

Agenda – Petitions Committee

Meeting Venue:

Committee Room 3 – Senedd

Meeting date: 9 October 2018

Meeting time: 09.00

For further information contact:

Graeme Francis – Committee Clerk

Kath Thomas – Deputy Clerk

0300 200 6565

SeneddPetitions@assembly.wales

1 Introduction, apologies, substitutions and declarations of interest

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2 New petitions

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3.9 P-05-758 Statue to Honour Billy Boston

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4 Evidence Session – P-05-806 We call for all premises in Wales to be awarded an Access Certificate number similar to the Food Hygiene Certificate.

(9.45 – 10.45)

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- Simon Green – Bridgend Coalition for Disabled People
- Helen Fincham – Bridgend Coalition for Disabled People
- Rhian Davies – Disability Wales
- Anita Davies – RNIB

5 Motion under Standing Order 17.42 to resolve to exclude the public for item 6

(10.45)

6 Discussion of Previous Evidence Session – P-05-806 We call for all premises in Wales to be awarded an Access Certificate number similar to the Food Hygiene Certificate

Document is Restricted

Agenda Item 2.1

P-05-833 Improve rail services for Chepstow

This petition was submitted by Richard Lemon, having collected 260 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to reconsider the franchise agreement for the new Wales and Border Rail operator to improve the level of service being offered to Chepstow. This is particularly important as Cross Country Trains will be withdrawing their present service from Chepstow. To provide only one train an hour to a town of the size and strategic importance of Chepstow – rail head for the Wye Valley – is poor indeed, compared with other towns in our Country and the Valley Lines. Two an hour each way should be a minimum. We recognise the need to get people out of their cars and on to public transport to help the environment. Improved rail services are a step towards this.

Additional Information

A submission to this effect was made prior to the granting of the new Wales and Borders franchise. This appears to have been ignored.

Assembly Constituency and Region

- Monmouth
- South Wales East

Petition: Improve Rail Services for Chepstow

Y Pwyllgor Deisebau | 9 Hydref 2018
Petitions Committee | 9 October 2018

Research Briefing:

Petition Number: P-05-833

Petition title: Improve Rail Services for Chepstow

Text of petition:

We call on the National Assembly for Wales to urge the Welsh Government to reconsider the franchise agreement for the new Wales and Border Rail operator to improve the level of service being offered to Chepstow. This is particularly important as Cross Country Trains will be withdrawing their present service from Chepstow. To provide only one train an hour to a town of the size and strategic importance of Chepstow – rail head for the Wye Valley – is poor indeed, compared with other towns in our Country and the Valley Lines. Two an hour each way should be a minimum. We recognise the need to get people out of their cars and on to public transport to help the environment. Improved rail services are a step towards this.

A submission to this effect was made prior to the granting of the new Wales and Borders franchise. This appears to have been ignored.

Background

Rail Franchising

Passenger [rail services in the UK are operated through franchise agreements](#). The provision of passenger rail services in the UK was privatised following the passage of the [Railways Act 1993](#). Passenger services were divided into a number of franchises and awarded to private Train Operating Companies (TOCs).

There are a number of franchises that include routes which serve Wales and therefore a number of TOCs with services that operate in Wales.

The [*Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018*](#) devolved responsibility for the procurement of the next Wales and Borders franchise to the Welsh Ministers. The UK Government Secretary of State for Transport retains responsibility for other rail franchises operating in England and Wales, including the Cross Country franchise. The UK Government retains responsibility for Welsh rail infrastructure.

Chepstow Station and Services

Services which stop at Chepstow station are included in both the Wales and Borders franchise and Cross Country franchise.

According to the latest available data from [the Office of Rail and Road on 'estimates of station useage'](#), there were 251,824 entries/exits at Chepstow station in 2016–17. This is a slight increase from the 2015–16 number of 246,742.

Wales and Borders Franchise

The current Wales and Borders Franchise operated by Arriva Trains Wales comes to an end on 13 October 2018. The new franchise will begin on 14 October 2018.

In 2015, the Welsh Government established [Transport for Wales](#) (TfW) as a not-for-profit company wholly owned by the Welsh Government. TfW undertook the procurement process for the next franchise, along with [South Wales Metro rail services](#), on behalf of the Welsh Government.

The Welsh Government procured what it describes as an Operator and Development Partner (ODP). The ODP is expected to operate rail services across Wales, and also to develop plans for, and subsequently implement and operate, South Wales Metro rail services.

The Cabinet Secretary for Economy and Transport published a [written statement on 4 June 2018](#) announcing KeolisAmey as the new ODP for the new franchise.

In his statement, the Cabinet Secretary provided some information on what is included in the new franchise agreement and [TfW has made a summary of information available](#) on its website.

In relation to services to/ from Chepstow, the summary information states that the new franchise agreement includes 'a consistent 1 train per hour between Cheltenham and Cardiff by December 2022'.

The Cabinet Secretary also announced investment of £194m 'in modernising all 247 stations in Wales'. A number of stations have been identified as 'flagship schemes' for investment, including Chepstow station.

Cross Country Franchise

The current Cross Country franchise is due to end in December 2019, and in July 2018 the UK Department for Transport ([DfT](#)) [launched a consultation](#) to inform development of the franchise tender specification. This document included ‘ideas for the next franchise’. It also outlined the services provided by the current franchise for each station.

In relation to ‘typical winter weekday off-peak’ services in each direction, Chepstow is listed as having a service every two hours.

The DfT also published [pre-qualification information and expression of interest documentation](#) for potential bidders.

However, on 20 September 2018, the Secretary of State for Transport, the Rt Hon Chris Grayling MP, [launched a review to:](#)

transform Britain’s railways... the review — the most significant since privatisation — will consider ambitious recommendations for reform.

In light of this review, it was also announced that:

due to the unique geographic nature of the Cross Country franchise, which runs from Aberdeen to Penzance and cuts across multiple parts of the railway, awarding this franchise in 2019 could impact on the review’s conclusions. **It has therefore been decided that this competition will not proceed.**

Services will continue to be operated by the existing franchisee with options beyond this to be considered in due course [Emphasis added by Research Service]. The department will consider the responses to the Cross Country public consultation in the development of future options for the franchise.

Welsh Government and National Assembly Action

In 2017, the National Assembly for Wales’ [Economy, Infrastructure and Skills \(EIS\) Committee undertook an inquiry](#) into the Welsh Government’s plans for the next Wales and Borders Rail Franchise and the next stage in development of the South Wales Metro. In June 2017, the EIS Committee published its report ‘[On the right track? The Rail Franchise and South Wales Metro](#)’ (PDF, 1.39MB). The report states that during the inquiry:

stakeholders emphasised the need for...increased frequency on the Cardiff – Chepstow line.

In his statement on 4 June 2018, the Cabinet Secretary for Economy and Transport stated that in awarding the new Wales and Borders Franchise the Welsh Government also considered the EIS Committee’s report.

The 2017 EIS inquiry built on [work undertaken by the fourth Assembly’s Enterprise and Business Committee](#) on the future of the Wales and Borders Franchise. As part of the Enterprise and Business Committee’s inquiry, [evidence was submitted by the Severn Tunnel](#)

[Junction Rail Action Group](#) (PDF, 132KB) calling for the ‘Chepstow line to have half-hourly calls’ as part of the new franchise.

In a letter to the Chair of the Petitions Committee, the Cabinet Secretary for Economy and Transport Ken Skates outlines that:

From December 2022, there will be an increase in train frequency during the Monday to Saturday off peak period from two trains in three hours to one train per hour between Cardiff Central and Chepstow...from December 2023 there will also be an increase...on Sunday from 0.5 to one train per hour.

The Cabinet Secretary also outlines in his letter that the changes in rolling stock under the new Wales and Borders Franchise which will increase passenger capacity on trains operating during peak morning times. In relation to other franchises which operate services in Wales, including Cross Country, on 17 July 2018 the Cabinet Secretary for Economy and Transport [made a statement in Plenary on the Welsh Government’s requirements for other rail franchises serving Wales and rail infrastructure investment](#). In the statement, the Cabinet Secretary said:

Following the transfer of rail franchising functions to the Welsh Government, a co-operation and collaboration agreement is now in place with the Department for Transport. This agreement sets out how the Welsh Government and UK Government will actively engage when procuring and developing the franchises that operate services across the border in a way that takes full account of both Governments’ interests and accountabilities. This is an important period for those services and an opportunity to deliver improvements that meet the needs of travellers on both sides of the border. The Wales and borders rail service contract delivers important cross-border connectivity. However, these services are only a part of the picture. The Department for Transport is currently going through its own processes for awarding new contracts for the West Coast, Cross Country and Great Western franchises. I've made my expectations of these franchises clear to the Secretary of State

In relation to the Cross Country franchise, the Cabinet Secretary states in his letter to the Chair of the Petitions Committee that:

officials have asked the Department for Transport to improve services for passengers at all stations in Wales...they have stated that there must not be any reduction in station calls in Wales made along the Cardiff to Birmingham corridor and - additionally - more trains should stop at Chepstow.



Ein cyf/Our ref KS/02509/18

Llywodraeth Cymru
Welsh Government

David John Rowlands AM
Chair - Petitions committee

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

25 September 2018

Dear David,

Thank you for your letter of 15 August regarding Petition P-05-833 - Improve rail services for Chepstow.

From December 2022, there will be an increase in train frequency during the Monday to Saturday off peak period from two trains in three hours to one train per hour between Cardiff Central and Chepstow. At the same time, we will be introducing different rolling stock with greater capacity. These will be Class 170s from 2019, and new DMUs from 2022.

The DMUs have a total capacity of 425 (an increase from 292 and 199 in the current two models of rolling stock). In practice, this means from December 2022 there will be additional capacity for 120 towards Cardiff in the morning peak 90 minutes.

From December 2023 there will also be an increase in train frequency on Sunday from 0.5 to one train per hour between Cardiff Central and Chepstow. Transport for Wales intend for there to be investment at Chepstow station from April 2025.

Regarding the Cross Country franchise, my officials have asked the Department for Transport to improve services for passengers at all stations in Wales alongside the strengthening of inter-city connectivity. In particular, they have stated that there must not be any reduction in station calls in Wales made along the Cardiff to Birmingham corridor and – additionally - more trains should stop at Chepstow.

Yours ever,

Ken

Ken Skates AC/AM

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

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

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

P-05-833 Improve rail services for Chepstow – Correspondence from the petitioner to the Committee, 27.08.18

Many thanks for your helpful message just received.

I can only ask the Committee asks itself why Abergavenny – of similar status and size to Chepstow – is getting two trains each way and hour, but Chepstow only one. Similarly other main towns are better served.

If Cross Country were to stop all their trains here, that would solve the problem.

And, why no action for four years? As a retired railwayman, I know that the improvement could be achieved sooner!

Thanks

Richard Lemon

Agenda Item 2.2

P-05-834 All Schools Should be Welsh Medium and Teach Welsh History

This petition was submitted by Ashley Davies, having collected 75 signatures.

Text of Petition

We the undersigned petition the Welsh Assembly and the Minister of Education for all schools in Wales to be Welsh medium schools so as to preserve the language of our forefathers. We also ask that all schools in Wales teach Welsh history and of those that helped forge this land.

Additional Information

It is a travesty that the majority of people in Wales cannot speak Welsh. What is worse than this, our history is being lost. Only the schools in the North and West where Welsh is predominantly spoken is our history preserved, a history that is written in the language. To preserve these we must make sure that our children are taught them and that the language is used everyday.

Assembly Constituency and Region

- Islwyn
- South Wales East

Title: All schools should be Welsh medium

Y Pwyllgor Deisebau | 9 Hydref 2018
Petitions Committee | 9 October 2018

Research Briefing:

Petition number: P05-834

Petition title: All Schools Should be Welsh Medium and Teach Welsh History

Text of petition: We the undersigned petition the Welsh Assembly and the Minister of Education for all schools in Wales to be Welsh medium schools so as to preserve the language of our forefathers. We also ask that all schools in Wales teach Welsh history and of those that helped forge this land.

It is a travesty that the majority of people in Wales cannot speak Welsh. What is worse than this, our history is being lost. Only the schools in the North and West where Welsh is predominantly spoken is our history preserved, a history that is written in the language. To preserve these we must make sure that our children are taught them and that the language is used everyday.

Welsh Government action

In April 2012, the then Minister for Education and Skills, Leighton Andrews, agreed an action plan to address the fact that 'standards and attainment in Welsh second language education are lower than in other subjects'.

In July 2012, the Minister established the Welsh Second Language Review Group to review Welsh second language provision at Key Stages 3 and 4. The Group's report, [One Language For All – Review of Welsh Second Language at Key Stages 3 and 4](#) (2013) recommended that the Welsh Government should revise the Welsh programme of study to include one continuum of learning for Welsh with clear expectations for pupils learning Welsh in English-medium, bilingual and Welsh-medium settings. As a consequence, the Welsh second language element of the Welsh programme of study would be removed along with the term Welsh second language.

The Review Group's recommendations were then considered as part of Professor Graham Donaldson's Independent Review of Curriculum and Assessment Arrangements in Wales.

Professor Donaldson's report, [Successful Futures](#) (February 2015), made 10 recommendations relating to the Welsh language in the curriculum. All were accepted by the Minister, including that Welsh will remain compulsory in all schools up to the age of 16.

On [27 June 2018](#), the Minister for Welsh Language and Lifelong Learning, Eluned Morgan gave an update on progress with the Welsh language continuum. She said:

I am most eager to ensure that we don't wait until the new curriculum is introduced, because I don't wish to lose another generation of children who won't have the opportunity to receive a good education in Welsh as a second language. And so we must improve on the status quo, because you can have 13 years of Welsh lessons and come out at the other end speaking very little Welsh.

The Minister also said that she had recently held a symposium involving experts the previous week to discuss the issues. She also acknowledged that:

One of our greatest problems, of course, is to ensure that we have sufficient good Welsh teachers and tutors.

The Welsh Government has published two research reports, [An overview of approaches to second language acquisition and instructional practices](#) (February 2018) and [Rapid evidence assessment: Effective second language teaching approaches and methods](#) (June 2018).

Welsh Government strategy – Cymraeg 2050 – A million Welsh speakers

The Welsh Government's vision is to see one million Welsh speakers by 2050. In [Cymraeg 2050 – A million Welsh speakers](#), it sets out the two main methods of achieving this aim: transmitting the Welsh language from one generation to the next; and developing and sustaining skills through education and training. To achieve their targets, the Welsh Government has set out the following 'transformational changes'. In relation to education:

- Make rapid progress to expand Welsh-medium early years provision by 150 nursery groups over the next decade to facilitate a seamless transition into Welsh-medium education.
- Increase the proportion of each school year group receiving Welsh-medium education from 22 per cent (based on 7,700 seven-year-old learners in 2015/16) to 30 per cent (about 10,500 in each year group) by 2031, and then 40 per cent (about 14,000 in each year group) by 2050.
- Transform how Welsh is taught to all learners in order that by 2050 at least 70 per cent of those learners report that they can speak Welsh by the time they leave school.
- Increase the number of primary teachers who can teach in Welsh from 2,900 to 3,900 by 2031 and 5,200 by 2050; increase the number of secondary teachers who can teach Welsh from 500 to 900 by 2031 and 1,200 by 2050; and increase the number of secondary teachers who can teach through the medium of Welsh from 1,800 to 3,200 by 2031 and 4,200 by 2050.

- Reform the post-16 Welsh-medium and bilingual education and skills offer to ensure that young people have the opportunity to continue developing bilingual skills to support a prosperous economy.

Statistics

In 2007, the Welsh Government published guidance, [Defining schools according to Welsh medium provision](#). This set out non-statutory definitions and categories of schools according to the language which is used as the medium of instruction and the normal business of the school.

There are different categories for primary and secondary schools. For primary schools there are five categories and seven for secondary schools. For statistical purposes, schools are categorised according to the amount of Welsh or English used in teaching. Broadly speaking, where there is more teaching through Welsh, the school is considered to be Welsh medium. Where English is the predominant language, this is considered to be English medium.

As at [January 2018](#), there were 404 Welsh-medium primary schools; 8 Welsh medium middle schools; and 47 Welsh medium secondary schools. This is 459 of a total of 1,521 maintained schools.

Welsh in Education Strategic Plans

Local authorities have a statutory duty to prepare and submit Welsh Education Strategic Plans (WESPs) to the Welsh Government for their consideration. The most recent WESPs covering the period 2017 to 2020.

WESPs are three-year plans which are reviewed annually, and must set out:

- The local authority's proposals on how it will improve the planning of the provision of Welsh-medium education in its area, along with the standards of Welsh-medium education and the teaching of Welsh in its area;
- The local authority's targets for improving the planning of the provision of Welsh-medium education in its area, and for improving the standards of that education, and of the teaching of Welsh in its area; and
- The progress made to meet the targets contained in the previous plan or previous revised plan.

Integral to these plans is the local authority's assessment of the demand for Welsh-medium education in its area and what steps it will take to meet it.

National Assembly for Wales action

Culture, Welsh Language and Communications Committee

In May 2017, the Culture, Welsh Language and Communications Committee published their report on their [Inquiry into the Welsh Government's new Welsh Language Strategy](#). This was

included recommendations relating to workforce issues (the necessity for additional teachers and their recruitment and training); prioritisation of funding for early years; and free Welsh language tuition for parents.

Petitions Committee

The Petitions Committee has considered a petition, [P-05-799, Change the National Curriculum and teach Welsh history, from a Welsh perspective, in our Primary, Secondary and Sixth form Schools.](#)

The Committee has heard oral evidence from the Petitioner, Elfed Wyn Jones and Dr Elin Jones, chair of the Cwricwlwm Cymraeg, history and the story of Wales task and finish group and Kirsty Williams, Cabinet Secretary for Education.

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-05-834
Ein cyf/Our ref KW/01965/18

David John Rowlands AM
Chair - Petitions committee.
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4 September 2018

Dear David

Thank you for your letter received on 15 August, in which you are seeking my views on the proposed petition for all schools in Wales to be Welsh-medium and for Welsh history to be taught in all schools in Wales.

The 1996 Education Act determines that education in Wales is organised on the principle that pupils should be educated in accordance to the wishes of the parents, so far as that is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure. Local authorities in Wales have a statutory duty to secure sufficient provision of school places whether that is provided in English-medium, Welsh-medium, faith, voluntary or special schools.

With respect to the process for changes to school organisation, the School Standards and Organisation (Wales) Act 2013 ("the 2013 Act") sets out the legislative framework for school reorganisation. The 2013 Act requires Welsh Ministers to publish a school organisation code ("the Code"). The Code imposes requirements on those bringing forward and determining proposals to reorganise schools. It also provides guidance and sets out general principles that should be taken into account.

If a local authority or other promoter concludes that there is a need to establish a new school, close an existing school or make a regulated alteration to a school there are statutory procedures which must be followed. Regulated alterations are listed in section 2 of the Code. Increasing or decreasing the percentage of teaching through the medium of English or Welsh in a primary school or the number of subjects in a secondary school is a regulated alteration. A link to the School Organisation Code is included for your information:

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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.

<http://gov.wales/topics/educationandskills/publications/guidance/school-organisation-code/?skip=1&lang=en>

In the first instance, the local authority must consult interested parties explaining the reasons for bringing forward the proposal. The local authority must ensure that those consulted have sufficient information to allow them to form a considered view and must make suitable arrangements for them to express those views in writing.

The purpose of these procedures is to ensure that, so far as is possible, all those likely to be affected by a proposal are informed and have an opportunity to express their views and contribute to and influence the statutory process.

With regard to current Welsh-medium education planning, all local authorities must prepare a Welsh in Education Strategic Plan (WESP) outlining how the authority intends to increase provision in relation to the growing demand for Welsh-medium education. How they must undertake this planning is outlined in the *Welsh in Education Strategic Plans and Assessing Demand (Wales) Regulations 2013*, which is currently being reviewed. The aim is to lay amended regulations before Assembly in 2019. This review of the regulations, is driven by the ambition set out in the Welsh Government's Welsh language Strategy, *Cymraeg 2050: A million Welsh speakers*. The expansion of Welsh-medium education will be crucial if we are to meet the 1 million Welsh speakers target by 2050. The proposed amendments to the regulations should lead to increased provision of Welsh-medium education in line with specific targets set in the *Cymraeg 2050* strategy.

Increasing capacity of Welsh-medium schools must naturally be supported by a growing workforce. The need to monitor the supply and demand for staff able to teach in Welsh-medium schools as well as monitoring sufficient access for learners to Welsh-medium education is highlighted in *Education in Wales: Our National Mission*.

Turning to the other aspect of this petition regarding Welsh History, you will recall that I attended your Committee on 17th July where I outlined the Welsh Government's position in relation to the teaching of this subject.

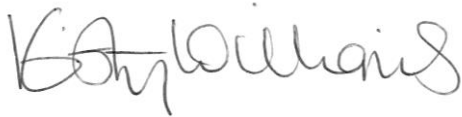
I am sure you will agree Wales has a rich culture and heritage and I believe it is essential that all pupils in Wales have the opportunity to learn about our nation's history. From the Foundation Phase through to AS/A level, teachers and schools are encouraged to develop pupils' understanding of the cultural identity that is unique to Wales. This helps them to appreciate the different languages and cultural aspects that are integral in Wales today, as well as gain a sense of belonging to Wales and to understand our Welsh heritage, literature and arts.

In the current curriculum, within the Foundation Phase there are seven Areas of Learning, one of which is: 'Knowledge and Understanding of the World' - this allows learners to get a clear understanding of Wales and its history. Welsh history is a prominent part of the programme of study for history at Key Stages 2 and 3 and schools are encouraged to focus on contexts from local and Welsh history. The programme of study for History specifies that local and Welsh history must be a focus of the subject, helping learners to understand the factors that have shaped Wales and other countries today.

Both the new AS/A Level qualification, introduced for teaching from September 2015, and the new GCSE introduced last September, require learners to consider a Welsh perspective and there are suggested topics of study at each stage of learning which cover various aspects of Welsh History.

As you are aware we are developing a new curriculum in Wales, with four purposes at its heart, including supporting all young people to develop as ethical, informed citizens of Wales and the world. In order to achieve this, children and young people need to be knowledgeable about their culture, community, society and the world, now and in the past and this will include study of the history of Wales.

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

Agenda Item 2.3

P-05-835 Allow Free Movement of Taxi Drivers to Carry Out Private Hire Work Anywhere in Wales

This petition was submitted by Taxis Without Borders, having collected 136 signatures.

Text of Petition

We call on the National Assembly for Wales to allow Taxi Drivers carry out private hire work freely anywhere in Wales, regardless of which council the driver is licensed by.

We bring this petition in response to the actions of a group of taxi drivers based in one City. We call on the National Assembly to take into account the wishes and desires of taxi drivers and operators across Wales, as opposed to a small group of drivers from one city.

If you book a taxi either by phoning someone, or using an app that company is legally allowed to send a car to you, regardless of where you are, or where the company is based. If you were in Barry and phoned a Cardiff company for a taxi to go to Caerphilly, they could, and would send a car to come and pick you up in Barry, and take you to Caerphilly.

If you were in Swansea, and wanted to go to Llanelli and were unable to get a taxi, you could phone a company in Bridgend, and they could send a car to pick you up, if they had one available.

This gives taxi users a greater choice of which companies that can and can't use. More choice, and more options meaning more competition drives companies to offer a better service to retain each person's custom.

From a drivers point of view, if they are licenced in Cardiff, and they were taking someone to Cardiff Airport, and a Cardiff based operator has a booking from someone to be picked up at Cardiff Airport going to Merthyr, the Cardiff driver is allowed to do that job.

Additional Information

If a Vale of Glamorgan driver is taking someone from Cardiff Airport to Pontypridd, and there is someone who has pre-booked their company to

take them from Pontypridd to Cardiff Airport, but there is a few hours wait, that driver can ask a Vale of Glamorgan operator to find them work. This could be by the operator phoning Pontypridd based firms to see if there is any work the driver can do around the area whilst waiting for the return booking. This gives drivers a greater earning potential, as it increases the size of area they can work in, and opens up possible income streams. It is also more environmentally friendly and reduces congestion as the driver that went to Pontypridd, isn't forced to go back to The Vale of Glamorgan empty, and the operator is not forced to send a second car to Pontypridd empty.

If a Newport based operator looked to expand their company, they could speak to Hotels in Caerphilly, and become that hotels preferred supplier to pick up guests from Airports. The operator can expand their company, and the hotel can provide a better service to potential customers, increasing their bookings, whilst still having a greater choice of companies to use to provide this service.

If a publican ran a pub in Merthyr Tydfil, and wanted to provide a pick up and drop off service to its customers, it would need an operators licence and would need to use licenced private hire drivers and vehicle, all from Merthyr. If then the same publican wanted to open a second pub in Llanbradach, and wanted to offer the same service, they could provide a pick up and drop off service from the same operators licence. This enables them to expand their business.

All this and more is possible thanks to Cross Bordering.

Assembly Constituency and Region

- Cardiff North
- South Wales Central

Petition: Allow Free Movement of Taxi Drivers to Carry Out Private Hire Work Anywhere in Wales

Y Pwyllgor Deisebau | 9 Hydref 2018
Petitions Committee | 9 October 2018

Research Briefing:

Petition number: P-05-835

Petition title: Allow Free Movement of Taxi Drivers to Carry Out Private Hire Work Anywhere in Wales

Text of petition:

We call on the National Assembly for Wales to allow Taxi Drivers carry out private hire work freely anywhere in Wales, regardless of which council the driver is licensed by.

We bring this petition in response to the actions of a group of taxi drivers based in one City. We call on the National Assembly to take into account the wishes and desires of taxi drivers and operators across Wales, as opposed to a small group of drivers from one city.

If you book a taxi either by phoning someone, or using an app that company is legally allowed to send a car to you, regardless of where you are, or where the company is based. If you were in Barry and phoned a Cardiff company for a taxi to go to Caerphilly, they could, and would send a car to come and pick you up in Barry, and take you to Caerphilly.

If you were in Swansea, and wanted to go to Llanelli and were unable to get a taxi, you could phone a company in Bridgend, and they could send a car to pick you up, if they had one available.

This gives taxi users a greater choice of which companies that can and can't use. More choice, and more options meaning more competition drives companies to offer a better service to retain each person's custom.

From a drivers point of view, if they are licensed in Cardiff, and they were taking someone to Cardiff Airport, and a Cardiff based operator has a booking from someone to be picked up at Cardiff Airport going to Merthyr, the Cardiff driver is allowed to do that job.

Background

Local authorities are responsible for licensing taxis and private hire vehicles (PHVs) in Wales. The law on taxis and PHVs is widely considered to be anachronistic and complex.

Although the term “taxi” is commonly used to describe both taxis and PHVs, they are licensed differently within a “two tier” system of regulation. In 2014, the Law Commission published a [final report on proposed reforms to taxi and PHV services](#) which summarised differences as follows:

Taxis can pick passengers up at ranks and be hailed. In legal terms, these activities are currently referred to as “plying for hire” and only taxis can engage with passengers in these ways. Private hire vehicles, on the other hand, can only be pre-booked through a licensed operator, and are not allowed to “ply for hire”.

Taxis can be pre-booked and can ply for hire, but may only ply for hire within the district for which they are licensed.

Prior to the *Deregulation Act 2015* in England and Wales a PHV could pick up or drop off passengers outside the area in which they hold a licence. However, sub-contracting could only take place between firms licensed in the same area. The Law Commission recommended that this restriction be removed. It also recommended removal of the legal requirement that driver, vehicle and operator be licensed in the same area.

This more liberalised approach proposed by the Commission would be accompanied by safeguards:

Under our recommended regulatory framework, licensing district boundaries lose much of their importance in relation to private hire vehicles. Although local authorities will continue to administer licences applied for in their area, they will do so on the basis of national standards, which they will have no discretion to vary. Once licensed, providers will be able to work across England and Wales and subject to enforcement action by officers of any licensing authority.

Section 11 of the UK [Deregulation Act 2015](#) allowed a PHV operator to sub-contract a booking to another operator who is licensed in a different licensing district. This was recommended by the Law Commission (recommendation 45). However, the change was introduced without the accompanying national standards and changes to the enforcement regime etc proposed by the Law Commission.

A [Local Government Association \(LGA\) publication on the Act](#) commented (emphasis added):

The LGA strongly opposed the clause [which became section 11] on the grounds that it had been brought forward **without the accompanying safeguards deemed necessary by the Law Commission’s review of taxi licensing**.

Taxi and PHV licencing and regulation were devolved by the *Wales Act 2017* earlier this year.

Welsh Government action

The Welsh Government consulted on [taxi and private hire vehicle licensing in Wales](#) between June and September 2017. A [summary of responses has since been published \(PDF 828KB\)](#). The purpose of the consultation was to consider the Law Commission's proposals. Key areas identified include proposals which would:

- Introduce “national standards for all taxis and private hire vehicles, set by the Welsh Ministers, with the power for local licensing authorities to set additional standards where it is appropriate to do so”; and
- “Make it easier for providers of taxis and private hire services to work across local authority boundaries and will give licensing officers new enforcement powers to deal with vehicles and drivers licensed in different areas”.

The summary of consultation responses said:

A key concern expressed by drivers and private hire vehicle operators during the consultation was the overcapacity in the market as the result of vehicles operating in the Cardiff area, licensed in neighbouring authorities. Drivers told us that in some cases, vehicles licensed in England, including London, have been witnessed operating in and around Cardiff.

The summary also indicated that “most respondents” supported proposals for national standards. On enforcement, 66% of respondents who expressed a preference suggested arrangements should be put in place to share information between licensing authorities to support better enforcement.

The Cabinet Secretary's letter to the Chair on this petition says that he will publish a White Paper this year with detailed proposals for reform. In contrast to the consultation document proposal, which refers to making cross boundary working “easier”, the letter continues:

Whilst my proposals will include new measures to limit out of area working, I will be including arrangements to improve out of area working where it is prudent and appropriate to do so. Once such example will be the need to increase capacity to meet increased demand when hosting major events.

National Assembly for Wales action

The Petitions Committee is currently considering petition [P-05-775 put an end to the cross border and sub-contracting taxi licensing loophole](#). This calls on the Welsh Government, in the light of its consultation, to:

put a stop to the 'cross border' and 'sub-contracting' loophole in the law which means hundreds of out of town taxis and private hire vehicles descend on Cardiff to work Private Hire.

Early in 2018 the Economy, Infrastructure and Skills Committee considered devolution of taxi and PHV licensing as part of its [New Powers: New Possibilities](#) short inquiry. This considered how the Welsh Government should use a range of transport powers devolved by the *Wales*

Act 2017. [On 17 January](#) the Committee took evidence from Taxi Drivers of Cardiff, local authority licensing officers and the GMB Union. Cross border taxi / PHV issues, enforcement and standards were discussed.

Summarising the evidence [in correspondence to the Cabinet Secretary \(PDF 742KB\)](#), the Committee said:

Cross-border hire / working (i.e. taxis licenced in one local authority working in another) is a major issue and needs to be addressed. Some suggested all journeys should start or finish in the area which issued a driver's taxi / PHV licence. Witnesses said currently Transport for London registered drivers are working in Cardiff, and 144 Uber drivers registered in Newport live in Cardiff.

The Committee also highlighted variation in standards across Wales and evidence suggesting that:

Enforcement is an issue due to the age of current legislation. Local authorities cannot currently enforce against a driver working in their area who is licensed in a different authority. Greater funding is needed to improve enforcement.

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.



Ein cyf/Our ref KS/02508/18

David John Rowlands AM
Chair - Petitions committee

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18 September 2018

Dear David

Thank you for your letter of 15 August regarding Petition P-05-835 Allow Free Movement of Taxi Drivers to Carry Out Private Hire Work Anywhere in Wales.

The Cardiff licensing authority is the only authority in Wales that has imposed a quantity restriction in relation to hackney licences. No such quantity restrictions apply to private hire vehicles in Cardiff.

My officials have been working with the sector and licensing authorities to develop proposals that will work for Wales.

