits should only be used where mean vehicle speeds are 24mph or below or where traffic calming measures are planned as part of the speed management strategy.

20mph zones have a proven casualty reduction benefit and are usually used in town centres, residential areas and in the vicinity of schools. Their purpose is to create conditions in which drivers naturally drive at around 20mph largely due to vulnerable road user activity.

The *Wales Act 2017* provided the Welsh Government with a range of executive powers in relation to speed limits, and gave the Assembly competence to legislate in this area.

## Welsh Government Action

During the last Assembly the Welsh Government conducted a road safety review which reported in 2015. The outcome of the review has been [mapped and published](#). For the section of road identified in the petition the review website indicates that the existing 30mph speed limit should be retained, however “other works to improve road safety” are identified. The entry summarises these as follows:

Continue to progress proposals to potentially detrunk the A44/A487 Aberystwyth (and trunk alternative routes, where appropriate) in line with the National Transport Finance Plan 2015.

The proposal to detrunk (i.e. reclassify as a local road) the A44/A487 Aberystwyth is scheme reference R26A in the [National Transport Finance Plan \(NTFP\) 2015](#). The [2017 update to the plan](#) says at page 7 that the “R25/26 – ...trunking and de-trunking programme” has been “reprofiled” in order to “prioritise schemes within the NTFP Update so as to align with the budget available over the 3 year period”. The trunking / detrunking programme does not appear to be listed in the updated delivery schedule set out in annex B to the update.

The Welsh Government is currently undertaking a further review of speed limits on the Welsh trunk road network. The Cabinet Secretary for Economy and Transport, Ken Skates, has replied to the Chair on this petition to say:

We are currently in the process of carrying out a three year Speed Limit Review, looking at road safety issues at over 600 sites on all trunk roads in Wales. Your comments will be taken into consideration as part of this process when this section of the trunk road is reviewed.

The results of the review will be made available online and any works arising from the wider review will be prioritised, as funding allows, for a programmed completion over the next three to four years.

## National Assembly for Wales action

While this specific section of road does not appear to have been raised in the Assembly, the issue of 20mph speed limits and zones has been raised on a number of occasions.

For example, on 2 May 2018 the Cabinet Secretary responded to a [question in Plenary](#) on the introduction of a “20mph default speed limit in urban areas” in the contest of the “20’s plenty” campaign. The Cabinet Secretary responded to say:

that Welsh Government's position is that we support the introduction of 20 mph zones and 20 mph speed limits where there is evidence that they are needed. The Member is absolutely right that the available evidence does suggest that they lead to a reduction in speed limits, and therefore to improved safety, particularly for pedestrians and cyclists. Highways authorities already have the power to alter speed limits by order, and any changes that they make obviously need to be done in conjunction with consultation of the local community.

On 6 June 2018, the Cabinet Secretary [replied to a further question](#) emphasising the importance of community involvement and consultation:

It's absolutely vital that residents, under the Well-being of Future Generations (Wales) Act 2015, are consulted on matters that relate to their safety and well-being, and that includes, of course, speed limits within their communities. This Welsh Government is supportive of the implementation of 20 mph zones and, where appropriate, the reduction of speed limits from 30 mph to 20 mph, for example, outside of schools.

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.

**Ken Skates AC/AM**  
Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth  
Cabinet Secretary for Economy and Transport



Llywodraeth Cymru  
Welsh Government

Your ref: Petition P-05-823  
Our ref: KS/01522/18

David John Rowlands AM  
Chair  
Petitions Committee

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

19 June 2018

Dear David,

Thank you for your letter of 18 May regarding Petition P-05-823 Reduce the speed limit on the A487 in Penparcau.

We are currently in the process of carrying out a three year Speed Limit Review, looking at road safety issues at over 600 sites on all trunk roads in Wales. Your comments will be taken into consideration as part of this process when this section of the trunk road is reviewed.

The results of the review will be made available online and any works arising from the wider review will be prioritised, as funding allows, for a programmed completion over the next three to four years.

Yours ever,

**Ken Skates AC/AM**  
Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth  
Cabinet Secretary for Economy and Transport

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

[Gohebiaeth.Ken.Skates@llyw.cymru](mailto:Gohebiaeth.Ken.Skates@llyw.cymru)  
[Correspondence.Ken.Skates@gov.wales](mailto:Correspondence.Ken.Skates@gov.wales)

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

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

**P-05-823 Reduce the speed limit on the A487 in Penparcau – Correspondence from the petitioner to the Committee, 21.06.18**

Dear Sir or Madam,

Over 280 people signed the petition for a speed reduction from 30mph to 20mph in a busy shopping area

of Penparcau Aberystwyth, the distance being only approximately 400 metres.

Those 280 people represent 280 families,

and if you are aware of the size of Penparcau, then that is a considerable majority of families very concerned about this

issue.

There are several shops on this busy stretch of road and this road is also access to a primary school a few hundred metres away.

Both AM Elin Jones, who met with me in Penparcau to discuss this issue, and local MP Ben Lake have offered support, and both have written to Ken Skates.

Therefore I hope you will look favourably regarding this petition.

kind regards

Rhian Mattick



# Agenda Item 3.1

## **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 Circus Guild of Great Britain to the Committee, 26.06.18**

Dear Graeme and Ladies and Gentlemen of the Petitions Committee National Assembly for Wales

Firstly the Circus guild of Great Britain are pleased to have this chance to give written evidence which we hope you will take it into consideration when debating the circus petition on the 3<sup>rd</sup> of July regarding a ban on animals in circuses. The Guild represents the two licensed circuses, Circus Mondao and Peter Jolly's Circus. These circuses do not have wild animals, only exotics. No circus in the Guild has wild animals.

The Petition started by Ms Linda Joyce-Jones was signed by the public who were given false information. The signatories were led to believe that the two circuses had repeatedly been in breach of their licensing conditions and had both been suspended, I quote from the petition.

“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.”

This is completely untrue, Mondao were suspended for 21 days regarding an administration error which was quickly resolved and their license reinstated. There was a misunderstanding regarding who was supposed to be watching the animals when the public were in, which is a condition of the license, consequently the reindeer were left unattended and quite rightly Mondao had their license suspended and had to review their working practices. They did so to the satisfaction of the Secretary of State who then reinstated their license. Neither circuses breached the conditions of their licenses time and time again nor did they both have their license suspended. The general public when given this sort of false information as contained in the petition will of course sign to save the animals.

The Circus Guild have worked alongside the Welsh Assembly, The Scottish Government, both the Governments of Ireland, although Northern Ireland do not have a devolved Government at Stormont at the moment, and obviously we work very closely with Defra regarding all things circus and regulations regarding animal welfare in the entertainment sector. Both the Guild and PAWSI (Performing Animals Welfare Standards International) are at present working with DEFRA on the

conditions of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, which become Law on October 1<sup>st</sup> 2018. We are involved in all genres of the performance side of these regulations.

Whilst we understand the Welsh Assembly's commitment to improve and maintain high standards of animal welfare and wellbeing we sincerely hope that any decision is based on evidence and truth by the circuses and the animal rights activists. As well as being truthful decisions should be fair and proportionate and those making decisions should abide by the 7 Nolan Principles of Public Life, which is part of the vow taken by Government Officials on taking up office.

During the run up to the Welsh Assembly's Mobile Animal Exhibits proposals both the circuses, Mondaos and Jollys, were inspected by the Assembly team and I attach copy of their reports for your consideration I also attach the 5 year review of the circus licensing system carried out by Defra which clearly shows that the licensing regulations are working very well. The review also reports that there were no animal welfare problems with the two licensed circuses. It also states that DEFRA put aside a certain amount of finance prior to the start of the Licensing system to use when they had to get in their legal team, in other words they were expecting trouble because they had been warned by the animal rights of many illegal practices in circuses. However the review clearly shows that none of the money had to be used for anything, there were no illegal practices and the trouble they were expecting was completely unfounded.

There were, of course, some welfare issues over the 5 years whereby animals had to receive veterinary care and one or two animals died of old age. This is normal in any animal collection whether it is farming stock, zoos and or private domestic and exotic collections, or indeed privately owned pets.

The circuses have to employ a Lead Vet who is responsible for the day to day health of the animals and the circuses report to their Lead Vet on any concerns they may have and the animals are treated accordingly. On top of the three DEFRA Veterinary inspections, the lead Vet also has to inspect another 4 times over each year, not just if they are called. This is clear to see in the Inspectors reports which are on the DEFRA website. Also everything is reported back to DEFRA via the Lead Vet, the DEFRA Veterinary Inspectors Reports and also by the circuses themselves.

We believe that because of these very important documents, namely, the two inspections by the Welsh Assembly Inspectors and the 5 year review by DEFRA, plus the year by year Inspections by DEFRA Vets, plus the Lead Vets inspections. Ms Joyce-Jones argument would not stand up to scrutiny in a court of law and that it also breaches the Protection from Harassment Act 1997, the Offences Against the

Person Act 1861, (although old this Act is still used quite widely in many courts) and the Human Rights Act 1998. Circuses have no wish to go down the legal route but of course wish to keep the status quo with regards to working with their exotic and domestic animals.

We are also very happy to work alongside the Welsh Assembly regarding all animal welfare issues as in the past. We can also supply further evidence of exotics which work in other genres around Wales. Therefore we request to give further evidence to the Committee.

We look forward to hearing from you.

With very best wishes

Rona

Rona Brown  
Government Liaison Officer  
Circus Guild of Great Britain

**MOBILE ANIMAL EXHIBIT (MAE) CHECKLIST**

---

**Section 1:**

Name of Operator:

Name of MAE:

Location of MAE:

Species kept:

Tel: No:

Email:

Name(s) of Local Authority Officer	Name of Specialist Vet (if applicable)	Name(s) of MAE Representative
Andrew Jones Powys CC		██████████
Sian Jenifer Smith Welsh Government		Rona Brown Circus Guild of Great Britain, Government Liaison Officer

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Date and start time of	17/6/16	Date and finish time	17/6/16
Inspection:	1020hrs	of Inspection:	1315 hrs

Background information *(please insert here any further information you feel is relevant):*

Peter Jollys Circus is travelling throughout England and Wales during the Summer of 2016. They are subject to 4 Veterinary Inspections in a 12 month period by their own Lead Veterinary practice Allwood and Jones Bishops Castle, which includes inspections whilst on the road. A lead vet inspection had taken place the previous day 16/6/16.

They are also subject to 3 x DEFRA Inspections in a 12 month period , 1 of which is unannounced, the last being on the 13/1/16.

The Zebu is subject to TB testing.

2 years documented records have to be kept with the Circus whilst travelling.

**Section 2: Findings**

Please consider the standards and conditions set out in the checklist below and provide your opinion on whether or not they are compliant with the standards required by law (see Legislation section).

Standards and Conditions	Comments/clarification
<b>ENVIRONMENT</b>	
<p><b>Accommodation</b></p> <p>Are areas used by animals operated in a way that provides good welfare e.g. well maintained, safe, hygienic, secure?</p> <p>Are areas suited to the social, behavioural and environmental needs of the animals e.g. size, provision of shelter, separation or housing with other species etc.?</p> <p>Do animals have access to areas where they can exercise?</p>	<p>Cages and run areas off Travelling vehicles were clean and 4 daily checks are carried out for cleanliness/feed/water which are documented. Shade/shelter from the elements can be provided if required. Tethered animals are checked to ensure sufficient grass is present and moved accordingly.</p> <p>Areas appear of good size for each species/Shade/shelter can be provided.</p> <p>Grazing animals tethered in field with access to grass, they are monitored throughout the time of tethering. The stalls have access to outside areas for exercise. The Dogs are walked on the site.</p>
<p><b>Authorised persons</b></p> <p>Are authorised persons suitably experienced to access and care for the animals?</p> <p>Does the MAE have nominated first responders for emergency purposes?</p> <p>Is access to animals restricted to authorised persons?</p>	<p>List of authorised persons is kept and displayed on wall in Office caravan. Up to 45 years experience achieved by Mr Peter Jolly senior with a large amount of experience within the family/staff with down training of all new/younger staff ongoing.</p> <p>Yes list in office, Peter Jolly, Sarah Wild, Ann Marie Thompson.</p> <p>Yes, Senior staff supervise; not allowed to work with Animals alone, part of ongoing training.</p>



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<p><b>Transport</b></p> <p>Are transport containers and any fitting (etc.) suitable for transporting the species for which they are used?</p>	<p>The Circus uses a fleet of vehicles and trailers to transport the animals which are size specific for species with internal gates for the larger animals.</p>
<p><b>DIET</b></p>	
<p><b>Diet</b></p> <p>Is drinking water provided?</p> <p>Is there evidence of the provision of a suitable diet?</p>	<p>Yes water was available to the animals in cages/exercise areas/tethered areas. Checks are made 4 times a day to ensure this which are recorded.</p> <p>Feed storage areas seen for each species along with diet sheets which are checked by Veterinary Inspectors. Any medicines used or required also recorded.</p>
<p><b>BEHAVIOUR</b></p>	
<p><b>Display, training and performance</b></p> <p>What activities are expected of animals during performance?</p> <p>Are risk assessments undertaken and recorded?</p> <p>Do the areas used for display, training and/or performance appear suitable?</p> <p>Are items of equipment (including aids, props, costumes, decoration etc.) designed, maintained and used appropriately?</p> <p>Are the animals checked after carrying out activities?</p>	<p>There are no Camel rides. Pedestal work and animals led around ring Acts include, Farm yard Act(Ducks, Geese etc),Liberty Routine (Donkeys, Llamas and Zebras),Frozen act.(Reindeers) etc.</p> <p>Yes Risk assessments seen for species and activity. Risk assessment completed for our visit today.</p> <p>Training carried out in the main ring and same for show. Animals are moved from quarters into holding area prior to display for preparation and then moved backstage as required prior to display in main ring.</p> <p>Yes Harnesses and equipment kept in separate trailer specific for each species. Equipment is purpose made in the main.</p> <p>Yes checked after training and performances back in holding area.</p>