It is my intention to publish a White Paper this year that will set out detailed proposals for the reform of taxi and private hire vehicle licensing in Wales. Whilst my proposals will include new measures to limit out of area working, I will be including arrangements to improve out of area working where it is prudent and appropriate to do so. One such example will be the need to increase capacity to meet increased demand when hosting major events.

I shall also set out arrangements for operators and their relationship with drivers that work with them to ensure that operators, their employees and drivers abide by the national standards for licensing that we will be seeking to introduce.

*Yours ever,
Ken*

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

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

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



Taxis Without Borders Comments to Welsh Assembly Petitions Committee
Reference Petition P-05-835

1. A Survey of 409 drivers showed that 63% of drivers have carried out jobs that was wholly in a council other than the one they are licenced by. Closing Borders would affect more than half of all Private Hire drivers adversely
2. The same survey showed only 18% of drivers work exclusively outside the authority they are licenced by, showing that there is no epidemic of drivers working exclusively outside their authority
3. From the same survey 64% of drivers live and mainly work in the authority they are licenced by, only 17% of drivers neither live or work mainly in the authority they are licenced by. This shows the majority of drivers either live or work where they are licenced.
4. 74% of the 409 drivers from the survey stated they prefer to work in an area they know. A claim by drivers wishing to see borders closed is that those working where they aren't licenced do not know their way around. The last two points prove this to be false.
5. 47% of drivers of the 409 drivers have been involved in a fault or non fault, or 50/50 RTC in the authority they are licenced, whilst only 23% have been involved in a fault or non fault or 50/50 RTC in an authority they are not licenced. This conclusively disproves that drivers working in an area they are not licenced are more dangerous on the roads
6. FOI Requests to all 4 Police Forces have revealed no criminal offences by any Private Hire driver outside of the drivers licensing authority, disproving the claims that drivers working outside of their authority are not safe
7. FOI requests to Cardiff, Caerphilly, Newport, Bridgend, Vale of Glamorgan, Bridgend & Swansea have shown no recorded complaints by members of the public about drivers working outside their licenced authorities
8. FOI requests to the same councils did not reveal any drivers being prosecuted for plying for hire outside of the authorities they are licenced. It is often falsely claimed that drivers working outside the authority they are licenced are regularly illegally plying for hire
9. An FOI request to Swansea County Council revealed that there are 19 home to school contracts carried out by Private Hire drivers that start and finish outside of Swansea County Council. Whilst the number of Swansea Licenced Private Hire drivers doing this

school runs is not known, it is common practice for council to contract school runs to Operators licence by themselves, as opposed to another authority, so it is highly likely most of these school runs are carried out by Swansea Council licenced Private Hire Drivers, working across Cross Borders.

10. An FOI request to Newport County Council revealed there are 37 home to school contracts that start and finish outside Newport Council boundaries that are carried out by Newport Council Operators
11. It is claimed that drivers should not be allowed to work in areas they are not licenced by as they have not sat and passed a route knowledge test, and as such do not know their way around. An FOI request to Cardiff Council revealed there are 3,803 streets or roads in Cardiff Council. An analysis of the Cardiff Council Private Hire / Hackney Carriage Route Knowledge test showed that there are 327 different roads named on the test. Or to put it another way, a candidate only has to learn 8.5% of all the roads in Cardiff in order to pass the councils route knowledge test. Hardly proof of a comprehensive knowledge of the city, proving that passing a route knowledge test is not proof a driver knows their way round. This is further backed up drivers using Sat Navs in authorities they are licenced by.
12. An investigation into the requirements for a Private Hire licence by all the authorities in Wales showed that only 2 councils offer separate Private Hire and Hackney licences. Conwy and Newport. Every other council only provides a Dual Badge, namely a combined Private Hire & Hackney licence. Neither Conwy or Newport require candidates to sit a route knowledge test for a Private Hire licence, but both do for a Hackney licence. All other councils require a candidate to sit some form of route or area knowledge test for the dual badge. This suggests, that any route or area knowledge test is to satisfy the requirements for the Hackney element of the dual badge, and therefore not relevant to Private Hire drivers
13. Across Wales, numerous people rely on cross border operations for their private hire requirements. Just 3 examples;
 - 8a - Tesco in Risca is part of Caerphilly County Borough Council, yet night shift workers who live in Abercarn or Cross Key and require a taxi home at 5am are forced to book this through Dragon Taxis in Newport, as there are no local firms operating at the time.
 - 8b - The Copthorne Hotel is located in the Vale of Glamorgan, yet they have a contract with Dragon Taxi's in Cardiff as the nearest Vale of Glamorgan operators are located in Barry.
 - 8c - The town of Magor is in Monmouthshire, yet the nearest Wheelchair Accessible Vehicles in Monmouthshire are located in Monmouth, so those who need access to such a vehicle are forced to use Newport Firms
14. Councils in Wales are relatively small, and there is often no discernable border between two authorities. Indeed Rogerstone is in Newport County Council, and as mentioned previously Risca is in Caerphilly County Council, yet there is no gap between the two towns. This is repeated all over the country. Particularly in South Wales. With the Borders between Cardiff & Newport easily confused to the East of the city. Many people believe St Mellons Hotel to be in Cardiff, whilst it is actually in Newport Council. The same is true to the West of the city and boundary with the Vale of Glamorgan. The

Copthorne Hotel, Tesco Culverhouse Cross are both thought to be in Cardiff, but are actually in the Vale of Glamorgan. The lack of clear distinction between a number of borders will lead to many people inadvertently breaking the law opening themselves up to prosecution

15. Closing borders would affect someone's ability to move around the country and carry on working without unnecessary additional costs of having to pay, often many hundreds of pounds, to get relicenced where they now live in order to carry on their chosen profession
16. Customer choice is another reason why Cross-Bordering needs to be kept alive. At the moment people are free to phone whomever they choose for their needs. Be it phoning the local firm to get home from the pub, or phoning an executive travel firm in a different district to take you on your honeymoon. Or even using an app to see if there is a PHV from anywhere around in the sticks to pick you up because your friends thought it would be a fun idea to get you drunk and leave you in the middle of nowhere with just your phone on your stag do. Closing borders will remove customer choice, as someone's preferred company may not be able to service the area they are in, despite being geographically local enough to be able to. With a limited competition, companies are less inclined to offer exceptional service in order to retain some ones custom, mainly because there are very few other places to go. The customer has a right to good service, and cross-bordering induced competition, provides that very incentive.
17. Critics will claim that cross bordering increases congestion and pollution. Where in fact the opposite is true. A Vale of Glamorgan PHV could pick someone up and take them home to Caerphilly after their holiday. That PHV's operator could have a booking to collect someone from Pontypridd, a mere 7 miles away, to pick someone up and take them to the airport, only it is not for 4 hours. The operator could make the first car go all the way back to Cardiff Airport empty, and then send a second car empty for the later pick up. This would be a chronic waste of time, and needless pollution, where what the operator could instead do, is contact a local firm in either Caerphilly or Pontypridd, and explain they have a car in the area if they can be of service. The Caerphilly or Pontypridd firm, could then sub work to the Vale of Glamorgan operator to keep the original car active. Thus removing the need to have a second vehicle on the road adding to congestion and pollution. Making air quality worse. Cross bordering allows for a more efficient use of vehicles up and down the country
18. The operator has a greater area from which they are allowed to take bookings from, and the driver has a greater area in which he is allowed to work, This increases the companies and the drivers profit margins. As shown by Dragon Taxis exclusivity agreement at the Welsh Fest Festival in The Vale of Glamorgan this summer. Despite Dragon Taxis not having a Vale of Glamorgan operators licence, and as such not being able to use any Vale of Glamorgan vehicles to service this agreement
19. Taxis Without Borders acknowledge that if not at saturation point, for the number of Hackney and Private Hire Vehicles (PHV's) working in the city of Cardiff, then it is indeed near. However, what is saturation point on one day, is a massively insufficient supply the next day. In many ways, Cardiff is a unique city in the United Kingdom. According to <http://worldpopulationreview.com> it is only the 11th largest city in the UK, with a

population of just shy of 450,000 residents in 2018. National Geographic estimate 18 Million people visit Cardiff each year, making it the 6th most visited City in the UK. Additionally it has the 4th largest Stadium in the UK. Outside of London, only Old Trafford in Manchester is bigger by a measly 1,200, and Manchester has a population over 5 times that of Cardiff. With the roof closed, The Principality Stadium is effectively the largest indoor arena in Europe. These figures show that not only does the number of Hackney's & PHV's required to meet the cities needs vary widely, If only for this reason alone, PHV's should be allowed to retain the ability to work anywhere in the country. The 11th largest city, yet the 6th most visited, the 4th largest stadium in the UK, and the largest indoor arena in Europe. Cardiff drivers may moan about cross bordering, but more than anywhere in Wales, and possibly anywhere in the UK, Cardiff NEEDS cross bordering to keep its residents and visitors moving.

This petition was brought about due to The Welsh Assembly Government's impending reforms on Private Hire & Hackney legislation in Wales, and the acts of a small insignificant number of Private Hire drivers in Cardiff's desire to see cross bordering abolished as part of the reforms. The above points are just a few of the reasons why cross bordering should remain, even when legislation is reformed, however it was requested to keep the comments to 3-4 pages. It is believed however, that the above points on their own are enough to show the committee that the petition should indeed be put forward to be discussed in the Assembly as part of discussions once the White Paper on the reforms is published by Ken Skates. Whatever the reforms the white paper wishes to introduce, it is imperative that cross bordering remains. Closing borders will affect drivers, operators, and customers. It will remove customer choice, increase needless doubling up on journeys, reduce customer service and have a negative effect on business and the prosperity of Wales going forward

Agenda Item 2.4

P-05-836 Gender Pay Gap Reporting

This petition was submitted by Estelle Hart, having collected 56 signatures.

Text of Petition

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 has not been applied in Wales meaning devolved public bodies have not been required to publish gender pay gap reports in a central place. We believe that bodies in receipt of public money should publish this information and to ensure transparency in public funding this information should be available in a centralised location and in the same format, using guidelines developed for public sector bodies in England.

Assembly Constituency and Region

- Gower
- South Wales West

Petitions Committee

Y Pwyllgor Deisebau | Hydref 2018
Petitions Committee | October 2018

Gender pay gap reporting

Petition number: [P-05-836](#)

Petition title: Gender pay gap reporting

Text of petition: The *Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017* has not been applied in Wales meaning devolved public bodies have not been required to publish gender pay gap reports. We believe that bodies in receipt of public money should publish this information, according to existing guidance, to ensure transparency in public funding.

Currently, **devolved Welsh public authorities (such as health boards and local authorities) are required to collect data on gender pay gaps**, but this data is not required to be published in a specific format or to a specific location.

A [recent review of gender equality](#) in the Welsh Government found that the current requirements are “**poorly drafted, there is poor visibility of published results and monitoring has been weak**”. The review suggested that the Welsh legislation could be improved by learning from the UK Government’s reporting requirements.

The UK Government’s 2017 Regulations (to which the petition refers), only cover English public authorities and non-devolved Welsh and Scottish public authorities (like the DVLA) with more than 250 employees. They require these organisations to publish their gender pay gap data in a specific statistical format to a central [online ‘portal’](#).

What is the gender pay gap?

The gender pay gap is the **difference between the average salaries of men and women in a company or organisation**. It is **not the same as equal pay**, where firms are required to pay people doing the same job the same salary whether they are a man or a woman.

What's the gender pay gap in Wales?

There isn't one single measure that deals adequately with the complex issue of gender pay differences. The most reliable indicator of the gender pay gap is the Office for National Statistics (ONS) gender pay gap measure, which is part of the [Annual Survey of Earnings and Hours \(ASHE\)](#).

The ONS calculate the gender pay gap as the **difference between average hourly earnings (excluding overtime) of men and women as a proportion of average hourly earnings (excluding overtime) of men**. For example, a 4% gender pay gap means that women earn 4% less, on average, than men. Conversely, a -4% gender pay gap means that on average women earn 4% more than men.

The 2017 figures show that the [gender pay gap](#) in Wales is:

- For **full-time employees** (which compares earnings between people that work similar hours), **men are on average paid 95p per hour more than women, which is a pay gap of 7.2%**;
- For **all employees** (which takes into account the fact that women are more likely to work part time), **men are on average paid £1.98p per hour more than women, which is a pay gap of 15.9%**;

In the UK, the pay gap for full-time employees is 9.1% (meaning that on average men earn £1.32p per hour more than women), and for all employees the pay gap is 18.4% (meaning that on average men earn £2.52p per hour more than women).

Which employers are required to publish their gender pay gaps?

There is a complex framework of legislation that governs the publication of gender pay gaps:

- **Devolved Welsh public authorities (regardless of size) are required to 'collect and identify' pay gaps between people of all characteristics** (not just gender but also race, age, disability, etc.). The legislation also requires authorities to set out what action will be taken to address pay gaps. **This data is only required to be published 'as appropriate', and is not required to be published to a central location**, so most authorities publish it to their individual websites (see [Cardiff Council's annual equality report](#) as an example).
- **English public authorities, non-devolved Welsh and Scottish public authorities, and all English, Welsh and Scottish private and voluntary sector bodies with over 250 employees** are required to publish their gender pay gap data to the [Gender Pay Gap Portal](#).
- **Scottish public authorities with more than 20 employees** are required to publish gender pay gap data, but not to a central location.

- English, Welsh and Scottish private and voluntary sector organisations with fewer than 250 employees are not required to publish gender pay gap data at all. In Wales in 2017, [99.3% of private enterprises](#) had fewer than 250 employees.

The specific legislation, requirements and location of data is summarised in the table below:

Employer	Requirements to collect gender pay gap data	Legislation	Publication of data
Devolved Welsh public authorities	<p>Section 7 of the legislation requires devolved Welsh public authorities to identify and collect information about differences in pay, and the causes of any such differences, between employees who have a protected characteristic and those who do not.</p> <p>The duties also requires authorities to publish an equality objective in relation to addressing any gender pay difference identified or publish reasons why it has not done so. They also require authorities to publish action plans to address pay differences.</p>	Section 7 of The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 (known as the ‘Welsh specific public sector equality duties’). These regulations are made by Welsh Ministers.	<p>The legislation states that this information must be published ‘as appropriate’.</p> <p>Authorities generally publish data on pay differences in annual equality reports – some authorities have also voluntarily published their data to the UK Government’s Gender Pay Gap Portal.</p> <p>There is no central location where gender pay gap data for all Welsh authorities is available.</p>
English public authorities and non-devolved Welsh and Scottish public authorities with more than 250 employees	English public authorities, and non-devolved Scottish and Welsh public authorities with more than 250 employees are required to publish gender pay gap data.	Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 – made by UK Government Ministers.	Published to the UK Government’s Gender Pay Gap Portal in a specific statistical format.
English, Welsh and Scottish private and voluntary sector organisations with more than 250 employees	All private and voluntary sector organisations in England, Scotland and Wales with more than 250 employees are required to publish gender pay gap data.	Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 – made by UK Government Ministers	Published to the UK Government’s Gender Pay Gap Portal in a specific statistical format.

English, Welsh and Scottish private and voluntary sector <u>with fewer than 250 employees</u>)	No requirements to collect or publish gender pay gap data.	-	-
Scottish public authorities (with more than 20 employees)	Devolved Scottish public authorities with more than 20 employees are required to publish gender pay gap data.	<i>The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012</i> (known as the ‘Scottish specific public sector equality duties) - made by Scottish Ministers	Authorities publish the data to their websites rather than to a central location.

Gender rapid review

In July 2018, Chwarae Teg published the [phase one report of the Welsh Government-commissioned ‘rapid review’ of gender equality](#). It concluded that:

“the Welsh Specific Equality Duty on gender pay gaps was intended to be the strongest and most effective of the specific duties on gender pay gaps in the UK. However, **it is the view of the [Wales Centre for public Policy] that the duty was poorly drafted, there is poor visibility of published results and monitoring has been weak.**

There are **opportunities to learn from the UK Gender Pay Gap Regulations**, which include very specific reporting and publishing requirements. The initial reporting deadline of April 2018 has seen a high degree of compliance. There are also options to **extend these to include elements of the current Welsh duty which requires an employment analysis to identify the drivers of pay gaps and an action plan.**”

Discussions in the Assembly

The Equality, Local Government and Communities Committee recently [recommended](#) that the Welsh Government should collect and **publish gender pay gap data for devolved Welsh public authorities to the UK Government [Gender Pay Gap portal](#).**

The Welsh Government [accepted](#) this recommendation, stating that it “[agrees] it would be helpful for the citizen and other interested parties to be able to access this information from a single location. [...] The Welsh Government will continue to encourage public bodies to publish this data openly and in accessible formats [and] **will also consider further whether the best way to publish Welsh Gender Public Gap data is on the UK Government portal.**”

In evidence to the ELGC Committee, the Leader of the House Julie James AM also [suggested](#) the Fair Work Commission could potentially “set up a piece of work that [...] **allows us to extend**

the duty for our [gender pay gap] reporting. [...] it's 250 employees at the moment, and that doesn't even touch most Welsh companies because they're all much, much smaller than that".

Welsh Government response to the petition

The Leader of the House (who has responsibility for equality), Julie James AM, wrote to the Petitions Committee, stating that she has:

"made a clear and public commitment to publish gender pay gap data in a more open, user-friendly and accessible format. It would certainly be helpful for interested parties to be able to access the information from a single location. Work is already underway to ensure this happens at the earliest possibility and I will keep Assembly Members informed of progress."

She also notes:

- The **need to review the Welsh public sector equality duties (PSED)** and the reporting arrangements was raised by the Gender Rapid Review;
- She **"expect[s] early action to improve reporting of gender pay gaps in Wales** and [...] this will be done in the context of strengthening the PSED regulations generally";
- Reporting on gender gaps is not enough, and the **current Welsh duties require devolved Welsh authorities to take action to reduce gender pay gaps**;
- The Equality and Human Rights Commission (EHRC) is **currently undertaking a monitoring exercise which will cover 79 public bodies in Wales** and will be conducted between June and the end of September, and
- The Welsh Government **'encourages' public authorities to "publish data in openly accessible formats** that Welsh Government can then collate and present in a single location.

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.

Julie James AC/AM
Arweinydd y Tŷ a'r Prif Chwip
Leader of the House and Chief Whip



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: JJ/00804/18

David John Rowlands AM
Chair - Petitions committee
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6 September 2018

Dear David

Thank you for your letter of 15 August regarding the petition concerning gender pay gap reporting (P-05-836).

Our equality duties are set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and came into force in April 2011. The legislation applies to all public sector employers listed in Section 19 of the Equality Act 2010. This includes, for example, local authorities, education bodies, health bodies and the Welsh Government.

We were the first government to bring in specific equality duties in order for public bodies to better perform and demonstrate their compliance with the Public Sector Equality Duty (PSED). The regulations cover equality impact assessments, publishing and reviewing Equality Objectives and Strategic Equality Plans, engagement, pay differences, procurement, reporting arrangements and equality and employment information.

Simply reporting the gender pay gap is not enough. The Welsh specific duties require appropriate action to be taken. As well as the duty to have an equality objective to address employment or pay differences, all public sector employers in Wales are required to report annually on the different distribution of men and women between grades, occupations, working patterns (full and part time) and contract types (permanent, temporary/fixed, casual), which sustain pay gaps.

Public authorities that identify a gender pay difference must either set a gender pay equality objective to address the cause or causes of the pay difference or explain publicly why they have not done so. The relevant requirements under the Welsh specific duties are set out in the Annex to this letter.

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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.

The Equality and Human Rights Commission (EHRC) is the regulator of the PSED. The Commission in Wales is currently undertaking a monitoring exercise which will cover 79 public bodies in Wales and will be conducted between June and the end of September. The monitoring aims to clarify potential areas of non-compliance and examine work undertaken in specific areas, by each sector, to meet the requirements of the general PSED duty. In addition, all listed bodies will be monitored on their work in relation to the recruitment and employment of disabled people, and work undertaken to comply with the pay duty to narrow pay gaps.

Officials will continue working closely with the EHRC to consider the outcomes of the monitoring for this work, with a view to ensuring that in future reporting arrangements are robust and sufficient to ensure that the way listed bodies publish their data is transparent, user-friendly and accessible – in line with our desire to promote and encourage greater use of open data across Welsh public bodies.

Aligned with this ambition, as agreed in the National Assembly for Wales debate on Open Data in September 2017, we would want to encourage public bodies to publish data in openly accessible formats that Welsh Government can then collate and present in a single location. To do otherwise would add additional burdens on public bodies and the requirement for an expensive centralised data collection process.

This is an approach we have already begun to adopt through the work on public sector employment data in partnership with Data Cymru on behalf of local authorities, and wish to expand to cover the PSED information. See:

<https://digitalanddata.blog.gov.wales/2018/07/31/opening-up-on-our-public-sector-workforce-data/>

The need to review the Welsh PSED regulations and the reporting arrangements has also been raised, directly and indirectly, in several of the recommendations resulting from the first phase of the Gender Equality Review. The reports, produced by Chwarae Teg and the Wales Centre for Public Policy, were published on 10 July and can be accessed on the Welsh Government website (<https://gov.wales/topics/people-and-communities/equality-diversity/review-of-gender-equality/?lang=en>). We have welcomed the reports and are actively considering the recommendations. I have indicated that I expect early action to improve reporting of gender pay gaps in Wales and that this will be done in the context of strengthening the PSED regulations generally.

I have made a clear and public commitment to publish gender pay gap data in a more open, user-friendly and accessible format. It would certainly be helpful for interested parties to be able to access the information from a single location. Work is already underway to ensure this happens at the earliest possibility and I will keep Assembly Members informed of progress.

Yours sincerely



Julie James AC/AM

Arweinydd y Tŷ a'r Prif Chwip
Leader of the House and Chief Whip

Annex

The EHRC monitors and regulates listed public bodies in Wales. Listed bodies are those listed in Part 2 of Schedule 19 of the Act as supplemented and amended by the Equality Act 2010 (Specification of Relevant Welsh Authorities) Order 2011. In practice, this is the majority of devolved public bodies. This includes local authorities.

The requirements on listed bodies are contained in the regulations and summarised in the EHRC's *EHRC's essential guide to the public sector equality duty: a guide for listed public authorities*.

This is an extract from the essential guide:

<https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty-overview-listed-public-authorities>

6.5 Employment information

A listed body in Wales must collect and publish on an annual basis the number of:

- people employed by the authority on 31 March each year by protected characteristic
- men and women employed, broken down by:
 - job
 - grade (where grading system in place)
 - pay
 - contract type (including permanent and fixed term contracts)
 - working pattern (including full time, part time and other flexible working patterns)
 - people who have applied for jobs with the authority over the last year
 - employees who have applied to change position within the authority, identifying how many were successful in their application and how many were not
 - employees who have applied for training and how many succeeded in their application
 - employees who completed the training
 - employees involved in grievance procedures either as a complainant or as a person against whom a complaint was made
 - employees subject to disciplinary procedures
 - employees who have left an authority's employment.

All of the information above must be presented for each of the separate protected groups. The exception to this requirement is the data on job, grade, pay, contract type and working pattern, which must be broken down only in relation to women and men.

An authority may use its annual report to publish this employment information.

An authority cannot require any employee or applicant to provide any information in relation to their protected characteristics.

6.6 Pay Differences

A listed body in Wales must:

- when drawing up equality objectives have due regard to the need to have objectives that address the causes of any difference in pay between employees who are from any protected group and those who are not, if it appears reasonably likely that the reason for the difference is related to the fact that those employees share a protected characteristic
- make appropriate arrangements to identify and collect information about differences in pay, and the causes of any such differences, between employees who have a protected characteristic and those who do not. This information must be published as appropriate.

6.6.1 Gender pay differences

A listed body in Wales must:

- publish an equality objective in relation to addressing any **gender** pay difference identified or publish reasons why it has not done so
- publish an action plan in respect of gender pay setting out:
 - any policy it has that relates to the need to address the causes of any gender pay difference
 - any gender pay equality objective it has published (including any revisions). Where it has identified a gender pay difference amongst its staff, but has not published an equality objective to address the causes of that pay difference, the action plan must set out the reasons for not doing so
 - a statement about the steps it has taken or intends to take to fulfil its gender pay objective and how long it expects to take.

Agenda Item 2.5

P-05-837 Green Energy for the Wellbeing of Future Generations in Wales

This petition was submitted by Welsh Anti Nuclear Alliance, having collected 1,028 signatures online and 288 signatures on paper, a total of 1,316 signatories.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to invest in green renewable energy sources thus reducing the need for fossil fuels and nuclear energy in Wales. More specifically to

- Support emerging low carbon technologies that could put Wales at the forefront of renewable energies and help to slow - down climate change; and
- Invest in energy sources that do not leave a legacy of radioactive waste, spoil heaps and damage to health and the environment.

We applaud the establishment of the "Wellbeing of Future Generations Act (Wales) 2015", as it offers a huge opportunity to make long-lasting, positive changes for current and future generations particularly around clean energy.

We agree with the Energy Statement by Lesley Griffiths 6/12/2016 when she said the Assembly has 3 priorities. First, we will reduce the amount of energy we use in Wales. Second, we will reduce our reliance on energy generated from fossil fuels. Third, we will actively manage the transition to a low-carbon economy. However a reduction in nuclear should be included as it's not renewable or a low-carbon option.

Additional Information

Nuclear power stations rely on Uranium to operate and considerable amounts of carbon are released in the mining, milling and separation of the Uranium from the ore and then it has to be transported. Current estimates for Uranium say reserves will last 50 - 70 years and the higher the demand the more and more poor ores will have to be processed. This will lead to a CO2 balance for atomic power, which gets worse and worse over time (J. W. Storm van Leeuwen and P. Smith, 'Nuclear Power: The Energy Balance', www.stormsmith.nl.)

"Nuclear energy is not renewable and Earth's uranium would eventually deplete meaning that we are effectively depriving our future generations from using that in new and maybe less harmful ways in the future." (Sophie Howe – Future Generations Commissioner for Wales 2018 when supporting the Swansea Tidal Lagoon)

"Claims that nuclear power is a 'low carbon' energy source fall apart under scrutiny. Far from coming in at six grams of CO2 per unit of electricity for Hinkley C, as the Climate Change Committee believes, the true figure is probably well above 50 grams – breaching the CCC's recommended limit for new sources of power generation beyond 2030." (Professor Keith Barnham <https://theecologist.org/2015/feb/05/false-solution-nuclear-power-not-low-carbon>)

Assembly Constituency and Region

- Brecon and Radnorshire
- Mid and West Wales

Green Energy for the Wellbeing of Future Generations

Y Pwyllgor Deisebau | 9 Hydref 2018
Petitions Committee | 9 October 2018

Research Briefing:

Petition number: P-05-837

Petition title: Green Energy for the Wellbeing of Future Generations in Wales

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to invest in green renewable energy sources thus reducing the need for fossil fuels and nuclear energy in Wales. More specifically to:

- Support emerging low carbon technologies that could put Wales at the forefront of renewable energies and help to slow - down climate change; and
- Invest in energy sources that do not leave a legacy of radioactive waste, spoil heaps and damage to health and the environment.

We applaud the establishment of the "Wellbeing of Future Generations Act (Wales) 2015", as it offers a huge opportunity to make long-lasting, positive changes for current and future generations particularly around clean energy.

We agree with the Energy Statement by Lesley Griffiths 6/12/2016 when she said the Assembly has 3 priorities. First, we will reduce the amount of energy we use in Wales. Second, we will reduce our reliance on energy generated from fossil fuels. Third, we will actively manage the transition to a low-carbon economy. However a reduction in nuclear should be included as it's not renewable or a low-carbon option.

Background

In December 2017, the Welsh Government published its report into '[Energy Generation in Wales 2016](#)'. The report provides an overview of the energy generation capacity in Wales. It says that of the estimated 38.8 Terawatt hours (TWh) of electricity that was generated in Wales in 2016, 6.9 TWh was from renewable sources. The remaining 31.9 TWh of generation was from fossil fuels. 'Renewable sources' covers a range of technologies: anaerobic digestion, biomass, heat pumps, hydropower, landfill gas, offshore and onshore wind, sewage gas, solar photovoltaics

and solar thermal. The term ‘low carbon technologies’ is also used in the report to cover renewable technologies plus nuclear.

Since the last operational reactor at Wylfa stopped generating in 2015, Wales currently has no nuclear generation. Planning for a new nuclear power station at Wylfa is in advanced stages. Nuclear power is non-devolved, and as such the Welsh Government does not have direct responsibility for consenting or developing nuclear energy projects. The section below on ‘Welsh Government action’ outlines Welsh Government support for the nuclear sector in Wales.

Welsh Government action

The Welsh Government has published a number of policies, statements and consultations relating to its ambition to increase renewable generation and decarbonise the energy sector. These are summarised below.

In 2012, the Welsh Government published [Energy Wales: A low carbon transition, and its associated Delivery Plan was published in 2014](#). The policy and Delivery Plan set out the Welsh Government’s ambition for energy in Wales.

In [Taking Wales Forward \(2016–2021\)](#) the Welsh Government sets out its commitment to:

Support the development of more renewable energy projects, including tidal lagoons and community energy schemes.

The Welsh Government’s [Economic Action Plan](#) contains several references to decarbonisation. It briefly outlines the Welsh Government’s expectation of business in support of decarbonisation and energy targets. It says:

... decarbonisation and reducing carbon footprints has a prominent role within the Economic Contract and our Calls to Action.

In December 2016, the then Cabinet Secretary for Environment and Rural Affairs made a [statement in Plenary on energy](#). In it she set out three energy priorities:

- To reduce the amount of energy Wales uses;
- To reduce Wales’ reliance on energy generated from fossil fuels; and
- To actively manage the transition to a low carbon economy.

She said:

To deliver secure and affordable low carbon energy, we need a mix of different technologies and sizes, from community scale to major projects. In the medium term, this means transitioning to low carbon generation, which includes nuclear. We will maximise the role of renewable generation.

In September 2017, the Cabinet Secretary for Energy, Planning and Rural Affairs made a further [statement on energy](#). In it, she set out the Welsh Government’s ambition for Wales to generate 70% of its energy from renewable sources by 2030, for 1GW of renewable energy capacity to

be locally owned by 2030, and for all new renewable energy projects to have an element of local ownership by 2020.

The Welsh Government's [Local Energy Service](#) provides financial and technical support to help social enterprises and SMEs across Wales to develop their own renewable energy schemes. It consists of a toolkit that provides guidance in developing a project from initial concept through to construction and operation, support and advice, loans and grants for project development, and a partnership portal for peer to peer support.

The Welsh Government is currently [consulting on A low carbon pathway for Wales](#). The consultation is seeking views on how Wales should reduce its emissions to 2030, in line with its duty under the *Environment (Wales) Act 2016*. The consultation is heavily focused on supporting and promoting renewable energy projects. On the issue of nuclear power it says:

A new nuclear power station on Anglesey would be an enormous capital investment and we are working with partners to capture the maximum possible benefit for Wales from its construction and ongoing operation. Small Modular Reactors (SMRs) may provide potential benefit building on the existing technical capacity at existing Welsh nuclear sites. These are very much dependent on UK Government funding decisions.

The Welsh Government is also consulting on [Petroleum Extraction Policy in Wales](#). The consultation proposes a future policy for petroleum extraction:

We do not believe that the evidence set out above, alongside the analysis, presents a compelling case that the benefits of petroleum extraction outweigh our commitment to sustainably manage our natural resources. Therefore our proposed future policy for petroleum (oil or gas) extraction is: **we will not undertake any new petroleum licensing in Wales, or support applications for hydraulic fracturing petroleum licence consents.**

The Research Service has recently published a [blog on the consultation](#).

In her letter to the Committee, the Cabinet Secretary for Energy, Planning and Rural Affairs refers to radioactive waste. She says the Welsh Government has adopted a policy of geological disposal for the long-term, safe and secure management of higher activity radioactive waste – and that a geological disposal facility (GDF) would only be deliverable in Wales on a voluntary basis. This means a local community would have to express a willingness to enter into discussions about potentially hosting a GDF. The Research Service published a [blog on the Welsh Government's GDF consultation](#).

Welsh Government support for nuclear power

In [Energy Wales: A low carbon transition](#) the Welsh Government sets out its view on the role of nuclear power in Wales' energy mix:

In the short term, gas, nuclear and bio-energy will provide the energy to compensate for the intermittency in supply from renewable resources. In the medium to long term, the development of

energy storage technologies and a next-generation 'smart grid' will provide further scope for managing the intermittency and balancing supply and demand more effectively [...]

The development of the Horizon nuclear new build (Wylfa B) is a vital component of not just the Anglesey Energy Island programme but of our wider energy future in providing a constant energy source to complement the intermittency of renewable sources. There are undoubtedly risks associated with nuclear power but the risks posed by climate change are now so serious that we cannot dispense with a key proven low-carbon technology. The Welsh Government supports the development of a new nuclear power station on Anglesey. This development also offers significant long-term economic benefits to Anglesey and North Wales in general with the potential to contribute £2.34 billion to the economy over the period to 2025. Horizon estimates 5,000 construction jobs at peak and around 800 direct jobs in operation over its lifespan.

The Welsh Government has been vocal in its support for nuclear power. On 5 June 2018 the Cabinet Secretary for Economy and Transport issued a [written statement on Wylfa Newydd](#). He outlined that the UK Government had announced it was entering into negotiations with Hitachi on the proposed Wylfa Newydd project. The Cabinet Secretary welcomed the announcement:

The £15 billion Wylfa Newydd new build project in Wales over the next 10 years. Indeed, it is the largest private sector investment in Wales in a generation which comes with real economic transformation potential.

On 28 June 2018, the Cabinet Secretary issued a [statement relating to the UK Government's visit to Trawsfynydd and the launch of the nuclear sector deal](#). He said:

Welsh Government has led the way over many years in supporting the nuclear sector. We have invested considerably in the sector across many areas [...]

We stand ready and willing to work with the UK Government of this hugely exciting and important nuclear agenda.

The statement lists a number of ways that the Welsh Government has supported the nuclear sector in Wales: through supporting the development of supply chains, forming the Wales Nuclear Forum, supporting skills development, funding research, development and innovation.

National Assembly for Wales action

During the Fourth Assembly, the Environment and Sustainability Committee undertook an inquiry into a Smarter Energy Future for Wales. The recommendations in the report included that Wales should:

- Aim to meet all of its energy needs from renewable sources and, in the context of the need to reduce carbon emissions by at least 80% by 2050, set a target date for achieving this; and

- Ensure that national carbon emissions and demand reduction targets become local duties. They should be delivered through the framework set by the Well-being of Future Generations Act.

There have been Plenary questions to the Cabinet Secretary For Energy, Planning and Rural Affairs, Cabinet Secretary for Economy and Infrastructure, and the First Minister on a wide range of areas relating to the petition, including renewable energy, nuclear developments and decarbonisation. The Welsh Government's position is outlined in the previous section. Additionally, in 2017 there was a Plenary debate on [decarbonising the public sector in Wales](#). In June 2018 there was a [Plenary debate on the Swansea Bay Tidal Lagoon](#). During the debate there was cross-party disappointment at the UK Government's decision not to fund the project.

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

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



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref LG/01560/18

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

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

6 September 2018

Dear David

Thank you for your letter of 15 August, regarding the Petition P-05-837 Green Energy for the Wellbeing of Future Generations in Wales.

As a Government we are committed to delivering at least an 80% reduction in emissions by 2050. The energy we use and generate is a key part of our decarbonisation pathway. Renewable energy has an important role to play in achieving our decarbonisation target and given my responsibility for energy I want to do all I can to encourage the deployment of low carbon technologies.

Last year I set ambitious targets for renewable energy generation in Wales. The targets are stretching yet realistic. We are putting in place a strong policy and decision making framework to support delivery of these targets, within the market mechanisms operated by the UK Government.

Investment in renewable energy technologies is an opportunity for businesses to take control of their energy costs and become more sustainable for the longer term. The Economic Action Plan sets out our expectation of businesses in support of decarbonisation and energy targets.

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.

Support for local energy will be delivered through the Welsh Government Energy Service. This brings together our work to support communities and our support for decarbonisation of the public sector. The new service will continue to support the delivery of local energy projects which benefit the communities they are based in, providing the technical and commercial advice needed to make local renewable energy a reality. Increasing the amount of energy generation owned by Welsh people and organisations will retain funds previously used to pay fuel bills within the local economy, contributing to prosperity and local resilience.

However, increased renewable generation alone will not deliver our decarbonisation targets. We must also reduce the levels of generation from fossil fuels. In December 2016 I set out my commitment to reduce our reliance on energy generated from fossil fuels, even though UK Government will still be responsible for consenting such generation above 350MW.

The new oil & gas licencing powers we acquired in October have provided an opportunity to consider what our approach should be for the future extraction of fossil fuels in Wales. I launched a 12 week consultation in July where I have set out a proposal to not allow any new licencing of oil & gas extraction in future, as I believe the development of new petroleum sources runs counter to our commitment to reduce our reliance on fossil fuels.

<https://beta.gov.wales/petroleum-extraction-policy-wales>

<https://beta.llyw.cymru/polisi-echdynnu-petrolewm-yng-nghymru>

Improving and ensuring the security of energy supplies demands the better utilisation of resources whilst increasing the levels of secure low carbon and renewable generation at an affordable cost.

The Wylfa Newydd project is a UK Government sponsored low carbon development. We see this project as presenting a once in a lifetime opportunity for the North Wales Region, having real economic transformation potential by utilising our existing nuclear capability and skilled workforce to deliver high value jobs now and for future generations.

Nuclear projects, including new build, operation & maintenance and decommissioning, will bring a boost to the economy, in terms of direct and indirect employment, and contracted jobs in the wider supply chain. The nuclear industry in Wales has, and will continue to invest heavily in training, through collaboration and partnerships with educational establishments, as it looks to grow its future generations of operational workforce.

Radioactive waste is currently stored safely and securely on site under licence from the UK Government's Office for Nuclear Regulation. The storage and disposal of radioactive waste from Wales' nuclear installations is subject to rigorous regulatory control. The Welsh Government has adopted a policy of geological disposal for the long-term, safe and secure management of higher activity radioactive waste.

The UK Government's geological disposal programme seeks to find one site to dispose of the higher activity radioactive waste arising from Wales, England and Northern Ireland. A geological disposal facility (GDF) would only be deliverable in Wales on a voluntary basis. This means a local community would have to express a willingness to enter into discussions about potentially hosting a GDF and, later on, a test of public support would have to succeed. Any GDF would have to meet rigorous environmental, safety, security and planning requirements.

To meet our obligations to future generations we must ensure the move to a low carbon economy results in a wealthier, more resilient and sustainable Wales. This will require a mix of reliable and affordable energy as well as a skilled workforce employed within an indigenous low carbon energy sector.

Regards
Lesley

Lesley Griffiths AC/AM

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

**P-05-837 Green Energy for the Wellbeing of Future Generations in Wales –
Correspondence from the Petitioner to the Committee, 01.10.18**

Dear Kayleigh

Further to your email of September 24th and attachment I attach our response to the correspondence from the Cabinet Secretary for Energy, Planning and Rural Affairs in line with your deadline of October 2nd for the Petitions Committee meeting on October 9th.

Most of the evidence backing our response is outlined under the appropriate section in the attachment but I also attach a further document which to date has not yet been published backing our arguments about uranium mining. The Author is Pete Roche who has prepared the article for Greenpeace International .

As you can see it is a complex topic and we would be delighted to attend any future Meetings of the Petitions Committee to present our points in more and illustrative detail. We have kept to the 4 page outline as requested but would be happy to elaborate further .

Please confirm you have received and can open both attachments

Thank you for your support and I look forward to further information about the process in due course

Yours sincerely

Mag Richards (Secretariat to Welsh Anti Nuclear Alliance)

<https://emea01.safelinks.protection.outlook.com/?url=www.wana.wales&data=02%7C01%7CSeneddPetitions%40Assembly.Wales%7Ccbdcdfe58b514fd5b58c08d6277b2f1b%7C38dc5129340c45148a044e8ef2771564%7C1%7C0%7C636739808409606583&sdata=Lx3lXzeOEqrhhl7Gxnx2kGX3X0LtlG7gPVjOitKdqc%3D&r eserved=0>



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www.wana.wales

Fao David J Rowlands ; Chair Senedd Petitions Committee

Re. “ Green Energy for the Wellbeing of Future Generations”P-05-837

Response to letter from Lesley Griffiths AM Sept 6th 2018

We endorse a number of the statements made by the Cabinet Secretary in her letter dated September 6th specifically :

- An 80% reduction in emissions by 2050 (although Zero Carbon Britain claims 100%)
- Investment in renewable energy technologies and support for local energy projects
- Reduction in the levels of generation from fossil fuels – (this should also include the phasing out of nuclear power for reasons outlined below).
- Improving security of energy supplies including better uses of resources whilst increasing levels of secure low carbon and renewable generation at affordable costs

However, it is the inclusion of Wylfa Newydd and Nuclear projects as part of a low carbon strategy plus the inference they are clean, green and renewable that has led to this Petition

ABSTRACT

The reality is that the nuclear fuel cycle is a filthy, dangerous and unhealthy process leaving a legacy of radioactive wastes at all stages of the fuel cycle; from fuel production to decommissioning. Support for this technology conflicts directly with the sentiments of the “Wellbeing of Future Generations Act (Wales) 2015”. We also challenge the economic basis on which nuclear developments are based.

The process of acquiring and using nuclear fuel is not low carbon as uranium is imported from countries such as Kazakhstan and its production is energy intensive. This fuel travels an average distance of 2,500 + miles before it reaches us, adding to carbon emissions. In addition emissions will increase as the quality of uranium ore declines and supplies diminish.

We could reduce our carbon footprint quicker and in much more sustainable ways by putting our money into renewables NOW rather than waiting for new nuclear builds (due from 2025+) which require enormous government subsidies. For renewable technologies such as wind, hydro and solar there are no imported fuels they are the second biggest source of electricity in the UK, and there is massive scope for Wales to lead the way in developing low carbon sustainable energy whilst creating green jobs across the Country.

A. NUCLEAR ENERGY WILL NOT SORT CLIMATE CHANGE

1. The Nuclear fuel cycle is not low-carbon

Claims that nuclear power is a 'low carbon' energy source fall apart under scrutiny, writes Professor Keith Barnham. Far from coming in at six grams of CO₂ per unit of electricity for

Hinkley C, as the Climate Change Committee believes, the true figure is probably well above 50 grams breaching the CCC's recommended limit for new sources of power generation beyond 2030.

It is only the power station side that is low carbon. Greenhouse gases are emitted at all stages of the nuclear cycle, fuel production, construction, operation, dismantling and waste disposal. Leaving out any of these stages will bias estimates towards lower values. The last two contributions, dismantling and waste disposal are particularly difficult to estimate. Not many commercial reactors have been fully decommissioned. Also there is still no scientific or political consensus on the approach to be used for the long-term storage of waste.

<https://theecologist.org/2015/feb/05/false-solution-nuclear-power-not-low-carbon>

2. Problems with Uranium

Quality of the Ore - The specific nuclear CO₂ emission will rise during the next decades, due to the depletion of high-quality uranium resources and dependency on ever decreasing ore quality. Lower grade ores require more energy per unit and consequently cause higher CO₂ emission. If no new large high-quality resources are discovered, the nuclear CO₂ emission will eventually surpass that of fossil-generated electricity.

According to figures Jan Willem Storm van Leeuwen has compiled from the WISE Uranium Project about 37% of the identified uranium reserves have an ore grade below 0.05%. The analysis shows that using 0.005% concentration uranium ores a nuclear reactor will have a carbon footprint larger than a natural gas power plant. Nuclear power relying on poor ores, at grades less than 200 grams of uranium per tonne rock, emits as much CO₂ per kilowatt-hour as coal-fired power stations .<https://www.stormsmith.nl/Media/downloads/nuclearEsecurCO2.pdf>

Uranium supplies – New nuclear power plants are supposed to have an operational life of 60 years with a lead-in time of 10 -19 years. Plants currently being planned, would reach their end of expected life during 2080 - 2090; power plants now starting to operate, would be shut-down at the end of 2070. If the World Nuclear Association low growth scenario is assumed as a starting point, the currently operated uranium mines would be exhausted between 2043 and 2055. On this assumption it would not be possible to supply a nuclear power plant being planned now with uranium until the end of its lifetime.

https://www.energyagency.at/fileadmin/dam/pdf/publikationen/berichteBroschueren/Endbericht_LCA_Nuklearindustrie-engl.pdf

3. Climate Change is NOW - Even at the most optimistic build rate, 10 new reactors by 2025, the UK's carbon emissions would be cut by just 4%. The UK has a binding target of a 34 % cut by 2020, meaning that new nuclear's ability to help meet our obligations is tiny. We have limited time and money to spend so must prioritise technologies with the greatest potential to meet our energy needs and cut emissions. Renewable energy industries will not only power our country but also create jobs, new businesses and help make Britain a world-leader in cutting edge 21st century technologies <https://greenpeace.org.uk/what-we-do/climate/energy/dirty-energy/nuclear-power/>

This view is echoed by Tom Burke, Chairman of E3G "We have to think about the deadlines for our emissions targets, if we wait for new nuclear plants to be built then we will fail to meet them. Nuclear is also too expensive, and new reactors are actually based on old, twentieth century technology, and are an inherently inflexible energy source. Our modern energy system needs flexibility, nuclear power cannot keep up."

<https://www.e3g.org/>

Nuclear technology does not adapt well to climate change and can only operate under predictable and controlled conditions. Reactors in France had to be shut down during the recent heat wave because their cooling waters were too warm to be discharged without causing damage to ecosystems - and then there are the predicted sea-rise scenarios !

www.independent.co.uk/news/world/europe/france-nuclear-reactors-shut-down-edf-europe-heat-wave-a8477776.htm

4. Zero Carbon Britain (ZCB)– Rethinking the Future – www.zerocarbonbritain.org

The ZCB scenario demonstrates that we could rapidly reduce UK Greenhouse gas emissions to zero by 2030 using only currently available technology. It outlines how we can provide a reliable energy supply with 100% renewable energy sources and flexible carbon neutral back up - without fossil fuels, nuclear power, or gambling on the promise of future technology. In addition it can deliver a modern lifestyle, create employment, improve our wellbeing, and ensure a safe and sustainable future for future generations.

5. Nuclear 's contribution to total world energy is tiny

Currently the nuclear share of the world energy supply is 1.9%, and declining. Even if nuclear power was CO2 free, which it is not, then the reduction of the human CO2 emission could not be more than 1.9%. Most sensible countries are phasing out nuclear in favour of renewable energies such as wind, tidal, solar <https://www.stormsmith.nl/i05.html>)

6. The weapons connection – Decades of deceit have been thrown overboard with the new nuclear sales pitch, argues Jim Green. The new sales pitch openly links nuclear power to weapons and argues that weapons programs will be jeopardised unless greater subsidies are provided for the civil nuclear industry <https://theecologist.org/2018/sep/20/nuclear-power-lobbyist-michael-shellenberger-learns-love-bomb>

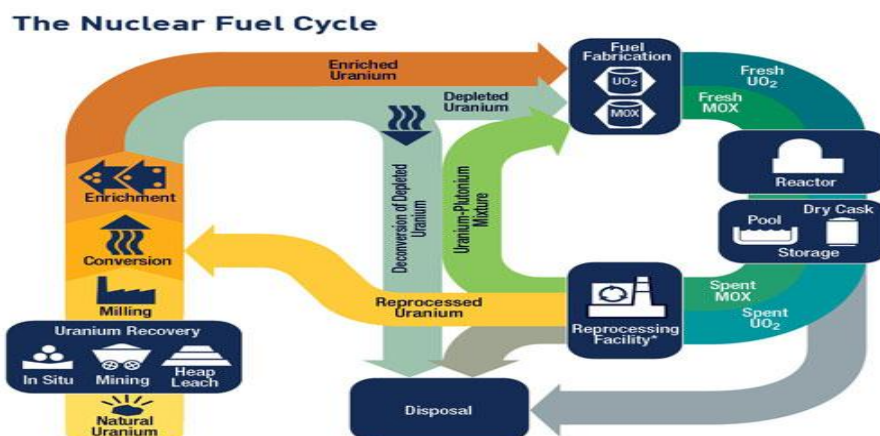
B. NUCLEAR POWER IS NOT CLEAN, GREEN OR RENEWABLE

Currently nuclear capacity in the UK is almost exclusively owned by EDF who secure supplies of natural uranium from a variety of mining operators in a number of countries, including Niger, Kazakhstan, Canada and Australia. EDF work in partnership with a variety of industrial partners such as the French group AREVA and companies such as Urenco (UK, Germany and Netherlands), Tenex (Russia) and USEC (United States).

<https://www.edf.fr/en/edf/nuclear-fuel-cycle-edf-present-at-all-stages>

WHAT IS URANIUM ? - How Does it Work?

In a nuclear power station the uranium fuel is assembled so that a controlled chain reaction is achieved with uranium replacing the burning of coal or gas. The heat created by splitting the U-235 atoms is then used to make steam which spins a turbine to drive a generator, producing electricity. The chain reaction is controlled by rods and moderated by water, graphite and/or heavy water depending on the type of reactor.



* Reprocessing of spent nuclear fuel, including mixed-oxide (MOX) fuel, is not practiced in the United States.
Note: The NRC has no regulatory role in mining uranium.

As of June 2017

U.S. NRC
United States Nuclear Regulatory Commission
Protecting People and the Environment

Stages of production of uranium

1. Mining – Uranium is mostly mined in open pit or underground mines producing large amounts of waste. This waste often contains elevated concentrations of radioisotopes and includes ore with too low a grade for processing. Kazakhstan is the world's top uranium producer, followed by Canada and then Australia - others include South Africa, Niger, Brazil, China, Namibia, Mongolia, Uzbekistan, and Ukraine.

The largest open pit mine in the world is the Rossing Mine in Namibia. Large amounts of material have to be removed as the rock only contains 0.029% of uranium. Approximately 1 billion tonnes of material has so far been removed - one third of which was processed in the uranium mill. The remainder is waste which releases radioactive dust and radon gas.

In Niger AREVA (associate of EDF) established mining 40 years ago, creating what should have been an economic rescue for a depressed nation but their operations have been largely destructive. There are great clouds of dust, mountains of industrial waste and sludge sit in huge piles, exposed to the air; and the shifting of millions of tonnes of earth and rock is corrupting the diminishing groundwater source, due to industrial overuse. The “Left in the Dust” Report shows how AREVA extracts Niger's natural resources, earning billions and leaving little behind but centuries of environmental pollution and health risks for the people, where death rates linked to respiratory problems are twice that of the rest of the country. <https://www.greenpeace.org/denmark/Global/denmark/p2/other/report/2010/left-in-the-dust.pdf>

2. Uranium milling – Once the uranium ore is extracted it is refined into uranium concentrate at a uranium mill. It is crushed into a fine powder referred to as *yellowcake*. The unwanted by-product is the uranium mill tailings, normally dumped as sludge in special ponds or piles, where they are abandoned. The sludge still contains about 85% of the initial radioactivity plus heavy metals and other toxic contaminants used during milling. The WISE Uranium project outlines that the tailings present the most serious long-term hazard generated from uranium mining. <http://www.wise-uranium.org/stk.html?src=stk01e>

3. Uranium conversion - Yellowcake is then converted into uranium hexafluoride (UF₆) gas at a converter facility so it can be used in an enrichment plant. Nuclear fuel for a reactor needs to have a higher concentration of the U²³⁵ isotope than that which exists in natural uranium ore. Conversion plants operate commercially in the USA, Canada, France, Russia and China and create even more waste.

4. Uranium enrichment - During enrichment large quantities of depleted uranium or ‘tails’ are produced. The uranium with a higher concentration of U²³⁵ (enriched uranium) is used for fabricating fuel for reactors. The tails are a serious waste product. For each tonne of enriched uranium, 7 tonnes of depleted uranium is generated. The ultimate fate of the depleted uranium is unclear, but most of it is stored as UF₆ in steel containers in open yards near the enrichment plants.

5. Uranium reconversion and nuclear fuel fabrication

Once the uranium is enriched, it is ready to be converted into nuclear fuel. The fuel assemblies are transported by road or rail and are then placed in the reactor core, where they remain for three to four years, after which they gradually become spent. Spent nuclear fuel is highly radioactive and has to be stored in cooling ponds until a solution is found for disposal. The fuel load for a 900 MW reactor is 157 assemblies containing around 11 million pellets of enriched uranium.

The production of nuclear fuel is a high energy process creating wastes at every stage and to date no safe methods have been found to deal with these wastes. It is unethical to produce more and leave their legacy for future generations to sort out.

Uranium Mining – Pete Roche

The Langer Heinrich uranium mine (LHM) in Namibia has been placed on a care-and-maintenance basis by the Australian operator Paladin Energy.ⁱ The Company itself was put in the hands of administrators in July 2017 because it was unable to pay a US\$277 million debt to EDF.ⁱⁱ The only other mine operated by Paladin – the Kayelekera uranium mine in Malawi – was also put into care-and-maintenance in 2014.ⁱⁱⁱ Paladin CEO Alex Molyneux said: “*The uranium market has failed to recover since the Fukushima incident in 2011.*”^{iv}

Both mines will require remediation work to be carried out but it is extremely doubtful that Paladin will have set aside adequate funds to fulfil its responsibilities. Its 2017 Annual Report lists a ‘rehabilitation provision’ of US\$86.93 million to cover both LHM and Kayelekera. For comparison, Energy Resources of Australia has set aside US\$403 million for rehabilitation of the Ranger uranium mine in Australia in addition to US\$346 million already spent on water and rehabilitation activities since 2012. Remediation of the African mines could be cheaper, not least because of their relative sizes compared with Ranger, but one Malawian NGO, estimates that the Kayelekera mine alone could cost US\$100 million.^v

In 2010 Greenpeace International documented the legacy of waste and environmental destruction left by the French nuclear industry mining of uranium in Niger.^{vi} Clouds of dust caused by controlled explosions at the open pit mine carry radioactive gas towards the towns of Arlit and Akokan. Mountains of industrial radioactive waste sit in the open air for decades. And the shifting of millions of tonnes of rock and earth has corrupted the once clean source of groundwater that is also rapidly disappearing due to industrial overuse. In November 2009 Greenpeace and its partners were able to complete a brief scientific investigation of the area measuring radiation levels in and around the mining towns. In some cases readings went above 100 times internationally recommended levels. In about ten years’ time the local economy around Arlit and Akokan will dry up as the mines run out of uranium, but the people and a legacy environmental pollution will be left behind for centuries to come.^{vii} The waste in Niger includes an estimated 40 million tons of radioactive residues from two mines and 1600 tonnes of contaminated solid waste, as well as additional liquid waste.^{viii}

It’s a similar story in other parts of the world. In the East Singhbhum district of Jharkhand State in Eastern India there are hundreds of cases of congenital illness and other birth defects in addition to a high incidence of infertility, miscarriages and pre-mature deliveries near the Jadugora uranium mines which have some of the best quality uranium ore, and magnesium diuranate deposits in the world. “*Miners working in the mine areas inhale the dust and radon gas. Besides, the uranium ore are transported in uncovered trucks through roads that are full of bumps. This cause the debris to fall off on the sides of the road. Radiation are also caused by dumping of mine’s tailings in uncovered ponds,*” said Ankush Vengurlekar, a photojournalist who has documented people’s suffering because of the “unsafe” mining.

Locals say villages lying close to the tailing ponds are the worst affected. During the dry season, dust from the tailings blows through these villages. During the monsoon rains, radioactive waste spills into the surrounding creeks and rivers, causing further internal radiation as villagers use the contaminated water for washing and drinking and also use the nearby ponds for fishing.^{ix}

Earlier this decade when it looked like there might be a renaissance in nuclear power construction Chinese, Canadian and French firms rushed to exploit uranium deposits in new

countries in Africa. In 2010 one commentator said “*Getting a mine going in Texas takes two bookshelves full of authorisations. In Niger you give a shovel to a guy on \$2 a day and you’re mining uranium.*”^x Even so, in 2016 almost 75% of world uranium production was still taking place in the top three producing countries, Kazakhstan, Canada and Australia.^{xi}

Uranium mining is just the start of the nuclear fuel chain, but these stories serve to illustrate how the nuclear industry, after making a profit, often loads its liabilities onto local residents, taxpayers and electricity consumers. All the way through the nuclear chain, local populations are subjected to increased health risks, and yet more often than not they have not been asked if they are willing to put up with those increased risks.

Uranium Wastes

Most uranium ore is mined in open pit or underground mines. The uranium content of the ore is often between only 0.1% and 0.2%. Therefore, large amounts of ore have to be mined to get at the uranium. In the early years up until the 1960's uranium was predominantly mined in open pit mines from ore deposits located near the surface. Later, mining was continued in underground mines, but many of these closed in the 1980s after prices dropped. The US had lots of underground mines during the Cold War era. After deposits were exhausted many of these were simply abandoned, often without even securing the mine opening presenting a hazard even today.^{xii}

Waste rock is produced during both types of mining. This often contains elevated concentrations of radioisotopes compared to normal rock. Other waste piles consist of ore with too low a grade for processing. These waste piles threaten local populations due to the release of radon gas and seepage water containing radioactive and toxic materials.

The largest open pit mine in the world is the Rossing Mine in Namibia. Large amounts of material have to be removed from the pit as the rock only contains 0.029% of uranium. Approximately 1 billion tonnes of material has so far been removed - one third of which was processed in the uranium mill. The remainder was deposited on waste rock and low grade ore piles. The waste rock piles release radioactive dust and radon gas into the environment.

According to the seminal work on nuclear chemistry published in 1995 by Hoppin, Rydberg, and Liljenzin:

“...Ra [Radium] and Rn [Radon] are among the most radio-toxic substances existing, causing bone and lung cancer at relatively low concentrations, [consequently] special attention must be devoted to their appearance in nature”^{xiii}

Uranium Milling

Ore mined in open pit or underground mines is crushed and leached in a uranium mill – basically a chemical plant designed to extract uranium from ore. It is usually located near the mines to limit transportation. In most cases, sulphuric acid is used as the leaching agent, but alkaline leaching is also used. As the leaching agent not only extracts uranium from the ore, but also several other constituents like molybdenum, vanadium, selenium, iron, lead and arsenic, the uranium must be separated out of the leaching solution. The final product produced from the mill, commonly referred to as "yellow cake" (U_3O_8 with impurities), is packed and shipped in casks.

A rather more unwanted product is the uranium mill tailings which is normally dumped as sludge in special ponds or piles, where they are abandoned. The largest such piles in the US and Canada contain up to 30 million tonnes of solid material. In Saxony, Germany the Helmsdorf pile near Zwickau contains 50 million tonnes, and in Thuringia the Culmitsch pile near Seelingstädt 86 million tonnes of solids.^{xiv}

Milling does not remove long lived decay products such as thorium-230 and radium-226, nor does it remove all of the uranium - about 5% to 10% remains - so the sludge still contains about 85% of the initial radioactivity along with heavy metals and other toxic contaminants such as arsenic, and chemical reagents used during the milling process. The mining and milling process removes hazardous chemicals from their relatively safe underground location and converts them to a fine sand, then sludge, making them more susceptible to dispersion throughout the environment.

Radon-222 gas emanates from tailings piles and has a half-life of 3.8 days. This may seem short, but due to the continuous production of radon from the decay of radium-226, which has a half-life of 1600 years, radon presents a long-term hazard. Further, because the parent product of radium-226, thorium-230 (with a half-life of 80,000 years) is also present, there is continuous production of radium-226.

After about 1 million years, the radioactivity of the tailings and thus its radon releases will have decreased so that it is only limited by the residual uranium contents, which continuously produces new thorium-230.

Radon release is a major hazard which continues after uranium mines are shut down. The U.S. Environmental Protection Agency (EPA) estimates the lifetime excess lung cancer risk of residents living near a bare tailings pile of 80 hectares at two cases per hundred. Since radon spreads quickly with the wind, many people receive small additional radiation doses. Although the excess risk for the individual is small, it cannot be neglected due to the large number of people concerned. EPA estimated that the uranium tailings deposits existing in the United States in 1983 would cause 500 lung cancer deaths per century, if no countermeasures were taken.^{xv}

Due to the long half-lives of the radioactive constituents involved the safety of tailings deposits have to be guaranteed for very long periods of time. After rainfall, erosion gullies can form; floods can destroy the whole deposit; plants and burrowing animals can penetrate into the deposit and thus disperse the material, enhance the radon releases and make the deposit more susceptible to climatic erosion. When the surface of the pile dries out, the fine sands are blown by the wind over adjacent areas. Seepage from tailings piles is another major hazard posing a risk of contamination to ground and surface water. Residents are also threatened by radium-226 and other hazardous substances like arsenic in their drinking water supplies and in fish from the area. The seepage problem is very important with acidic tailings, as the radionuclides involved are more mobile under acidic conditions.

Tailings dam failures have caused pollution problems at uranium mines across the globe. Twenty-one dam failures have been documented by WISE International.^{xvi}

Closure of a uranium mill produces large amounts of radioactively contaminated scrap which will have to be disposed in a safe manner. In the case of Wismut's Crossen uranium mill, in

Germany, to reduce cost some of the scrap is intended to be disposed in the Helmsdorf tailings, but there it can produce gases and thus threaten the safe final disposal of the sludge.^{xvii}

The WISE International Uranium Project detailed the world inventory of known uranium mill tailings in 2011. The South African tailings are from uranium by-product recovery from gold mining; and part of the Australian tailings are from uranium co-product recovery with copper mining (Olympic Dam). Nevertheless the world's inventory of uranium mill tailings amounts to 2,352.55 million tonnes.^{xviii}

Country	Million tonnes of uranium mill tailings
Australia	79
Bulgaria	16
Canada	202.13
Czech Republic	89
France	29.318
Germany	174.45
Hungary	29.4
Kazakhstan	165
Kyrgyzstan	32.3
Namibia	350
Russia	56.85
South Africa	700
Ukraine	89.5
USA	235
Uzbekistan	60

Uranium Enrichment

The raw material obtained from uranium mining is known as yellowcake. It contains U_3O_8 and impurities. To use this in electricity generating nuclear power stations it has to be made into nuclear fuel. Firstly the uranium has to be converted to uranium hexafluoride (UF_6), a compound that can easily become a gas. This property is required for the subsequent enrichment process.

Yellowcake still contains some impurities so prior to enrichment has to be further refined before or after being converted to uranium hexafluoride (UF_6), (known as 'hex'). Conversion plants are operating commercially in the USA, Canada, France, Russia and China. This conversion generates yet more waste. Conversion wastes are usually dumped in large compounds next to the conversion plant.

In France, for instance, the Comurhex Malvési conversion plant, converts U_3O_8 to UF_4 . Further processing to UF_6 is done at the Comurhex plant in Pierrelatte. On March 20, 2004, a dam failure at a decantation and evaporation pond at the Malvési conversion plant released approx. 30,000 cubic metres of liquid and slurries. The dam failure is believed to have been caused by an "abnormal presence of water" due to heavy rain in summer 2003. Production had to be halted again for two months after heavy rainfall at the end of January 2006, to maintain the required safety margin for the ponding water in the compound. However, rain

water came into contact with the spilled slurries from the 2004 event still lying outside of the dams, and contaminants thus dissolved were released into the environment. On March 5, 2006, strong winds resulted in an overflow of several decantation ponds due to insufficient safety margins of the ponding water levels, leading to another spill of nitrate-contaminated waters.

On June 20, 2006, a further spill of an unreported amount of contaminated slurries occurred which covered a surface area of 350 square meters and went undetected for a month.^{xix}

The concentration of the fissile isotope uranium-235 in natural uranium is only around 0.71%. To make nuclear fuel for most reactors this has to be increased to around 3 - 5%. This is known as the enrichment process. In commercially available enrichment plants this is done by a physical process, either by gas diffusion, or by using a centrifuge. For each tonne of enriched uranium, 7 tonnes of depleted uranium (DU) are generated. The ultimate fate of the depleted uranium is mostly unclear, but most of it is stored as UF₆ in steel containers in open yards near the enrichment plants. The U.S. has launched a program to convert the depleted uranium hexafluoride to a chemical form that is more suitable for long term storage.