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<p>Are there signage and announcements to educate the public?</p>	<p>Yes no public access to animals without supervision and announcements during performances</p>
<p><b>HEALTH</b></p>	
<p><b>Healthcare</b></p> <p>Do all animals appear to be in good health?</p>	<p>All animals seen appeared in good health at the time of the visit. A full Veterinary Inspection had taken place the previous day 16/6/16.</p>
<p><b>Biosecurity</b></p> <p>Have suitable precautions been taken to reduce the risk of disease both within the MAE's stock and for other animals?</p>	<p>TB Test carried out on relevant animal. Site is checked prior to setting up for previous usage i.e. Farm livestock.</p>
<p><b>Veterinary Care</b></p> <p>Is a vet providing the MAE with continuity of care, veterinary oversight and advice?</p> <p>Are general healthcare and treatments properly administered?</p>	<p>Licence requires 4x Lead Veterinary visits a year. A list of local Vets is kept is kept for area in which Circus is.</p> <p>Individual animal Vet medicine records kept .Also animals are weighed and records kept.</p>
<p>Are any species specific guidance documents kept?</p>	<p>Species specific diet sheets kept to include risk assessments. Care plans and codes of practice kept.</p>
<p><b>Breeding (if applicable)</b></p> <p>Are the health and welfare needs of animals during all stages of the breeding process met?</p> <p>Is guidance on fitness followed?</p>	<p>Yes an example would be recent birth of Zebra, guidance has been sought from Vet via a plan of action on pregnancy/movements after the birth. The Stallion is kept separate to mother and foal with a supervised re introduction over time. This plan of action is signed off by Vet.</p> <p>Yes Vets consulted and action plans documented.</p>

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<p>Is veterinary care provided?</p>	<p>Yes as above and visits documented with action plans</p>
<p><b>Records</b></p>	<p><b>Comments/clarification</b></p>
<p><b>Itinerary</b></p> <p>Are records maintained for the MAE's forthcoming displays?</p>	<p>Tour Itinerary submitted to Defra along with route plan. This can change due to venue issues and DEFRA are updated accordingly</p>
<p><b>Individual records</b></p> <p>Confirm that a single source of information about each animal's health and welfare needs and medical history is quickly available at the present location of the animal.</p> <p>Records should include:</p> <ul style="list-style-type: none"> <li>• Environment</li> <li>• Diet</li> <li>• Training</li> <li>• Health needs</li> <li>• General Observations</li> <li>•</li> </ul>	<p>Individual Records show diet/medical history/ treatments/ time training. 4 checks daily also recorded on water/feed/Environment and Socialisation. Day Diary for Horses. Microchip numbers are recorded for relevant animals.AML1 movement documents are completed for Goats etc. with a copy retained in records.</p>
<p><b>Journey Plans</b></p> <p>Are plans made before embarking on a journey and contingency plans put in place?</p>	<p>Tour Itinerary is recorded and submitted with Journey plans to DEFRA which includes Departure/Arrival dates and approx. times.</p>
<p><b>Insurance</b></p> <p>Does the MAE have appropriate insurance cover (public liability insurance minimum)?</p>	<p>Park Insurance</p>

The following space is provided for:

- *Additional notes and comments on the answers to the earlier questions*
- *Any general remarks which the inspector may wish to record*

Section 3: Conclusion

Having inspected (name of MAE):

operated by (name of operator):

on:

**Summarise the findings at this MAE, noting the involvement of any other authority.**

During the test checklist visit by Powys County Council Animal Health and Welfare Team all livestock was seen on the site and appeared to be in good health and no welfare issues were noted. Housing areas were of a good size and allowed socialisation between animals. Some animals were grazing and allowed to browse whilst on tethers allowing exercise and enrichment. Records were present for each animal showing medical history/examination/treatment and training. The methods of transport used were fit for purpose. A separate Caravan is used whilst on the road as an Office to store all the required records.

Throughout the visit I was shown total co-operation by the Jolly family and Staff and Rona Brown Government Liaison Officer from the Circus Guild of Great Britain.

Section 4: Recommendation (tick appropriate box(es))

**Animal welfare**

Satisfied with welfare conditions

Improvements to be made and additional formal visits under the Animal Welfare Act 2006 required

**Licensing/registration**

Confirm if the MAE is licensed or registered under any of the following legislation and if not, is it eligible?

	<i>Licensed/registered</i>	<i>Eligible?</i>
Zoo Licensing Act 1981 (as amended)	<input type="checkbox"/>	<input type="checkbox"/>
Dangerous Wild Animals Act 1976 (Modification)(No.2) Order 2007	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Performing Animals Regulation Act 1925	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Licensing Act 2003	<input type="checkbox"/>	<input type="checkbox"/>

Other (please state):

.....

.....

.....

Confirm next steps (including referral where appropriate)

Share information with other Welsh Local Authorities and the Circus Guild of Great Britain.

Circus and Guild confirmed content, if deemed appropriate, for results of visit to be published on the Welsh Government website *[note: this would be the case if the document was 'live' – results of test visit will not be shared - SJS]*

Signed:

Dated:

Print name:

***Please record the results of this inspection electronically and in a format that can easily be shared with other Local Authorities, the MAE and Welsh Government if required.***

## MOBILE ANIMAL EXHIBIT (MAE) CHECKLIST

---

### Section 1:

Name of Operator:

Name of MAE:

Location of MAE:

Species kept:

Tel: No:  Email:

Name(s) of Local Authority Officer	Name of Specialist Vet (if applicable)	Name(s) of MAE Representative
Darren Maughan Pembrokeshire CC		
Irene Allen Welsh Government (observer)		



Sian Jennifer Smith Welsh Government (observer)		
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Date and start time of  
Inspection:

02/06/2016  
10:15am

Date and finish time  
of Inspection:

02/06/2016  
14:00pm

DRAFT

## DRAFT

Background information *(please insert here any further information you feel is relevant):*

Camels – Adult male used for short rides primarily for children for small fee. Custom made “saddle” used and on lead rope. Approx 15mins before show, 30 mins during interval and 15 mins after show. May not be available during breeding rut. Also walked around main show ring during opening parade.

Juvenile camel used just to walk around main ring during opening and closing parade. Not always used as a youngster under training.

Reindeer – Animals used purely for show purposes in opening and closing ceremony.

Llamas – Used much the same way as the reindeer plus group work.

Horses – Some of the animals ridden or asked to do group work. Some asked to rear and use pedestals to stand on.

Birds – Displayed in flight and some required to fly from areas of the stage. Normally returning to set area for return to aviary/housing.

**Section 2: Findings**

Please consider the standards and conditions set out in the checklist below and provide your opinion on whether or not they are compliant with the standards required by law (see Legislation section).

Standards and Conditions	Comments/clarification	Compliant/ Non-Compliant
<b>ENVIRONMENT</b>		
<p><b>Accommodation</b></p> <p>Are areas used by animals operated in a way that provides good welfare e.g. well maintained, safe, hygienic, secure?</p> <p>Are areas suited to the social, behavioural and environmental needs of the animals e.g. size, provision of shelter, separation or housing with other species etc.?</p> <p>Do animals have access to areas where they can exercise?</p>	<p>All stalls and outside areas checked daily. Mucked out every AM and skipped through day to remove waste. All stalled in groups to allow best socialisation when in/out.</p> <p>All stalls and linked outdoor areas of good size. Where possible during day adjoining stalls linked together to provide larger area and socialisation where suitable. All Animal housing has undercover and open areas.</p> <p>Some animals out on long tethers to graze where applicable for periods of the day. Monitored throughout period on tethers, swivel on both ends. All stalls have access to outdoor areas allowing more space.</p> <p>Horses have free grazing behind electric tape.</p>	
<p><b>Authorised persons</b></p> <p>Are authorised persons suitably experienced to access and care for the animals?</p> <p>Does the MAE have nominated first responders for emergency</p>	<p>Main animal care staff have large amount of experience in the industry, provide training to other staff on site.</p> <p>Yes. Senior staff Carol Macmanus / Petra Jackson. All qualified staff assigned to help.</p>	

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<p>purposes?</p> <p>Is access to animals restricted to authorised persons?</p>	<p>Yes. Unless trained and signed off by senior staff to work with species, not allowed to work with species alone.</p>	
<p><b>Transport</b></p> <p>Are transport containers and any fitting (etc.) suitable for transporting the species for which they are used?</p>	<p>2 X Articulated lorries used. 1 for larger animals 1 for smaller. All divided with internal gates. Ventilation points according to the size of animals transported. Birds transported in suitable trailer.</p>	
<p><b>DIET</b></p>		
<p><b>Diet</b></p> <p>Is drinking water provided?</p> <p>Is there evidence of the provision of a suitable diet?</p>	<p>Fresh water available all day in the night / exercise areas.</p> <p>Diet sheet and records as well as feed storage areas and handling equipment seen.</p>	
<p><b>BEHAVIOUR</b></p>		
<p><b>Display, training and performance</b></p> <p>Are risk assessments undertaken and recorded?</p> <p>Do the areas used for display, training and/or performance appear suitable?</p> <p>Are items of equipment (including aids, props, costumes, decoration etc.) designed, maintained and used appropriately?</p> <p>Are the animals checked after carrying out activities?</p>	<p>Risk assessment for species kept. Also assessments for daily husbandry and training seen.</p> <p>All training done in main "Ring" and same for show/display. Area suitable.</p> <p>Main prop / aid are 4 pedestals /foot tubs. Designed and made for purpose in house. Checked before every use and maintained on site if required.</p> <p>All animals checked before / whilst working /training. Done checked if worked well and no issues arose</p>	

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<p>Are there signage and announcements to educate the public?</p>	<p>during that period.</p> <p>Some signage on the animals stalls/quarters as well as H&amp;S signs for public. Staff available to speak to guests whilst animal areas are open.</p>	
<p><b>HEALTH</b></p>		
<p><b>Healthcare</b></p> <p>Do all animals appear to be in good health?</p>	<p>All livestock on site appeared in good health at time of visit.</p>	
<p><b>Veterinary Care</b></p> <p>Is a vet providing the MAE with continuity of care, veterinary oversight and advice?</p> <p>Are general healthcare and treatments properly administered?</p>	<p>As part of licence have a lead vet consultant for MAE. 4 visits a year must be made. 2 by lead vet 2 by nominated local vet in area where MAE is located at time due. List of local vets for regularly visited areas kept in office should care be needed.</p> <p>Carol Macmanus administers meds should it be an ongoing treatment or part of a course of medication.</p> <p>Individual animal vet med records all kept and up to date.</p>	
<p>Are any species specific guidance documents kept?</p>	<p>Species specific diet sheets seen, as well as risk assessment for handling and training of the species.</p>	
<p><b>Breeding (if applicable)</b></p> <p>Are the health and welfare needs of animals during all stages of the breeding process met?</p> <p>Is guidance on fitness followed?</p> <p>Is veterinary care provided?</p>	<p>Animals in rut managed according to temperament variations. Deer in velvet separated to transport, partition gates used to reduce risk of injury to antlers. No breeding stock part of MAE anymore.</p> <p>Yes</p> <p>See veterinary care above</p>	

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Records	Comments/clarification
<p><b>Itinerary</b></p> <p>Are records maintained for the MAE's forthcoming displays?</p>	<p>Records kept for future venues and planned dates at sites, and venues visited previously</p>
<p><b>Individual records</b></p> <p>Confirm that a single source of information about each animal's health and welfare needs and medical history is quickly available at the present location of the animal.</p> <p>Records should include:</p> <ul style="list-style-type: none"> <li>• Environment</li> <li>• Diet</li> <li>• Training</li> <li>• Health needs</li> <li>• General Observations</li> <li>•</li> </ul>	<p>Records kept that show animals diet, medical history and treatments, dates and amount of time spent training and used for display. All observations on behaviour and daily husbandry also recorded in day diary. Records showing time of loading / unloading and journey time kept.</p>
<p><b>Journey Plans</b></p> <p>Are plans made before embarking on a journey and contingency plans put in place?</p>	<p>Journey plans seen showing expected route and journey time estimates. APHA informed of journey plan and contacted should any issues arise.</p>
<p><b>Insurance</b></p> <p>Does the MAE have appropriate insurance cover (public liability insurance minimum)?</p>	<p>Yes, covered by Parks insurance.</p>

The following space is provided for:

- *Additional notes and comments on the answers to the earlier questions*
- *Any general remarks which the inspector may wish to record*

Section 3: Conclusion

Having inspected (name of MAE):

Circus Mondao

operated by (name of operator):

Carol McManus

on:

02/06/2016

**Summarise the findings at this MAE, noting the involvement of any other authority.**

During the compliance visit by the Pembrokeshire County Council Public Protection Division, Animal Health and Welfare Team, all livestock on site was inspected and all appeared to be in good health and no welfare issues were noted.

All housing areas were of a good size and suitable for use, with socialisation allowed where applicable, and adjoining stalls and exercise areas opened up to maximise space during the day, and separated again for night time periods. Some animals were seen to be allowed to browse / graze whilst on tethers, allowing exercise and enrichment.

All records were present showing the animal's medical history, diet and use for training and displays. Staff training records were available recording which species and duties each member of staff was allowed to perform in relation to the livestock. Records also seen for journey times and expected journey times to next venue.

All vehicles used for transport seen, and were fit for purpose with loading and travel taking into consideration socialisation and prevention of welfare issues during the journey.



Section 4: Recommendation (tick appropriate box(es))

**Animal welfare**

Satisfied with welfare conditions

Improvements to be made and additional formal visits under the Animal Welfare Act 2006 required

Confirm next steps (including referral where appropriate)

**Licensing/registration**

Confirm if the MAE is licensed or registered under any of the following legislation and if not, is it eligible?

	<i>Licensed/registered</i>	<i>Eligible?</i>
Zoo Licensing Act 1981 (as amended)	<input type="checkbox"/> N	<input type="checkbox"/>
Dangerous Wild Animals Act 1976 (Modification)(No.2) Order 2007	<input type="checkbox"/> Y	<input type="checkbox"/>
Performing Animals Regulation Act 1925	<input type="checkbox"/> Y	<input type="checkbox"/>
The Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012	<input type="checkbox"/> Y	<input type="checkbox"/>
Licensing Act 2003 (Temporary event licence exempt)	<input type="checkbox"/>	<input type="checkbox"/>
Other (please state):	<input type="checkbox"/>	<input type="checkbox"/>

.....

.....

.....

Confirm next steps (including referral where appropriate)

Provide copy of completed form to the MAE and share results with other Local Authorities.

Signed:

Dated:

Print name:

***Please record the results of this inspection electronically and in a format that can easily be shared with other Local Authorities, the MAE and Welsh Government if required.***

**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, 28.06.18**

**To the members of the Petitions Committee of the Welsh Assembly.**

**Re the submission by the Circus Guild of Great Britain in relation to my petition calling on the Welsh Government to ban the use of wild animals in circuses in Wales.**

Thank you for asking me to comment on the above. May I first state that this will be a short response, due to me only receiving the above submission yesterday morning. I have covered many of the issues raised in my two previous submissions to the Petitions Committee in support of my petition and also in my contribution to the Welsh Government Consultation on MAE last year. I know many members have kindly taken the time to read these. I understand my submissions are in the public domain should Rona Brown or others wish to read them.

As the Welsh Government have now said they are "exploring opportunities " to ban the use of wild animals in circuses in Wales I feel the issues around the licensing system ( which only applies in England not Cymru ) are not really relevant to this debate at the present time.

The two animal circuses currently licensed by DEFRA to tour England, Peter Jolly's Circus and Circus Mondao do use wild animals not "exotic " as Rona Brown of the Circus Guild states. This is confirmed by the documents she herself supplied when two LA Public Protection department's chose to visit both the above animal circuses in Wales last year. Both have:

1. A licence to keep Dangerous wild animals. (1976 regulations )
2. A licence to tour England granted under the regulations of 2012 which is known as a travelling circus licence for the welfare of wild animals.

I covered this very subject of LA Public Protection departments in one of my previous submissions and my response to the consultation by the Welsh Government on MAE. I explained I had met with Ms Mai Roberts the Public Protection Manager from Cyngor Gwynedd Council and Councillor Dafydd Meurig who is the Cabinet member responsible for such matters on Cyngor Gwynedd Council. They both very kindly took time to explain to me the challenges and difficulties a visiting circus that uses wild animals present to them.

I would like to state that in Wales the Welsh Government or Welsh Assembly have no authority to act in this matter at the present time. The people who attended the two random inspections sited by Rona Brown from the Welsh Assembly did so as observers. I am puzzled by the fact that the said documents have "Draft " printed throughout their pages.

For clarity I would like to state that the consultation carried out by the Welsh Government on Mobile Animal Exhibits of 2017 received almost 1,000 responses out of this 892 respondents chose to answer only one question on banning wild animals in circuses in Wales. This consultation concluded that **"the majority of respondents believe the use of wild animals in circuses should be banned and that wild animals cannot be cared for appropriately whilst in a travelling environment "**.

I am simply staggered by the phrase Rona Brown uses "administration error " to explain the findings of the Inspector from DEFRA that resulted in Circus Mondao having their circus licence to tour England suspended in December 2015. I provided the link to the relevant documents from DEFRA in one of my previous submissions. However today please find the attached pictures of the license suspension notice to Circus Mondao from DEFRA. May I draw your attention to the serious issues the unannounced inspection flagged up around the animals welfare. Including a Camel being denied veterinary treatment, the size of the enclosures the animals where kept in, poor record keeping around the care plans of the animals. Together with the issues Rona Brown herself admits to of members of the public being left unsupervised with Circus Mondao's animals. The said document clearly shows this has been a longstanding concern to the DEFRA Inspectors.

Rona herself admits to the fact that there has "some welfare issues during the last five years ".

At this time I have no more pressing points I wish to add in relation to the above document from the Circus Guild of Great Britain. However I know I may be able to add more at a later date if I wish to.

For clarity I would like to state that I have no links with the animal entertainment industry. I have never been a member of any political party. Once again thank you for inviting me to comment.

Linda Evelyn Joyce-Jones Caernarfon, Arfon Constituency 27/6/18.



Department  
for Environment  
Food & Rural Affairs

Tel: 0117 372 8774  
wildlife.licensing@ahvla.gsi.gov.uk

02 December 2015

Dear Ms Macmanus

**Notice of Suspension of a licence issued under the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012**

As you know, an unannounced inspection under the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 (the "Regulations") took place on 25 November to ensure your ongoing compliance with the Regulations. As I said in my letter of 16 November, although the scheduled inspections planned for your circus for your current licence had finished, the Department retain the power to undertake further announced or unannounced inspections during the remaining period of your licence. Additional inspections could be required in response to concerns raised about the wild animals in your circus.

In summary, the inspection found a number of matters which cause concern. However, the matters of most immediate concern found during the inspection were that:

1. The two reindeer and the camel 'Kachana' were not adequately supervised whilst the public had access to them. The public were allowed unsupervised contact with the camel and were allowed to feed the reindeer and camel unsupervised. As has been made clear to you several times previously in writing, unsupervised access to licensed animals is restricted to authorised persons and any access by the general public requires direct supervision. Given it's medical history, we have also required you to maintain additional monitoring of the camel's well-being.
2. The camel 'Kachana' was found to have a hoof condition which had not been seen by a vet and did not appear to be being treated appropriately. It was the view of the inspector that the animal was not fit to be on display.

CL10



3. The display enclosures were also found to be inappropriate. The size is smaller than that required in the circus guidance for animals including reindeer. Further, none of the animals on display, given that they appeared to have been on display all day, have been provided with a place to retreat to, out of public gaze.
4. Animals were reported to not be receiving sufficient exercise as they are been kept in the display enclosure for most of the day and the on-site facilities only enable them to have short walks
5. Care plans did not include any risk assessments for the display work undertaken and individual records did not record the amount of extra food being fed to the animals by the public, which is clearly taking place and being encouraged.

#### **Decision of the Circus Licensing Panel**

The Inspector's additional findings have been considered by a panel of officials on behalf of the Secretary of State and the panel is satisfied there is a clear breach of conditions 4, 5, 7, 8 and 9 of the licensing conditions. The panel has recommended that your licence be suspended with immediate effect.

During the suspension period you must not operate a travelling circus with wild animals. You will need to ensure that your wild animals do not perform and are off display at all times. Under the Animal Welfare Act 2006, the maximum penalty for operating a travelling circus with wild animals without a licence is 6 months' imprisonment or an unlimited fine or both. If your wild animals are dangerous wild animals within the meaning of the Dangerous Wild Animals Act 1976, they will need to be licensed under that Act which is administered by local authorities. It is your responsibility to ensure that you are compliant with any other laws that are relevant to the keeping or displaying of wild animals.

#### **Measures required to secure compliance with the Licensing Conditions**

Before your licence can be reinstated we require you to undertake the following measures:

- Provide Defra with evidence that the camel 'Kachana', has been seen by an appropriate vet as instructed by the inspector during the inspection on 25 November and that the camel is now undergoing a suitable course of treatment. We would expect to see this evidence, in the form a signed letter from the vet, within one week of the date of this letter.
- Provide Defra with a signed letter from the vet stating that, in their opinion, the camel 'Kachana' is now fit to be used in a display. The animal is not to be used in a display until such time as it is fit to do so and, if you are unable to confirm its fitness, you should remove the animal from your stocklist.
- Ensure that the environment that any animals are to be displayed in is appropriate, both in terms of size and security. Further details can be found in the section on



Environment (pages 18 to 25) in the guidance on the Regulations. Also, if the animals are to be displayed during all the opening hours of the Garden Centre, the environment provides ready access to a place for the animals to retreat to, out of public gaze.

- A clear commitment from you that, if the public are to be allowed access to any of your animals, it will only be under direct supervision by someone from your list of authorised persons.
- Care plans are revised to include a risk assessment of the display work being undertaken, and that individual records will include details of all extra food being eaten by the animals on display.

If you do not provide the Secretary of State with sufficient evidence to demonstrate that the conditions on which the suspension was based, points one to four above, have been rectified by 28 days after the day following the date of this letter your licence to operate a travelling circus using wild animals may be revoked.

#### Right of appeal

You are entitled to appeal this decision to a magistrates' court by way of a complaint but must do so no later than 28 days after the day following the date of this letter. The Magistrates' Courts Act 1980 will apply to the proceedings.

The magistrates' court may on application permit you to continue to operate a travelling circus, subject to the conditions in the Schedule to the Regulations, pending an appeal.

S. G. Ellis.

(Issued on behalf of the Secretary of State)



# Agenda Item 3.2

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

This petition was submitted by Tamsin Davies and was first considered by the Committee in February 2018, having collected 8,700 signatures on paper and another petition website.

### **Text of Petition**

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

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

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

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

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

### **Assembly Constituency and Region**

- Cardiff Central
- South Wales Central

**SWYDDFA CYMORTH Y CABINET  
CABINET SUPPORT OFFICE**

Fy Nghyf / My Ref : CM39451

Eich Cyf / Your Ref :

Dyddiad / Date: 4th April 2018

David Rowlands AM  
National Assembly For Wales,  
Pierhead Street  
Butetown  
Cardiff  
CF99 1NA

Annwyl / Dear David,

**David Rowlands AM Save The Trees And Ground In Roath Mill And Roath Brook**

Thank you for your letter dated 9<sup>th</sup> March 2018 outlining a request from the National Assembly for Wales Petitions Committee for you to write to Cardiff Council seeking a view on the feasibility of an alternative approach to Natural Resources Wales (NRW), and to raise and lower the height of the lake water levels to manage flood risk downstream.

I can advise that we are not able to provide a detailed response, notwithstanding this you may be aware that NRW included the use of the lake as part of its options appraisal exercise, and in some detail. I understand that this option was rejected on technical and amenity grounds, this was confirmed in the 'NRW Environmental Statement' prior to commencement of the scheme.

In conclusion, the scheme above is NRW led, and as the regulatory body and specialists in this particular field, they will be better placed to offer an informed opinion.

Yn gywir / Yours sincerely



**Councillor / Y Cyngorydd Peter Bradbury**  
**Cabinet Member for Culture & Leisure**  
**Aelod Cabinet Dros Ddiwylliant a Hamdden**  
cc. CEX, Cardiff Council Paul Orders

Ebost/Email:

[Diane.McCrea@cyfoethnaturiolcymru.gov.uk](mailto:Diane.McCrea@cyfoethnaturiolcymru.gov.uk)  
[Diane.McCrea@naturalresourceswales.gov.uk](mailto:Diane.McCrea@naturalresourceswales.gov.uk)

Ffôn/Phone:

0300 065 3962

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

By email: [SeneddPetitions@Assembly.Wales](mailto:SeneddPetitions@Assembly.Wales)

21 June 2018

Dear David,

Thank you for your letter of 4 June 2018 about our Roath Flood Scheme in Cardiff and the petition to save trees and ground in Roath Brook Gardens and Roath Mill Gardens, as further discussed by the Petitions Committee on 15 May 2018.

I appreciate you sharing the Roath Brook Trees campaign group's latest letter with me. We continue to have productive discussions with the group to find a way forward during the agreed pause, whilst also continuing to receive correspondence from residents who wish us to progress and implement this scheme. We intend to engage, in July, with the property owners who would benefit from the Phase 3 works.

As an update of our discussions with the campaign group, we have received the campaign group's hydrologist's initial report and upon review we found there was an error in the consultant's flow calculation. Having amended this their consultant's work is within the tolerance of such a hydrological assessment compared against ours. Therefore, we remain confident that our original flow data is accurate.

We believe this helps verify that the flood risk is real and that our intervention to reduce it is necessary. The campaign group is currently seeking their hydrologist's advice on whether this tolerance is acceptable to them or whether they believed that reviewing the hydrological assessment further is warranted. We mirror the group's hope that both parties pay due regard to other professionals' opinions.

The campaign group is also reviewing our options appraisal. We welcome scrutiny of the options process and believe the group has contacted Dwr Cymru Welsh Water regarding

Llanishen Reservoir and Cardiff Council regarding Roath Park Lake, both upstream storage options we discounted for what we consider to be valid reasons in our appraisal.

Raising or lowering the water level in Roath Park Lake presents many challenges. We discussed the option with Cadw and Cardiff Council during the appraisal and the following issues were identified to conclude that the option was strongly not preferred. Works would be required to the dam embankment and/or the offtake weir and spillway, which are Listed structures, so consent may not be granted.

The Lake itself is within a Conservation Area and is Grade I listed, and changing water levels would alter its appearance, potentially by an unacceptable degree. The Lake also provides high amenity value for Cardiff residents and visitors, whose use, and enjoyment would be affected by varying water levels. Changing the water level would also affect the entire shoreline of the lake, with possible bank stability issues in some locations and impacts to trees. We recognise that many of these impacts apply to the Park Gardens, but alongside the environmental implications, one must also consider the technical viability, residual flood risk across the scheme, operational requirements, costs and risks. Our option, in our view, is the most viable.

The campaign group has informed us that they require an extension to the agreed pause timeline, which we are currently discussing with them.

We have provided the group with updated ecological surveys we have recently undertaken in Roath Brook Gardens. These surveys support our previous surveys and assessments, and the campaign group's independent water vole survey, regarding the habitat and species present.

I trust the above provides you with an update on the current position.