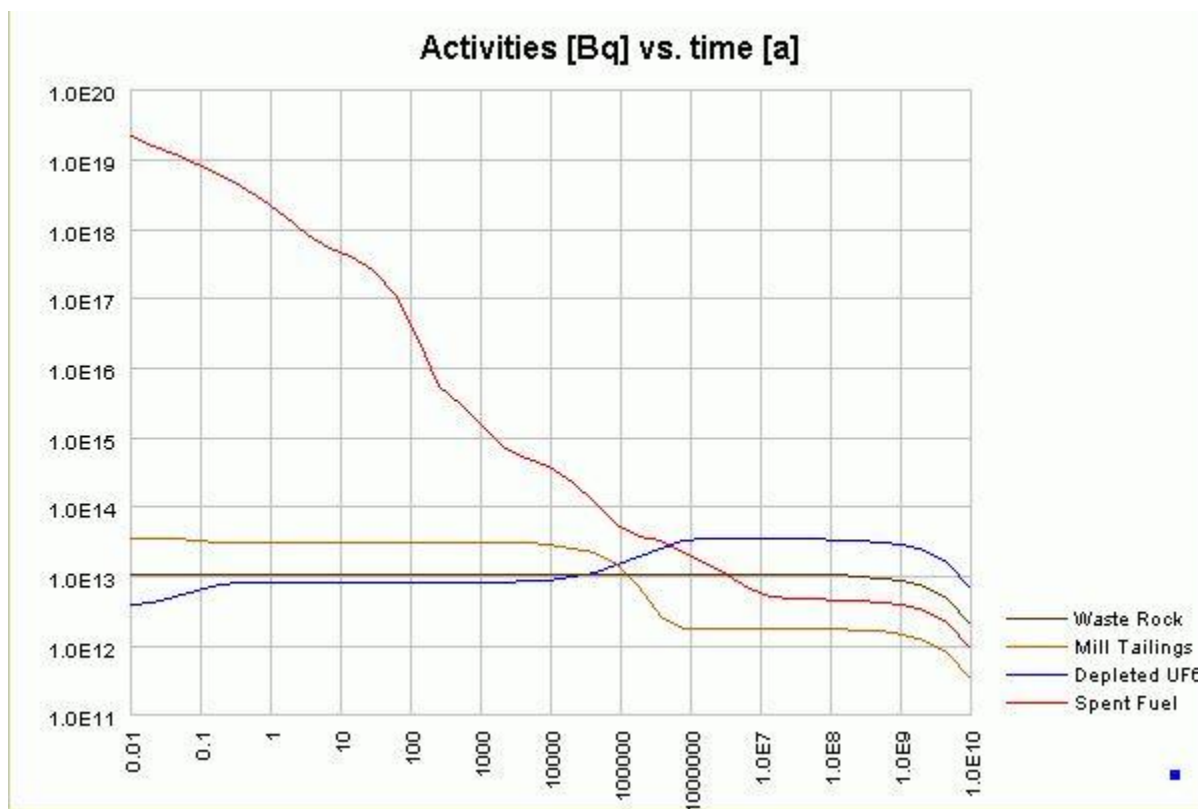
The most recent inventory of worldwide depleted uranium that appears to be available come from the OECD's Nuclear Energy Agency^{xx} in 1999:

Country	Stored as	Stocks in tU
USA	UF ₆	480,000
Russia	UF ₆	450,000
	Metal & oxide	10,000
France	U ₃ O ₈	140,000
	UF ₆	50,000
UK (BNFL)	UF ₆	30,000
Netherlands, Germany, UK (Urenco)	UF ₆	16,000
Japan	UF ₆	10,000
China	UF ₆	2,000
South Korea	UF ₆	200
Total		1,188,200

The OECD report said stocks of depleted uranium arising from the enrichment process are expected to increase by up to 57 000 tU annually for the foreseeable future – so an almost 5% increase every year.

The next step in nuclear fuel production is to convert the enriched UF₆ to uranium dioxide for use in nuclear fuel rods. Minor amounts of waste are produced at this stage of the process.

To illustrate the kinds of timescales we need to take into account, the chart below^{xxi} compares the radioactivity of the various wastes generated by a 1,000MW nuclear power reactor each year. Initially the activity of the spent fuel is by far the greatest, but this decreases continuously. The radioactivity of depleted uranium, on the other hand, actually increases in the long term, so that after half a million years it overtakes spent fuel. (NB. both scales are logarithmic).



ⁱ Paladin Energy, 25 May 2018, 'LHM Confirmation of Care & Maintenance', <https://www.asx.com.au/asxpdf/20180525/pdf/43v8z12d7zf1r0.pdf>

ⁱⁱ Nuclear Monitor #847, 21 July 2017, 'Paladin Energy goes bust', <https://www.wiseinternational.org/nuclear-monitor/847/paladin-energy-goes-bust>

ⁱⁱⁱ Market Wired 7 Feb 2014, Paladin Energy Ltd. 'Suspension of Production at Kayelekera Mine, Malawi', <http://www.marketwired.com/press-release/paladin-energy-ltd-suspension-of-production-at-kayelekera-mine-malawi-tsx-pdn-1876805.htm>

^{iv} Mining Technology, 30 April 2018, 'Paladin begins consultations to place LHM mine on care and maintenance', www.mining-technology.com/news/paladin-begins-consultations-place-lhm-mine-care-maintenance/

^v Green, J. Paladin Energy puts second African uranium mine into care-and-maintenance, Nuclear Monitor #862, June 2018

^{vi} For an update on Arlit see African Arguments 18th July 2017 <http://africanarguments.org/2017/07/18/a-forgotten-community-the-little-town-in-niger-keeping-the-lights-on-in-france-uranium-arlit-areva/>

^{vii} Left in the Dust, AREVA's radioactive legacy in the desert towns of Niger, Greenpeace International 2010 <https://www.greenpeace.org/denmark/Global/denmark/p2/other/report/2010/left-in-the-dust.pdf> See also <https://www.youtube.com/watch?v=ioRtzOWm07A>

^{viii} History and consequences of uranium mining in Niger from 1969 to 2017 by Almoustapha Alhacen, Arlit, Niger.

https://static1.squarespace.com/static/58bd8808e3df28ba498d7569/t/59bd250780bd5e7ca76585f3/1505568010268/Almoustapha_20170910_+English_HN.pdf

^{ix} Anwar, T. *Uranium Mining in Jharkhand: Radioactive Poisoning Ravaging Lives in Villages*, Newsclick 21st June 2018 <https://newsclick.in/uranium-mining-jharkhand-radioactive-poisoning-ravaging-lives-villages>

^x Sunday Times 7th February 2010 <https://www.thetimes.co.uk/article/the-great-uranium-stampede-c7p3m6h9xxd>

^{xi} World Nuclear Association July 2017 <http://www.world-nuclear.org/information-library/facts-and-figures/uranium-production-figures.aspx>

^{xii} See Slide 8 <http://www.wise-uranium.org/stk.html?src=stkd01e>

^{xiii} Hoppin, G. Rydberg, J. Liljenzin, J.O. Radiochemistry and Nuclear Chemistry, Butterworth, Heinmann, Oxford 1995

^{xiv} For more information see Uranium Mining and Milling Wastes: An Introduction by Peter Diehl <http://www.wise-uranium.org/uwai.html>

^{xv} Federal Register / Vol. 48, No. 196 / Friday, October 7, 1983 / See page 45929.

^{xvi} See Chronology of Uranium Tailings Dam Failures, <http://www.wise-uranium.org/mdaf.html>

^{xvii} <http://www.wise-uranium.org/uwai.html>

^{xviii} See slide No.61 <http://www.wise-uranium.org/stk.html?src=stkd01e>

^{xix} <http://www.wise-uranium.org/stk.html?src=stkd02e>

^{xx} Management of Depleted Uranium, OECD/NEA 2001 <https://www.oecd-nea.org/ndd/pubs/2001/3035-management-depleted-uranium.pdf>

^{xxi} WISE Uranium Project, Slide Talk, Nuclear Fuel Production (Conversion, Enrichment, Fuel Prod.), March 2007, Slide No.22 <http://www.wise-uranium.org/stk.html?src=stkd02e>

Agenda Item 2.6

P-05-838 Support the M4 Relief Road Black Route

This petition was submitted by South Wales Chamber of Commerce, having collected 1,482 signatures.

Text of Petition

We call on the Welsh Government to continue with its plans to build the M4 Relief Road along the proposed Black Route, and following the announcement that the Welsh Government will table a debate on the M4 plans later this year, we call on the National Assembly to support the project. The need for a new motorway around Newport is overwhelming with the congestion around the Brynglas Tunnels negatively impacting on businesses and people from across South Wales. The first proposal for a relief road was published in 1991, almost 30 years ago. Although the failure to take action over three decades isn't solely to blame, we believe it hasn't helped the economic well-being of the current generation and has contributed towards:

- The employment rate in Wales being an average of over 3% lower than the UK employment rate since the mid-1990s.
- The Welsh GVA per head being consistently lower than 75% of the UK average since the late-1990s with most recent figures showing that Cardiff's GVA per head is the lowest of the four UK capital cities.

Additional Information

The Welsh Government's analysis from March 2016 finds that a new M4 around Newport will improve connectivity within South Wales and with the rest of the UK which will:

- Reduce journey times bringing particular benefits to logistics firms and 'just in time operations' who currently face regular disruption and associated costs.
- Save South Wales businesses an estimated £34m a year in transport costs.
- Increase access to employment for residents and expand the size of the accessible workforce for businesses.

- Increase the GVA of South Wales by £39m per annum through increased productivity.
- Create access to new employment sites around Newport with capacity for 15,000 jobs and improve access to sites adjacent to the existing M4 which are held back due to regular congestion.
- Improve the perception of Wales for visitors and as a location for investment.

Please change the status quo of the last 30 years and support the government's Black Route proposals for the M4 Relief Road so that we can improve the economic well-being of future generations across South Wales.

Evidence

<http://www.bbc.co.uk/news/uk-wales-politics-43059755>

<https://statswales.gov.wales/v/C8Ns>

<https://statswales.gov.wales/v/C8Nt>

<https://www.ons.gov.uk/economy/grossvalueaddedgva/bulletins/regionalgrossvalueaddedbalanceduk/1998to2016#wales-was-the-fastest-growing-country-in-the-uk-in-2016>

<https://beta.gov.wales/m4-corridor-around-newport-revised-wider-economic-impact-assessment-report>

Assembly Constituency and Region

- Newport West
- South Wales East

Petition: Support the M4 Relief Road Black Route

Y Pwyllgor Deisebau | 9 Hydref 2018
Petitions Committee | 9 October 2018

Research Briefing:

Petition Number: P-05-838

Petition title: Support the M4 Relief Road Black Route

Text of petition:

We call on the Welsh Government to continue with its plans to build the M4 Relief Road along the proposed Black Route, and following the announcement that the Welsh Government will table a debate on the M4 plans later this year, we call on the National Assembly to support the project.

The need for a new motorway around Newport is overwhelming with the congestion around the Brynglas Tunnels negatively impacting on businesses and people from across South Wales. The first proposal for a relief road was published in 1991, almost 30 years ago. Although the failure to take action over three decades isn't solely to blame, we believe it hasn't helped the economic well-being of the current generation and has contributed towards:

- The employment rate in Wales being an average of over 3% lower than the UK employment rate since the mid-1990s.
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The Welsh Government's analysis from March 2016 finds that a new M4 around Newport will improve connectivity within South Wales and with the rest of the UK which will:

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- Improve the perception of Wales for visitors and as a location for investment.

Please change the status quo of the last 30 years and support the government's Black Route proposals for the M4 Relief Road so that we can improve the economic well-being of future generations across South Wales.

Background

The Welsh Government is the highway authority for the Welsh trunk road and motorway network in Wales and is responsible for maintenance and improvement of the network, including the M4. Proposals to increase capacity on the M4 around Newport have been discussed since the early 1990s when the UK Government identified a preferred route, broadly similar to current proposals. Although deemed unaffordable in 2009, a 2013 agreement between the Welsh and UK Governments on borrowing powers revived the project.

M4 corridor around Newport scheme

In 2014, the Welsh Government published [M4 Corridor Around Newport – The Plan](#) setting out its preferred route. In this, the Welsh Government set out plans to build a new section of motorway, known as the 'Black Route' or 'preferred route'.

Alongside creating a new section of motorway – the black route – the Welsh Government also proposed a range of complementary measures including:

- The reclassification of the existing M4 between Magor and Castleton;
- M4 / M48 / B4245 connections; and
- The provision of cycle and walking friendly infrastructure.

The M4 relief road would be the Welsh Government's biggest infrastructure project to date.

The Welsh Government considers its Black Route proposals and complementary measures to be:

the sustainable, long-term solution to current social, environmental and economic problems associated with this route [and an essential part of its] vision for an efficient integrated transport system in South Wales [alongside other projects such as the [South Wales Metro](#)].

In March 2016 a substantial number of documents, marking a key stage in the planning and delivery process for the project, were published. Ten public exhibitions were also announced where members of the public were able to inspect draft orders, environmental information and other associated reports and materials. A [previous blog post by the Research Service](#) contains more information on these reports.

Following the public exhibitions, in June 2016 the then Cabinet Secretary for Economy and Infrastructure Ken Skates, [announced in Plenary that](#):

All the responses have been carefully reviewed. There are significant issues that must be given careful consideration before I reach a final decision on whether to proceed with construction...I have therefore decided that a public local inquiry should be held. An independent inspector will review the need for the scheme and consider all environmental, social and economic factors. They will hear evidence and examine the technical experts as well as hearing from supporters and objectors...to inform a final decision on whether to proceed to construction.

Public local inquiry

The public local inquiry was due to begin in Autumn 2016 with the Welsh Government anticipating that, if the project were to proceed, the new section of motorway would be complete by the end of 2021 and the reclassification of the existing motorway complete by the end of 2022.

In anticipation of the inquiry, the Welsh Government set out its statement of case in August 2016. [Part 1 \(PDF 2.23MB\)](#) of its case details an overview and justification of the scheme. [Parts 2 and 3 \(PDF 2.35MB\)](#) detail a summary of objections received and an outline of the Welsh Government's response.

In October 2016, the Cabinet Secretary [announced that the inquiry was delayed](#) due to the need for revised traffic forecast modelling to be completed. A [further update was given in December 2016](#), where the Cabinet Secretary stated that he had taken a 'fresh look' at the proposals for the relief road in light of revised traffic growth data and the Welsh Government's latest proposals for the [South Wales Metro](#), along with duties required under the [Well-being of Future Generations \(Wales\) Act 2015](#). The Cabinet Secretary stated that he had also taken a fresh look at alternative routes including 'the much discussed 'Blue Route' (more information is included later in this briefing)' but believed that 'the proposed M4 Project remains...the long-term, sustainable solution'.

The inquiry began on 28 February 2017 with an independent inspector appointed to consider evidence in a transparent, fair and impartial way. Upon conclusion of the inquiry, a report will be issued to the Welsh Ministers on the inspector's findings and recommendations. The Welsh Ministers will then consider this report to decide whether the scheme should go ahead with or without modifications. The inspectors report is not binding on the Welsh Ministers.

The inquiry closed in April 2018, with all of the related documents and information [available to view online](#).

Support and objections

The proposals for the M4 have regularly made headlines with a number of objectors and supporters, this was emphasised by the inspector's [opening remarks](#) (PDF 205KB) to the inquiry which summarised the main grounds for support and objections to the proposed 'Black Route'.

The inspector stated that at that time **around 200 unique pieces of correspondence had been submitted from individuals, companies and organisations (mainly across South Wales) which 'clearly expressed support'**. Supporters of the proposed scheme, as summarised by the inspector in his opening remarks, believed it would:

- Regenerate the city of Newport;
- Improve air quality;
- Improve the local and national economy;
- Remove barriers to investment in the area;
- Improve access to Newport Docks and industrial areas;
- Remove unsatisfactory junctions; and
- Provide a modern high quality strategic route.

The inspector **also noted that there were 'something in the order of 340 unique [objections](#)'**. In his opening remarks the inspector summarised the main themes behind the objections. Objectors believed that the scheme cannot be justified on the grounds of:

- Value for money;
- Current air and noise pollution;
- Its effects on an historic landscape;
- Its impact on the environmentally rich and established Gwent levels and on wildlife;
- Its impact on sites of special scientific interest and designated special areas of conservation;
- Potential for alternatives to be developed that would be satisfactory in terms of road transport less costly and damaging to the environment or to local communities; and
- An incompatibility with the goals of the *Well-being of Future Generations (Wales) Act 2015*.

In December 2017, [the Cabinet Secretary issued a statement regarding objections made by Associated British Ports \(ABP\) concerning Newport Docks](#). The statement outlined that a:

collaboration between [the] Welsh Government and ABP has developed a detailed scope of enabling works to integrate Newport Docks with the M4 Project...[the works mean that] the opening date of the new section of motorway is now forecast to be autumn 2023, although consideration is being given to phasing of opening sections in 2022.

The local authority, Newport City Council, agreed it's [position at a full Council meeting in November 2017](#). The Council:

accepts the current Public Inquiry as the legitimate forum for investigating outstanding issues regarding the proposals for an M4 Relief Road. Council has previously expressed support for the M4 Relief Road as a way of easing traffic congestion in and around Newport and trusts that the Public Inquiry will reach a balanced conclusion taking into account transport, environment, public and business concerns in Newport and South East Wales. Council calls on the Welsh Government to make a decision on the project and its funding as soon as possible after the current process is concluded.

In September 2018, the Future Generations Commissioner for Wales [published a report titled 'Transport Fit for Future Generations'](#) proposing an alternative option to 'solve congestion around Newport' by investing the:

the £1.4bn currently earmarked for the M4 Black Route...in public transport, active travel and ensuring delivery of all phases of the South Wales Metro.

Alternative options

A number of alternatives have previously been proposed to the Welsh Government's preferred 'Black Route' option in developing plans for the M4 corridor around Newport. The Welsh Government consulted on a [draft Plan](#) in late 2013 which considered two 'reasonable alternatives', namely the 'Red Route' (a dual carriageway to the South of Newport) and a 'Purple Route' (a motorway along an alternative alignment to the South of Newport).

In July 2014, the Welsh Government published an [appraisal of alternatives considered during the consultation process](#) (PDF 2.39MB). This also considered an alternative 'Blue Route' which would use a combination of the A48 Newport Southern Distributor Road and the former Steelworks Road on the eastern side of Newport to create a new dual carriageway.

The 'Blue Route' was proposed by the [Institute of Welsh Affairs](#) and [Professor Stuart Cole](#) in a [Blue Route Report](#) (PDF 814KB) published in December 2013. Supporters argue that this would be both cheaper and quicker to build than the relief road.

However, the Welsh Government's 2014 appraisal suggested that the 'Blue Route' would not achieve the scheme objectives, and would itself require significant investment with insufficient benefit.

An ['Appraisal of Objectors' Alternative Blue Route Proposals](#) was published by the Welsh Government in December 2016, in light of the revised traffic modelling that was required as outlined earlier in this briefing. This appraisal concluded that:

The Blue Route would not address the identified transport related problems as well as the M4 Corridor around Newport Scheme... the Welsh Government is not promoting the Blue Route, which has been suggested by objectors. However, the Blue Route and the findings of this appraisal will be

considered as part of the Public Local Inquiry into the Welsh Government's proposed M4 Corridor around Newport Scheme.

The Welsh Government's [opening statement](#) (PDF, 356KB) to the public local inquiry outlined that the Welsh Government had 'received details of 22 alternative routes' from objectors to the preferred option during public consultation. [Details of these 22 objectors alternatives](#) (PDF, 136KB) were made available as part of the inquiry. In March 2017, the Welsh Government published its '[Objector's Suggested Alternatives Report](#)' (PDF, 56.1MB) which considered each of these alternatives. The Welsh Government was obliged to do this and to submit the report to the inspector as part of the inquiry.

Welsh Government Action

In his letter to the Chair of the Petitions Committee, the Cabinet Secretary for Economy and Transport highlights that the Welsh Government is awaiting:

the inspector's report, which, once received, will be given due consideration before the statutory decision making process is concluded.

The Cabinet Secretary also highlights that a debate will take place in Plenary before a final decision is made by the Welsh Ministers. This was also outlined in a [statement by the Cabinet Secretary in April 2018](#) which was issued to announce that the public local inquiry had closed. The statement outlined that upon receiving the inspector's report:

the Welsh Ministers must complete the statutory process. The next steps will be announced, alongside publication of the inspectors' report for all to see. In recognition of the importance of this matter to the whole of Wales, we have committed to a debate in Government time in the Assembly before a final decision is made by the Welsh Ministers whether to enter into contracts for construction.

National Assembly for Wales Action

The M4 relief road has been discussed in [June 2018](#) and [July 2018](#) by the Assembly's [Economy, Infrastructure and Skills Committee](#) as part of its [inquiry into the state of roads in Wales](#).

There have also been a number of debates held on the M4 corridor around Newport in Plenary. The most recent took place in February 2018 as Plaid Cymru [tabled a debate on the proposed M4 relief road](#). A motion was tabled in the name of Rhun ap Iorwerth AM that:

the Welsh Government should not commit to financing the proposed M4 relief road without a meaningful vote on a substantive motion in the Assembly following the conclusion of the current public inquiry.

The motion was not agreed. However an amendment tabled in the name of Julie James AM was agreed that:

the National Assembly for Wales recognises that a public inquiry by independent inspectors into the M4 corridor around Newport project is still underway and nothing should be done to prejudice the outcome of the inquiry, the inspectors' report or the statutory process.

However, it has since been [stated that the Assembly will have a vote](#) on the matter although further detail on the form the vote will take and whether it will be binding on the Welsh Ministers has not been announced.

At the time of writing this brief, a date for the Plenary debate and vote has yet to be announced. On 13 September 2018, [Adam Price AM tabled a question](#) asking the First Minister to make a statement on the proposed plan for the M4 relief road. The First Minister's response stated that the Welsh Government:

expect to receive the Public Inquiry report shortly. That, plus the decision on the Statutory Orders, will be the subject of the debate and vote in this chamber before the final decision whether to proceed with construction.

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/02507/18

David John Rowlands AM
Chair - Petitions committee.

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

Dear David

18 September 2018

Thank you for your letter of 15 August regarding Petition P-05-838 in support of plans to build the M4 Relief Road along the proposed Black Route.

The M4 Corridor around Newport Project is, in collaboration with the Metro, Welsh Government's proposed long-term, sustainable, transport solution for south Wales. After more than a year, the public inquiry into this project finished in March. The inquiry facilitated open and robust scrutiny, by independent inspectors, into all aspects of the proposals. All parties have had their say, both for and against the scheme.

We now await the inspector's report, which, once received, will be given due consideration before the statutory decision making process is concluded.

In recognition of the importance of this matter to the whole of Wales, we have already committed to a debate in Government time in the Assembly before a final decision is made by the Welsh Ministers on whether to proceed to construction. The spirit of the petition is of course recognised and I am happy to provide further information on the project to the petitions committee if they wish. However I would suggest that appropriate and comprehensive processes are in place to both inform and scrutinise decision making around what would undoubtedly be a significant infrastructure investment for Wales.

Further general information on the project can be found at our website using the following link: <https://gov.wales/m4newport>. Should the committee have any specific questions please let me know.

Ken Skates

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

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

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

Agenda Item 3.1

P-05-775 Put an End to the Cross Border and Sub-contracting Taxi Licensing Loophole.

This petition was submitted by Taxi Drivers of Cardiff, having collected 390 signatures online.

Petition text:

We call on the National Assembly for Wales to urge the Welsh Government, in the context of its consultation into the reforms of the taxi licensing laws, to put a stop to the 'cross border' and 'sub-contracting' loophole in the law which means hundreds of out of town taxis and private hire vehicles descend on Cardiff to work Private Hire.

Additional information:

There are enough Cardiff licensed vehicles to cover the City without the need for these cars from as far afield as London, Merseyside, the Midlands etc. As well as from neighbouring authorities like Newport, the Vale and RCT etc.

There have even been vehicles not working on any platform, illegally plying for hire, hiding behind the fact so many 'alien' cabs are in the City.

Many of these vehicles have NO markings on them, making a mockery of the standards set by Cardiff County Council for vehicles licensed by themselves, including highly visible livery and local street knowledge. Alas it will be only matter of time before a vulnerable person jumps into a non licensed car with catastrophic results.

We urge the Welsh Government to ensure that the only Taxis and Private Hire vehicles allowed to work in Cardiff are those licensed by Cardiff County Council. This is to ensure public safety and to ensure that Cardiff isn't saturated with even more cars than what is needed which if allowed to continue will see even more congestion and pollution in our Capital. It will also give existing drivers licensed by Cardiff a chance to earn something approaching a living wage.

Assembly Constituency and Region

- Cardiff South and Penarth
- South Wales Central

P-05-775 Allow Free Movement of Taxi Drivers to Carry Out Private Hire Work Anywhere in Wales – Correspondence from the Petitioner to the Committee, 27.09.18

Thank you for giving TDC the opportunity to respond to 'Taxis Without Borders' petition. Obviously we disagree strongly with their assertion that licensed drivers should be able to work anywhere in Wales regardless of what Local Authority they are actually licensed by.

If taxis are allowed to work without borders they will obviously gravitate to the busiest and most populous areas. Consequently many areas would be left with a shortage of vehicles to provide a vital transport service for the elderly and disabled members of the community. If taxis are to be considered part of the transport infrastructure a situation that sees the risk of the most vulnerable members of society marginalised and disadvantaged cannot be allowed.

We strongly believe that you should only work where you are licensed. In our briefing paper, which we sent to every AM (attached) we state:

Changes we believe that are required

1. Every journey for both Hackney and Private Hire needs to start or end in the area the driver and vehicle is licensed OR operators must not dispatch a booking to a vehicle when the vehicle is outside the authorities border, unless the booking ends within the authorities border. This will not stop customers from requesting a fare to any destination, and from any company but it will prevent areas becoming saturated with 'out of town' vehicles working predominantly in areas they are not licensed. This will

simplify legislation and make it easier to enforce.

This week we also saw the publication of the Department for Transport Task and Finish Group report into Taxi and Private Hire licensing (attached)

Among the recommendations they make in Westminster are:

Recommendation 11

Government should legislate that all taxi and PHV journeys should start and/or end within the area for which the driver, vehicle and operator (PHV and taxi – see recommendation 6) are licensed. Appropriate measures should be in place to allow specialist services such as chauffeur and disability transport services to continue to

operate cross border.

Operators should not be restricted from applying for and holding licences with multiple authorities, subject to them meeting both national standards and any additional requirements imposed by the relevant licensing authority.

Also included in the DfT report is the setting of national standards and the ability for local authorities to cap the amount of Private Hire licenses issued, both of which we strongly agree with.

Whilst it is encouraging that Mr Ken Skates proposals will "include new measures to limit out of area working" we feel measures to just limit out of area working will not go far enough, and will leave the door open for loopholes in legislation to appear and be exploited. The whole licensing framework needs to be simplified and we feel if cross border hiring is not stopped in its entirety then it will only confuse matters further.

As far as the need to increase capacity during major events, perhaps more pressure needs to be placed on local authorities when it comes to transportation in the way of more frequent "night buses" and on the train companies in the way of more frequent and reliable trains laid on through the night.

Kind Regards

TDC

Agenda Item 3.2

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

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

Text of the Petition

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

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

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

Assembly constituency and Region.

- Cardiff West
- South Wales Central



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

27 June 2018

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

Dear David,

Thank you for your letter regarding Laura Williams' petition, which addresses the accessibility of mental health services in Wales. The petition touches on a number of areas which are priorities in Mind's work and I have sought to address each of the points raised in your letter below.

Ms Williams' experiences do unfortunately reflect the experiences of many people with mental health problems who need urgent support. We are aware that a number of health boards are currently developing their mental health crisis services and considering new models of care. However there is still a long way to go until quality crisis care is available 24 hours a day, 7 days a week to anyone who needs it.

The majority of people with a mental health problem will be treated solely within primary care, but it is vital that GPs have the training and support they need to recognise when someone is in a crisis or has needs that require support from secondary mental health services. Following a survey of 100 GPs in Wales which highlighted that mental health now accounts for 40 per cent of all GP appointments, we are calling for GP speciality training to be extended from 3 years to 4 years across the UK, and for the Welsh Government to expand the rotation options available to trainees in Wales to offer a wider range of mental health settings. We have written to the Cabinet Secretary regarding this issue and are awaiting a response.

Crisis services must be accessible; many crisis teams in Wales still do not operate on a 24/7 basis, resulting in an over-reliance on the police and other emergency services which are not appropriate or equipped to support those in a mental health crisis. Far too many end up being detained under the Mental Health Act because they couldn't get the support they needed at the right time. Positive work has been undertaken in relation to the development of a Crisis Care Concordat for Wales, which has provided greater co-ordination across

agencies such as police and health but there is more work to be done in order to embed the concordat.

As part of our response to the Health, Social Care & Sport Committee's Inquiry into suicide prevention, we undertook some engagement work to seek views on how crisis services could be improved. Some of the responses are below:

"Easier and instant access to mental health outreach nurses and a mental health doctor at A/E"

"Crisis team open later than 9pm, crisis centre/cafe opening up to give people somewhere safe to go ..."

"A 24/7 system. The ability to be able to come to the home instead of having to make long journeys to be assessed when you don't want to leave the house."

We are currently undertaking a piece of work to assess the effectiveness of care and treatment planning in supporting people to recover from a crisis and stay well. We are not yet in a position to present any insight from that work, but we would be more than happy to report back to the committee on our findings in the Autumn.

There is lack of robust data on how long people are waiting to access psychological therapies, or whether they are experiencing positive outcomes as a result of such treatments. The figures published by Welsh Government under Part 1 of the Mental Health (Wales) Measure 2010 only cover waiting times for assessment and treatment under Local Primary Mental Health Support Services. There is also no breakdown of the types of treatment being delivered; these figures cover a wider range of treatments than just psychological therapies.

Ms William's petition also highlights the lack of choice often faced by people who are offered therapies. Group therapies can be beneficial for some, but due to poor service capacity many people are placed in group-based therapy when they need one-to-one sessions. In February 2016 Mind surveyed over 400 people in Wales who had requested or accessed psychological therapies in Wales in the last three years. Some of the findings were shocking – almost half of people (48%) had to request psychological therapies, rather than being offered them, and 70% of people said they weren't offered any choice in the type of therapy they received.

There is no publically available, dynamic source of data showing how long people are waiting to access psychological therapies within secondary care, but our own research and engagement suggests a high number of people are waiting several months. Mind's belief is that no one should have to wait longer than 28 days to receive psychological therapies from the point of requesting a referral, and that a full range of evidence based therapies should be available in every area.

The Welsh Government have not yet published an annual report on progress under the Together for Mental Health delivery plan 2016-19. The most recent annual report covered the year 2013-14. It is extremely difficult to assess whether or not services are improving under the strategy without this level of accountability being provided.

While we know that resources for mental health services are not sufficient to meet growing demand, it is difficult even to gauge how much of the mental health budget is in fact being

spent on general mental health. 'Mental health' spend within NHS Wales includes money spent on dementia services and there is no disaggregated data available.

As reported by the Royal College of Psychiatrists Wales:

NHS spending data (as reported in programme budgets) is only currently available up to and including 2015/16.¹ Investment peaked in real terms in 2010/11, when it reached £699.83m in current prices. By 2015/16 it had almost recovered the lost ground in the intervening period but remains 0.3% below that peak point (£697.94m).

Mental health spending was hit by real terms cuts in 2011/12 and 2012/13, when overall NHS funding also declined in current prices. The cut was slightly smaller than the rest of the NHS in 2011/12 (0.6% compared to 0.8%), but the situation was very different in 2012/13, when mental health spend declined by 5.7% in current prices compared to just 0.75% for the rest of the service.