In relation to the points raised by the campaign group repeat below in italics, we make the following comments:

- 1) *"We accept that NRW are planting 200 saplings at Roath Park. However, their broad generalisation that the removal of up to 38 mature trees is made up for by the planting of 200 saplings in Roath Recreation Ground only evidences once more NRW's failure to recognise the genuine concerns of residents."*

We do not believe that planting 200 saplings in Roath Recreation Ground makes up for removing trees from the Park Gardens. We recognise the benefits trees provide, especially in an urban environment, and considered this in our appraisal and design. We have tried throughout the project to avoid and then minimise tree loss. Where loss does occur, we are replanting replacement trees at the specific location in a high quality bespoke designed arboricultural scheme.

- 2) *"The campaign group did not request that the flood risk be recalculated by itself (as suggested in NRW's response 1)"*

Our response is valid as we were responding to the Committee's question "Your response to the petitioners' proposal that the current risk of flooding should be recalculated following the completion of Phase 1 and 2 works".

Regarding recalculating the Roath community's position on the Communities at Risk Register, after other parts of the project have been completed, we are discussing this with the campaign group. However, as explained in our reply to your question 4 of 9 March 2018, flood risk prioritisation and investment is not solely or simplistically based on the Communities at Risk Register.

The entire Roath project and all of its constituent parts remain fully justified based on the appraisal study undertaken and the detailed business case produced. We maintain the position that the project continues as a single scheme due to the flood risk throughout the area.

It is not acceptable, in our view, to have one part of the community protected to a lower standard of protection compared to the rest, when we consider that flood risk to be unacceptable. Any other approach would in our view be divisive to the community, when we aim to make Roath a cohesive community through a common level of protection to flood risk.

- 3) *"We continue to believe that the option appraisal process was entirely flawed as, whilst it assessed the benefits, costs, impact and risks of each option it completely failed to take into account the environmental impact and cost of the option chosen."*

Our options appraisal did consider the environmental impact of each option and this is recorded in our appraisal and the environmental impact assessment. A variety of both quantitative and qualitative assessment tools exist, including the iTree methodology, but we believe that our environmental impact assessment and arboricultural impact assessment adequately incorporate this issue to the appraisal and subsequent scheme design.

- 4) *"NRW have been asked on numerous occasions through formal FOI requests to set out, by reference to their "Key Consultation Events" the actual flood risk communicated to the public at those events. NRW have repeatedly refused the request to do so. It is submitted by the Campaign Group that this is because of the vague unspecified nature in which the risk was presented."*

We believe we have answered the campaign group's Freedom of Information requests as best we can with the data we hold. It is unfortunate we cannot reply to their requests in the detail they desire, this is not a refusal but an inability to do so from the records we hold. We believe that the information we have provided demonstrates the extensive and lengthy consultation we undertook when developing the scheme, with different levels of flood risk clearly presented across areas of the community.

- 5) *“Whilst NRW have accepted an error existed in some materials between October 2016 and March 2017 the extent of such an error has still not been acknowledged, despite numerous requests. By way of example the campaign group have recently discovered that a letter written to a significant number of local residents on behalf of NRW in September 2016 also contained a similar error about the extent of the flood risk.”*

We have acknowledged the extent of the error in consultation material that we are aware of and have provided evidence of how and when the error arose. We would welcome details, from the group, of the letter on behalf of NRW to which they refer.

It is important to reiterate that for several years prior to September 2016 the data in the consultation was correct, including the information that went through the planning process and received planning consent.

- 6) *“NRW have also accepted that at no time did they ever communicate the discrete flood risk relating to Phase 3 works (on which they now rely at section 1 of their letter) to residents.”*

We have not accepted “that at no time did we ever communicate the discrete flood risk relating to Phase 3 works” as claimed by the campaign group. We strongly oppose this statement, as we have explicitly communicated this risk to residents via the flood risk map. We have advised the campaign group of this in our FoI request response. This is demonstrated in various consultation materials, such as the Roath project webpage

<https://naturalresources.wales/about-us/our-projects/flood-scheme-projects/roath-flood-risk-management-scheme/?lang=en>

at the May 2014 drop in event, as demonstrated in the subsequent newsletter

<https://cdn.naturalresources.wales/media/680965/roath-flood-scheme-news-issue-2-june-2014.pdf?mode=pad&rnd=131552110950000000>

at the October 2014 drop in event and the subsequent newsletter

<https://cdn.naturalresources.wales/media/679494/roath-newsletter-october-english.pdf?mode=pad&rnd=131499382550000000>

and at the July 2015 consultation event

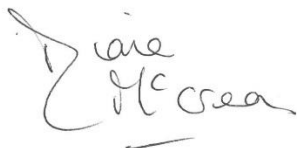
[https://cdn.naturalresources.wales/media/679202/july-2015\\_public-consultation-posters\\_english-and-welsh.pdf](https://cdn.naturalresources.wales/media/679202/july-2015_public-consultation-posters_english-and-welsh.pdf)

Despite the flood risk remaining as ‘medium’ for some properties, there remains a tangible reduction in flood risk from the scheme, irrespective of the flood risk banding (which are relatively broad).

In summary we believe there is an unacceptable flood risk to those properties in Alma Road and Cressy Road. Our option, although not without any impact, presents the most viable solution. We do recognise the concerns that the campaign group have but believe that we have been through a thorough and comprehensive process to find a solution that protects people and property and at the same time reduces to a minimum the impact on the environment.

I hope that these responses give you the answers you were seeking. We would of course be happy to answer any further questions.

Kind regards,

A handwritten signature in black ink that reads "Diane McCrea". The signature is written in a cursive style with a large initial 'D'.

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

**P-05-801 Save the trees and ground in Roath Mill and Roath Brook Gardens before it's too late - Correspondence from the petitioner to the Committee, 28.06.18**

**Response on behalf of Roath Brook Trees Campaign Group to letter from NRW dated 21<sup>st</sup> June 2018 and letter from Cardiff Council**

**Note:** If members do not have chance to consider the whole document they are invited to consider solely NRW response 6 and the response on pages 4 to 5 below as an example of how NRW continue to maintain what appears an untenable position.

**Update on discussions with Campaign Group**

It is correct that discussions continue between the Campaign Group and Natural Resources Wales, although the tenor of those discussions, from NRW's side, appears focussed on a justification of their work to date as opposed to an open and realistic assessment of the Phase 3 works, their "consultation", the need for them and the alternatives available. Such an approach is particularly difficult to reconcile with the Welsh Governments recently renewed strategy "Woodlands for Wales" and its commitment to urban trees and their value to the community<sup>1</sup> (see further response 3 below).

Those discussions, in many respects, are reflected in the content of NRW's responses to the Petitions Committee in that they include general statements and assurances which appear not to be backed up, or in cases simply contradicted, by the factual evidence (see the specific responses below).

It is correct that the provisional report from the hydrologist engaged by ourselves contained an error. That error was caused by an assumption (based on incorrect area mapping) that the reservoirs at Llanishen and Lisvane were online (i.e. the Brook flowed into and out of those reservoirs as opposed to running around them). That assumption itself, whilst incorrect, was hugely insightful in that the effect of the reservoirs being online would have almost entirely negated the need for any flood protection works in phase 3 (and possibly also significantly mitigated against the need for the destructive works which have occurred in Phases 1 and 2).

Dwr Cymru have in fact intimated publicly that Llanishen reservoir may be refilled directly from Roath Brook, suggesting that the placing of the same online is eminently possible. Large bodies of water such as the reservoirs and Roath Lake being online allow for attenuation of floods, meaning that the extent of any peakflows are significantly reduced. On a similar note it appears that NRW have not accounted for, and seem unwilling to account for, the effect of proposed works (contained within Cardiff Council's budget) to improve the spillway at Roath Lake which will also have an attenuation effect, although unlikely to be of a similar magnitude. This lack of communication and planning between NRW and another public body (Cardiff Council) and between NRW and a not for profit organisation responsible for public assets (Dwr Cymru) is disappointing to say the least. The Council's response to the Petitions Committee is similarly demonstrative of this.

The Campaign Group is, as a result, engaging with experts, using funds raised from the local community, to investigate these options further.

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<sup>1</sup> "Woodlands for Wales" para 2.6, page 18



The Campaign Group also welcomes NRW's intention to engage in July with property owners who would benefit from the Phase 3 works and would welcome input into such engagement to ensure that the mistakes previously made as to the true extent of the flood risk, and resident's understanding of the same, are not repeated (see further responses 4) to 6) below).

In relation to the specific responses provided by NRW we would comment as follows:

- 1) See 3) below
- 2) This response is simply an example of the rhetoric demonstrated by NRW to date. Whilst NRW continue to discuss with us the recalculation of the position on the Communities at Risk Register (something which would take a knowledgeable NRW employee no more than a few hours to do at most) they either have chosen not to do so, or not to release the results. This is despite the fact that discussion in relation to this began in excess of 6 months ago. It remains the Campaign Group's firm view that such a recalculation will show that there are at least 100 other communities in Wales at greater risk of flooding, and in greater need of funding for flood protection works, than Roath (following Phases 1 and 2 of the works).

NRW have stated that prioritisation is not based solely on the Communities at Risk Register, however they do accept that it is the primary measure for initial consideration of an area and Roath's original listing as 17 on the register has been a constantly quoted justification for the project by both NRW and the Minister for the Environment.

The simple fact remains that if Phase 3 was considered as a stand alone project (without even accounting for the huge associated cost and environmental damage) it would never have been prioritised above other areas at a far greater risk – a fact which even NRW would find hard to argue against.

The suggestion that one area of a community should not be protected to the same standard as other areas is wholly misconceived. It ignores the more fundamental fact that other areas of the Welsh community, at a far greater risk of flooding, are failing to receive funding for protection because of this controversial, and largely unwanted, scheme.

In short areas of Wales in greater need are being ignored, or placed at a lower priority.

- 3) Once more NRW's response provides vague assertions without any supporting information. The Arboricultural Impact Assessment is no more than a document which identifies those trees which will be damaged by the proposed works and need to be removed and how others may be protected and saved. The Environmental Impact Assessment is similarly designed to mitigate the impact of the final proposed scheme.

iTree and similar tools such as CAVAT (Capital Asset Value for Amenity Trees) are used to place a value on the benefits provided by urban trees so that those benefits can be effectively assessed and taken into account at the planning stage. With knowledge of the value, informed decisions can be taken to hopefully save valuable trees or put in place objectively assessed measures to offset their loss. This is what the Minister for the Environment is advocating in "Woodlands for Wales" when stating that there

should be “continued use of “iTree Eco or similar tools to quantify the structure and environmental effects of urban trees and calculate their value to society.”

The reality is that nothing even approaching this methodology has happened here (if any environmental factors were taken into account at all at the planning stage). In fact since 30<sup>th</sup> November the Campaign Group has been seeking an answer from NRW about what they actually took into account on an environmental level under the Freedom of Information and Environmental Information Regulations. The Committee are referred to Appendix 1 in that regard and can draw their own conclusions.

The Campaign Group have engaged with one of the creators of CAVAT and are at a very early stage of working with him on the valuation of the trees. By way of example, one tree already removed by NRW as part of Phase 3 prior to the pause in the works was valued at £24,009. The Committee should bear in mind that once more this work is being done at the expense of residents to discuss with NRW, the body which should actually be an exemplar for such works and recently stated<sup>2</sup> in support of “Woodlands for Wales”:

*“As custodians of one of Wales’ greatest natural assets, we look forward to helping deliver the Minister’s ambitions. The Welsh Government Woodland Estate supports our economy, provides world class opportunities for recreation, and enriches our culture and heritage”*

We have been informed that one use of CAVAT in planning is to ensure that trees of a similar value are planted so that the scheme is CAVAT neutral after 5 years. Anyone who has seen the replacement trees NRW has planted, and plan on planting can see that it would take nearer 50 years for this scheme to be CAVAT neutral.

- 4) Appendix 2 sets out the history of the efforts of the Campaign Group (through FOI and EIR requests) to discover what figures NRW actually communicated to people about flood risk given its constant assertions that the correct figures were given prior to October 2016. As pointed out to NRW on many occasions it was hoped that, FOI obligations aside, NRW would wish to make clear when the correct figures were stated.

NRW’s response to the group, as with the Petitions Committee, relies almost entirely on quantity of information rather than quality (i.e stating simply what was said and when), effectively hiding what specific information they actually provided to residents.

In appendix 6 of its submissions of 20<sup>th</sup> February 2018 (attached for ease of reference) the campaign group summarised these documents and the minimal and contrasting information actually given. If NRW genuinely had issues with that document, or could genuinely provide a list of the times the actual flood risk was communicated and what was stated, it has been open for them to do so.

Members of the Committee are asked to consider Appendix 6 and any of the public consultation documents relied on by NRW in reaching their own conclusion whether those documents even come close to satisfying the test for effective public consultation on the risks faced.

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<sup>2</sup> Tweet from @natreswales 27/6/18

- 5) The campaign group have received a copy of a letter which was sent to a significant number of local residents in the Waterloo Gardens area in or around September 2016<sup>3</sup>. This letter was written by land agents representing NRW either acquiring, or gaining access over private land, for the purpose of the scheme. This letter states:

*“The flood risk in Roath from river and seas is one of the highest areas in Wales; currently there is a 20% risk per year that properties around Roath Park Gardens will become flooded.”*

Whilst this letter was not written by NRW it was on their instruction and shows that the extent of the “mistake of 20% flood risks to homes” is greater than admitted by NRW to date. Despite being given the opportunity to revisit their records NRW had failed to find any record of incorrect flood risk earlier than October, which in light of this letter is evidently troubling, as is the fact that NRW sought to enter on to people’s properties based on wholly incorrect information.

In light of this, the campaign group find NRW’s position that it has adequately informed residents of the flood risk difficult to reconcile when they have failed to produce, despite repeated requests, a summary of what they told residents and when, and when their own project manager (and others in his team or instructed by him) himself misunderstood the flood risk for a prolonged period of time.