I hope the above information is useful in supporting the committee's inquiries. We would be happy to provide further thoughts if required.

Yours sincerely,

Simon Jones
Head of Policy and Influencing
Mind Cymru

¹ Welsh Government, [NHS expenditure programme budgets](#), 2008 to 2017

Agenda Item 3.3

P-05-791 Terminate Private Parking Contracts at Welsh Hospitals

This petition was submitted by Nick Harding having collected 102 signatures online.

Petition text

It has been nearly 10 years since the Welsh Government abolished hospital parking charges yet Cardiff and Vale UHB still contracts Indigo Parking UK who ruthlessly rack up charges against hard working NHS staff and sick patients. The members of society who can least afford it!

It is time to terminate private parking contracts across Welsh hospitals with immediate effect and stop these companies charging the weak and vulnerable.

Additional Information

This petition aims to show support for those who have been charged by enforcement companies like Indigo Parking UK, often when they are at their most in need.

Removing these companies should be a matter of Law and it should be shown that they are not welcome in Wales.

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

Agenda Item 3.4

P-05-797 Ensure access to the cystic fibrosis medicine, Orkambi, as a matter of urgency

This petition was submitted by Rhian Barrance and was considered by the Committee for the first time in January 2018, having collected 5,717 signatures online.

Text of Petition

We call on the National Assembly for Wales to call for a resolution to ongoing negotiations between NHS Wales, the All Wales Medicines Strategy Group, the Welsh Health and Specialised Services Committee and Vertex Pharmaceuticals regarding access to the cystic fibrosis medicine, Orkambi, as a matter of the utmost urgency.

Additional Information

418 people in Wales have cystic fibrosis (CF). CF is a life-shortening, inherited disorder. The median age at death for a person with CF in 2016 was just 31 years of age. CF is caused by mutations in the CFTR gene which result in the build-up of thick, sticky mucus in the lungs and other organs. Gradually, this build up causes chronic lung infections and progressive lung damage. The treatment burden for a person with CF is high and daily life can be a struggle.

Orkambi is a precision medicine that 40% of people in the UK with CF could benefit from. While conventional CF treatments target the symptoms, precision medicines tackle the underlying genetic mutations that cause the condition. Though Orkambi is not a cure, it has been found to slow decline in lung function – the most common cause of death for people with CF – by 42%.

In July 2016, the National Institute of Clinical Excellence (NICE) recognised Orkambi as an ‘important treatment.’ They were, however, unable to recommend the drug for use within the NHS on grounds of cost effectiveness and a lack of long-term data.

In June 2017, the Cystic Fibrosis Trust organised a day of national protest at the Senedd, Stormont, Holyrood, Downing Street and online to demand an

end to the deadlock. Since the protests, the Welsh Health and Specialised Services Committee (WHSSC) have presented the All Wales Medicines Strategy Group (AWMSG) with the portfolio approach developed by the drug's manufacturer, Vertex Pharmaceuticals.

We call on the National Assembly for Wales to call for a resolution to these ongoing negotiations between NHS Wales, the AWMSG, WHSSC and Vertex Pharmaceuticals as a matter of the utmost urgency. It is essential that a fair and sustainable method of reimbursement is found for Orkambi and for the exciting pipeline of future treatments.

People in Wales have been waiting too long for this transformative drug. They deserve better.

Assembly Constituency and Region

- Cardiff West
- South Wales Central

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



Llywodraeth Cymru
Welsh Government

Our ref VG/01814/18

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

SeneddPetitions@assembly.wales

25 May 2018

Dear David,

Thank you for your invitation to attend the Petitions Committee regarding Petition P-05-797 about access to the cystic fibrosis medicine, Orkambi® (lumacaftor/ivacaftor).

One of the tenets of prudent healthcare is “making the most effective use of all skills and resources”. As such, I am guided by the independent advice that the All-Wales Medicines Strategy Group (AWMSG) and NICE provide about the clinical efficacy and cost-effectiveness of the medicines they appraise. If either organisation recommends a medicine, that medicine will become available in every health board no later than two months after the recommendation is published.

As you know, NICE has already appraised Orkambi® and advised that they do not consider that its cost is in balance with the clinical benefits that a patient would gain from using it. As I noted in previous correspondence, AWMSG has contacted the manufacturer, Vertex Pharmaceuticals, and strongly encouraged them to make a submission for appraisal. The most recent attempt to engage with Vertex was on 27 April when AWMSG invited them to submit any new evidence they may have about how well Orkambi® works. There has still been no response from the company.

If Vertex has new evidence about their medicine’s efficacy, it is their responsibility to submit this evidence to AWMSG or NICE for appraisal. I have recently written to Vertex myself and urged them to do so.

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.

I have made my position clear and I do not think that I could add anything further by attending the Committee.

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' and a long, sweeping tail on the 'g'.

Vaughan Gething AC/AM

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

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

12 July 2018

Dear Mr Rowlands,

Petition P-05-797 Ensure access to cystic fibrosis medicine, Orkambi, as a matter of urgency

Thank you for your letter of 14 June regarding the aforementioned petition.

The fully costed proposal for making all Vertex medicines for cystic fibrosis available to eligible NHS Wales patients, referred to in my previous letter to you of 1 May 2018, was made at a meeting with NHS Wales All Wales Medicines Procurement on 21 February 2018, followed up with written confirmation of the details on 9 March 2018. This resulted from commercial discussions that Vertex was having with All Wales Medicines Procurement on a possible solution for funding the portfolio of Vertex medicines for cystic fibrosis. We entered those discussions with All Wales Medicines Procurement in good faith, and with Welsh Government's knowledge, and had several productive discussions in January and February towards agreeing a framework contract for the provision of all Vertex medicines to NHS Wales.

Because the discussions were abruptly terminated in March, we had not formally submitted evidence, such as clinical data, relating to the effectiveness of Orkambi® (lumacaftor/ivacaftor). However, the clinical efficacy of this medicine is publicly available in the European public assessment report and Summary of product characteristics, published by the European Medicines Agency¹. In the context of the commercial discussions on a possible framework contract, we were not invited to submit clinical or cost-effectiveness data, however, it was our understanding that – had the procurement discussions progressed – all available clinical evidence would be considered and validated by the All Wales Medicines Strategy Group (AWMSG) as part of any Health Technology Appraisal aspects of any framework contract agreed. Any framework contract agreed would, we understood, be approved, by the All Wales Drug Contracting Committee (AWDCC), as is required for such agreements.

We are somewhat puzzled by the assertion that Vertex has been invited repeatedly by AWMSG to submit for appraisal new evidence about the efficacy of lumacaftor/ivacaftor not available at the time of the technology appraisal by the National Institute for Health and Care Excellence (NICE) in 2016. It should also be clarified that the AWMSG has not formally contacted us about this, though the All Wales Therapeutics and Toxicology Centre (AWTCC) did contact us to ask about our intentions regarding resubmission on 27 April 2018, following

¹ European Medicines Agency: Orkambi lumacaftor / ivacaftor
http://www.ema.europa.eu/ema/index.jsp?curl=pages/medicines/human/medicines/003954/human_med_001935.jsp&mid=WC0b01ac058001d124#product-info

the interruption of the abovementioned negotiations that we had been pursuing. Prior to this, we had only discussed, with no undertakings in principle given, the necessity of submitting the clinical efficacy evidence following the recent granting of regulatory approval for lumacaftor/ivacaftor in patients aged 6-11 at the multi-agency meeting we had on 21 November 2017, as well as the challenges of doing this when it is not currently possible, it seems, for AWMSG to reappraise lumacaftor/ivacaftor for patients aged 12+, whilst a commissioning policy does not exist in England. As indicated above, we agreed, to take forward procurement discussions with All Wales Medicines Procurement in the expectation that there would be a role or bespoke process for the AWMSG to consider and validate evidence relating to effectiveness as part of any Health Technology Appraisal aspects of any framework contract agreed.

It is important to stress that we made proposals which would cover the portfolio of Vertex current and future medicines for cystic fibrosis, including but not limited to lumacaftor/ivacaftor. To place this in some context, over the next seven years, Vertex anticipates submitting 18 applications for either new precision medicines, tailored to specific genetic mutations, or line extensions that could treat 90% of people with cystic fibrosis.

A portfolio approach with a fixed budget cap would ensure timely and equitable access for eligible patients to all Vertex's cystic fibrosis medicines, complete prescribing flexibility to NHS clinicians, long-term budget certainty and value for NHS Wales, and a fair return to Vertex. Such an arrangement would allow us to provide substantial discounts across the portfolio, but requires flexibility on the part of NHS Wales in how they value our precision medicines with disease modifying potential for a rare and debilitating condition. We appreciate that this is an innovative approach which is why we wanted to ensure that all relevant agencies were aware of what we are seeking to achieve and to find a "suitable approach for handling the appraisal of the extended licensed indications that will come through the pipeline over the next few years"².

As we have indicated to Members, since March/April we have been endeavouring to identify an interlocutor at NHS Wales Shared Services Partnership, so that we are able to resume the discussions with All Wales Medicines Procurement (which sits within NHS Wales Shared Services Partnership). We were not informed that those discussions were terminated in March due to any other reason than a staffing issue and still remain ready to continue them at any time.

After making further inquiries with the Cabinet Secretary for Health, we understand, however, that the Chief Pharmaceutical Officer has concerns about how we have engaged with the appraisal processes in Wales. We would be happy to meet him and all the relevant agencies and stakeholders as soon as possible to explain how we have engaged to date and to find a way forward acceptable to all parties.

Vertex appreciates that decisions about the availability of treatment are based on evidence of effectiveness and the extent to which benefits are in proportion to cost, and wish to continue to engage with NHS Wales on this basis.

We are encouraged that the Cabinet Secretary said in his letter to me of 11 June 2018 that "the NHS remains willing to consider a revised procurement proposal". Vertex is keen to get back around the table as quickly as possible and we are submitting a portfolio proposal to All Wales Medicines Procurement today.

² Welsh Government e-mail to Vertex, 6 October 2017

We share the cystic fibrosis community's sense of urgency to find a solution and thank you and the Committee for your support in finding a way forward which expedites access to lumacaftor/ivacaftor and other promising treatments for people with cystic fibrosis.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'MAOL', with a stylized flourish at the end.

Michael Oliver
UK Country Manager
Vertex Pharmaceuticals



National Assembly for Wales Petitions Committee: Petition P-05-797: Ensure access to cystic fibrosis medicine, Orkambi, as a matter of urgency

20 September 2018

Further to our letter to the Chair of the Petitions Committee dated 12th July indicating that we submitted a portfolio proposal for our cystic fibrosis medicines, we have received responses from the Cabinet Secretary for Health and Social Services, NHS Wales Procurement Services, and the Chair of the All Wales Medicines Strategy Group (AWMSG).

It is clear from these responses that the continuation of discussions on the portfolio, which we had been having with All Wales Medicines Procurement earlier this year, is a route that is no longer open to us.

Whilst this is disappointing and would not have excluded appraisal of our medicines by AWMSG as part of an agreement, we wish to discuss with AWMSG and/or the All Wales Therapeutics and Toxicology Centre (which advises the AWMSG) how we can proceed with appraisals for Orkambi (lumacaftor/ivacaftor) and Vertex's future cystic fibrosis medicines. We hope to meet at the earliest opportunity to take this forward.

We will keep the Committee updated on progress.

Cystic Fibrosis a fight we must win

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

01 October 2018

Dear Mr Rowlands,

We are grateful for the continuing efforts of the Petitions Committee of the Welsh Assembly in exploring access to the most advanced cystic fibrosis medicines in Wales, through communication with Vertex Pharmaceuticals and the Cabinet Secretary. I know that you appreciate that urgency is vital.

The petition 'Ensure access to the cystic fibrosis medicine, Orkambi, as a matter of urgency' was handed in on 10 January 2018 and people with cystic fibrosis in Wales have already waited nearly three years for access to the drug since its European license in November 2015, and subsequent appraisal by the National Institute for Health and Care Excellence (NICE). During this time the cystic fibrosis community have experienced bitter disappointment, deterioration and, for some, death.

Disease-modifying therapies, such as Orkambi, which tackle the root cause of cystic fibrosis, are offering hope to our community. There are 433 with cystic fibrosis in Wales, around half of whom could stand to benefit from Orkambi.

As we celebrate these advances in cystic fibrosis treatment, Orkambi is still not readily available to those patients who so desperately need it.

The Trust calls on all parties involved to accept their responsibility in making sure these treatments are made available to Welsh people with cystic fibrosis, and that a resolution is agreed that will enable this to happen as soon as possible.

The Trust urges the Welsh Government to consider immediate access through an interim arrangement so that people with cystic fibrosis do not continue to be made to suffer in an ongoing impasse. The Trust reiterates the importance of the UK CF Registry in bridging the uncertainty gaps associated with these medicines while providing real world data to monitor the clinical impact of the drug. Please find our principles of managed access to new cystic fibrosis therapies paper attached.

Yours sincerely,



David Ramsden
Chief Executive

Utilising the UK CF Registry to support reimbursement decision-making

Principles of managed access to new cystic fibrosis therapies

Introduction

Around 10,500 people live with cystic fibrosis in the UK. It is a life-limiting, inherited disease.

Disease-modifying cystic fibrosis therapies are being developed for greater numbers of people with the condition. Vertex Pharmaceuticals Inc. have licensed two such medicines for use in Europe: ivacaftor monotherapy (Kalydeco®) and lumacaftor/ivacaftor combination therapy (Orkambi®).

Kalydeco® is prescribed through the NHS in the UK for around 410 eligible patients with indicated cystic fibrosis-causing genetic mutations. Orkambi's® license indicates that over 3000 people with cystic fibrosis in the UK could receive the drug.

The UK Cystic Fibrosis Registry currently monitors the safety and efficacy of ivacaftor, compiling reports for the European Medicines Agency (EMA), as part of a scalable post-marketing surveillance programme that enables comparison of people on drug with their own legacy data in addition to a comparator cohort matched from the entire CF population.

The Cystic Fibrosis Trust proposes that data collected routinely by UK CF Registry is utilised to create an early access programme that supports the NHS to invest securely in controlled, early access to novel cystic fibrosis medicines.

Challenge

Well-powered and designed clinical trials have demonstrated a clinical benefit and good safety profile for both therapies. The key data used to describe efficacy were derived from two clinical endpoints:

1. Absolute increase in percentage predicted Forced Expiratory Volume in 1 second (ppFEV₁)
2. Rate of pulmonary exacerbations (PE_x)

Whilst the Trust recognises the importance of these endpoints, there are four important limitations to the nature of the data captured in the clinical trials:

1. By virtue of targeting disease-modification, these treatments may have a protective impact on future health deterioration. Where the experience of Kalydeco® indicates a growing body of evidence that the therapy slows disease progression and facilitates compound health improvement – the evidence from the clinical trials and rollover studies to see if this effect is replicated or not in newly licensed therapies will be immature.

2. People affected by the condition experience the benefit and value of therapies in more dynamic and personally meaningful ways than the trial is designed to capture. Many current trials have captured QoL data limited to the CFQ-R respiratory domain.
3. Typical trial data, set to meet clinical and safety regulatory standards, make it difficult to holistically model the value of these medicines to the NHS and create an evidence gap in prescribing practice and clinical use. Tools such as the EQ5-D, benchmarking against ONS national well-being scores, and CF QoL measures, utilised in a setting with greater opportunity for longitudinal comparison, can develop our understanding of the less tangible value of new CF therapies.
4. As new treatments become available, the population of people with cystic fibrosis eligible to participate in a clinical trials may be less – increasing the likelihood of traditional clinical trial design having insufficient power to assess outcomes of upcoming therapies.

Is the UK CF Registry a key tool in a solution?

With near-complete coverage of the UK's cystic fibrosis population, the UK CF Registry is uniquely positioned to demonstrate the effect of new CF treatments in the real world, with enough patients and over a long enough time period for the impact of breakthrough therapies to be understood.

The UK Cystic Fibrosis Registry

The UK Cystic Fibrosis (CF) Registry is a national, centralised web-based database that collects demographic, health and treatment data from consenting people with cystic fibrosis from every CF care centre in England, Wales, Scotland and Northern Ireland. The UK CF Registry is sponsored and managed the Cystic Fibrosis Trust.

Over 99% of people with cystic fibrosis consent to their anonymised data being collected in the Registry, which utilises data for research, annual reporting, quality improvement, and as the evidence base for the cost of cystic fibrosis care, informing proportionate tariff payments by NHS England. It is also relied upon by the European Medicines Agency to evaluate the safety and efficacy of therapies for post-marketing surveillance.

The Cystic Fibrosis Trust has committed to extensively enhancing the UK CF Registry, migrating it to a new agile software system that can collect data for Registry-based clinical trials. It has been designed with capability to enable direct access to people with cystic fibrosis via a patient portal in future. This portal would enable people with cystic fibrosis to view their clinical data, self-report data, and opt in to additional uses of Registry data that will enhance the value of the Registry to the CF community.

The Cystic Fibrosis Trust

We are the UK's only national charity dealing with all aspects of cystic fibrosis. We fund research to improve cystic fibrosis care and treatment, and aim to ensure appropriate clinical care and support for people with cystic fibrosis.

In October 2015, the Trust devised and rolled out a survey that asked about the life experience and treatment preferences of people affected by cystic fibrosis. We received over 1400 responses from our community. Analysis showed that a treatment's potential to protect future health and wellbeing is more important than a treatment's potential to reduce symptoms in the short term. These data will be published once further data mining has taken place.

We are committed to representing this view in the way new therapies for cystic fibrosis are assessed.

Question

What data collection methodology, including choice of quality indicators and analysis period, is necessary for the NHS to confidently predict the long-term value, including health-related quality and length of life, of new cystic fibrosis therapies to the NHS?

Proposed mechanism for discussion

The Trust proposes that new cystic fibrosis medicines should be made available for specialist clinical prescription immediately following marketing authorisation in the European Union, on the condition that an agreed set of data are routinely monitored through UK CF Registry data against the therapies' performance at a population level.

We suggest the therapy should be concurrently evaluated by a UK-wide technology appraisal body, with three options available to the Appraisal Committee at the conclusion of the process:

1. Recommended for routine use and funded from the baseline commissioning budget (a drug which thus demonstrates both clinical and cost effectiveness).
2. Not recommended for routine use and thus there is no baseline funding (a drug which thus does not demonstrate clinical effectiveness).
3. Recommended for use for evaluation within a predetermined period of time (e.g. 12 months evaluation period plus 6 months for data collection and analysis) in order to build both an extended and novel evidence base via the UK CF Registry's patient records.

After this time, an abbreviated appraisal process would be undertaken to formally review the collated data, and issue final guidance regarding the therapy's continued use.

Next steps

We invite you to help us to better understand the suitability of (1) change in the rate of pulmonary exacerbations (represented by home/hospital IV episodes), (2) absolute change in ppFEV₁, (3) change in rate of decline in ppFEV₁, and (4) change in BMI, as the key outcomes that meaningfully represent therapeutic added value, in cystic fibrosis and can help to build a real-world picture of the impact of a therapy, through extended longitudinal data beyond clinical trials and rollover studies.

Alongside these metrics, we would like to discuss the added benefit to an NHS assessment of value of a new CF therapy of reporting UK CF Registry data to describe (5) use of services (represented by medications, airway clearance, supplementary feeding, IV days, non IV admissions, transplant), (6) health utility scores (represented by EQ5-D or other), and (7) personal independence scores (represented by CFQ-R).

The establishment of any proposed mechanism of novel cystic fibrosis therapy appraisal must be underpinned by an acceptable interim commercial access arrangement, which confirms the cost of the drug to the NHS (agreed between the company and the NHS) and data collection arrangements. However, we are concerned with the practical arrangements needed to collect high-quality, real world data, in order to facilitate such an arrangement.

We believe participation in the data collection exercise should be open to all eligible individuals covered by the EMA's marketing-authorisation guidance to enable assessment of impact at population level, and understand that participants must be informed and provide written consent in advance, agreeing to the time-limited nature of the data collection exercise.

We believe Orkambi® is a therapy where this pilot could be initiated with low administrative and infrastructural burden, as the necessary data collection already happens.

Data from the UK CF Registry could support such a pilot, running for a period of 12 to 24 months to provide sufficient time for the publication of the data from the data collection period.

We believe that the appropriate model could act as a more powerful rollover study that can call upon both cumulative data from the initial trials and historical data stored in the UK CF Registry, while boosting our holistic understanding of the therapy through collection of broader data points.

Agenda Item 3.5

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

Rhiannon Jones
Executive Director of Community Care, Mental Health & Therapies

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GIG
CYMRU
NHS
WALES

Bwrdd Iechyd
Addysgu Powys
Powys Teaching
Health Board

3rd September 2018

David J Rowlands AC/AM
Email: SeneddPetitions@assembly.wales

Dear Mr Rowlands

Further to your recent letter, I can confirm that Powys Teaching Health Board provides NICE recommended treatments for People with Borderline Personality Disorders, through a combination of directly provided services by PTHB within Powys and via commissioned services from other Welsh Health Boards and from the independent sector.

Within Powys a key priority for 2018/19 is the development and extension of our community based treatments for Borderline Personality Disorders/Complex Trauma. This has included the roll out of dialectic behavioural therapy skills groups and investment in training of Practitioners within Community Mental Health Teams to augment this service.

We are currently working with Dr Mark Sampson of Northwest Boroughs' Healthcare Foundation Trust and Dr John Fox of Cardiff University to explore the establishment of a rural hub and centre of excellence for Personality Disorders, working with clinicians and third sector to develop a new model. The aim is to improve outcomes for patients, reduce patients travel to out of area services and therapeutic placements by providing these services within Powys.

If you require any further information on this work please do not hesitate to contact Dr Geoff Watts - Head of Psychology and Psychological Therapies.

Yours sincerely

Rhiannon Jones
Executive Director of Community Care, Mental Health & Therapies

Cc: Nesta Lloyd-Jones, Policy and Public Affairs Officer, NHS Confederation

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Powys Teaching Health Board
Headquarters, Glasbury House
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Phone: 01874 712715

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



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



GIG
CYMRU
NHS
WALLES

Bwrdd Iechyd Prifysgol
Caerdydd a'r Fro
Cardiff and Vale
University Health Board

Ysbyty Athrofaol Cymru
University Hospital of Wales
UHB Headquarters
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Caerdydd, CF14 4XW

Elch cyf/Your ref:
Eln cyf/Our ref: LR-ce-09-7058
Welsh Health Telephone Network:
Direct Line/Llineil uniongyhol: 02920 745681

Len Richards

4th September 2018

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

Dear Mr Rowlands

Petition 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

I write in response to your two specific questions regarding Borderline Personality Disorder services within Cardiff and Vale University Health Board.

1. Details of the services currently provided to people with Borderline Personality Disorder in your area.

The Mental Health Clinical Board within Cardiff and Vale UHB provide a dedicated Personality Disorder Service (name Cynnwys which in Welsh is the name for Inclusion). It is a local multi-disciplinary specialist personality disorder service set up at the end of 2011. The name Cynnwys is in recognition of the fact that individuals with this diagnosis often require support from more than one team or agency.

It is a specialist tertiary service which is based on a hub and spoke model. The hub is the specialist staff in the Cynnwys Service and the spokes are the existing secondary care services in Adult Mental Health Services across Cardiff and the Vale region. This ensures that the main provision of care for people diagnosed with borderline personality disorder is primarily delivered within secondary mental health services, augmented by the specialist provision of the personality disorder service.

The Cynnwys Service aims to provide a more intensive and specialised service to individuals with a diagnosis of personality disorder, or suspected personality disorder, who present with a high risk of suicide and or repeated and risky self-harm, and who have demonstrated high levels of need through lengthy and/or



multiple admissions, challenging or therapy interfering behaviours over a protracted period, and where secondary mental health services have exhausted local provision.

2. Whether specialist services are available in line with NICE guidelines

The service has been designed around NICE guidelines for good practice and after a period of consultation and formulation of the client's difficulties the Cynnwys service can offer a range of specialist interventions based on the needs and priorities of the client. These include:

- **Structured clinical management:** goal focused longer term support for clients unready to manage formal therapy
- **Ymlaen Day Therapeutic Community** – a full day group programme run by service users themselves alongside the support of Cynnwys clinicians. This group is aimed at clients with mixed feelings about change or those who have struggled with traditional therapeutic approaches. Clients can be referred to Ymlaen directly from secondary mental health services.
- **Dialectical Behavioural Therapy (DBT)** – an intensive programme of individual and group work prioritising the client's motivation to reduce self-destructive behaviour. This programme is designed for clients who demonstrate severe and pervasive difficulties in controlling responses to emotions
- **Radical Openness** – an intensive programme of individual and group work for clients with rigid over control of responses to emotions
- **Cognitive Analytic Therapy** – individual therapy designed to help clients with entrenched behavioural and relational difficulties to recognise patterns of unhelpful behaviours and to replace this with more adaptive and flexible ways of responding.

All therapies are delivered by appropriately trained staff, are long term and intensive and provide structured care in accordance with NICE guidelines, including provision for supervision. All Cynnwys staff aim to build a trusting relationship with service users with a diagnosis of personality disorder, exploring treatment options in an atmosphere of hope, working in an engaging and non-judgemental manner, with the aim of being consistent and reliable. Staff aim to develop client's autonomy and promote choice by ensuring that they remain actively involved in finding solutions to their problems and to consider the consequences of the choices that they make.

There are no specific local services for BPD within Child and Adolescent Mental Health Services (CAMHS) at the moment, but it is important to note that BPD is generally an adult diagnosis as it implies an ensuing personality trait which may not be the case in adolescents who are still developing their sense of self. The term 'emotional disorders not otherwise specified' is generally used, as BPD is a lifelong diagnosis and may not be appropriate to use in under 18s. There is an investigation into the possibility of developing DBT skills-based groups which does not provide full treatment but would be of benefit for patients with emotional dysregulation. However, the adult service has recently put in a bid to the Welsh Government Fund 2018-20 with the aim

of meeting the NICE Guidelines regarding supporting the transition of young people with emerging personality disorder from CAMHS to Adult Mental Health Services.

At the present time, the period before, during, and after a young person with emerging personality disorder moves from their care being provided by CAMHS to adult mental health services is not well co-ordinated. As such, there is scope for developing local protocols to improve the way that this important transition is planned and carried out.

I trust that this information is sufficient to answer the committee's enquiry, but if you require any additional information, please do not hesitate to contact Ian Wile, our Director of Operations for Mental Health.

Yours sincerely



Len Richards
Chief Executive



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Aneurin Bevan
University Health Board

Our Ref JP/RB/ch

Direct Line 01633 435959

5 September 2018

David J Rowlands AC/AM
National Assembly for Wales
Petitions Committee

Dear Mr Rowlands

Re: Petition P-05-812 NICE Guidelines for Borderline Personality Disorder

Thank you for your letter requesting from Aneurin Bevan University Health Board (ABUHB) the following information in relation to Borderline Personality Disorder:

- Details of the services currently provided to people with Borderline Personality Disorder in your area; and
- Whether specialist services are available in line with NICE guidelines (the petitioner has advised the Committee that less than half of NHS trusts in Wales follow NICE guidelines).

Aneurin Bevan University Health Board - Personality Disorder (PD) Service Development

Mental Health Services within the Health Board area have been specifically providing services for people with Borderline Personality Disorder since October 2004.

Following the National Institute for Mental Health (NIMHE) document "PD: Not a Diagnosis of Exclusion" (2003), we established a Specialist Personality Disorders Multi-disciplinary Team, which provided the following services to these patients, their generic mental health teams [Community Mental Health Team (CMHT), Inpatient Services, Assertive Outreach (AOT), Home Treatment Team (HTT) and other Specialist Services (e.g. Forensic and Eating Disorders). This includes:

- Consultation/advice/support/supervision services to CMHTs and others within our Mental Health Services.
- Assessments with a view to advising teams on a treatment and risk management plan.

Bwrdd Iechyd Prifysgol Aneurin Bevan

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Aneurin Bevan University Health Board

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- Intensive treatment for a small number of severely distressed patients who cannot be managed at CMHT level.
- Assessments for proposed out of area referrals.
- Involvement in decisions to refer a patient to out of area PD Services.
- Be involved in the ongoing liaison/monitoring of patients who are placed out of area.
- Build up a thorough knowledge base of out of area services including their specific therapeutic focus and quality and use to make placement decisions.
- Provide staff training and staff development services to improve the level of skills our staff have to respond effectively to these patients and to reduce staff stigma of BPD and Personality Disorder as a diagnosis.

The intensive treatment provided for our most unstable patients has been Dialectical Behaviour Therapy to stabilise them, followed by intensive 1:1 psychological therapies including Cognitive Analytic Therapy, Psychodynamic psychotherapy, CBT, and more latterly EMDR & MBT.

We established an expertise in the provision of Dialectical Behaviour Therapy, which helped many patients, by stabilising them and enabling them to live independently, and in many cases avoided escalation and the need for them to be placed in secure services. When introduced this reduced out of area referrals and continuing healthcare spend. We also provided this clinical service to patients returning from secure services, which made their transition quicker and more successful.

Given the demand for DBT for BPD and issues of emotional dyscontrol across the CMHTs, we supported all our CMHTs to establish their own local DBT services. We provided training, which was supported by the accredited DBT training (which our staff accessed) and our expertise in establishing and running these services. All our five localities in ABUHB now have their own DBT service which they provide to their patients with BPD. This further increased access and availability of clinical services to patients with BPD.

Another key intervention of the Personality Disorder Service was to provide staff training in Personality Disorder. We have now trained over 700 mental health staff providing them with basic information about Personality Disorder including BPD, how to provide good quality first line services and manage risk effectively. We have included service users in this training, who have provided their extremely valuable real experiences of services and what helps and doesn't help. This training has contributed to changing the negative attitudes to PD and BPD, as did our clinical successes, which challenged colleagues to realise that this is a group of patients who are in fact in great need and who can be helped very effectively.

The Personality Disorder service has helped transform our Locked Rehabilitation Service for women with complex and severe mental health problems including PD/BPD and psychosis to a very effective service with a high degree of relational security for patients and staff, with minimal "incidents" and strong success in placing our very complex and severely disturbed patients in supported community living. We were a nominee for a Wales NHS Award and our Nursing Manager was awarded Nurse of the Year for her work in this service in 2017.

Staff engage in weekly reflective practice meetings, skills training, and think psychologically, within the context of providing kind and compassionate care for our patients. Patients feel secure which is calming and enables them to work on their issues and make progress. This is now a model service for other in-patient services and we are endeavouring to mirror this in our Acute Wards. The PD Service also provides specialist psychological therapy for our very unstable and traumatised (PD/BPD) patients using CBT, CAT, EMDR, DBT, Mindfulness etc. Our Consultant Clinical Psychologist is an Approved Clinician and is the Responsible Clinician for all the patients.

We have also established a Mentalisation Based Therapy (MBT) Group Service for patients with Personality Disorder, which we provide to patients in our CMHTs and in-patient Unit. MBT offers patients with BPD another effective treatment option, particularly for those who do not engage with the manualised DBT style of therapy, but prefer a psychotherapeutic experiential approach. We plan to introduce this into our localities as our expertise increases.

Current Services for Patients with Borderline Personality Disorder

The following services are available to people with BPD in the Health Board. These are in line with the NICE guidelines on BPD:

Primary Care Mental Health Services:

- Counselling
- A range of psychological therapies, including cognitive behavioural therapy and solution focussed therapy,
- Stress management,
- Family and parenting work,
- Behavioural or social interventions,
- Links to other agencies and organisations e.g. MIND, Gofal.

Secondary Care Mental Health Services:

- CMHT multidisciplinary service including psychological and psychiatric assessment, psychological and medical treatment, CPN support, within the context of a Care and Treatment Plan, and a Care Co-ordinator.
- Acute in-patient Care at times of crisis.
- Home Treatment and Crisis Team.
- Psychiatric Intensive Care.

Patients are provided with longer term support and therapy as recommended by the NICE guidelines.

Psychological therapies available include:

- 1:1 Psychological therapy with the CMHT Clinical/Counselling Psychologist, or Psychological Therapists, who will use evidence based therapies e.g. CBT, DBT, CAT, Mindfulness, ACT etc.
- DBT group and 1:1 therapy is accessible in all localities.
- Psychoeducational groups, which are a useful source for starting to acquire improved coping skills including, stress control, activate your life and mindfulness.

The major goal is to help our patients become stable and able to function independently.

Specialist Personality Disorders Service:

Patients with BPD and their generic mental health teams (CMHTs, Inpatient Services, AOTs, HTTs) and other Specialist Services (e.g. Forensic, Eating Disorder) have access to the following:-

- Consultation/ advice/support/ supervision.
- Assessments with a view to advising teams on a treatment and risk management plan.
- Intensive treatment for a small number of severely distressed patients who cannot be managed at CMHT level using Mentalisation Based Therapy.
- Assessments for proposed out of area referrals.
- Involvement in decisions to refer a patient to out of area PD Services. A member of the in-house panel of highly experienced clinicians and managers who support teams with their very complex patients (including BPD), provide advice and decide how best to meet the individual's needs in discussion with treating teams. This may involve establishing a local bespoke service, placing a patient in supported living with local high quality providers, or using out of area services if there is no other option.
- Involvement in the ongoing liaison/monitoring of patients who are placed out of area and in supported community living.
- Staff training, staff development, clinical service development, to improve the level of skill our staff have to respond effectively to these patients, to reduce staff stigma of BPD and Personality Disorder as a diagnosis and increase the relational security of our mental health services to these patients.
- Joint working with the Continuing Health Care Team and individual patients who have become extremely unstable and highly risky with PD/BPD to develop and provide the best local and least restrictive services possible for the individual. This service will be greatly enhanced by the new "Structured Clinical Management" service that will come on stream over the next 6-9 months.
- Our Bellevue Locked Rehabilitation Service for women with PD/BPD and other complex disorders to stabilise them, prevent them from going to secure services (high cost, low effectiveness, long admissions), and resettle them in supported community living as quickly as possible without subsequent breakdown and re-admission. This is a highly successful service.

Other Specialist In-house Services:

- Eating Disorders services.
- Forensic Mental Health Services.
- Early Onset Psychosis Service.

Out of Area Services:

These services are used as a last resort when a patient's disturbance/risk is very high and/or interventions need to be provided in an in-patient setting.

- The Retreat in York – In-patient DBT service (not locked).
- St. Andrews Hospital, Northampton, in-patient DBT (locked).
- The Cassel Hospital, Richmond, in-patient psychotherapy service (week days).
- Low Secure Services.

I hope the above information is helpful. If you have any further queries please do not hesitate to contact either Dr Bob Colter, Consultant Clinical Psychologist, Gwylfa Therapy (PD) Service, Bob.Colter@wales.nhs.uk or Dr Chris O'Connor, Divisional Director for Mental Health and Learning Disability Services, Chris.OConnor@wales.nhs.uk 01633 436711.

Yours sincerely



Judith Paget
Chief Executive/Prif Weithredwr



Bwrdd Iechyd Prifysgol
Hywel Dda
University Health Board

Ein cyf/Our ref: CEO.1491.0718
Eich cyf/Your ref:
Gofynnwch am/Please ask for:
Rhif Ffôn /Telephone:
Ffacs/Facsimile:
Dyddiad/Date: 11 September 2018

Swyddfeydd Corfforaethol, Adeilad Ystwyth
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

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Carmarthen, Carmarthenshire, SA31 3BB

David J Rowlands AC/AM
Cadeirydd/ Chair
National Assembly for Wales
Petitions Committee

Mail to – SeneddPetitions@assembly.wales

Dear David,

Re: Petition 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.

Thank you for your letter of 30 July 2018 in relation to Petition P-05-812, please find below a summary of the services provided within Hywel Dda University Health Board for people of all ages who may meet the criteria for a diagnosis of Borderline Personality Disorder.

In relation to the questions posed in your correspondence, I would like to confirm that Hywel Dda University Health Board provides specialist personality disorder services for people of all ages, where clinically indicated, who experience Borderline Personality Disorder (BPD). This is in line with NICE Clinical Guidance No 78, recognising that this is a specialist area of service provision and clients who have a diagnosis of Borderline Personality Disorder have usually experienced a range of adverse life events and require comprehensive interventions based on individual need.

The Integrated Psychological Therapies Service (IPTs) has a remit to work across the three counties of Hywel Dda University Health Board. The service consists of a team of experienced and qualified Mental Health Practitioners from a range of multi-disciplinary backgrounds. The service also works collaboratively with other providers of psychological interventions such as

Swyddfeydd Corfforaethol, Adeilad Ystwyth,
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job,
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

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Carmarthen, Carmarthenshire, SA31 3BB

Cadeirydd / Chair
Mrs Bernardine Rees OBE

Prif Weithredwr/Chief Executive
Mr Steve Moore

Pack Page 150

Bwrdd Iechyd Prifysgol Hywel Dda yw enw gweithredol Bwrdd Iechyd Lleol Prifysgol Hywel Dda
Hywel Dda University Health Board is the operational name of Hywel Dda University Local Health Board

Mae Bwrdd Iechyd Prifysgol Hywel Dda yn amgylchedd di-fwg Hywel Dda University Health Board operates a smoke free environment

Personality Disorder Consultation Service (PDCS), Eating Disorder Service, Perinatal Service, Psychology and Local Primary Mental Health Support Services (LPMHSS).

The evidence based therapeutic interventions provided for adults who are assessed and deemed as requiring psychological interventions for Borderline Personality Disorder, for which the evidence based intervention is Dialectical Behaviour Therapy (DBT), are provided by the Integrated Psychological Therapies Service (IPTS). Services are provided across the three counties, coordinated from a single point of contact in Carmarthen. The Dialectical Behaviour Therapy Team consists of a number of highly trained and experienced clinicians and we currently have 15 trained DBT Practitioners to deliver Dialectical Behaviour Therapy all of which have completed the British Isle Training. Two members of staff are trained in Dialectical Behaviour Therapy to Post Grad Certificate level, one of which is the Clinical Lead across the Three Counties. We also have 3 unqualified members of staff who are trained by British Isles Dialectical Behaviour Therapy to provide additional support on both an individual and group basis. We have recently also received confirmation of additional Welsh Government funding. Given our experience of the high levels of trauma experienced by most clients diagnosed with Borderline Personality Disorder, supported by emerging national evidence from the UK and EU Trauma Society, we have two members of staff currently who are also trained in a specific protocol which address Prolonged Exposure to Traumatic events for clients with a diagnosis of Borderline Personality Disorder, who are familiar with and have engaged in Dialectical Behaviour Therapy. Our aim is to train more Dialectical Behaviour Therapy clinicians in this evidence based approach at the first available opportunity and prevent these clients having to wait for a specific intervention to address their trauma.

In addition to the above therapies, we are also in a position to offer both 1:1 and group Schema Therapy, another evidence based treatment for Borderline Personality Disorder. This service is offered by two Schema Therapists trained to advanced level with 2 other therapists trained across the Health Board.

The Personality Disorder Consultation Service (PDCS) has a remit to work across the three counties of Hywel Dda University Health Board, providing consultation to and liaison with all primary and secondary care services. The Personality Disorder Consultation Service consists of a core team of experienced Psychotherapists from multi-disciplinary backgrounds whose qualifications are accredited by various professional bodies. The Personality Disorder Consultation Service is hosted within the Integrated Psychological

Therapies Service and works closely with other providers of psychological interventions, the Forensic Mental Health Team as well as local teams, planning and delivering care. As defined in the Mental Health (Wales) Measure 2010, staff from the Personality Disorder Consultation Service will work with provider agencies identified in a patient's Care and Treatment Plan (CTP) as well as with patients who remain under primary care management. The Personality Disorder Consultation Service provides high quality psychological consultation and assessments.

Consultation will include expert advice regarding people with personality disorders. Assessments will focus on formulation, use of appropriate psychometrics, consultation with significant others where appropriate, and treatment recommendations which may include out of area placement recommendations should these be indicated. Staff from the Personality Disorder Consultation Service are also core members of the Directorate's Complex Case Panel Forums, which are convened monthly to address urgent and complex presentations, across the services. Specialist input to the University Health Board (UHB) strategy will be provided including advice for future psychologically informed developments aimed at personality disorders within the University Health Board service structure such as training initiatives and staff developments.

A recent innovation within Hywel Dda University Health Board has been the development of a Bespoke Repatriation pilot in collaboration with third sector Colleagues and the Local Authority in Carmarthen. This pilot has been specifically developed to provide psychological and social support to enable young female clients currently placed in out of area residential services to receive services closer to home and avoid having to be located away from their support networks and locally community. The project will look at supporting those females to obtain their own housing tenancy, provide 1:1 support staff for up to 30 hours per week to re-engage back into their home environments and to support them with day to day living skills, occupational therapy and also to access appropriate psychological interventions swiftly as outlined above and crisis management involving all relevant facets of mental health services. This is a whole service approach and one which has not been attempted previously. The project is being evaluated and supported by our Clinical Psychology Service to ensure that all outcomes are being recorded and the best service is being delivered to a client group who have been regarded as challenging in the past.

In addition, further collaborative working is being seen with our Clinical Psychology Service and the Wales Probation Service on a UK wide research project. The two services work collaboratively to deliver Mentalisation-based

Therapy as part of a Mentalisation-based Therapy and Antisocial Personality Disorder (MBT-ASPD) pilot project and forms part of the wider Wales Offender Personality Disorder Pathway (Wales OPDP). This pathway represents the implementation in Wales of the Offender Personality Disorder Strategy. The target group for the Wales OPDP is male and female offenders who are subject to statutory supervision or imprisonment who present a high likelihood of violent or sexual re-offending and a high or very high risk of harm to others, who are likely to have a severe personality disorder (PD), and for whom there is a clinically justifiable link between Personality Disorder and risk.

The high level outcomes for the Wales OPDP are:

- A reduction in repeat serious sexual and/or violent offending (men)
- Improve psychological health, wellbeing, pro-social behaviour and relational outcomes
- Improve the competence, confidence and attitudes of staff working with complex offenders who are likely to have Personality Disorder

In keeping with the strategy underpinning the wider pathway, the MBT-ASPD Pilot Project will be jointly delivered by the National Probation Service (NPS) and a partner Health Service Provider. The Wales MBT-ASPD Pilot Project is one of 11 MBT ASPD Services developed nationally as an integrated part of the Offender Personality Disorder Pathways Strategy for England and Wales. The co-ordination across pilot sites of the MBT ASPD services will be led by the Tavistock and Portman NHS Foundation Trust (TPFT). Initial training and on-going supervision for treatment providers will be provided by the Anna Freud Centre (AFC).

Borderline Personality Disorder often presents as a co-morbid condition with depression, anxiety, eating disorders, post-traumatic stress disorder, alcohol and drug misuse, and bipolar disorder (the symptoms of which are often confused with borderline personality disorder). Within the Integrated Psychological Therapies Service we recognised that Dialectical Behaviour Therapy may not suit all of our clients and, in line with the Matrics Cymru, we strive to offer an alternative evidence based intervention based on what is agreed with the individual. We have a range of psychological therapies including Cognitive Behaviour Therapy (CBT), Systemic Psychotherapy, Psychodynamic Psychotherapy, Cognitive Analytical Therapy and a Specialist Eating Disorder Service who provide evidence based interventions in line with NICE Clinical Guidance No 69.

People with Borderline Personality Disorder have sometimes been excluded from any health or social care services because of their diagnosis. This may be because staff lack the confidence and skills to work with this group of people however within Hywel Dda University Health Board, we are proud to say we have a psychologically developed workforce and a significant number of referrals are received for Dialectical Behaviour Therapy.

In line with a key priority from the Nice Guideline for Borderline Personality Disorders which states "Community Mental Health Services (community mental health teams, related community-based services, and tier 2/3 services in child and adolescent mental health services – CAMHS) should be responsible for the routine assessment, treatment and management of people with borderline personality disorder", we have been up-skilling our primary and community teams in addressing emotional dysregulation, a key element of Borderline Personality Disorder, and ensuring the referral pathways for assessment and interventions are clear. In addition, Dialectical Behaviour Therapy (DBT) services are also provided for young people within our Specialist Child and Adolescent Mental Health Service (S-CAMHS), as recommended within the Nice Clinical Guidance. We have 6 specially trained staff, all of which have completed the British Isle DBT Training and who deliver individual and group Dialectical Behaviour Therapy for young adolescents who display emotionally dysregulated behaviours. Borderline Personality Disorder is not formally diagnosed before the age of 18 but the features of the disorder can be identified earlier. Its course is variable and, although many people recover over time, some people may continue to experience social and interpersonal difficulties.

I hope this reassures you that Hywel Dda University Health Board provides robust psychological and therapeutic services for all clients who may present with a diagnosis of Borderline Personality Disorder in line with Nice Guidelines.

Yours sincerely



JOE TEAPE
DEPUTY CHIEF EXECUTIVE



Steve Moore
Chief Executive



Bwrdd Iechyd Prifysgol
Cwm Taf
University Health Board

Your Ref/eich cyf:
Our Ref/ein cyf:
Date/dyddiad:
Tel/ffôn:
Fax/FFacs:
Email/ebostr:
Dept/adran:

AL/JMG
12th September 2018
01443 744921
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Alan.lawrie@wales.nhs.uk
Executive

Mr David J Rowland AM
Chair
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear Mr Rowland

I am writing further to your letter dated 30th July 2018 in regard to the Petitions Committee's inquiry into details of the services currently provided to people with borderline personality disorder in the area and whether such specialist services are available in line with NICE guidelines

The following response look to provide a factual summary detailing services currently provided to people with borderline personality disorders in Cwm Taf.

1. Service Delivery: Value Based Model

Cwm Taf UHB (CTUHB) mental health services have adopted a clear value based model of care for people with borderline personality disorder. The 'specialist team' work from within integrated mental health teams, and have been trained specifically in the delivery of Dialectical Behaviour Therapy (DBT). This team has developed specific expertise in the diagnosis and management of borderline personality disorder, which includes assessment and implementation of a DBT programme in adherence with Nice guidelines (Borderline Personality Disorder; recognition and management 2009). The programme contributes to person centred services that are psychologically led and trauma focused. The application of this work promotes support that is based upon individual formulation (an explicit summary of factors that underlie and maintain the person's presentation) to guide treatment. This approach is well accepted across all professional groups which has enabled the development of a dedicated service for this specific group of patients. . This service is focused on individual patient centred care and includes formulation meetings for the person to arrive at a multi-disciplinary shared understanding and plan of care. This is essential when working with people who are regarded as 'high risk' in view to self-harm and tend to make intensive demands upon health services. The model of care aims to:-

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- (i) facilitate the process of recovery
- (ii) reduce suicide and self-harm
- (iii) reduce reliance on other health care services i.e. A & E/CRHT
- (iv) improve overall quality of life

Psychologists play a valid part of the contribution towards treatment planning, and the training and supervision of staff from other professional groups' i.e. nursing/occupational therapy. Data is collated on the quality and effectiveness of the support and treatment delivered.

2. Service Delivery: Dialectical Behaviour Therapy

CTUHB has adopted the British Isles DBT training programme, which is based upon the Lineham model of DBT. Staff are required to complete an intensive training programme prior to working as a DBT therapist. Once training is completed, staff are linked into the DBT team that is based closest to their working locality and will be supervised accordingly.

CTUHB DBT service is in its 4th year of operation and the service has been audited twice, both results indicating that an effective treatment approach is being implemented. The priority is to ensure patients with this diagnosis have access to an effective support and treatment plan that promotes positive changes in lifestyle (Nice guidelines 2009). CTUHB delivers a complete dialectic behaviour therapy service that focuses on the following key principles:-

- Access to services (that they may have previously been excluded from)
- Autonomy and choice (based on learning new solutions that promote positive life changes)
- Developing optimistic and trusting relationships (within community and with mental health care services)
- Managing endings and supporting transition (increasing levels of independence and reducing reliance on others and services)

The service is led by a consultant clinical psychologist and delivered by professionals with a nursing, occupational therapy and psychology background.

The service operates across CTUHB and is incorporated into secondary care provision. The service consists of 2 teams that are linked directly into the 4 locality community mental health services, and provide set programmes of therapy that include:-

- Weekly 1:1 sessions
- Weekly skills training groups
- Access to telephone coaching
- Weekly staff supervision groups

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The DBT service is a relatively small dedicated multidisciplinary team (12 staff in total) that is susceptible to change, as people move on in their careers. It is essential that good succession planning and ongoing access to training is maintained in order to ensure a consistent and timely DBT service. The plan for the future includes; increasing the numbers of staff trained (nursing and occupational therapy) and promoting training of other professional groups such as, specialty trainees (Drs) and social work.

3. Service Delivery: Sexual abuse and freedom and empowerment (SAFE)

CTUHB has high incidence of sexual abuse amongst its population. A history of incest, brutality, early loss, neglect and other traumas are more common amongst people with borderline personality disorder than among people with any other disorder. The majority experience sexual physical or emotional abuse particularly between the ages of 6 and 12 years. Such early abuse seems to explain the disorganised attachment pattern and negative views of others that are frequently found in people with emotionally unstable personality disorders.

In 2014, CTUHB invested in training to develop a comprehensive group therapy for female survivors of childhood sexual abuse (CSA). The female SAFE model has 2 group facilitators, six individual therapy support workers (ITSWs), and two supervisors (one for group, one for ITSWs). All staff are female. The group runs for 12 consecutive weeks. The current SAFE model is drawn from the experiences of an Exeter-based tertiary service for adult survivors of CSA. This service has operated for over 20 years and offers evidence-based group interventions to adult survivors of CSA. The CTUHB SAFE model has demonstrated robust outcomes for female participants, both in terms of significant improvement in functioning and quality of life, and also in reducing service use following the group. This is an innovative service in which a highly specialist, intensive psychological therapy was delivered in a group format.

Currently, men whose personal development has been severely compromised by CSA will require a formulation based individual treatment plan provided or overseen by a clinical psychologist. Additional funding will be sought to extend the same model for male survivors of CSA over the coming IMTP round.

4. Research informed practice for people with a personality disorder

The DBT service has an ongoing database that was set up at the onset of the service and captures the following information:-

- Statistics on people referred, assessed and offered DBT (to include numbers completing and dropout rates)
- Standardised assessment measures to determine outcomes at onset, set times during treatment and on completion of treatment programme. Outcome measures used are DIB-R, DERS and Core-OM
- Attendance at groups and 1:1 sessions

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- Monitoring of information captured from patient dairy cards (incidents of self-harm/inpatient admission/length of admission/ attendance at A & E and CRHT etc that compares pre and post DBT therapy)

CTUHB also participated in a major research study with our head of psychology being the site principal investigator for Wales:

Psycho-education with problem solving (PEPS) therapy for adults with personality disorder: a pragmatic randomised controlled trial to determine the clinical effectiveness and cost effectiveness of a manual lies intervention to improve social functioning.

The objective was to compare the effectiveness of PEPS therapy plus treatment as usual (TAU) against TAU alone. Participants were adults living in the community with any personality disorder.

Psycho-education consisted of up to 4 sessions of information and discussion about personality disorder as experienced by the individual with the aim of increasing self-understanding, building rapport and motivating participants for problem-solving therapy. Problem-solving therapy was a 12-session group intervention designed to help participants learn skills for solving interpersonal problems.

The main finding was that PEPS therapy plus TAU was no more effective than TAU alone. The conclusion was that PEPS therapy is not an effective treatment for improving social functioning in community adults with personality disorders. A reasonable application is that no specific treatment should be delivered to this group of individuals in the absence of good clinical care. Structured clinical management of people with personality disorders is an important aspect of treatment; it is not an alternative to specific treatments but rather the bedrock on which these treatments may be offered. Effective team working is essential to providing high quality clinical care to this population of people.

5. Future Direction of Service Delivery

Within a context of uncertain and constrained finances, we are fortunate that Welsh Government has prioritised additional spending on mental health and on psychological treatment specifically.

Within our existing service configuration and our strategic direction to shift to a genuinely multi-professional psychologically informed workforce there is much that we can do to continue to improve services for people with personality disorders.

Our treatment for this clinical population can evidence:

- Strong emphasis on establishing a therapeutic relationship with attention paid to ruptures to the working alliance.

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- Emphasis balanced between supportive and more challenging elements (making people feel heard and valued as well as extending their life skills).
- Simultaneous emphasis on fostering the individual's responsibility.
- Attention to both past and present concerns so that past aversive events are not re-enacted.

Clinician characteristics require

- Consistency
- Ability to set limits
- Able to communicate acceptance and empathy in the face of resistance, hostility or dependence
- Patient and comfortable with slow progress and setbacks

Interventions to be used:

- Motivational interviewing especially with resistant or court-ordered patients
- Behavioural and cognitive (to improve coping skills and relationships and to address presenting problems)
- DBT
- Crisis management is needed
- Other therapies with an evidence-based such as schema-focused therapy, interventions based on attachment theory, and mentalisation-focused therapy need to be established.

Financial constraints and specifically lack of funding to set up a specialist personality disorder team need not prevent us from actively working to improve services to this population. A common theme in improving services is to make it everyone's business. This will require changes to job plans.

It is essential that we strengthen training and supervision for all staff working with this client group who by definition have long-standing difficulties in the areas of attachment, emotional and impulse regulation.

6. Out of area placements

CTUHB has successfully re-patriated several people from out of area placements, with many receiving support from the DBT service. This work is ongoing with the aim of treating people as close to home as possible in the least restrictive environment.

The directorate has actively attempted to strengthen our forensic staff complement and to work across service boundaries with people in Probation. We have looked at providing funding for a bespoke complex trauma/personality disorder service, but at that time, this was not a viable option. We will continue to keep this under review.

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7. Conclusion

In conclusion, CTUHB have successfully initiated and developed a DBT service for people with borderline personality disorder within secondary care provision. This service is based upon NICE guidelines (2009) and provided by staff trained in DBT with ongoing supervision networks. However, the team is relatively small and will continue to require investment in view to more staff being trained in order to sustain the service.

Other programmes of support include SAFE, trauma focused care and formulation that is embedded into the Community Mental Health Team service provision, are also available for people with BPD to access. Again, ongoing investment is necessary in order to maintain staff motivation, and to provide ongoing training and supervision in view to maintenance of service provision.

Areas of further development are necessary as have been indicated within this report, that include plans agreed to develop staff skills and promote service development in the future.

Kind Regards



Mr Alan Lawrie
Director of Primary Care, Community and Mental Health
Cwm Taf University Health Board

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**P-05-812 Implement the NICE guidelines for Borderline Personality Disorder
- Correspondence from the Petitioner to the Committee, 01.10.18**

Dear Petitions committee,

Once again thank you for continuing to express interest in this issue. When we first held the PD Cymru conference it was dispiriting to hear about the provision for patients who get given this diagnosis. A few years later it is a relief to read that at least one area has increased it's provision while those already providing a good service continue to do so.

It is good to hear that a number of trusts are providing DBT therapy however, NICE state that patients should have a choice of therapy. Access into DBT is dependent on the patient wishing to give up self harm. If this is not a priority for them then DBT is not an option and some of the trusts responses do not describe an alternative.

Where responses talk of treatment being integrated into community mental health teams, this is not what NICE recommend. They describe specialist services able to help the whole organisation with its approach to this client group. Individual practitioners in teams have little to no influence on the organisation as a whole and my experience is that it is easy for their relative specialism to be buried under generic work.

I have not seen the letter that the petitions committee sent to trusts but I was interested to the extent to which respondents referred to OOA placements.

I hope the committee will continue to seek information from those who have not responded and press the issue that a treatment service is only a fraction of what NICE recommends.

Many Thanks,

Keir Harding

Agenda Item 3.6

P-05-799 Change the National Curriculum and teach Welsh history, from a Welsh perspective, in our Primary, Secondary and Sixth form Schools.

This petition was submitted by Elfed Wyn Jones and was first considered by the Committee in February 2018, having collected 5,133 signatures online and 661 on paper – a total of 5,794 signatures.

Text of Petition

We are calling on the National Assembly for Wales to change the Curriculum and teach Welsh history, from a Welsh perspective, in our Primary, Secondary and Sixth form Schools.

Assembly Constituency and Region

- Dwyfor Meirionnydd
- Mid and West Wales

P-05-799 Newid y Cwricwlwm Cenedlaethol a dysgu hanes Cymru, a hynny o bersbectif Cymreig, yn ein Hysgolion Cynradd, Uwchradd a'r Chweched Dosbarth - Gohebiaeth - Deisebydd at y Pwyllgor

Ymatebi atebion y Gweinidog Addysg i'r pwyllgor deisebau

Dyma'r pwyntiau y casglais o'r sesiwn yma rhwng y Gweinidog Addysg Kirsty Williams, a'r Pwyllgor deisebau.

Mae'r pwyntiau rydw i wedi'u casglu yn gronolegol drwy'r cyfarfod.

Mae'r Gweinidog yn ailadrodd yn gyson ei bod hi'n bwysig "dysgu hanes Cymru mewn cyd-destun hanes y byd, a bod angen dysgu pob agwedd o Hanes Cymru". Mae'r Gweinidog yn nodi'r amcan rydym eisiau ei gyrraedd, ond nid yw'r Gweinidog yn gweithredu o gwbl yn y ffordd gywir er mwyn cyrraedd yr amcanion yma.

Fe godai'r pwynt nad yw plant a phobl ifanc Cymru ddim ynn cael chwarae teg gan fod "dim digon o ddysgu plant am Genedl eu hunain"

Ymateb y Gweinidog i hyn oedd bod "natur" y gwersi yn bwysig, a bod cyfnod allweddol 2 a chyfnod allweddol 3 yn rhoi'r "cyfle" i hanes Cymru gael ei ddysgu yn ein hysgolion. Yn fy marn i, tydi'r gair "cyfle" ddim yn ddigon cryf pan rydym yn trafod hanes Cymru yn ein hysgolion. Tydi'r gair ddim yn rhoi cysur i mi o gwbl, oherwydd gallai "cyfle iddynt ddysgu" olygu fod yna gyfle iddynt beidio dysgu am hanes Cymru. Mae angen bod yn gadarn ar y mater yma.

Fe nododd y Gweinidog fod Estyn wedi nodi fod dulliau dysgu'r Dynoliaethau mewn ysgolion wedi cael clod ganddynt, ac oherwydd bod hanes yn un o'r dynoliaethau, ei fod yn llwyddiant hefyd. Os edrychwn ar bynciau dynoliaethau, rydym yn gweld ei fod yn faes mawr iawn a gall hanes fod yn ffracsiwn bach iawn o hynny. Hefyd mae angen nodi y gallai hanes gael ei ddysgu'n dda, ond hanes beth yw'r cwestiwn, dydyn ddim yn trafod yn unig yr hanes sy'n cael ei ddysgu ond beth yw cynnwys y pwnc hefyd. Felly mae angen craffu'n ddyfnach ar beth yw cynnwys yr hanes sy'n cael ei ddysgu.

Daw'r ffaith yma'n amlwg wedyn gan nodi fod yna "ganmoliaeth" o'r dynoliaethau, yn cynnwys hanes, ond fod cynnwys y pwnc ddim yn dysgu hanes Cymru.

Ymateb y Gweinidog i hyn oedd bod y cwricwlwm newydd yn ehangu'r "cyfleodd" i ddysgu hanes Cymru eto yn ein hysgolion a bod yna bellach "bwyslais mawr" ar ddysgu hanes Cymru. Fel y nodir uchod, tydi "Pwyslais mawr" a "Chyfle" ddim yn gysur o gwbl i mi pan mae'n dod i ddysgu hanes Cymru mewn ysgolion!

Mae'r Gweinidog wedyn yn nodi fod angen cael "dimensiwn Cymraeg" ar hyd y cwricwlwm, nid ar hanes yn unig. Tydi hyn hefyd ddim yn unioni'r diffygddysgu hanes Cymru yn ein hysgolion, osgoi'r cwestiwn ydi hyn i raddau. Mae pwyslais y ddeiseb hon ar

ddysgu hanes Cymru yn ein hysgolion, rhaid cael hynny yn glir a chadarn, a pheidio credu fod rhoi dipyn o ddimensiwn Cymreig ar hyd y cwricwlwm yn mynd i osgoi'r ffaith fod Hanes Cymru angen ei ddysgu yn ein hysgolion.

Mae'r pwynt yn codi fod ysgolion yn cael eu cadw yn y tywyllwch gyda'r ffordd mae angen strwythuro a dysgu hanes, gan gollu cyfle i ddefnyddio ffurf gronolegol er mwyn cael gwersi hanes sydd yn drefnus a'n cyfleu'r wybodaeth gywir ynddynt.

Honni mae'r Gweinidog y gallai gwneud hynny amharu ar yr hanes lleol sy'n cael ei ddysgu yn yr Ysgolion, a bod yna broblem yn codi o hyn wedyn oherwydd bod cymaint o "bethau i'w trafod gyda hanes Cymru, mae'n anodd rhoi popeth mewn yn y cwricwlwm". Daw pwynt gan aelod o'r pwyllgor wedyn yn nodi'r syniad o greu cwricwlwm fydd yn dysgu prif bwyntiau hanes cenedlaethol Cymru, ac i sicrhau ei fod yn cynnwys lle i ddysgu hanes lleol eu hardal a'u cymunedau i bobl ifanc. Siomedig oedd gweld y Gweinidog yn nodi unwaith eto "fod yna ddim yng nghyfnod allweddol 2 a 3 yn rhwystro hyn rhag digwydd" – mi wnaeth hyn fy siomi'n fwy na chlywed y gair "cyfle" a "phwyslais" oherwydd ei fod o'n dangos yn glir nad oes yna ddim byd yn sicrhau fod hanes Cymru yn cael ei ddysgu ychwaith, fydd yn gadael ni yn y sefyllfa bresennol yn sicr.

Daw'r pwynt wedyn fod o'n bwysig dysgu hanes Cymru yn ei gyfanrwydd oherwydd bod cymaint o wybodaeth yn cysylltu Cymru at ei gilydd, a bod amryw o gyfnodau gwahanol wedi cael effaith ar ei gilydd ar hyd Cymru i'n rhoi ni yn ein sefyllfa bresennol. Ymateb y Gweinidog i hyn oedd dweud "gallai'r lefel A newydd gynnwys elfennau ac agweddau o hyn". Amlwg wrth glywed y geiriau "gallai" ac "cynnwys agweddau" fod y Gweinidog ddim yn dangos brwdfrydedd i bobl Cymru cael dysgu am hanes pendant ein hunain a bod yna ddim pwyslais ganddi ar sicrhau fod hyn yn ddigwydd.

Cododd y pryder fod yr Ysgolion sy'n dysgu am hanes Cymru yn tueddu fod yn rhai Cymraeg, felly mae angen creu'r cwricwlwm i bawb ddysgu hanes Cymru a bod y pwyslais a'r cyfle i ddysgu hanes Cymru ddim yn dod gan ysgolion Cymraeg yn unig.

Ymateb y Gweinidog i hyn oedd ailadrodd fod y cwricwlwm newydd yn rhoi'r cyfle i ddysgu hanes Cymru i ni fel Gwlad, ac fe nododd nad oedd o'n golygu byddai ansawdd gwersi hanes yn amrywio yn ôl cyfrwng iaith yr ysgolion. Cododd bwynt arall wedyn gan fynd oddi ar y pwynt am hanes Cymru a dechrau siarad am y ffordd oedd yr iaith Gymraeg yn cael ei dysgu mewn ysgolion "We can't let the Language be a preserve of a certain type of school". Er fod y mater yma'n bwysig, mae'r Gweinidog yn plethu dwy broblem gyda'i gilydd yma, sef dysgu hanes Cymru a dysgu'r iaith Gymraeg mewn ysgolion, mater sydd angen ei ddatrys ar wahân.