- 6) The FoI request and the response from NRW (which the campaign group were relying on) was as follows:

**Campaign Group 8/12/17**

*Could you let me know in which document you told us [the public] the specific information below” and “I am asking you whether you have ever provided this information as part of the public consultation and if so in which documents.*

*Note: the specific information referred to is that flooding from Roath Brook Gardens is discrete to properties on Cressey and Alma Road at between a 1 in 30 and 1 in 50 chance.*

**NRW 16/1/17**

*From the records, we hold we cannot identify if this specific information was provided, other than through the flood risk map which shows the different risk profile from Waterloo Gardens (high risk) and Roath Brook Gardens (medium risk).*

It is notable that in response to the Petitions Committee the rhetoric has changed and NRW now contend that they “expressly communicated [this discrete risk] to residents”. Members of the Petitions Committee are invited to view the links now provided by NRW in response to request 6 and to judge for themselves whether the low resolution “flood risk map” adequately does so, whether expressly or otherwise..

To the extent that any member of the committee is able to identify Alma or Cressey Road (which is unlikely even if they were a resident and knew the area well) they are reminded that:

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<sup>3</sup> copy seen by Campaign Group is dated 19<sup>th</sup> September

- a) there is no indication whatsoever of the minor extent of flooding from Roath Brook Gardens (as opposed to from Waterloo Gardens – the Phase 1 and 2 works); and
- b) a similar map produced after completion of the Phase 3 works would show identical shading for those properties (as those properties remain at medium risk after completion of the works – as acknowledged in NRW’s letter).

In short, a resident in those streets viewing that map after completion of the works would have exactly the same indication of the flood risk to his property as when he viewed it before those works were carried out (this is accepted in NRW’s letter where they accept the risk band as still medium).

A suggestion therefore that this document (the only one relied on by NRW) forms the basis of a consultation explicitly informing these residents of the risks which they face is patently absurd.

### **Summary**

NRW’s current rhetoric which seeks to maintain their position, in the face of evidence to the contrary, is disappointing to say the least. Whilst it is accepted that there are many things which NRW has done right (but the campaign group have still been forced to investigate behind the rhetoric) there is also clear evidence that there are many things which were done wrongly, or according to best practice could have been done better:

1. The consultation exercise did not clearly inform residents of the risks which were faced;
2. Prior to commencement of the works the risks were hugely exaggerated for a significant period of time and not understood correctly by NRW’s own staff including the project manager;
3. No proper assessment of the significant environmental impact of the project was undertaken at the planning stage (with minimal steps taken to mitigate once NRW had chosen what works were to be done);

Further were the project to actually be evaluated today it is clear that things would be done differently:

1. It is unlikely that consideration would even be given to the project given the placing of Roath on the Communities at Risk Register after Phases 1 and 2; and
2. In line with Welsh Government’s commitment the environmental effects of the project would be assessed at the planning stage (including use of iTree or CAVAT) and proper account taken of them of planning a scheme.

It is disappointing that the campaign group in these circumstances continues to have to raise and expend funds to undertake these investigations and valuations itself (when they should properly be the role of the public body not only championing the project but also tasked with being the custodian of these assets).

Roath Brook Trees

28/6/18

## **Appendix 1 re: request 3) [Extent to which environmental factors are taken into account]**

### **Campaign Group 30/11/17**

*Please provide [details of] the extent to which NRW takes in to account other environmental issues (including the fact the area is a conservation area) in deciding whether to carry out works, or whether that is only assessed in relation to the nature of the works to be carried out*

### **NRW 5/12/17**

*We consider a range of criteria when appraising all flood risk management options, to inform our selection of the preferred option. This includes environmental aspects, as well as technical, safety, cost, programme and risk.*

### **Campaign Group 13/12/17**

*The answer given did not answer the question*

### **NRW 9/1/18**

*As Gavin confirmed he believes he has responded to this question, apologies if you feel it does not. Please could you elaborate on how the response is inadequate and what information you are requiring? We would encourage you to meet / call to discuss with Gavin should you wish.*

### **Campaign Group 17/1/18**

Once more Gavin has given a very general response to this question. What I require is any information such as guidelines or policies which relate to how environmental issues (including the fact that works are carried out in a conservation area) are factored into decisions over a) whether to carry out works in that area and b) the type of works to be carried out.

### **NRW 5/3/18**

*I apologise as I do not believe that you requested guidelines or policies initially. I can confirm that we followed the Flood and Coastal Erosion Risk Management appraisal guidance. This is available here: <https://www.gov.uk/government/publications/flood-and-coastal-erosion-risk-management-appraisal-guidance> [link to a 325 page document with no guidance as to where answer may be located].*

**Note: Regulation 9 of the Environmental Information Regulations places an obligation on public bodies to provide advice and assistance to requesters to help them identify the extent of the information which may be held.**

## Appendix 2: Request 5) [Consultation on discrete flood risk from Phase 3]

### Campaign Group 01/12/17

You also state that "previous consultation" had used "the correct figures" and provide a table of "consultation" but no evidence of the figures provided at each stage. Certainly, having considered the newsletters and much of the documentation there is little reference to figures. Please can you therefore provide, by reference to the table provided if possible, details of any stage when the public (or the council for planning purposes) was provided with the current flood risk;

1. The figure given for the flood risk;
2. Whether that flood risk was said to be fluvial or tidal;
3. The number of homes said to be affected; and
4. Where recorded or evidenced in documents a copy of those documents"

### NRW 16/1/18

*Please refer to the individual consultation materials provided above for this information [link provided to all newsletters and planning application consisting of 108 documents].*

*We do not hold the information in the form you have requested. Under the provisions of the Environmental Information Regulations 2004 (EIR) we believe that exception 12.4a applies **we do not hold the information**. Under the EIR we are not obliged to create information to answer a request and this work has not been previously undertaken. As we do not hold this information the public interest test has not been considered. However as outlined above, you can ascertain this information from the individual consultation materials provided above.*

### Campaign Group 17/1/18

The request for a summary of the available information is not unreasonable. Please see the ICO guidance and particularly paragraphs 20 to 26. **This is particularly so given the fact that NRW are specifically referring to the fact that they believe the correct information was given earlier and then refer to voluminous documents in support, many of which make no reference to flood risk.** The number of documents attached to the planning permission alone number 108 (of which the vast majority have nothing to do with the information requested).

Link to ICO Guidance: (<https://ico.org.uk/media/for-organisations/documents/1639/form-and-format-of-information-eir-guidance.pdf> )

### Campaign Group (following a failure to respond) 23/3/18

*Your further response to question 2 on 16th January was that you did not hold the information in that form, and then in response to question 5 you once more provided a link to numerous materials (which was why we provided details of the ICO guidance). **The purpose of the initial request is relatively clear and we would have thought it was in everyone's interests (including NRW's) for NRW to clarify what flood risk information it provided and when** so we look forward to receiving a response.*

**NRW 29/5/18 (over two months later)**

*We believe our previous response is adequate and do not intend to create new records to respond to your request, as the information is available electronically in another format and has been provided*

*Should you wish for further assistance on this matter please contact the Roath project team at [Roath@naturalresourceswales.gov.uk](mailto:Roath@naturalresourceswales.gov.uk).*

**Note:** NRW have been asked to provide details of when they gave correct flood risk details and merely pointed to their website and the planning application (together with 103 supporting documents). This is a summary of the relevant information in those documents

<b>“Consultation Document”</b>	<b>Statement about Flood Risk</b>	<b>Circulation</b>
Newsletter 1 (April 2014)	<i>“We estimate 440 properties in the area have a 1 in 100 chance of flooding in any year from high river flows, high tides or combinations of both.”</i>	Mailshot Website
Newsletters 2 to 8 (June 2014 to Easter 2015)	<i>“Many homes and businesses in the Roath, Penylan and Newport Road areas are at risk of flooding from the Roath Brook and Rover Rhymney”</i>	Mailshot Website
July 2015 Information Board (figure 1)	<i>“Today some 390 homes and 50 businesses in the area are at a medium risk of flooding caused by high river flows, high tide and combinations of both.”</i>	Drop In Meeting Web-site
Newsletter 9 (September 2015)	<i>“Many homes and businesses in the Roath, Penylan and Newport Road areas are at risk of flooding from the Roath Brook and Rover Rhymney”</i>  <i>“The main changes we have made since October 2014 relate to changing the level of flood protection offered by the scheme to a 1:75 year standard of flood protection”</i>	Mailshot Website
“Flooding Problem” (October 2015 in support of planning)	<i>“Today some 390 homes and 50 businesses in the area are at a medium risk of flooding caused by high river flows, high tides and combinations of both.”</i>	Cardiff Council Planning Website
“Roath Flood Risk Scheme” (October 2015 in support of planning)	<i>“Today some 390 homes and 50 businesses in the area have a 1 in 100 chance of flooding in any year from high river flows, high tides or combinations of both.”</i>	Cardiff Council Planning Website
“Flood Consequences Assessment” (October 2015 in support of planning)	<i>“The overall aim of the Scheme is to provide protection against the 1 in 75 year (1.33%) fluvial (Roath Brook) annual probability flood and the 1 in 150 year (0.67%) tidal (River Rhymney) annual probability flood with 50 years climate change, which will reduce the flood risk to 360 residential and 52 commercial properties.”</i>	Cardiff Council Planning Website
Newsletters 10 to 12 (October 2015 to December 2016)	<i>“Many homes and businesses in the Roath, Penylan and Newport Road areas are at risk of flooding from the Roath Brook and Rover Rhymney”</i>	Mailshot Website



Press Release	<i>“Over 400 homes and businesses in the area are at risk of flooding from Roath Brook. The Scheme will increase the level of protection for the community from 1 in 5 to a 1 in 75 chance of flooding in any given year.”</i>	Website (for 4 months) 35 press/media recipients
Newsletter 13	<b>“Clarification</b> <i>Some of our consultation material has previously incorrectly stated that over 400 properties are at risk of flooding at a 1:5 (20%) chance event. This is incorrect. 405 properties are at risk of flooding at a 1:75 (1.33%) chance event, and will hence benefit from the flood defences. We apologise for any confusion. “</i>	Mailshot Website

# Agenda Item 3.3

## P-05-809 Proposed New Fishing Bylaws and Failings of NRW

This petition was submitted by Sian Godbert having collected 1,070 signatures.

### Text of Petition

As a matter of urgency, the Cabinet Minister of the Welsh Assembly investigate the conduct of the Natural Resources Wales Executive during the consultation process and recommendation for changes to rod and line fishing bye-laws at the (NRW) Board Meeting held at Bangor University on the 18th January 2018, before accepting any proposals to change existing fishing bye-laws.

1. The NRW Executive failed to follow democratic procedure by refusing the NRW Board members to vote on new proposals to new fishing Bye-laws by rod and line fishermen. The NRW Executive adopted a draconian stance and ignored the concerns of, the stakeholders during the consultation process and NRW full board members at the meeting.

2. The NRW Executive recommended changes to the Bye-laws to the Welsh Assembly having endorsed at the board meeting that the proposals will have little, to no effect on reducing Salmon and Sea Trout stocks within the Inland River catchments throughout Wales.

3. The NRW Executives having recognised “other issues” contributing to reduction in Salmon and Sea Trout stocks, failed to prioritise and take action on these “other issues” and have done so, over a number of decades with no future planning. The NRW Board are therefore in breach with Section 6 (6) Environment (Wales) Act 2016 and failing to achieve its objective in reducing risk to Salmon and Sea Trout stock levels in Welsh Rivers, particularly with:

(a) Pollution prevention, monitoring, effective enforcement and prosecution.

(b) Wildlife predation monitoring and recommending proportional controls.

### **Additional information**

4. The NRW Executives at the board meeting openly accepted that they failed to effectively communicate and adopt a policy of implementing agreements with stakeholders, who are expected to monitor and report on behalf of Natural Resources Wales and voluntarily enforce the proposed changes to bye-laws, which many disagree with.

5. Failed to adopt a strategy, that is recognised as best practice in other countries, to monitor and accurately risk assess each river and recommending any sanctions on an individual river by river basis, with relevant stakeholders.

6. NRW board and executives have failed to follow due care and diligence during the consultation process resulting in a failing to recognise the importance of how their new bye-laws will adversely affect:

(a) Recreational angling opportunities, economic benefit to rural and coastal communities and in conflict to the Wellbeing of Future Generations Wellbeing Act of 2015.

(b) The good will of stakeholders who have effectively monitored and protected the natural environment in the absence of Natural Resources Wales for over a decade and put at risk that continued good will for future generations.

## **Assembly Constituency and Region**

- Aberconwy
- North Wales

# Agenda Item 3.4

## **P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance**

This petition was submitted by Reuben Woodford having collected 1,710 signatures on an alternative e-Petition website.

### **Text of Petition**

Prevent the excesses of catch and kill of Salmon by implementing bag limits for catch and keep on all Welsh Rivers for 4 years developed on the basis of catchment specific data in close consultation with fishing clubs.

Implement a comprehensive stocking programme of native fish on all rivers. Tighten and enforce current legislation to eliminate the menace of farming pollution and industrial pollution.

Suspend all large scale commercial net fishing and factory ship operations around the welsh coast for a minimum period of 10 years.

Prioritise resource allocation to assist in managing catchment specific issues linked to excessive natural predation rates and barriers to fish migration.

### **Assembly Constituency and Region**

- Arfon
- 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

Ein cyf/Our ref LG/01006/18

David John Rowlands AM  
Chair - Petitions committee.  
Clerking team

SeneddPetitions@assembly.wales

11 June 2018

Dear David

Thank you for your letter of 17 May, regarding petitions P-05-809 and P-05-810 relating to Natural resources Wales (NRW) application for the determination of byelaws relating to salmon and sea trout.

NRW have submitted a formal application for me to determine the proposed byelaws, under the provisions contained within the Water Resources Act 1991.

The NRW consultation on catch controls for salmon and sea trout on Welsh rivers has generated a significant number of responses. My Officials are carefully considering these and other associated responses.

I will then consider the range of issues in detail before making a determination. Therefore, it would not be appropriate for me to comment further at this stage. I will make sure all interested parties are informed of the outcome in the near future.