Pan ddaw pwynt arall o sylwadau Dr Elin Jones, fod dysgu am Hanes a diwylliant Cymru yn cael ei gyfyngu i wersi Cymraeg, rydym yn cael yr un ymateb gan y Gweinidog, sef bod y cwricwlwm newydd yn rhoi'r "cyfle" i ddysgu hanes Cymru, sydd yn siomedig ac yn cyfleu diffyg brwdfrydedd tuag at hanes Cymru, ac yn ailadrodd eto'r geiriau gwag fod yna "gyfle" i ddysgu hanes Cymru yn ein hysgolion.

Casgliad

Mae llawer iawn o bryderon yn codi o'r cyfarfod : –

Mae defnydd o'r gair "cyfle" yn bryder, oherwydd ei fod yn golygu fod yna bosibiliad na fydd disgyblion yn astudio Hanes Cymru, ac y byddai rhai plant yn colli'r hawl i ddysgu am eu gwlad. Gwarth yw dweud mai siawns yn unig sydd gan blant a phobl ifanc i ddysgu hanes eu Cenedl eu hunain, a bod yna siawns na fydden nhw'n cael addysg yn yr Ysgol am hanes eu gwlad.

Mae angen nodi nad yw creu "dimensiwn" Cymreig ar draws y pynciau yn ddigon pan mae'n dod i ddysgu hanes Cymru yn ein hysgolion, a bod angen pwysleisio fod addysgu Hanes Cymru yn bwnc sydd angen bod yn fanwl ag o, gan nodi fod angen ystyried yn ddwfn, yn hytrach na'i glymu gyda'r syniad o ddimensiwn Cymreig yn unig.

Gallai wneud i'r athrawon orfod penderfynu ar beth maent yn dysgu fod yn boen iddynt hwythau hefyd, a bod yna anghysondeb yn yr hyn sy'n cael ei ddysgu i'r rhai sydd mewn ysgolion. Mae angen sicrwydd a threfn bendant pan mae'n dod i drafod y cyfnodau gwahanol yn hanes ein gwlad. Mae'n bwysig penderfynu'r cynnwys sy'n cael ei ddysgu â'r strwythur mae'n cael ei ddysgu ynddo hefyd.

Argymhellion

Mae angen creu sicrwydd drwy greu cwricwlwm pendant sy'n dysgu'r prif gyfnodau yn hanes Cymru, a hefyd plethu Cymru i'r cyd-destun Prydeinig, Ewropeaidd a byd eang. O fewn dysgu hanes Cymru mae angen creu gofod lle mae pobl ifanc a phlant yn cael gwybodaeth am eu cymunedau a'u hardaloedd hefyd. Mae angen y persbectif Gymraeg fod yn gryf drwy hyn i gyd gan nodi'r effaith mae wedi'i gael ar y Genedl, ac ar bobl Cymru. Gallai hanes gwledydd eraill y byd gael ei ddatblygu yn ogystal wrth i ddisgyblion fynd yn hŷn.

Mae angen cael trefn gronolegol a phendant ar beth sydd angen ei ddysgu yn Genedlaethol, a gallai'r athrawon dal gael rhyddid ynghylch beth sydd angen ei ddysgu yn lleol ynglŷn â chynefin y disgyblion.

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

Document is Restricted

Agenda Item 3.7

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

P-05-801 Save the trees and ground in Roath Mill and Roath Brook Gardens before it's too late – Correspondence from Dwr Cymru to the Chair, 02.08.18

For the attention of David J Rowlands AC/AM

Dear Mr Rowlands

Thank you for your correspondence of 30 July 2018 in relation to the above petition.

We currently make full operational use of Lisvane reservoir in Cardiff for the purposes of water supply to industrial users in the city. By 2020 we will also be bringing Llanishen reservoir back into service. Both reservoirs will be used for water supply and recreational purposes. For these reasons and in the interests of Dam safety we will not be able to use them for flood risk mitigation purposes.

I hope this clarifies our position on the reservoirs. However, if you require any further information, please do not hesitate to contact me.

Yours sincerely

Peter Perry
Managing Director
Dwr Cymru Welsh Water

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, 24.09.18

Dear all,

Whilst we appreciate that the above petition is not due to be discussed at committee tomorrow we are writing with a brief update on the above to keep the committee informed. A document summarising the current position is attached.

In summary, we do not believe that NRW are approaching the consultation exercise with us as we had hoped. They appear to be committed only to defending their position and not looking for the solution which is the most cost-effective and appropriate for either Wales or the Community. We say this because:

1. They now accept that they can re-run the Communities at Risk Register (something we have asked for for a number of months) but refuse to do so citing a resource issue.
2. They refuse to reconsider the options for phase 3 in light of current Welsh Government Policy (despite there being no evidence whatsoever that they took any more than a passing note of the environmental impact caused by the scheme) and them never having considered specific alternatives to phase 3 (a fact confirmed to us by Arups, the consultants engaged by NRW).
3. The well documented flaws in the consultation and the fact that a recent mini-consultation of the homes protected by the scheme shows only 12.8% of those houses affected being in support of the scheme in its current form.
4. The evidence from a qualified arboriculturalist that they are failing to deliver the scheme in any event in terms of the quality of trees planted.

We are concerned that without further intervention NRW will continue to defend their position as opposed to dealing with the serious issues raised with an open objective mind and welcome the continued scrutiny and involvement of the committee and the minister.

Regards,

Friends of Roath Brook

Petitions Committee Update

Note: this update should be read in conjunction with NRW's previous response to the Petitions Committee dated 21st June 2018 and the previous submissions to the Petitions Committee by the Campaign Group ("CG") of 28th June 2018 ("June documents")

Whilst NRW and CG continue to talk there is little actual progress being made and NRW seem committed to simply justifying their decisions as opposed to accepting where they have made clear errors or proactively considering other options.

Key Issues Outstanding

1. **Communities at Risk Register** (point 2 in the June Documents) – NRW have (nearly 9 months after our original request) finally accepted that the Communities at Risk Register could be re-run for the area of Roath after the Phase 1 and Phase 2 works are complete but without the phase 3 works. They accept that this would change the position on the register (in relation to minimum ranking) significantly. They have however refused to actually re-run the register stating it would utilize too much resource (far less resource than they have spent in refusing to do it to date).

The Committee should also note NRW's previously evasive answers on this and consider whether NRW is acting in the open manner to be expected of a public body.

2. **Accounting for the loss of amenity and environmental impact of felling trees** (point 3 in the June Documents) – NRW have accepted that at the time of the Options Appraisal, i.e. when the current scheme was decided upon there was no formal account taken of the value of the trees and associated loss of amenity. In fact the only document they have produced as evidence of any consideration at this critical stage was provided after FOI requests, an internal appeal, and a further request for clarification of that appeal. That document (relevant sections quoted in full) simply recognizes the "*Loss of trees and vegetation*" and states it will be mitigated/enhanced by "*align[ing] defences to minimise impact*".

Like the previous documents referred to by NRW (produced at the planning stage) these documents clearly demonstrate that the value of the lost trees was not taken into account in deciding the most appropriate option, just how the damage could be minimized if this option was chosen.

The Minister has confirmed that Welsh Government Policy recognizes “*the fundamental importance of trees in towns and cities*” and that she expects “*these to provide the context within which NRW delivers its important work on flood protection*”.

We have requested NRW carry out a valuation of the trees in line with current best practice and Welsh Government Guidance. They have refused.

We have requested NRW carry out the options appraisal again taking due account of the value of the trees. They have refused.

3. Consultation – There are two specific issues here:

1. The risk communicated generally (point 4 of the June Documents) – NRW admit that the risk they relied upon in discussions with residents prior to applying for planning was statements to the effect that “390 homes and 50 businesses in the area are at a [medium risk] [risk of 1 in 100] of flooding]”

In the context of a final decision to provide a scheme where the protection is up to a level of 1 in 75 this statement is worthless. Such a scheme could protect virtually all of the properties or none of them.

2. The risk of the phase 3 works (point 6 of the June Documents) – As explained previously there NRW have accepted that there is no statement as part of the consultation which explains there is a separate risk, what that risk was and what properties were affected apart from the flood risk map previously referred to. The scheme was effectively provided to residents as a “whole scheme” without residents being made aware of separate risks and having the opportunity to provide their views on whether protection against these was wanted at all.

Despite the above and NRW accepting that their own project manager, other NRW staff and external consultants engaged by them understood the flood risk to be 1300% higher (in the six months period when the work work commenced) NRW refuse to accept that the consultation was flawed or inadequate.

The Committee should once more consider whether NRW is acting in the open and honest manner expected of a public body.

4. Engagement with the residents at risk from Phase 3 works

NRW have now conducted a survey of those homes at risk (which now appears to have inexplicably risen to 70 from the 60 to 65 previously notified). Of the 70 households only 26 responses were receiving (indicating that the remainder have no strong feelings in relation to the scheme).

In answer to the crucial question “Do you feel the works proposed are proportionate to the flood risk and have adequately considered the value of the Park Gardens” only 9 people felt they were proportionate (14 people said they were not, 2 were unsure and 1 did not answer).

This indicates firmly that this is a solution which is wanted by very few of those actually being protected (9 out of 70) let alone the many others in the area who will see the loss or destruction of their parks.

This is another clear reason in support of NRW considering the options available as alternatives to phase 3 (as opposed to imposing their solution on people who do not wish to receive it).

5. Engagement with Welsh Water and Cardiff Council

Despite NRW being willing to at least discuss matters we have found other public (or quasi-public) bodies less willing to do so. Cardiff Council appear unwilling to discuss the use of Roath Park Lake as an alternative with Michael Michaels (responsible for the environment) stating that it will not solve the issue in phase 3 because it is partly tidal (a fact which is demonstrably wrong and which he refuses to accept – even though NRW agree it is incorrect).

Similarly Dwr Cymru Welsh Water (“DCWW”) have refused to meet to discuss use of the reservoirs as an alternative and it appears that such a refusal has at least been encouraged by NRW who were slow to contact DCWW after we asked them to arrange a meeting and, rather than approach things with an open mind, have sent a length e-mail to DCWW with the reasons why they believe the reservoirs are not a viable alternative.

6. Other Issues

We were put in contact with an independent arboriculturalist (a copy of his letter is attached). It will be noted that he raised a number of issues with the project including:

1. The very poor quality of the trees being planted by NRW
2. That there are trees of significant value in the parks and their value has not been taken into account in the decision making
3. The planning which took place many years ago has not taken an intelligent or balanced approach.

It is for all these reasons that we continue to push NRW to carry out a review of the Phase 3 options in accordance with current policy, taking full account of the value of the trees, and the views of the local residents (including them protected by the works). It is unfortunate that NRW continue to refuse to do so.

Hannah Blythyn AC/AM
Gweinidog yr Amgylchedd
Minister for Environment



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref HB/00716/18

Sarah Jones

9 August 2018

Dear Sarah,

Thank you for your correspondence regarding the flood works in Roath dated 19 July 2018, setting out the Friends of Roath Brook's concerns around the ongoing tree work.

I understand that Natural Resources Wales (NRW) are looking into your concerns and will be providing you with a full response to the report you sent me. NRW are concerned with the observations made in the report, and have raised this with the contractor working on site.

NRW were already aware of issues with some of the newly planted trees and are committed to dealing with these, acknowledging that some of the trees have not survived the recent weather conditions. Failed trees will be replanted next season.

The Welsh Government's Woodland Strategy states we want woodlands and trees to deliver a full range of benefits. The Environment Act and Natural Resource Policy also recognise the fundamental importance of trees in our towns and cities. I expect these to provide the context within which NRW delivers its important work on flood prevention.

Yours Sincerely,

Hannah Blythyn AC/AM
Gweinidog yr Amgylchedd
Minister for Environment

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

Gohebiaeth.Hannah.Blythyn@llyw.cymru
Correspondence.Hannah.Blythyn@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.

Sarah Jones

11th July 2018

Dear Sarah

Our Ref: **18229-Let1-110718-JB**

Re: Tree issues at Roath Brook Gardens

Further to our meeting at Roath Brook Gardens on 4th July 2018, I write to summarise the main points of our discussion.

For the record, I am a tree expert specialising in managing trees in a development context, and more details of my credentials can be found at <https://www.barrelltreecare.co.uk/who-we-are/>. We have agreed that I will act in the capacity of an independent expert and not as a paid advisor. I confirm that you paid my travel expenses to visit the site, but I have not taken any fee for my time or other involvement. I also confirm that I have no connections or personal relationships that I am aware of with any of the parties involved in this project, although I do know some individuals through my professional activities. I also must note the limitation that I was only able to observe the active areas of the site from outside the protective hoarding and I was unable to study all the documentation while on site due to the volume of material. Although I have reviewed the NRW website material, I am conscious that not all the relevant documentation may be available at that location.

You asked that I briefly review the tree management at Roath Brook Gardens and adjacent areas in the context of the ongoing drainage works. We agreed that my initial review would be in the form of this summary letter, with the option to provide more detailed explanations and analysis in the future, if necessary. I saw the original tree survey and report carried out by the arboricultural consultant, dated 27th November 2017, and you explained the background to the drainage works as we walked the site to see the extent of the works. During my visit, I took photographs that will be available to support my observations, should that become necessary. In particular, you emphasised:

- the misleading and inadequate nature of the public consultation;
- the extent of neighbourhood and community discontent at the way the tree aspects of the first phase of works has been managed, and that there is significant public support for a review of the proposals for the further work phases; and,



- the failure of the proposals to take account of emerging strategic government advice and thinking relating to trees and the environment.

During our walk around the gardens, I highlight my following observations:

1. **Quality of new tree planting:** From the new trees I saw planted within the Gardens (although it is not clear if these are part of the scheme), I noted one was dead, and many were either damaged (broken tops and branches) or of poor quality (improperly pruned from the nursery and inadequate form in terms of foliage quantity and distribution). Indeed, most of the trees I saw did not comply with multiple items on the Table 1 checklist in BS 8545 *Trees: from nursery to independence in the landscape – Recommendations* (2014), and, by that reference, should have been rejected on delivery.
2. **Current tree protection:** From outside the site fencing, I saw several instances of inadequate tree protection for retained trees adjacent to working areas, site storage areas, and internal vehicular travel routes through the site, where those have encroached within the root protection areas (RPAs) of retained trees. This is contrary to the recommended guidance set out in BS 5837 *Trees in relation to design, demolition and construction – Recommendations* (2012), and it also appears to be contrary to the detail set out on tree protection in the arboricultural method statement. **NOTE: The report provided by the tree consultant is comprehensive and from my preliminary review, I have found nothing significant lacking in the arboricultural method statement, but its recommendations do not seem to have been implemented on the ground as described in the document.**
3. **Potential adverse impact on high quality retained trees adjacent to future works:** I noted several instances where the proposed excavations fall well within the RPAs of high quality retained trees that make a significant contribution to local character. More specifically, the design proposals seem to have failed to take account of poor rooting potential in adjacent streets that requires greater provision within the park, which has not been provided. Potential adverse impact in terms of reduced life expectancy on these important landscape assets does not seem to have been properly assessed or expressed.

From my brief review of the documents and what I saw on site, I have drawn the following preliminary conclusions:

1. **The project does not comply with published and emerging government policy guidance:** The Welsh Government's Strategy for Woodlands and Trees, *Woodlands for Wales*, was published in June 2018. Its content is there to be read and is quite clear that woods and trees have been identified as important national assets, with the inclusion of urban woodlands and trees at 2.6: "Local authorities, landscape designers, architects and other relevant stakeholders, ensure that the environmental benefits of trees in modifying microclimate and drainage are taken into account in planning guidance and development control, and when creating sustainable urban drainage systems." These sentiments are also reflected in emerging UK policy through the revisions to the National Planning Policy



Framework and the 25 Year Environmental Plan currently under consultation. Indeed, the post of National Tree Champion has just been created by the UK Government to improve the practical enactment of the principles set out in these emerging policies.

2. **Tree value has not been properly factored into the decision-making process:** Similarly, the Welsh Government's Strategy identifies that tree value should be accounted for in the decision-making process: "Continued use of the i-Tree Eco or similar tools to quantify the structure and environmental effects of urban trees, and calculate their value to society." I have not yet assessed the value of the trees already removed and those planned for removal, but I saw at least 15–20 trees that would be valued at around £50,000 each, which equates to a figure of hundreds of thousands of pounds towards the million-pound level, so these trees have significant value. There is no evidence that this value has been calculated or factored into the management decision-making process for this project.
3. **The project implementation does not comply with British Standard recommended guidance:** The newly planted trees that I was able to see do not comply with the basic quality recommendations set out in BS 8545. The execution of some of the works carried out so far does not seem to be fully compliant with the recommendations in BS 5837 or the detail set out in the arboricultural method statement. The potential impact of proposed works on important trees does not seem to have been properly evaluated according to the recommendations in BS 5837.
4. **The project has not taken an intelligent or balanced approach to managing the tree issues:** The project planning was carried out some years ago and it has failed to have any significant regard to matters that are now known to be of significance, namely the value of trees to local communities and the need for decision making to account for this. I suspect that a professional assessment carried out now would take a much more balanced view of the impact of the works on trees and any intelligent analysis would seek alternatives and compromises where the adverse impact on matters of recognised material importance, i.e. trees and community wellbeing, is significant. Quite simply, government thinking and guidance has now moved on and there is an urgent need to review the proposals that have not so far been implemented.

In summary, what I have seen does not seem to properly comply with British Standard guidance and does not align to published Welsh Government guidance on managing urban trees. In particular, the quality of the newly planted trees is so poor that they should have been returned to the nursery at the point of delivery, and the value of trees has not been properly factored into the decision-making process. The works already carried out have had a significant adverse impact on trees and the benefits they provide to the local community, and the proposed works yet to be done are likely to have a similar adverse impact. In the context of the site being in Cardiff and so close to the heart of Welsh Government, it would be prudent to review the project at the highest level to reduce the potential for national criticism and embarrassment.



In terms of how to proceed, I advise the following:

1. You seek an urgent political review of the project at Ministerial level.
2. If there is no adequate response, you commission a full assessment of the value of the trees removed so far and those that are likely to be adversely impacted by the future works.
3. That data is used, along with professional support, as the basis for a sustained social media campaign to expose the shortcomings of the project management.

I would be happy to provide further clarification on any of these points if that will assist.

Yours sincerely

Jeremy Barrell **BSc FArborA DipArb CBiol FICFor FRICS**

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 Minister for Environment

Dear Ms Blythyn

We refer to previous discussions which we have had in relation to the flood prevention works being undertaken by Natural Resources Wales at Roath Brook and Roath Mill Gardens.

We are writing to make you aware of a number of important issues which we believe you should be aware (if you have not been informed directly by NRW):

1. You will be aware that in letters to residents and also in your open letter in the South Wales Echo of 22nd December you assured residents that much thought had gone into the scheme which protected 65 homes. This figure of 65 homes was first provided to us by NRW in November. In a letter from the acting chief executive this figure then changed to 60. By the January workshops run by NRW this figure had changed once more to 62 (see the attached slide from their workshop). However, when NRW agreed to survey the houses at risk they surveyed 70 properties. After this figure was questioned by us NRW confirmed that 70 is the correct figure, and that the original figure of 65 (given almost a year ago had been subject to “double checking”, which they obviously had not done in that time). In relation to a scheme with a history of inaccurate figures being given to the public it is evidently troubling that, even now, we cannot be assured of getting the correct information. We assume that you are similarly concerned that you have given incorrect information to the public about the scheme.

2. You will also recall that in the same letter in the South Wales Echo you referred to the “122 new, established” trees being planted. We believe that at present NRW have, at best, planted between 80 and 90 of these trees, the reality could be a lot less. Sadly NRW have so far not responded to our request to confirm the number of trees planted. Many residents had raised issues with us, and NRW, over the quality of the trees planted by NRW. We raised them over a number of weeks with NRW but were assured that there was no issue with the trees planted. We therefore engaged the services of an independent arboriculturalist to inspect the trees. We have previously forwarded his letter to you (although a further copy is attached) and we are sure you will agree that his view of the trees planted was scathing. Following that letter, and in light of their previous assurances that there were no issues, NRW have now confirmed that they are replacing 23 of the trees planted and monitoring another 20. Overall this represents issues with approximately 50% of those planted.

It is disappointing that, rather than investigate the issue when first raised, residents were forced to spend their own money to hold NRW to account. We have unsurprisingly written to NRW requesting them to reimburse the money spent, although they have refused to do so.

These latest errors of NRW, and their inability to accept such errors, need to be read in the context of the ongoing governance issues which NRW are facing, and appear to further evidence systemic failures within the organisation (and a failure to accept even the most obvious of those errors).

Our discussions with NRW have now reached a stage where we are about to engage the services of a specialist flood engineer. This will be at substantial expense to residents (several thousands of pounds), well in excess of funds already raised. We are confident, given the depth of feeling in the community, that these funds will be raised.

We also trust that you have now been made aware of the results from the survey of the 70 homes undertaken by NRW. It is clear from these that there is, amongst these homes, a very low level of support, or perceived need, for the scheme. Only 26 questionnaires were returned to NRW and only 9 of those responding felt that the scheme in its current form was proportionate and had adequately taken account of the value of the Parks (as opposed to 14 who felt it was not – 3 were unsure or did not answer).

The fact remains that all we have ever wanted is for NRW to review the need for the Phase 3 works afresh and alternative options available. More recently we have been asking that such a review is undertaken in line with your revised Woodland for Wales strategy, something which NRW refuses to take into consideration. We would urge you now to intervene to simply ensure that a fresh “untainted” review is undertaken to look at the need for, and if appropriate, provide flood protection in accordance with best practice and Welsh government policy. Such a review should be undertaken at public expense and not at further expense to the community.

Regards,

Friends of Roath Brook

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

By email: SeneddPetitions@Assembly.Wales

3 October 2018

Dear Mr Rowlands,

Thank you for the opportunity to provide an update to the committee. We continue to liaise and work with the Friends of Roath Brook campaign group to find a way forward. Below we provide information on the current position.

Having completed the Phase 1 and Phase 2 engineering works and finished much of the landscaping, we were pleased to re-open the park gardens to the community in September. Although there has been an issue with some of the replanted trees due to their quality, form or a failure to establish, partly due to the summer heatwave, overall, we have received favourable comments regarding the quality of the works and landscaping from members of the public using and enjoying the parks again.

We understand that the campaign group is now close to appointing an engineer to review our options appraisal and the Roath Brook Gardens ("Phase 3") works. The timeline for their review is unclear however, but we hope that it can begin in October and conclude in November 2018, having been originally planned for June and July of this year. We have continued to pause the works in Roath Brook Gardens to allow the group extended time for the review, but we cannot continue this pause indefinitely.

The group has reviewed the hydrology (rainfall and flow data) and the data evidences that the original flow calculation, and hence the prediction of flood risk to the area, was accurate. It is disappointing that the group does not accept this view, and we do not feel their counterargument is technically valid to justly challenge it.

There has been email correspondence between the campaign group, ourselves and Dwr Cymru Welsh Water (DCWW) regarding using Llanishen Reservoir and Cardiff Council regarding using Roath Park Lake to store flood water. We have done this partly at the campaign groups request to facilitate these discussions. To date, both DCWW and Cardiff Council have declined offers of meetings and a viable proposal for an alternative option to

our proposed works has not been forthcoming from the campaign group. Once the campaign group's consultant has been appointed it is expected that they will review such options to store flood water. NRW, DCWW and Cardiff Council have offered to attend any meetings should they be arranged to consider new proposals to store flood water, but I would add that these options were considered previously by ourselves and we concluded that they did not provide a suitable alternative to the works at Roath Brook Gardens.

We indicated previously that we would directly engage with residents that will be protected up to the 1:75 chance flood event by the Roath Brook Gardens work. In August we sent questionnaires to 70 such properties. To date we have received 26 written responses and six verbal responses following some follow-up visits to properties. We are continuing to seek replies from the outstanding properties. We attach an initial summary of the responses received from residents to date (*'Roath Phase 3 Questionnaire Responses Initial Summary 021018.xls'*) for your information, but please note we are still receiving replies so this is not a final version.

Based on the responses received we believe that most of those that replied were:

- aware of the flood risk;
- aware of our scheme and understand the works proposed;
- felt informed through the project consultation;

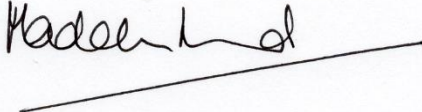
Furthermore:

- over half the responding residents believe our assessment of the flood risk;
- a third of respondents continue to not accept the evidence that we have provided through consultation and our best efforts;
- nearly half of respondents are concerned of the impact to the park.

We have always acknowledged that there would be an impact, but our preferred option is one that in our view, reduces this to a minimum whilst managing the risk to an acceptable level. It is for these reasons that we paused our works in Roath Brook Gardens, so an independent challenge could be provided. We remain confident that our and our consultants' work is thorough and can withstand scrutiny. We have also gone through a full planning process in order to obtain permission to carry out these works.

Thank you again for the opportunity of providing an update to the work of your committee.

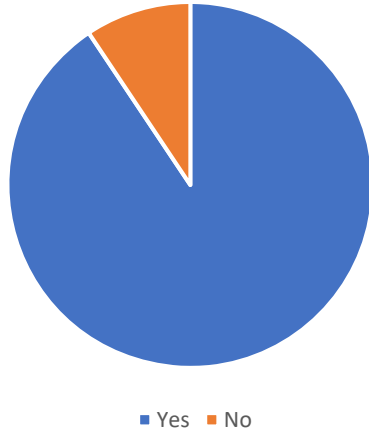
Kind regards,



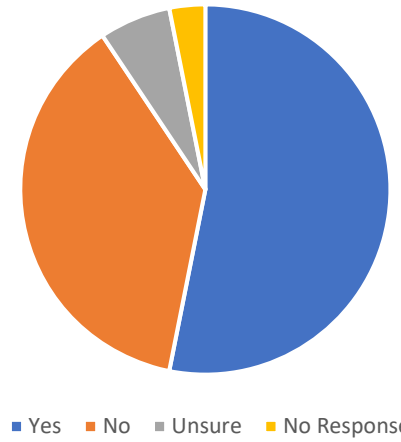
A handwritten signature in black ink, appearing to read 'Madeleine Havard', is written over a horizontal line. The signature is cursive and somewhat stylized.

Dr Madeleine Havard
Cadeirydd Dros Dro
Acting Chair

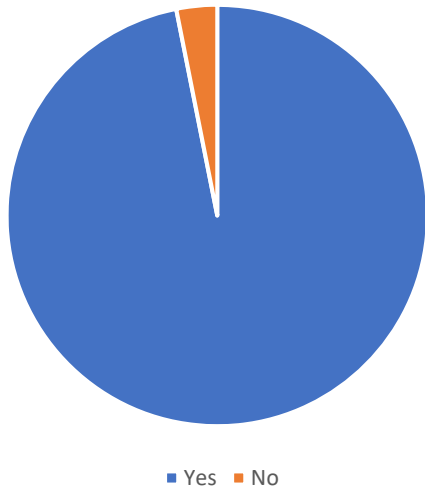
1. Prior to this letter were you aware of your flood risk?



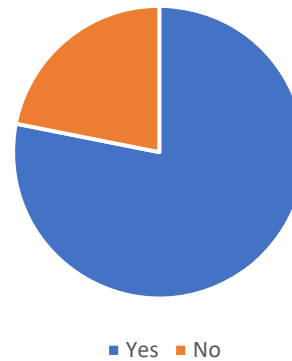
2. Do you believe our assessment of your river flood risk?



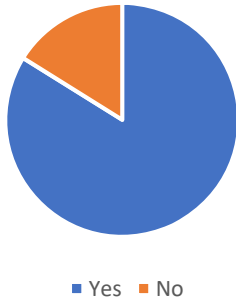
3. Were you aware of our flood scheme?



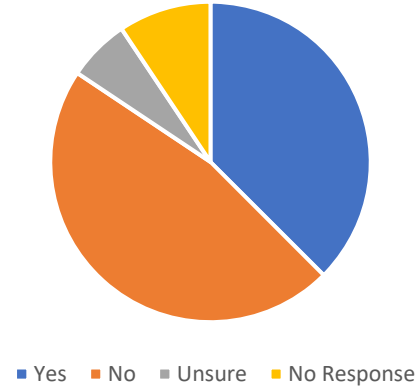
4. Do you feel consulted on the flood scheme (e.g. did you receive / read newsletters, park notices, emails, attend drop-in sessions etc.)?



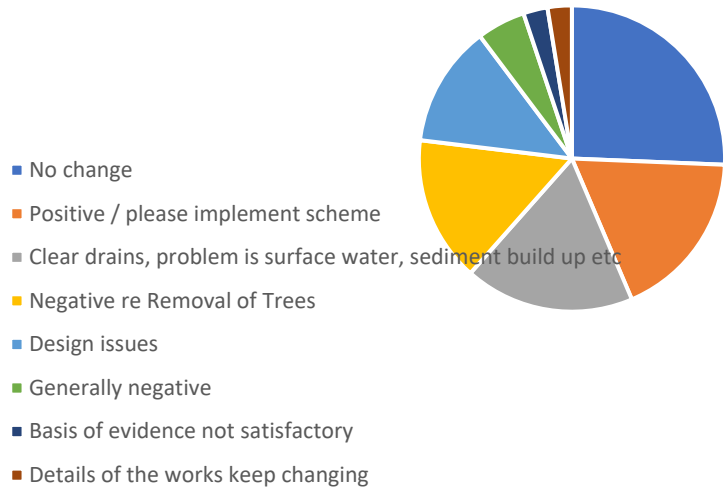
5. Do you understand the works proposed in Roath Brook Gardens and Roath Mill Gardens? (ie sloping the grass bank to widen the channel, some grassed ground raising. No concrete or pile walls)



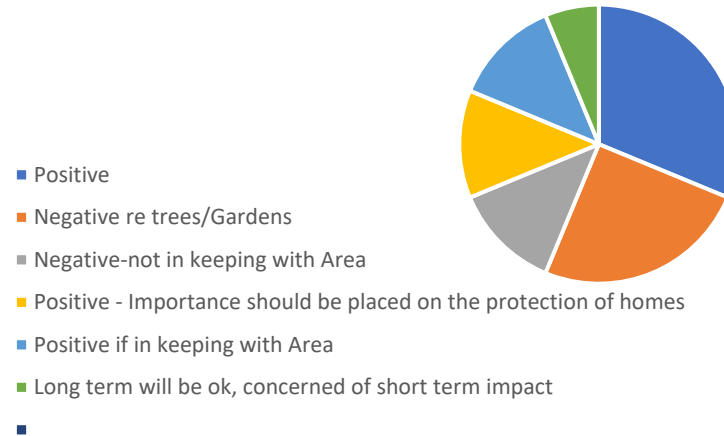
6. Do you feel the proposed works are proportionate to the flood risk and have adequately considered the value of the Park Gardens?



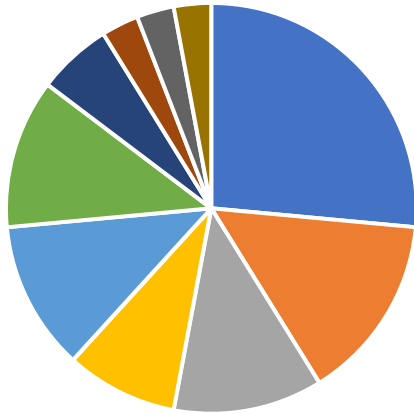
7. What changes would you wish to see to the proposed works, if any?



8. What do you think of the proposed finish, reinstatement and planting to Roath Brook Gardens and Roath Mill Gardens?



9. Do you have any other comments?



- Had issues with getting home insurance
- Referred to previous flooding (some caused by drains)
- Happy with the scheme
- Please progress the works
- Frustrated by protestors and delay
- Comment re assessment of the risk
- Basis of evidence not satisfactory
- NRW should seek alternative design
- Ratio of cost to properties benefiting from scheme is too high
- Spend money on maintenance

Agenda Item 3.8

P-05-790 Tackle Rough Sleeping

This petition was submitted by Hanin Abou Salem and was first considered by the Committee in December 2017, having collected 71 signatures online.