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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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 125

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

**P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance - Correspondence from the petitioner to the Committee, 27.06.18**

**Setting the Foundation for Future Fisheries Management (stock Controls) Wales – Collaborative Approach**

**Petition Originator (Save Salmon & Sea Trout Stocks & Fishing Clubs Wales): Reuben Woodford**

**In support of evidence supplied to petitions committee**

**27.06.18**

**For Consideration: Petitions Committee – Welsh Assembly**

Dear Sirs,

In relation to the Fisheries Stock Control Byelaws Wales – we have now born out a period of relative silence, within which, to our frustration, it has represented a period of missed opportunity to shape a workable way forwards. All our efforts seek that next stage – to work constructively with Welsh Government and partners on a way forwards that embeds sustainable management principles and offers a means of optimising both fish stock preservation and angling club resilience for an uncertain future. There exists substantial evidence and widespread professional opinion, that indicates NRW Byelaws cannot contribute to this aim.

NRWs Fisheries Stock Control Byelaws are not a proportionate response to the current pressures our salmonid fisheries face nor are they based upon sound evidence. Above all, NRW have not identified or shown willingness to identify the requisite delivery mechanism for improved salmon stocks and sustained angling clubs. Hand in hand with this process, the angling community have proven themselves as the primary advocates of a system of management for welsh fisheries with sustainable management principles at its core.

In our advisory capacity we remain the primary critics of inadequacies of a current system of fisheries management that is failing to deliver improvements to our river catchments, that are basic requisites to support sustainable fisheries. We remain the primary custodians of environments and ways of life, at risk, partially due to regulatory stagnation.

Additional progress has been instigated in recent months by NRW & Welsh Government in forming working groups on agricultural pollution and fish eating bird impact in Wales and we welcome those developments, however, with a legacy of regulatory inactivity to tackle catchment inhibitors to environments supportive of optimal fish stocks, we are still left desperately wanting and in the hands of a regulatory body ill equipped to deliver the aspired improvements in isolation. It makes no conceivable sense for an organisation crippled by resource deficit and leached aspiration, to alienate its primary partners and yet this is what NRW have ‘chosen to do’ in tacking their dictatorial stance.

Last week, NRW's Principal and Senior Fisheries Advisors attended an Angling Advisory Group meeting jointly organised by the Angling Trust and the Environment Agency in order to discuss ways of increasing the numbers of salmon which are voluntarily released by anglers. Critical, key points emerged as a result of these discussions:

- It was widely accepted that a dictatorial approach does not work.
- Shared conservation goals cannot be achieved by tacking a dictatorial stance.
- Dictatorial measures are often counterproductive, not only stimulating alienation, but widespread antagonism.
- Empowerment, through education and peer group pressure, has proven to nurture a positive culture to deliver results.

Contrary to NRW's statements leading up to this meeting, there is now a substantial discrepancy between NRW's approach in Wales and that of the EA in England. Most crucially, is that "Probably at Risk" rivers in England will not be subjected to mandatory measures.

We must stress, the failure to address the legitimate concerns of anglers in Wales, the rejection of any form of voluntary solution and the relentless pursuit of NRW's "preferred option" of a legislative approach, is the antithesis of what was seen at the meeting as the most desired, productive and sustainable option. To deny Welsh river catchments and angling and conservation interests that approach is to deny our fisheries and communities future health and prosperity and establishment of a shared, progressive and resilient delivery mechanism.

NRW's greatest failure is to disregard the importance of that mechanism and the angling communities role in it. The revised mechanism lies at the heart of that proposed by the angling community, derived from a collective of groups and individuals now seen to be the primary proponents of a system with sustainable management principles ingrained.

At the EA's fisheries meeting of last week, it was pointed out to NRW's Principal Fisheries advisor that his comment of "There will be no further debate" in a recent press release was a shining example of how to further alienate the angling community. The future prosperity of our shared river catchments and salmonid fish stocks lies in the hands of future partnerships. To intentionally undermine those collaborative resources, as NRW continue to do, in the face of widespread criticism, is to deny future management initiatives depth and breadth of ability to take timely action to undertake the thousands of projects that are required across Wales Rivers to establish resilient environments and social synergy with them.

Our petitions, signed by the many, have encapsulated a desire by anglers and wider community members across Wales to defend our environments and pursuits from unnecessary hardship. We all recognise fish stocks are being impacted by a diversity of issues and it is only by collectively sustaining awareness of all of them and generating the capacity to take action to manage their long term impacts that we can derive workable solutions.

We collectively aspire to generate a creatively engineered and progressive way forwards that establishes a sustainable future for fish stocks, fishing clubs and the environments that sustain them. We have as yet been denied that opportunity. This can now only be achieved if



Welsh Government intervene and make a decision that instigates a foundation for improved communication and co-operative working.

Without this stability and catalyst for positive change, there is little river catchment communities would be able to achieve in the absence of community support under a regulatory regime in disharmony with them.

Once again, we who have instigated and signed the petitions and who wish to be an integral part in future fisheries management, ask the Cabinet Secretary to make the decision that sets the foundation for a constructive and co-operative way forwards.

Yours Sincerely,

Reuben Woodford

Originator: Petition to Protect Salmonid Fish Stocks & Angling Clubs in Wales

# Agenda Item 3.5

## **P-05-814 All New Builds In Wales to Have Solar Panels**

This petition was submitted by Harriet King having collected 72 signatures.

### **Text of Petition**

Ensure all new build houses in Wales are fitted with Solar Panels to improve our carbon footprint and help the environment.

### **Assembly Constituency and Region**

- Vale of Clwyd
- 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-05-814  
Ein cyf/Our ref LG/011111/18

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

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

13 June 2018

Dear David

Thank you for your letter of 4 June, regarding petition P-05-814 - All New Builds In Wales to Have Solar Panels.

Your letter seeks further detail on the timescales for the review of Part L (Conservation of fuel and power) of the Building Regulations.

It is envisaged the selected lead consultant will commence scoping work this month. The scoping study will inform the development of proposals for public consultation currently planned for the first half of 2019.

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

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

## **P-05-814 All New Builds In Wales To Have Solar Panels – Correspondence from Petitioner to Committee, 26.06.18**

Thank you for the opportunity to present my views.

Having read the attachment, please see below my response.

The Paris Agreement is a fantastic opportunity to improve the carbon footprint of Wales and I applaud our commitments and targets to obtaining 70% of our electricity from renewable energy by 2030. With already having 49,000 solar PV units generating 10% energy consumption is a great start.

However I'd be keen to know how that relates to the percentage of houses that have Solar compared to those that don't. Including council/ government offices, as I have often noticed that these buildings generally do not have solar. The cost savings over time could be passed down to the community for example. I am aware that roofs facing a certain direction are more appropriate for Solar Panels. It would be interesting to know what percentage of houses in Wales are suitable for Solar due to their roofs position.

I agree the government cutting OnShore Wind and Solar was a disastrous decision. However, when this was running I felt that as a first time home owner I was unable to add the additional costs each month to pay of a "loan" to cover for Solar Panels with the already existing costs of running a home. I feel that to enable a real push for Solar in the future there needs to be an affordable option for everyone, home owners and renters.

I have noticed in my area that there is now 1 college supporting Wind Turbine Engineer course however there are non on Solar. It would be a step forward if in Wales we could invest in our Green Future by investing in the people who will upgrade and maintain the new Solar Panels that will be installed, which I feel is currently lacking in the North.

In addition, there are many farm buildings holding thousands of livestock and equipment that could be potentially suitable for Solar Panels, which wouldn't mean taking up valuable land. I understand the problems faced with storing the "electricity" during Summer ready for the Winter months where demand would be stronger.

However, if it is possible to roll out Fibre Optic Broadband nationally to each house within 5 years is there not a way in which this can be emulated with the National Grid network?

For technology moving forward it would be great to see a Solar/Renewable companies based in the North also potentially in the newly opened Menai Science Park.

Providing solar power on an individual level is something I aim for myself, yet I wonder what effect this would have on the economy after the Energy Companies would not be “selling” electricity to homes, due to homes storing and generating their own.

With Electric cars being now a reality having Solar Panels could also make owning an Electric car more appealing.

I encourage Part L and the decarbonisation of personal and business premises and am glad to hear of plans in place and that no planning will be required for Solar Panels. Would renting solar panels be a possibility if prices permitted?

Finally, one of the great advantages to Solar Power is not only is it cheaper than Nuclear by around £40 per unit that it utilises building already used albeit for the source of the power without damaging any more of our countryside for Tidal, Fracking, Hydro or Nuclear energy as proposed at Wylfa B in Anglesey. Which sadly will damage hundreds of acres of land currently undamaged for a resource which has a potential to cause catastrophic environmental problems if problems occurred.

I feel for those reasons that Solar should be vitalised fully before committing to other renewable sources first.

Kindest regards

Harriet King

# Agenda Item 3.6

## **P-04-519 Abolition of Park Homes Sales Commission**

This petition was submitted by Caerwnon Park Residents Association and was first considered in December 2013.

### **Petition Text**

We call upon the National Assembly for Wales to urge the Welsh Government to remove from Legislation the right of Park Owners to demand commission on the private sale of park homes now that they are no longer involved in the selling process.

### **Assembly Constituency and Region**

- Brecon and Radnorshire
- Mid and West Wales

**P-04-519 Abolition of Park Homes Sales Commission – Petitioner to the Committee, 19.06.18**

**CAERWNON PARK RESIDENTS ASSOCIATION**

Dear Minister,

We welcome your decision to reduce the 10% commission rate on the private sale of park homes by half over a 5 year period, however, we strongly reiterate that there should be no pitch fee increases to compensate the park owners. This would defeat the object because all park home owners could be potentially worse off because the overall result would be to increase a park owner's income ad infinitum to replace the unearned charge. If the pitch fees are increased the resident would have to apply for more help from the councils via housing benefit etc. and also the Government for pension credit.

We are extremely concerned with the comments that you made at the end of your statement to The Senedd where you said that there could be changes in the legislation whereby park owners would be given the opportunity to increase pitch fees above the CPI.

You state that residents would have recourse to tribunal, many are not conversant with park home law and faced with the complexity and trauma of submitting a case and producing evidence to a tribunal (paperwork in triplicate) we have personal experience of tribunal and even we find it very daunting when facing not the park owner but the solicitor or barrister that they have employed to fight their case. Many need help in completing the simplest of forms and often do not even have access to a computer.

You also mention the lack of resident's associations, we are one of the few parks that have an active association and we are thankful that we were given the opportunity to have input to the 2013 legislation. I am personally unaware of many parks having such an association and therefore many elderly and vulnerable residents would have to fight their battles on their own which most are totally unwilling to do. Many moved to a park home life which is sold by the park owners as "a carefree lifestyle" and they are unprepared for the work and trials involved in trying to improve standards. We have tried in the past to help set up residents associations but without success as many residents fear reprisals from their park owner.

Smaller, happier parks have less of a turnover of homes so the lowering of the rate would have little impact on their business plans whilst larger park owners can offset this against higher siting fees and rents.

Thus far you are the third Minister dealing with this subject, given that The First Minister is stepping down at the end of this term there is a possibility that the new First Minister will reshuffle his cabinet and we will be passed on yet again.

We have given you all the information that we can think of but we implore you to give us the opportunity to discuss our fears and reservations with you directly, maybe just an hour of your time and it would be a very small delegation that would travel to Cardiff.

Yours sincerely

R.G. Mountford

Chairman.

Caerwnon park Residents Association



# Agenda Item 3.7

## P-05-770 Reopen Crumlin Railway Station

This petition was submitted by Michael Davies and was first considered by the Committee in September 2017, having collected 208 signatures online.

### **Petition text:**

We call on the National Assembly for Wales to urge the Welsh Government to reopen Crumlin railway station. We believe Crumlin could be a significant public transport hub. Its key location would provide the main multi-modal interchange point between the enhanced Ebbw line rail services and the main mid-valley Regional Bus Rapid Transport route. The site for the station has good access to the main highway network, a substantial car park and space for buses. Long distance walking and cycling routes are accessible from the site. We note that Crumlin has a street with the poorest air pollution outside London and that improving public transport links is necessary to improve public health. We urge the Welsh Government to assess the case for reopening a railway station in Crumlin and to consider adding it to the next priority list of proposals for new stations in Wales.

### **Assembly Constituency and Region**

- Islwyn
- South Wales East

Ken Skates AC/AM  
Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth  
Cabinet Secretary for Economy and Transport



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref KS/01665/18

David John Rowlands AM  
Chair - Petitions Committee

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

21 June 2018

Dear David,

Thank you for your further letter of 4 June regarding petition P-05-770 to reopen Crumlin railway station.

I have previously written to Assembly Members with the assessment scores. Although Crumlin was not shortlisted as part of the Phase 1 of the new rail station prioritisation work it will remain on the long list of potential sites for consideration in the future.

This is an on-going and iterative process, focussing firstly on the first 12 stations that are able to demonstrate the strongest viable business case and that we consider to be in the strongest position to compete for funding calls by the UK government. All the stations identified through the process will eventually be taken through to Stage 2. Stage 2 for the first 12 stations identified is underway – advice from network rail has been obtained on deliverability and operational considerations and a standard assessment demand model has been undertaken by Southampton University.

Now that the new Operational and Delivery Partner is known for the Wales and Borders Franchise, we are intending to commission Transport for Wales to develop criteria to assess which stations are to be taken forward to Stage 3, and to undertake the assessment. The work would result in completion of the Stage 2 assessment and would recommend proposed locations to be taken forward to Stage 3 (development and assessment of the highest priorities including a WeTAG Stage One Report, business case and Network Rail's Governance for Railway Investment Projects (GRIP) process).

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[Correspondence.Ken.Skates@gov.wales](mailto:Correspondence.Ken.Skates@gov.wales)

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

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While this work by the Welsh Government does not guarantee funding will be made available for new station proposals, it will ensure that those with the best chance of succeeding are best placed to access funding from the UK Government.

Yours ever,

A handwritten signature in black ink, appearing to read 'Ken', with a long, sweeping flourish above the name.

**Ken Skates AC/AM**

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



All Assembly Members

17 July 2017

Dear Assembly Members

I am writing to give you further information on the prioritisation process for new stations. I have received a number of requests for information on the scoring and weightings applied as well as scores against individual stations. These are attached at Appendix 1.

I would like to reiterate that the Stage One Assessment was an initial sift of stations using the Welsh Transport Appraisal Guidance (WelTAG) toolkit. The criteria were developed to align with the Well-being and Future Generations (Wales) Act 2015 goals. The regional stations identified for further assessment were the ones that scored the highest across all the criteria tested.

The stage two assessments will look in more detail at the strength of the financial and economic case for a new railway station, including advice from Network Rail on deliverability. This is an on-going and iterative process and once the assessment of the priority list is completed there will be an opportunity to then consider the next group of regional stations.

Yours sincerely

**Ken Skates AC/AM**  
**Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith**  
**Cabinet Secretary for Economy and Infrastructure**

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New Station Schemes List

STRATEGIC CASE - the case for change and the fit with other policies																	
<div style="display: flex; justify-content: space-between;"> <span>A prosperous Wales</span> <span>A resilient Wales</span> <span>A healthier Wales</span> <span>A more equal Wales</span> <span>A Wales of cohesive communities</span> <span>A Wales of vibrant culture and thriving Welsh language</span> <span>A globally responsible Wales</span> </div>																	
Station Proposed	South East Wales Metro Proposal	Previous studies (e.g. Business Case)	GRIP Stage	Accessing major ports, airports and rail terminals	Linking main centres of population and economic activity	Links areas of high economic inactivity to employment sites	Benefit to Cost Ratio	Forecast Passenger Numbers	Improved access to services	Reduces cost of public transport services	Improves access in areas with no bus transport alternative	Improves access in areas with poor access to services	Ensuring end to end connectivity	Improved access to tourist sites and cultural attractions	Air Quality Improvement	Noise Reduction	TRANSPORT SCORE
Scoring Range				1,2,3	1,2,3	1,0	0,1,2	2,1,0	1,0	1,0	1,0	2,1,0	1,0	1,0	0,1,2	0,1,2	
Weighting				4	5	5	5	7	4	4	5	5	3	3	5	5	
<b>South-East Wales New Station Proposals</b>																	
Abertillery				1	1	1	0	1	1	0	0	1	0	0	0	0	30
Brackla	HR station @ Brackla (Maesteg line)	Sewta Rail Strategy 2013		4	5	5	0	7	4	0	0	5	0	0	0	0	35
				1	1	0	1	1	1	0	1	0	0	1	0	0	
Bridgend College	HR station @ Bridgend College (VoG line)			4	5	0	5	7	4	0	0	5	0	0	0	5	37
				1	1	0	0	2	1	0	0	1	0	0	0	1	
Cardiff Airport	HR station @ Cardiff Airport (VoG line)			4	5	0	0	14	4	0	0	5	0	0	0	5	37
				3	3	0			1	0	0	0	0	1	1	0	
Carleon	HR station @ Carleon (Marches line)	Sewta Rail Strategy 2013	3 (October 2014)	12	15	0	0	0	4	0	0	0	3	3	0	0	52
				3	1	0	2	2	1	1	0	0	0	0	1	0	
Coedkernew	HR electric station @Coedkernew (main line alignment)			12	5	0	10	14	4	4	0	0	0	3	0	0	31
				3	1	0	0	0	1	0	0	1	0	0	0	1	
Crumlin	HR station @ Crumlin (Ebbw Valley line)	Sewta Rail Strategy 2013		12	5	0	0	0	4	0	0	5	0	0	0	5	45
				1	1	1	1	1	1	1	0	0	1	0	0	1	
Crwys Road	Yes - LR station @ Crwys Road (Rhymney line HR alignment)	Sewta Rail Strategy 2013		4	5	5	5	7	4	0	0	5	0	0	5	5	41
				3	1	0	1	2	0	0	0	0	0	0	0	0	
Cwmbach North	LR station @ Cwmbach north (MTA line HR alignment on Aberdare branch) & HR electric station @ Cwmbach north (MTA line HR alignment on Aberdare branch).			12	5	0	5	14	0	0	0	0	0	0	0	5	18
				1	1	0	0	0	1	0	0	0	0	0	0	0	
Ely Mill/Victoria Park	LR station @ Victoria Park (City Line HR alignment adjacent to Lansdowne Road crossing)			4	5	0	0	0	4	0	0	0	0	0	0	5	60
				3	1	1	1	2	1	0	0	0	0	0	0	1	
Gabalfa	LR station @ Gabalfa (MTA line HR alignment) & HR electric station @ Gabalfa (MTA line HR alignment).	Mynachdy & Talybont (letter from Mike Hedges AM August 2016 - KS/06331/16) [Use Gabalfa analysis]		12	5	5	5	14	4	0	0	0	0	0	5	10	50
				3	1	1	1	2	1	0	0	0	0	0	0	0	
Glyncoch	LR station @ Glyncoch (MTA line HR alignment just north of Pontypridd) & HR electric station @ Glyncoch (MTA line HR alignment just north of Pontypridd).			12	5	5	5	14	4	0	0	0	0	0	0	5	38
				1	1	1	0	0	1	0	0	2	0	0	1	1	
				4	5	5	0	0	4	0	0	10	0	0	5	5	

New Station Schemes List

STRATEGIC CASE - the case for change and the fit with other policies																	
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																TRANSPORT SCORE	
Station Proposed	South East Wales Metro Proposal	Previous studies (e.g. Business Case)	GRIP Stage	Accessing major ports, airports and rail terminals	Linking main centres of population and economic activity	Links areas of high economic inactivity to employment sites	Benefit to Cost Ratio	Forecast Passenger Numbers	Improved access to services	Reduces cost of public transport services	Improves access in areas with no bus transport alternative	Improves access in areas with poor access to services	Ensuring end to end connectivity	Improved access to tourist sites and cultural attractions	Air Quality Improvement	Noise Reduction	
Scoring Range				1,2,3	1,2,3	1,0	0,1,2	2,1,0	1,0	1,0	1,0	2,1,0	1,0	1,0	0,1,2	0,1,2	
Weighting				4	5	5	5	7	4	4	5	5	3	3	5	5	
Herbert Street Bridge	LR station @ Herbert St Bridge (Cardiff Bay line HR alignment)			3	1	0	1	2	0	0	0	0	0	0	1	1	46
				12	5	0	5	14	0	0	0	0	0	0	5	5	
Hirwaun				1	1	0	0	1	1	0	0	1	0	0	0	0	25
				4	5	0	0	7	4	0	0	5	0	0	0	0	
Llanwern	HR electric station @ Llanwern (main line alignment)	Sewta Rail Strategy 2013	3 (2011)	3	2	1	2	2	1	1	0	2	0	0	0	1	74
				12	10	5	10	14	4	4	0	10	0	0	0	5	
Loudon Square	LR station @ Loudon Sq (Cardiff Bay line HR alignment)			3	1	0	0	2	0	0	0	0	0	0	1	1	41
				12	5	0	0	14	0	0	0	0	0	0	5	5	
Magor	HR electric station @ Magor (main line alignment)		2 (April 2016)	2	1	0	2	2	1	1	0	0	0	0	0	1	50
				8	5	0	10	14	4	4	0	0	0	0	0	5	
Maindy	LR station @ Maindy (MTA line HR alignment) & HR electric station @ Maindy (MTA line HR alignment)			3	1	0	1	1	1	0	0	0	0	0	0	1	38
				12	5	0	5	7	4	0	0	0	0	0	0	5	
Mamhilad	HR station @ Mamhilad (Marches line)			1	1	0	0	0	1	0	0	1	0	0	0	1	23
				4	5	0	0	0	4	0	0	5	0	0	0	5	
Miskin	HR station @ Miskin			1	1	0	0	1	1	0	0	1	0	0	0	1	30
				4	5	0	0	7	4	0	0	5	0	0	0	5	
M4, J34				2	2	0	2	2	1	0	0	1	0	0	0	0	51
				8	10	0	10	14	4	0	0	5	0	0	0	0	
Nantgarw	LR station @ Nantgarw (MTA line HR alignment) & HR electric station @ Nantgarw (MTA line HR alignment).			2	1	0	1	2	1	1	0	0	0	0	1	1	50
				8	5	0	5	14	4	4	0	0	0	0	5	5	
Newport Road/Rover Way	HR electric station @ Newport Road/Rover Way (main line alignment)			3	1	1	1	2	1	1	0	0	0	0	1	2	64
				12	5	5	5	14	4	4	0	0	0	0	5	10	
Newport West	HR electric station @ Newport West (Ebbw Valley line)			3	1	1	0	0	1	0	0	0	0	0	1	1	36
				12	5	5	0	0	4	0	0	0	0	0	5	5	
Roath Park/Wedal Road	Yes - LR station @ Wedal Road (Rhymney line HR alignment)			3	1	0	1	2	0	0	0	0	0	0	1	1	46
				12	5	0	5	14	0	0	0	0	0	0	5	5	



New Station Schemes List

STRATEGIC CASE - the case for change and the fit with other policies																	
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Scoring Range				1,2,3	1,2,3	1,0	0,1,2	2,1,0	1,0	1,0	1,0	2,1,0	1,0	1,0	0,1,2	0,1,2	
Weighting				4	5	5	5	7	4	4	5	5	3	3	5	5	
Sarn Park	HR station @ Sarn Park (Maesteg line)			1	1	0	0	0	1	0	0	1	0	0	0	0	18
				4	5	0	0	0	4	0	0	5	0	0	0	0	
Sebastopol	HR station @ Sebastopol (Marches line)			1	1	1	0	1	1	0	0	0	0	0	0	0	25
				4	5	5	0	7	4	0	0	0	0	0	0	0	
Sploott	HR electric station @ Sploott (main line alignment)			3	1	1	0	2	1	0	0	0	0	0	1	1	50
				12	5	5	0	14	4	0	0	0	0	0	5	5	
St Athan	HR station @ St Athan (VoG line)	(letter from Alun Cairns July 2015 - EH/03288/15)		2	1	0	1	1	1	0	0	0	0	0	0	0	29
				8	5	0	5	7	4	0	0	0	0	0	0	0	
St Fagans	HR station @ St Fagans	Sewta Rail Strategy 2013		3	1	0	1	1	1	0	0	0	0	1	0	0	36
				12	5	0	5	7	4	0	0	0	0	3	0	0	
St Mellons	HR electric station @ St Mellons	Sewta Rail Strategy 2013		2	1	1	2	2	1	1	0	0	0	0	0	1	55
				8	5	5	10	14	4	4	0	0	0	0	0	5	
Upper Boat	LR station @ Upper Boat (MTA line HR alignment) & HR electric station @ Upper Boat (MTA line HR alignment)			1	1	1	1	1	1	0	0	0	0	0	0	0	30
				4	5	5	5	7	4	0	0	0	0	0	0	0	
New line through Llantrisant, Talbot Green, Beddau		(letter from TSSA November 2015 - EH/04775/15)		1	1	1	0	1	1	0	0	0	0	0	1	0	30
				4	5	5	0	7	4	0	0	0	0	0	5	0	
<b>South-West Wales New Station Proposals</b>																	
Cockett				3	1	1	0	1	1	0	0	0	0	0	1	1	43
				12	5	5	0	7	4	0	0	0	0	0	5	5	
Landore				3	1	1	0	0	1	0	0	0	0	1	1	1	39
				12	5	5	0	0	4	0	0	0	0	3	5	5	
St Clears				1	1	0	1	2	1	0	0	1	0	1	0	1	45
				4	5	0	5	14	4	0	0	5	0	3	0	5	
Templeton				1	1	0	0	0	1	0	0	1	0	1	0	0	21
				4	5	0	0	0	4	0	0	5	0	3	0	0	
<b>North Wales New Station Proposals</b>																	

New Station Schemes List

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																TRANSPORT SCORE	
Station Proposed	South East Wales Metro Proposal	Previous studies (e.g. Business Case)	GRIP Stage	Accessing major ports, airports and rail terminals	Linking main centres of population and economic activity	Links areas of high economic inactivity to employment sites	Benefit to Cost Ratio	Forecast Passenger Numbers	Improved access to services	Reduces cost of public transport services	Improves access in areas with no bus transport alternative	Improves access in areas with poor access to services	Ensuring end to end connectivity	Improved access to tourist sites and cultural attractions	Air Quality Improvement	Noise Reduction	
Scoring Range				1,2,3	1,2,3	1,0	0,1,2	2,1,0	1,0	1,0	1,0	2,1,0	1,0	1,0	0,1,2	0,1,2	
Weighting				4	5	5	5	7	4	4	5	5	3	3	5	5	
Broughton		Initial feasibility study identifying possible options by NR (December 2013). Included in Sustainable Access to Deaside Feasibility Study (ongoing)		2	1	0	1	1	1	0	0	1	0	0	0	0	34
Deeside Industrial Park/Northern Gateway		Merseytravel/WG Borderlands Frequency Enhancement Study (2015)	2 (2009)	2	1	1	1	0	1	0	0	1	0	0	0	1	37
North Wrexham		Study for Wrexham CBC (June 2015)		3	1	0	1	1	1	0	0	1	0	0	0	1	43
South Wrexham				3	1	0	1	1	1	0	0	1	0	0	0	0	38
Llangefni			3	1	1	1	0	2	1	0	0	1	0	0	0	0	37
<b>Mid Wales New Station Proposals</b>																	
Bow Street				0	1	0	1	1	1	0	0	0	0	0	0	0	21
Carno				0	1	0	0	0	1	0	0	1	0	0	0	0	14
Howey				0	1	0	0	0	1	0	0	1	0	0	0	0	14
Abermule				0	1	0	0	0	1	0	0	1	0	0	0	0	14