Text of Petition

We're calling on the Welsh Government to tackle rough sleeping in Wales. A devolved government is a "government closer to the people," all the people! I recently moved to Wales and I have fallen in love with everything Welsh. But every day my happiness is mixed with immense sadness because I pass so many people sleeping rough in the streets. Their ongoing misery is an affront to my humanity. As an individual I cannot solve their problem on my own but together as a government and people we can make a difference. The homeless people I pass every day in Wales have indicated that they feel like "forgotten people". They live in a vicious circle which can only be broken if the government sets a clear strategy to get them off the street and into a safe accommodation so they regain their lives. About 2 weeks ago I passed a homeless person and someone commented that individuals sleeping rough want to be homeless. As I was arguing against this logic we passed a homeless man near city road reading a book!

No one chooses to be homeless. People become homeless as a result of certain circumstances and the government has a duty to get people off the street so they can be active citizens who can live with dignity, have access to work opportunities and be able to vote. The Housing Act (Wales) 2014 required all councils in Wales to help anyone at risk of becoming homeless within 56 days does not solve the problem of individuals who are already homeless and sleeping in the streets. We need to address rough sleeping now!

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

P-05-790 Tackle Rough Sleeping- Correspondence from the Petitioner to the Committee, 03.10.18

Dear Committee Members,

My passion is helping people and being the voice of the voiceless. I believe the march of 1 million starts with 1 person, so I am always willing to tackle social injustices head-on. I believe every human being has a right to have a home, access to quality education and work opportunities. Access to such rights is essential for people to be able to live with dignity and be genuine and active citizens in society. Therefore, on 29 September 2017 I raised my petition with the National Assembly for Wales calling for the Welsh government to "Tackle Rough Sleeping in Wales." I filed my petition despite an Assembly Member telling me that my petition would be rejected because it can only be dealt with by the British Parliament. I submitted my petition anyway and National Assembly for Wales agreed to consider it. My family member, Cardiff University students and employees and people I have not even met supported my petition. I would like to thank the **Petitions** Committee Chamber and Committee Service for their ongoing support and David J Rowlands AM (UKIP Wales South Wales East). When I submitted my petition along with my reply to the Welsh Government he told me that the committee he told me that the committee with put my comments forward to the Welsh Government. His encouragement gave me hope that change is possible. In my petition I clearly stated:

The Housing Act (Wales) 2014 required all councils in Wales to help anyone at risk of becoming homelessness within 56 days does not solve the problem of individuals who are already homeless and sleeping in the streets. We need to address rough sleeping now!

The report on 'Life on the Streets: preventing and tackling rough sleeping in Wales' has shown that my concern was well founded and I am happy that the Minister has acknowledged this fact in the report. I am also impressed by the human rights approach to housing right highlighted in this report because as I stated in my petition a devolved government is a "government closer to the people," all the people! I am also extremely happy that the committee has recommended the launch of a public campaign (recommendation 25) to tackle rough sleeping because as I mentioned in my petition there are those who genuinely believe that individuals sleeping rough want to be homeless. If you ask any child what he wants to be when

he grows up no one will say 'to be homeless and sleep rough' and I am happy that this report acknowledged the need to change public perception.

I believe homeless people have been forgotten for so long because many people have been led to believe that people choose to be homeless. This is not true and we need a campaign that changes public opinion so we can gain their support to find permanent accommodations for rough sleepers so they can rebuild their lives. Many people and institutions in Britain were happy to open their homes to refugees they did not know but not many would be willing to do the same for rough sleepers as a result of negative perceptions. I believe if rough sleepers can go through a proper rehabilitation program we can persuade our communities to offer rough sleepers the same support that they were willing to offer to refugees i.e. room to stay in to rebuild their lives.

In my opinion homelessness is like statelessness. If you are homeless and the government does not care about you your wellbeing or tries to help you to rebuild your life, then your British citizenship practically means nothing. Therefore, I am extremely happy that the National Assembly for Wales has supported my petition and taken an active approach in this report to tackle rough sleeping in Wales. By tackling rough sleeping we are tackling injustice and inequality in our society. As long as we have people living in the street we will be living as unequal equals. Therefore, I support the recommendation made by the report which calls upon local authorities to housing first as a default approach to rough sleepers (recommendation 18).

I agree that we need multi service intervention (186) and rapid access to treatment with an emphasis on working with the health sector (207) and social service (209) and a trauma based approach to meeting peoples housing and support needs (214). In point 179 barriers to securing accommodation for rough sleepers has been identified. I believe now it is time to act by creating a systematic conveyor belt that has clear steps to support rough sleepers to secure accommodation and the necessary support. I also agree that the human cost of homelessness places a duty on the Welsh Government to Review the Code of Guidance along with the 2014 Act, provide stronger statutory guidance under the 2014 Act and make rough sleeping needs a priority category. I am also happy that the Minister has agreed to take on board my recommendation to work cross sectors to tackle the problem.

Please find below my comments and recommendations on specific points mentioned in the report:

1. I was pleased that the committee incorporated the title of my commission in the title of the report because our aim as a society and a government should be to 'tackle rough sleeping' by getting people off the street, helping them get into permanent accommodation and provide them with access to all the necessary support (mental, physical, life skills, training, career development, job opportunities) so they can rebuild their lives, fulfil their full potential and become active citizens is key to preventing and tackling rough sleeping in Wales .
2. I was impressed that the committee used a front picture that represented the tragedy of homeless. I cried when I saw the picture but at the same time I was happy that committee understood the true nature of homelessness and that the report was conducted with the intention to understand 'why people end up on the street and how government and service provider can do more and be more effective in preventing and dealing with rough sleeping.' Here, I must note that tackling rough sleeping should mean ending permanently the phenomenon of rough sleeping. No body should be left to sleep in the street seeing their lives, dignity, hopes and dreams disappear in front of them while other humans are going on with their normal lives.
3. The forward by AM John Griffith (Committee Chair, Equality, Local Government and Communities Committee) rightly refers to the fact that the UK is the 6th biggest economy in the world. In 2016, the UK spend £13.4 billion on overseas aid. This money is taken from tax payers' money from all over the UK. While I support helping countries that need aid I believe that politicians who are voted into government by UK citizens in Wales have a responsibility to prevent and tackle rough sleeping in Wales. I also believe that our tax money should first be used to aid the most vulnerable people in our society. The £13.4 billion that was allocated to overseas aid prove that in the UK we have money to tackle many of our social problems in Wales and the UK as a whole we just need to set our priorities right and make sure that our tax money is used to aid rough sleeper in wales and offer them the necessary support so they can rebuild their lives get a job and become tax payers so they can also be in a position to help others in Wales.
4. Recommendation 4: I agree with the need to re-establish the Prisoner, Accommodation and Resettlement Group
5. Recommendation 5: I agree that the automatic priority need should be reinstated for prison leavers in order to eliminate the incentive to reoffend in order for them to secure a warm roof over their head, security and a clean meal in prison. Here, I must note that I believe that all rough sleepers should

be considered a priority need to protect them from the dangers that come with living in the street.

6. Comment on recommendation 8: I agree that the Welsh Government should monitor local authorities' use of local connection and reconnection services. I also believe that the Welsh Government must monitor how local councils are dealing with tackling rough sleeping.
7. Comment on recommendation 9: I believe the Welsh Government should make it compulsory on third sector organizations and local authorities to engage with SHIN Project. The Welsh Government is funding the SHIN project and we need to make sure that third sector organizations and local government work together to prevent and tackle rough sleeping. I do not want to see several organizations spending money doing the same thing over and over when they can all use the SHIN project.
8. Comment recommendation 10: I support the recommendation for the Welsh Government to consider seeking powers over the administration of Universal Credit. UK funding cuts for Wales will have a negative impact on people in Wales therefore we need to be in a position to deal with these problems swiftly to avoid having people become homeless.
9. Comment on recommendation 12: Improving access to private rented sector is extremely important. I agree that incentives should be given to landlords. Many landlords fear that rough sleeper will destroy their homes and that they will create social havoc. **I believe it is important to establish a working group with estate agents and private landlord to find out from them what kind of incentives and assurances the local council needs to give them in order for them to be willing to accommodate rough sleepers.** I personally believe that if the local council agrees to manage the properties and/or rent the properties for over 2 years and guarantee that they will fix up the place after the tenant leaves this might give private landlord the incentive to participate in the project. You could also create networking events were private landlords can meet with rehabilitated rough sleepers. Here, I must also note that rent should be paid directly to private landlords but only after the tenant confirms that the landlord is fulfilling their responsibility (in the event the property is managed by the landlord). Note private rented accommodation could be used as emergency accommodation if the local council rents out the property for a long period. Then individuals can be moved to an affordable social housing accommodation. This is an important recommendation because the report has identified that only 2% of private accommodation is affordable under the LHA rate so we cannot rely on private accommodation

but we need to secure the 2% affordable accommodation to deal with the problem (point 120).

10. Comment on recommendation 15: I agree that the Rough Sleeping Action Plan must set out clearly how partners will implement the move-on-from emergency accommodation

11. Comment Recommendation 16: A quarterly report should be published on the Rough Sleeping Action to hold everyone involved accountable

12. Comment on Recommendation 17: I agree that the responsibility of the Rough Action Plan should be shared jointly between the Minister of Housing and Regeneration and the Cabinet Secretary for Health and Social services because in order to help people sleeping rough to move into permanent accommodation and support them to rebuilt their live we need to make sure that they get support in term of their menta health, physical health and access to necessarily social services:

13. Comment on recommendation 18:

I agree that the Welsh Government needs to Revise the Rough sleeping Action Plan by drawing clear links to the Well-Being of the future Generation (Wales) Act 2015.

Students including university students are also at risk of becoming homeless. I am particularly concerned by the fact that after university some graduates become homeless because they cannot find a job and they are not even aware that they can apply for support from the Job centre. I believe it is important that when university students graduate (particularly those who received student loans) should be informed by the university/ student loan company that they should register with the Job centre. The job centre staff must also deal with graduates in an appropriate manner. This means trying first to help them find a job that matches their skills and educational background. They should be financially supported while attending relevant training/internship.

14. Comment on recommendation 21

I agree that an assertive outreach approach is the right approach to tackle rough sleeping. In order for the approach to succeed we need to make sure that those approaching rough sleepers offer actual solutions and are willing to take the rough sleepers to the appropriate place to get them the help they need and that means a secure place to stay.

15. Comment recommendation 23

I am of the opinion that PATH Training should be compulsory

2. Effectiveness of the Housing (Wales) Act 2014

Section 8: I am happy that the majority of respondent agreed with me that 2014 Act has had limited impact on rough sleepers

Point 12. I agree that we need a very person centred approach

Point 16: Rough sleeping should be a priority needs status

Point 17: Dr. Mackie statements rough sleepers are unlikely to be found a priority need needs to be investigated

Point 20: I agree with Shelter Cymri that changes should be made to the code of guidance "to improve the consistency around priority need decision"

Point 28: I am concerned that local government representatives and Powy Council were concerned that abolishing priority need will "significantly increase in in expenditure on homeless services." This concern needs to be tackled if we are going to ensure that councils are willing to tackle rough sleeping. It seems to me that they are currently more concerned about the financial implications than the human life of rough sleepers. While they are taking a practical approach by considering the financial implications I believe it is important to address their financial concerns but at the same time to make sure that our approach to tackling rough sleeping is led by a human rights approach. The lack of money does not justify the ongoing tragedy of rough sleeping. We have a problem and our responsibility is to find the money and necessary support to tackle the problem.

Point37: We need to investigate why the National Pathway is not being fully implemented (prisoners)

Point 41: Reconnection in my view should take into account that individual might have a well founded reason and/or fear for not being willing to return to their original location. Also reconnection means a social worker must be allocated for you and accommodation must have been secured before your transfer.

Point 53. On the issue of prison leaver The Minister stated that in regard to prison leavers certain improvement do not need legislative and policy changes and suggested that discussions with Her Majesty' Prison and Probation Service could be enough. I do not agree with this suggestion. **If changes in legislation are not going to be pursued, then we cannot simply rely on discussions. We need a clear plan with a clear set of objectives and everyone involved must be**

held accountable. I am of the opinion that no prisoner should leave prison and find himself/herself in the street.

I am concerned by the fact that although the Minister acknowledged that the National Pathway is not being “consistently or widely well implemented” the Minister suggested that building relation and good dialogue between relevant authorities will address this problem. I find this suggestion on its own absolute unacceptable. **The National Pathway must be implemented in a consistence manner everywhere and if it is not those responsible for the failure must be held responsible.** All the authorities involved must receive appropriate training and they must be monitored and problems and/or challenge must be addressed swiftly because we are taking about the lives of human beings and not numbers on paper.

Point 62: I agree with the motion calling on the government to consider abolishing priority need and replacing it with a duty to provide an offer of suitable accommodation for all homeless people. But I want to make sure that refusing an unreasonable offer does not lead someone to be considered making oneself intentionally homeless.

Comment on recommendation 1: Agree

Comment on recommendation 72: Agree

3.1 Evaluation of Current data collection nationwide

Comment on point 85: It seems to me that while gathering current data for the National Rough sleeping Count Cardiff Council and Third sector partner repeat the same exercises. I suggest formulating a plan that saves time and money and does not require the same job to be repeated.

Point of 126. Minister noted that the Welsh Government is funding a research by helter Cymry looking at the causes of rough sleeping. While I commend the project I believe our priority should be to get people off the street and then we can ask them what led them to become homeless. We do not want rough sleepers to continue to be the subject of research we need funding and action to tackle rough sleeping now. On this point I agree with the view of the committee in point 130.

5.1. Emergency and Temporary Accommodation

Point on 144. I agree with the salvation army that emergency accommodation should provide a safe place to stay and facilitate moving to a permanent accommodation –In order to do so action must be taken to tackle drug use, bullying and criminal activity in emergency accommodation. Social workers, health workers and the police must be involved.

Point 147: Time restriction must be addressed and

Point 148: couples and individuals with pets must not be excluded– also those who are unable or unwilling to comply with no alcohol or no substance misuse rules must be offered rehab

Independence and sustaining their lives

Point 152: accommodation must come with support to prepare rough sleepers to obtain and sustain accommodation.

Point 159. Cardiff Bus 98 success rate of getting people into emergency accommodation means that other third sector organizations and local councils must learn from this model and implement across different organizations dealing with rough sleepers

Point 168. I agree with the Minister that securing tenancies using Housing First approach is a better long term solution.

Point 170. I also agree with the Minister that services funded by the Welsh Government are expected to be proactive in helping rough sleepers into accommodation”

Point 171. The Minister mentions funding charities and training a number of times. I am concerned that £2.6 million is being allocated to training purposes instead of tackling the actual problem. I want the money to be spent directly on getting people off the street into secure and safe accommodation and get proper support.

Point 173– Emergency support services should be expected to provide or sign post homeless people to housing support services

I agree with the committee that Front line services entrusted for taking forward Government Rough sleeping Action Plan must be held accountable and monitored

Comment on recommendation 21: I am of the opinion that Housing First and the assertive outreach services must work hand in hand.

Comment on Recommendation 26– We need full consultation not just with the homeless sector but with homeless people and those who were formally homeless. We need them to lead the initiative because they know more than us what they need!!!!

Hanin Abou Salem

Agenda Item 3.9

P-05-758 Statue to Honour Billy Boston

This petition was submitted by CIAC's RFC having collected 151 signatures.

Petition text:

We call on the National Assembly for Wales to urge the Welsh Government to honour British & Welsh sporting legend Billy Boston with a statue in Cardiff Bay.

He was born & raised in the docks area of Cardiff and it is about time that his sporting achievements were recognised by his home town & country.

At the beginning of his rugby career he was ignored by his home town club Cardiff RFC and as a result he never achieved his dream of playing at the arms. Cardiff & Wales loss was Wigan's gain as Billy went on to score 478 tries in 487 appearances for the club, some of the other highlights of his career are:

- Three Challenge Cups and an RFL Championship title in 1960
- 24 tries in 31 appearances for Great Britain and he was a member of the team that won the 1960 World Cup

Wigan have recently honoured him with a statue and there is also a statue at Wembley stadium highlighting his impact and status within rugby league.

CIAC's RFC (Billy's first club) are willing to help in way we can with fundraising etc., and we have a current player who is a sculptor who would be more than happy to be involved in the project.

It is time previous wrongs are put right and Billy is given the respect and honour he deserves from Cardiff and Wales, and what better to do that than with a statue in the area of Cardiff where he was born and raised.

Assembly Constituency and Region.

- Cardiff North
- South Wales Central

Agenda Item 3.10

P-05-742 Stop Forsythia Closing!

This petition was submitted by Forsythia Youth Centre, having collected 74 signatures. The petition has also collected 533 signatures on an alternative e-petition website.

Text of the Petition

Forsythia Youth Centre is at risk of closing due to the uncertainty surrounding Welsh Government's Communities First funding. Forsythia Youth Centre is a FREE access youth provision which is open: –

- 4 nights a week for 51 weeks of the year;
- Open during the day and the evenings throughout school holidays;
- Open on the weekend if completing project work.

Without fail, Forsythia has a minimum of 50 young people aged 11–20 from across Gurnos, Galon Uchaf, Pant, Dowlais and Penydarren, attending every night. Without Forsythia Youth Centre, young people would not have a safe place to access within their community and they would not have anywhere else to go due to a lack of other provision aimed at young people.

Forsythia Youth Centre offers young people the opportunity to take part in youth projects, such as 'Commit to Quit' with Ash Wales, Erasmus+ project on 'Attitudes and Values of Youth Work', and the 'Agenda Project' with Cardiff University. Young people are also provided the opportunity to access organisations such as Drug Aid, Sexual Health projects, Smoking Cessation, Mental Health and Confidence Building, Skills and Qualifications and receive in house support from qualified youth workers.

Young people and the workers are very concerned about the uncertainty surrounding the Communities First funding, as without this funding, Forsythia will have to close down.

We call on the National Assembly for Wales to urge the Welsh Government to ensure that potential changes to the Communities First programme do not cause the closure of Forsythia Youth Centre.

Additional Information

1. The young people involved with Forsythia Youth Centre have been part of a campaign to improve community safety, which resulted in having a zebra crossing installed outside of the Youth Centre, lighting installed on the hospital pathways and the dangerous subway closed which was always full of drug paraphernalia.
2. The young people are involved with going into local schools and Merthyr Tydfil College to deliver peer education on Smoking Cessation.
3. The young people of Forsythia have been involved with the National Assembly for Wales Health and Social Care Committee during the Forth Assembly, where young people took part in a focus group meeting with Assembly Committee Members on the new Psychoactive Substances Inquiry.
4. The Forsythia Youth Centre has won 18 awards over the past 13 years both locally, nationally and internationally.
5. Young people at Forsythia have collected 533 signatures using change.org to support this petition.

Assembly Constituency and Region.

- Merthyr Tydfil and Rhymney
- South Wales East

Agenda Item 4

P-05-806 We call for all premises in Wales to be awarded an Access Certificate number similar to the Food Hygiene Certificate.

This petition was submitted by Bridgend Coalition of Disabled People having collected 2,391 signatures.

Text of Petition

We are calling for the Welsh Government to bring in an "Access Certificate" showing numbers from zero to five along the lines of the Food Hygiene Certificate. All buildings used by the public such as shops, food outlets, sports clubs, pubs and offices as well as public transport services should be assessed on how wheelchair accessible they are, as well as how easy it is for someone with a sensory impairment or learning disability to use.

We want all premises to be given a number which they could then display to show how disabled friendly their premises are. We hope that those who achieve high ratings will possibly persuade other nearby premises to improve access and get a high rating themselves.

When Food Hygiene Certificates were first introduced in Wales they were not mandatory, but later became so. Since the introduction of the Food Hygiene Certificate we believe food standards have vastly improved and premises with a high number use the certificate with pride. We believe premises will make a bigger effort to improve access and services for the disabled community if a similar Certificate was introduced for access. We believe the introduction of such a certificate will hugely improve services for disabled shoppers and those who want to go out for a drink, a meal or to use public transport, facilities most take for granted.

To achieve a five rating a premises will not just need to be wheelchair accessible but be fully inclusive for those with visual and hearing impairments, and possibly have staff understanding to those with learning impairments.

Having a restaurant with a braille menu or staff able to use sign language can make a huge difference and give someone a far easier and less stressful experience when doing everyday things most take for granted.

One idea may be, as well as having the Five to Zero rating to have extra symbols underneath to show if a premises has full wheelchair access, an accessible toilet, info in braille, staff who can use sign language and autism friendly.

We feel that this will result in big improvements. Many food outlets compete with each other to get a higher rating and we hope this will be the same with Access Certificate.

Assembly Constituency and Region

- Bridgend
- South Wales West

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

Document is Restricted

P-05-806 We call for all premises in Wales to be awarded an Access Certificate number – Disability Wales to the Committee

**Disability Wales' response to the Petitions Committees proposal to introduce an
'Access Certificate' in Wales
(Petition P-05-806)**

1.0 Introduction

1.1 Disability Wales/Anabledd Cymru (DW) is the national association of disabled people's organisations in Wales striving for the rights and equality of all disabled people, including for independent living. Our core role is to reflect the views of our members to Government with the aim of informing and influencing policy.

1.2 Disability Wales subscribes to the Social Model of disability, by which we mean that "disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others" UNCRDP (*UN Convention on the Rights of Disabled People*).

2.0 The Need for an Access Certificate

2.1 Disability Wales supports the concept of a national 'Access Certificate' as proposed by Bridgend Coalition of Disabled People. The proposed scheme would complement the Welsh Governments Framework for Action on Independent Living. Accessible and inclusive places are an important enabler for disabled people to lead independent lives. Since October 2004, all service providers have been required to make reasonable adjustments to the physical features of their premises to overcome environmental barriers to access in line with the Disability Discrimination Act (1995) Part III Access to Goods and Services (subsequently replaced by the Equality Act (2010)).

Despite this, high streets across Wales remain largely inaccessible to disabled people.

- 2.2 DW's *Streets Ahead* campaign in 2008/9 involved disabled people in a mystery shopper exercise which sought to highlight the barriers faced in going shopping, using banking and post office facilities or accessing hairdressers, cafes, bars and restaurants. Barriers encountered included:
- **Physical barriers** – access into shop premises and its interior such as lack of level access or ramps into shop premises, narrow width of doorway, wrong type of door entry and interior clutter;
 - **Attitudinal barriers** – staff treatment of disabled customers varied sometimes even within the same store. Attitudes experienced included being unhelpful, insensitive and acting inappropriately.
 - **Communication and information barriers:** including the complexity of verbal language used to conduct transactions and provide services, types of signs used to convey information and their use of inappropriate font size, colour of text and background.
- 2.3 The *Streets Ahead* Campaign Report (2009) made a series of recommendations targeted at Welsh Government, local authorities, business and the EHRC: <http://www.disabilitywales.org/resources/>
- 2.4 Recommendations included giving higher priority to and taking a more strategic approach to achieving access to the high street through strengthened legislation; policy development in planning, regeneration, transport and sustainability; stakeholder engagement; provision of guidance, information and training.
- 2.5 A key outcome of the campaign, was an award of funding to DW under WG's Advancing Equality Grant Scheme (2010–13) for the project *Way to Go: Planning for Inclusive Access*. It provided a comprehensive development and

training programme for disabled people's organisations (DPOs) and planning authorities across Wales; mediation pilots; and publication of a Good Practice Guidance Toolkit which was widely distributed to Planning Authorities: <http://www.disabilitywales.org/resources/>

2.6 Project evaluation found that DPOs and Planning Officers alike greatly appreciated and valued *Way to Go* as an intervention in tackling planning issues concerning access to the built environment. However there has been no comparable programme since the project ended in 2013 and the strategic action outlined in the *Streets Ahead* Campaign Report has not materialised.

2.7 Lords Report

3.0 The Development of an Access Certificate

3.1 There is a clear lack of consistent information relating to the accessibility of public and commercial premises in Wales. A national rating system would standardise the available information, allowing disabled people to make informed decisions and plan appropriately. The scheme should encompass a range of accessibility issues, decided by a stakeholder group. This scheme should be coproduced with disabled people. It is important that a wide range of stakeholders are involved in the development of this scheme, with representatives from all impairment specific groups represented in Wales, invited to participate.

3.2 In their daily lives disabled people require accessibility information for a variety of premises and services. This scheme should reflect the information needs of disabled people.

3.3 With regards to the range of accessibility issues the scheme should cover, this should be discussed and decided amongst the stakeholders to ensure

the needs of all disabled people are met through the information provided through the Access Certificate.

- 3.4** It would be a large undertaking if the scheme were applied to all buildings/services in Wales from the start. Initially, it may be beneficial to pilot the scheme across one geographical location or type of premises; cafes/restaurants, bars/pubs/clubs, supermarkets/grocery stores or chemists/opticians/dentists/GPs for example.
- 3.5** As with the Food Hygiene Certificate, an Access Certificate scheme should be appropriately and sufficiently resourced to ensure the scheme is administered effectively. Under the Equality Act 2010, businesses and service providers have a duty to make reasonable adjustments for disabled people. With this legal duty in mind, the scheme should be compulsory for businesses/services in Wales. Ideally, the scheme would be administered and maintained by a national Disabled People's Organisation, involving disabled people as mystery shoppers. This would ensure that the scheme is truly led by disabled people.
- 3.6** It may be useful to conduct engagement work to gather the views of disabled people and their representatives to know what information they would find useful.
- 3.7** Additionally, it will be vital to engage with business owners, service providers and their representative organisations on the proposed Access Certificate. This group may have concerns relating to the cost and administration of the scheme.
- 3.8** Disability Wales conducted an online poll to gather feedback from our subscribers on the proposed access certificate. We asked, "Do you think this idea has a potential benefit to disabled people in Wales?". The poll received 105 responses with 96 per cent of respondents in support of the scheme.

Despite the small sample surveyed the poll shows high public support an Access Certificate in Wales.

4 Conclusion

4.0 In principle Disability Wales supports the idea of an Access Certificate for commercial, public and transport services in Wales. We strongly believe that this scheme should be led by disabled people to ensure that it provides the information we require to lead full and independent lives.

P-05-806 We call for all premises in Wales to be awarded an Access Certificate number – Correspondence from Legacy International Group to the Committee, 11.09.18

Good evening, we have received an email from a colleague regarding your consideration of a disability access certificate along the lines of a food hygiene rating badge.

We are a Welsh based not for profit company work to improve accessibility for people with disabilities. We are very new to the disability arena in terms of the age of the company but given both directors live with disabilities themselves, we both feel able to commit to input in on this agenda.

We have ourselves looked at a similar type scheme but feel that a rating of accessibility would show prejudice to retailers and other hospitality outlets. We believe this would be detrimental to building community relationships.

We would put forward a suggestion of a badge scheme where businesses and traders could work with people from disability groups to earn their badges such as a deaf friendly badge, an adult changing space space badge, that can all be dissolved on a simple yet bright card In their windows.

We believe that this project needs to be led by people with disabilities advising local businesses on how to make this happen. Accessibility Group has set up a user lead consultancy that could lead the way in this arena. Disabled people would attend a local business and gives a review focused on their disability. If the local business is deemed to have met basic criteria regarding this disability they would be awarded a badge relating to this disability. This would mean an ongoing relationship of building the badges so that businesses could represent many different types of disability for exam Paul autism friendly.

We strongly believe that local business wants to be disability friendly but need support help guidance and finance to make this happen. We have looked at the Canadian government model that has given a funded budget to local businesses in order to create more disabled access to their businesses and to their services.

We believe that a full disability access type card could only go ahead with the funding whether that be from a funded third-party such as a disability foundational trust or whether Welsh government could release the funding to make something like this happen. We would like to stress that we do not agree with a hygiene type rating which discriminate businesses that are less disabled friendly we believe this

is an opportunity for businesses to learn and grow via the support of disabled people within the community.

We would very much welcome any feedback from your committee regarding this subject and if you require any further information or would like to meet with us on the work that we have done to date we would be happy to make that happen with yourselves.

Kindest Regards

Sara Flay
Chief Executive

Legacy International Group

P-05-806 We call for all premises in Wales to be awarded an Access Certificate number – The National Autistic Society Cymru to the Committee, 05.09.18

About the National Autistic Society Cymru

We are the leading charity for people on the autism spectrum and their families. Since we began over 50 years ago, we have been pioneering new ways to support people and understand autism. We continue to learn every day from the children and adults we support in our schools and care services. Based on our experience, and with support from our members, donors and volunteers, we provide life-changing information and advice to millions of autistic people, their families and friends. And we support professionals, politicians and the public to understand autism better so that more autistic people of all ages can be understood, supported and appreciated for who they are.

Our charity works across Wales alongside our 15 volunteer-led branches and members. We also provide support and specialist services for adults across Wales in a number of settings including residential care, supported living, community-based resource centres, at university and in people's own homes.

Around 34,000 people in Wales are autistic. If you include their families, autism is a part of daily life for 136,000 people throughout Wales.

About Autism

Autism is a lifelong developmental disability that affects the way a person communicates with, and relates to, other people. It also affects how they make sense of the world around them. It is a spectrum condition, which means that, while all people on the autism spectrum share certain areas of difficulty, their condition will affect them in different ways.

Some people on the autism spectrum are able to live relatively independent lives but others may need a lifetime of specialist support. Autistic people may also experience some form of sensory sensitivity or under-sensitivity, for example to sounds touch, tastes, smells, light or colours. This might mean that sensory input such as a ticking clock or screaming in the playground can be highly stressful. Asperger syndrome is a form of autism.

National Autistic Society Cymru response to P-05-806: We call for all premises in Wales to be awarded an Access Certificate number similar to the Food Hygiene Certificate.

The National Autistic Society Cymru welcomes the opportunity to share with the committee our views on petition P-05-806, currently under consideration. We broadly support the concept of a national 'access certificate' scheme that would help to ensure that communities are more open and welcoming places to autistic people and their families.

For autistic people, the world can seem full of too much information – and too little understanding. That's why we launched our public awareness campaign [Too Much Information](#) to challenge the myths, misconceptions and stereotypes that contribute to 79% of autistic people feeling socially isolated and 64% of autistic people avoiding going to the shops.

Our charity would welcome the implementation of this scheme both within commercial and public services. Our members and supporters tell us that while an inability to access shops and restaurants, for example, can be socially isolating, the same can be said for access to GP surgeries, dentists or council buildings.

To roll out such a scheme in workplaces, as suggested, presents different challenges. While any work that improves an employer's understanding of autistic employees is to be welcomed, it is important that this is seen as a distinct challenge to being accessible to members of the public on the autistic spectrum. That said, training to improve awareness and understanding of autism will be beneficial across all areas of any organisation.

For hidden disabilities such as autism, access to goods and services can often be about making changes to the physical environment. This could include, but is not limited to, providing opportunities for autistic people to access services where the sensory impact that the environment can have is taken into account. This is why we launched our [Autism Hour](#) initiative asking business and shops to be more autism friendly through dimming the lights or reducing the noise levels for one hour. Staff are also given information on how they can be more supportive of autistic shoppers during the hour. Last year almost 5,000 organisations took part and we're on track to support even more organisations this year.

Another way in which such a scheme could encompass the needs of autistic people is by looking at the extent to which organisations provide information about their services to autistic people. A good example of this is the [National Assembly for](#)

[Wales](#), a recipient of the National Autistic Society Cymru's [Autism-Friendly Award](#), who provide a range of helpful information and resources on their website for autistic visitors. This allows autistic visitors to prepare for their visit and make any necessary considerations, enabling them to avoid becoming stressed, anxious or overwhelmed.

Our charity would also welcome disability awareness training, including autism, for all staff who interact with the public.

Whether the scheme is voluntary or compulsory, and exactly how and by whom the scheme will be administered and monitored, are areas where we would seek further evidence on what would be most effective and practical. However, to ensure the success of such a scheme, it would be crucial that it is consistently administered and a clear framework is used to mitigate against the possibility of variation of standards.

Overall, further exploration into the development of this scheme is to be welcomed and, to make the most of the opportunity to provide better access to goods and services for those with a disability, we believe that the needs of those with autism and other hidden disabilities should be embedded from the start. We know that 28% of autistic people have been asked to leave a public space because of behaviour associated with their autism. This needs to change.

To this end, we would welcome any further opportunities to contribute to this process and would like to thank the committee for their consideration of our evidence.