		Criteria	Scoring Methodology	Scoring Range	Weighting	Comments	
STRATEGIC CASE - the case for change and the fit with other policies	A prosperous Wales	TRANSPORT CASE - the social, environmental and economic impacts of the change	Accessing major ports, airports and rail terminals	Score based on scheme proximity to major port, airport or rail terminal. Over 10 miles = score as 1 (some benefit to access) Between 5 to 10 miles= score as 2 (benefit to access) Within 5 miles = score as 3 (major benefit to access)	1, 2, 3	4	
			Linking main centres of population and economic activity	National Routes = 3, Regional Routes =2, Local Routes = 1	1, 2, 3	5	
			Links areas of high economic inactivity to employment sites	Subjective score: If perceived scheme benefit to link then score 1, if not then score 0.	1,0	5	
			Benefit to Cost Ratio	If the scheme has had a BCR study then for a high benefit to cost ratio score is 2, and for medium score is 1, where BCR is negative or 0 it would be 0. If a study has not been completed than an estimate of the ratio can be made.	0, 1, 2	5	
	A resilient Wales		Forecast Passenger Numbers	High - 2 (over 100,000pa), Medium - 1 (over 50,000pa)	2,1,0	7	
	A healthier Wales		Improved access to services	Perceived improvement scores 1, no perceived improvement scores 0	1,0	4	
	A more equal Wales		Reduces cost of public transport services	Subjective score: If reduces cost then score 1, if not then score 0	1,0	4	
			Improves access in areas with no bus transport alternative	If there is no bus transport alternative then score 1, if there is then score 0.	1, 0	5	
			Improves access in areas with poor access to services	Poor (2), Medium (1), Good (0). See Welsh Index of Multiple Deprivation.	2,1,0	5	
	A Wales of cohesive communities		Ensuring end to end connectivity	Subjective score: If perceived scheme benefit to link then score 1, if not then score 0.	1,0	3	
	A Wales of vibrant culture and thriving Welsh language		Improved access to tourist sites and cultural attractions	Subjective score: If perceived scheme benefit then score 1, if not then score 0.	0, 1, 2	3	
	A globally responsible Wales		Air Quality Improvement	WG MyCarto Map shows Air Quality Management Areas 2014. If scheme falls within area and congestion will reduce, improving air quality then score as 2, next to AQM area score 1, if not 0.	0, 1, 2	5	
Noise Reduction		WG MyCarto Map shows Noise Action Plan Priority areas 2014. If scheme falls within area and noise will reduce then score as 2, next to AQM score 1, if not 0	0, 1, 2	5			

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		Criteria	Scoring Methodology	Scoring Range	Weighting	Comments
FINANCIAL CASE - is the proposed spend affordable?		Scheme Cost	Construction cost > £15M score is 1 > £10M score is 2 > £5M score is 3	1, 2, 3	7	
		Match Funding	If match funding available then score is 1, if not then score is 0	1,0	4	
DELIVERY CASE - Can the scheme be delivered?		Land Ownership	If scheme falls within NR/WG ownership the Score 1, if not, or land purchase required then score 0	1,0	4	
		Environmentally sensitive area	If scheme lies within a SSSI or SAC then score 0, if not then score 1.	1,0	5	
		Physical geometry/topography	Subjective score: If perceived scheme challenging topography/geometry then score 0, if not then score 1	1,0	5	
		Design/Build Complexity	Subjective score based on scheme details. Complex score 0, straightforward score 1.	1,0	4	
		Network Rail/TOC Support	If scheme has support then score 0, if not then score 1.	1,0	7	
		Delivery Stage	On the shelf, shovel ready schemes scores. Relate to GRIP Stages.	0, 1, 2, 3, 4, 5, 6	4	

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Consider constraints e.g. Environmental (SSSI, SAC), Physical (Geometry of scheme), Technical (see complexity - approvals required, specialisms)

26/06/2018

Cllr. Mike Davies

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

Dear Mr Rowlands,

**Re-opening Crumlin Railway Station.**

Thank you once again for your recent letter about my petition.

I note the response from the Cabinet Secretary, Mr Ken Skates. It appears that the Welsh Government, despite originally well under-estimating the likely passenger numbers of the Ebbw Vale Cardiff service, still appear to be adamant that they don't intend prioritising Crumlin for a railway station. However, the Cabinet Secretary hasn't answered the questions suggested by Mike Hedges and supported by your committee, to explain how the priority list was made up and what the scoring differential was. I'm certainly no wiser now on this issue than I was last time you contacted me.

I think it is reasonable that the Committee consider resending the questions to the Cabinet Secretary that he hasn't answered already.

Yours sincerely,

Mike Davies

# Agenda Item 3.8

**P-05-812 We call for the Welsh Government to encourage trusts to implement the NICE guidelines for Borderline Personality Disorder or justify why they do not do so**

This petition was submitted by Keir Harding and was first considered by the Committee in May 2018, having collected 812 signatures.

## **Text of Petition**

No Longer A Diagnosis of Exclusion, a document that highlighted the mistreatment of those diagnosed with personality disorder was published in 2003.

The NICE guidelines for Borderline Personality Disorder were published in 2009. 9 years on less than half of Welsh trusts provide services that comply with the guidelines. This compares to 84% of trusts in England.

People with this diagnosis have frequently come from backgrounds of maltreatment, neglect and abuse.

1 in 10 people with this diagnosis will die by suicide.

The National Confidential Inquiry into Suicide and Homicide found that of the 1 in 10 people who ended their lives over the period of their study, none were receiving NICE recommended care.

Experts in the field warn that trusts without specialist services will be over reliant on out of area private treatment. This view was supported by representatives of trusts without specialist services at the Personality Disorder Cymru conference in Cardiff in 2016.

We must do more to support the survivors of abuse who have been let down enough already.

We must do more to protect the Welsh tax payer by providing effective community services rather than expensive out of area placements.

We call for the Welsh Government to direct trusts to implement the NICE guidelines for Borderline Personality Disorder or justify why they do not do so.

## **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/01917/18

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

[SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

20 June 2018

Dear David,

Thank you for your letter of 4 June on behalf of the Petitions Committee regarding Petition P-05-812 which calls on the Welsh Government to encourage trusts to implement National Institute for Health and Care Excellence (NICE) guidelines for Borderline Personality Disorder or justify why they do not do so.

We believe everybody should receive a comprehensive package of the best, cost-effective, evidence-based NHS treatment and care to meet their clinical needs. We expect local health boards and trusts to take full account of NICE Clinical Guidelines when making clinical decisions, as they are developed based on the best available evidence. My role is to set the strategic direction for health services and hold the NHS to account.

Last year the National Psychological Therapies Management Committee (NPTMC) supported by Public Health Wales published *Matrics Cymru* which is guidance for delivering evidence based psychological therapies in Wales. This structured guide assists the planning and delivering of evidence-based psychological therapies within mental health services and aims to support greater quality and consistency in the delivery of psychological therapy across Wales. The NPTMC has also produced an action plan to assist health boards to assess their current position against *Matrics Cymru* in order to make improvements locally.

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Caerdydd • Cardiff  
CF99 1NA

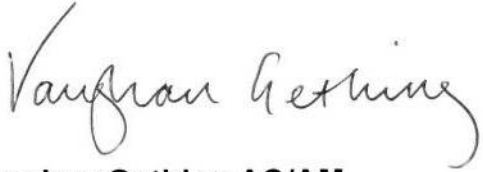
Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400  
[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

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

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

This is being supported by an additional £4million of government investment allocated to health boards. We have written to health boards regarding the submission of proposals for this funding confirming that we expect that these are in line with Matrics Cymru. In addition, we have established a 26 week referral to treatment time target, to ensure that appropriate interventions are received in a timely manner. We expect health boards to continue to develop and improve services in line with recurrent funding.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V'.

**Vaughan Gething AC/AM**

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

**P-05-812 Implement the NICE guidelines for Borderline Personality Disorder –  
Correspondence from the Petitioner to the Committee, 25.06.18**

Hello,

I'd like to thank the petitions committee and the health secretary for their continued interest in this matter. Having looked through the health secretary's letter my reading of it is that individual trusts will make their decisions in the best interests of their population.

This is a laudable view, championing devolved local power and decision making. It allows for provision to be tailored to local issues and geography without interference from a central body. The only reason to interfere with this would be if it wasn't working. If it wasn't working, it would be essential for someone who had the role of setting the strategic direction for the health service and holding the NHS to account to set some direction and hold the NHS to account.

Where possible I will cite published evidence but in the absence of this I will cite my clinical experience:

[Personality disorder: The patients psychiatrists dislike](#) (1988) described the negative attitudes the NHS holds towards those with this diagnosis. [No longer a diagnosis of exclusion](#) (2003) was published 15 years ago and highlighted how people with a personality disorder diagnosis were frequently excluded from traditional mental health services. They were seen as not the business of mental health teams.

[Personality disorder: still the patients psychiatrists dislike?](#) was published last year and found that negative attitudes were still prevalent.

The personality [disorder consensus statement](#) was published this year with service users (or would be service users) still describing discriminatory practice and a lack of services for them.

[The NICE guidelines for Borderline personality disorder](#) (2009) are one way of challenging this prejudice.

Less than half welsh trusts follow the NICE guidelines. This is based on a survey completed for the PD Cymru Conference in Cardiff in 2016. For this survey, one NHS trust could not identify anyone to complete the form. There was no one in the organisation that anyone could identify who had the role of thinking about this client group. (Obviously this organisation was one of the ones that didn't follow the NICE guidelines).

The trusts at the conference who didn't have specialist services described "the privatisation of PD" – a process by which people with this diagnosis were sent to expensive private hospitals where people had little optimism that good care would be delivered. These private hospital placements cost around £150,000 to £200,000 per year and are generally miles from the patient's family, friends and community services.

While talking with one commissioner I was told that they arranged 7 of these placements per month.

The NHS cannot ethically refuse to meet the needs of one group of patients and it cannot financially continue to pay the private sector to take this burden away.

Where groups have been stigmatised and discriminated against in the past, local solutions have tended to maintain the status quo rather than bring about change. We need the NHS to be held to account. We need a change in the strategic direction.

I'm aware that arguing on behalf of those who have so little power within services often has little impact. Putting aside the moral and ethical reasons for providing services for those who have lived through trauma and abuse and of whom 1 in 10 will die by suicide, perhaps the committee might explore how much the NHS in Wales is spending on not meeting the needs of this population.

In summary:

This client groups continues to be discriminated against.

Organisations that already opt not to meet the needs of this group will continue to do so.

The cost of doing this is extortionate

Wales needs to ensure that our health service is inclusive.

Many Thanks,

Keir



# Agenda Item 5

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

Document is Restricted

# Agenda Item 6.1

## **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.

# Agenda Item 6.2

## **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.

# Agenda Item 6.3

## 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

# Agenda Item 6.4

## **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, 27.06.18**

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

**To the Members of the Petitions Committee of the Welsh Assembly.**

Firstly may I thank you for not only carrying out my request of writing to Lesley Griffiths AM in her capacity as Cabinet Secretary for Energy Planning and Rural Affairs. But also requesting that Lesley attends your meeting this morning.

As I am sure you are aware my petition collected over 6,000 signatures online and on paper. I and others collected signatures from all over Cymru, at events like the National Eisteddfod of Wales on Ynys Mon, dog shows, food festivals, university freshers fairs. The common theme of those who signed was the belief that this outdated practice had already been banned.

Hence it triggered a debate on 7/3/18. A debate that demonstrated members of all political parties felt passionately that a ban should be brought forward in Wales as soon as possible.

I was pleased to see that the Cabinet Secretary was in the chamber to hear the debate in full. It was good to note that Lesley agreed with Rebecca Evans AM the former Minister for Farming and Rural Affairs that the Welsh Government considered the use of wild animals in circuses to have no place in Wales.

I was also pleased by her response that the Welsh Government was considering which route to bring forward legislation, and was looking in particular at the legislation the Scottish Government has brought forward this year. I agree with the Cabinet Secretary that just like Scotland the route of bringing legislation forward by the means of primary legislation rather than the Animal Welfare Act would seem the most appropriate way forward.

However Wales are in a slightly different position than Scotland in relation to powers devolved to our Assembly and issues surrounding our exit from the EU. This is a concern I know many AMs such as Simon Thomas and Bethan Sayed share.

The Welsh Government and indeed the present Cabinet Secretary have previously stated that they intend to work with the UK Government who have recently committed to ban from 2020. But I am not happy with this option for many reasons.

Nor would the thousands of Welsh people who signed my petition, the second such petition to be presented to the Petitions Committee in two years.

As I write this both of the two remaining circuses that use wild animals have visited Cymru this year. One still remains, they are in fact here in Gwynedd. Their presence is certainly putting a strain on the resources of our already stretched LA Cyngor Gwynedd Council. Not least in respect of their practice of illegally fly posting.



It is clear that their extensive tour of Wales seeks to tap into our thriving tourist industry. In the Twyn area of Gwynedd holiday homes were targeted for instance by advertising flyers. I have been told by several business owners in Porthmadog who have been approached by the circus to display posters, that they have been told that animals are not used in their "shows ". One business owner who refused to display the posters returned to her shop premises the next morning to find that posters and vouchers had been left hanging out of her letter box. She found this upsetting.

### **In Conclusion.**

As I have stated in my previous submissions in support of my petition, the Harris report to my mind gives the independent scientific evidence needed for legislation to be brought forward.

**" The scientific evidence indicates that captive wild animals in travelling circuses do not active their optimum welfare requirements set out under the Animal Welfare Act 2006 and other relevant legislation "**

**" life for wild animals in travelling circuses and mobile zoos does not constitute either a " good life " or a " life worth living " .**

The Welsh public are in agreement that our Welsh Government should ban. What more can I add? Except to thank all those who have steadfastly supported me in my campaign of many years, particularly Hywel Williams MP.

Linda Evelyn Joyce-Jones Caernarfon Arfon Constituency 27/6/18 .

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

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