

## Agenda – Petitions Committee

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Meeting Venue:

**Committee Room 1 – Senedd**

Meeting date: 17 September 2019

Meeting time: 09.00

For further information contact:

**Graeme Francis** – Committee Clerk

**Ross Davies** – Deputy Clerk

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

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### 2 New petitions

#### 2.1 P-05-893 Save Our Parks In Wales

(Pages 42 – 50)

#### 2.2 P-05-894 Fairer business rates for Welsh businesses

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#### 2.3 P-05-896 Prevent the closure of Ward 35 at Prince Charles Hospital

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#### 2.4 P-05-897 Stop Developers netting hedgerows and trees

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### 3 Updates to previous petitions

#### Health and Social Services

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

(Pages 75 – 80)

#### 3.2 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

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- 3.3 P-05-817 Specialist prosthetics for child amputees  
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- 3.4 P-05-826 Pembrokeshire says NO!! To the closure of Withybush A&E!  
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## **Environment, Energy and Rural Affairs**

### **The following two items will be considered together**

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- 3.9 P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance  
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3.13 P-05-858 Fire sprinklers are for life, not a fast buck!

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## **Culture, Tourism and Sport**

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# Agenda Item 2.1

## **P-05-893 Save Our Parks In Wales**

This petition was submitted by Crispian Huggill having collected a total of 244 signatures.

### **Text of Petition**

Parks and play areas are falling into disrepair or are under threat of being built on or sold to developers.

This is despite the vital health and social benefits that our much-loved green spaces provide.

This petition is to galvanise support to save our parks, playgrounds and open spaces from being lost forever, to serve the needs of today's and those of future generations and to uphold the obligations councils in Wales have under the Well-being Of Future Generations Act 2015 and the Environment Act 2016.

We want:

- 1) A statutory requirement for councils to ring-fence funding for parks at £30 per household per year.
- 2) There to be a legal duty for all green space to be managed to a good standard.
- 3) New rules banning the development on, selling off or the inappropriate use of, parkland.
- 4) A new Welsh Government fund to provide emergency help for parks most at risk and ensure the long-term future of Wales's green open spaces.
- 5) A legal requirement for all councils to operate an Open Spaces Strategy in accordance with the Fields In Trust Standards, the Well-being of Future Generations Act 2015, and the Environment Act 2016 and to work with Fields In Trust to protect and enhance all public green open spaces in Wales.

### **Additional Information**

## **Assembly Constituency and Region**

- Gower
- South Wales West

# P-05-893 Save our Parks in Wales:

Y Pwyllgor Deisebau | 17 Medi 2019  
Petitions Committee | 17 September 2019

Reference: RS19/10336

Petition Number P-05-893

Petition title: Save our Parks in Wales



**Text of petition:** Parks and play areas are falling into disrepair or are under threat of being built on or sold to developers.

This is despite the vital health and social benefits that our much-loved green spaces provide.

This petition is to galvanise support to save our parks, playgrounds and open spaces from being lost forever, to serve the needs of today's and those of future generations and to uphold the obligations councils in Wales have under the Well-being Of Future Generations Act 2015 and the Environment Act 2016.

We want:

- 1) A statutory requirement for councils to ring-fence funding for parks at £30 per household per year.
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- 3) New rules banning the development on, selling off or the inappropriate use of, parkland.
- 4) A new Welsh Government fund to provide emergency help for parks most at risk and ensure the long-term future of Wales's green open spaces.
- 5) A legal requirement for all councils to operate an Open Spaces Strategy in accordance with the Fields In Trust Standards, the Well-being of Future Generations Act 2015, and the Environment Act 2016 and to work with Fields In Trust to protect and enhance all public green open spaces in Wales.

## 1. Background

### Local Government Funding

A significant proportion of a local authority's budget comes directly from the Welsh Government via revenue funding support. Local authorities also receive some capital funding from the Welsh Government, along with some specific grant funding. The remainder of an authority's budget is made up of council tax receipts and income it generates itself.



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The main revenue funding provided by the Welsh Government is known as the *Revenue Support Grant (RSG)*. This is an un-hypothecated grant, which means that there are no specific requirements placed on an authority for how it spends that funding. The Welsh Ministers have consistently stated that local authorities are considered best placed to decide how to use resources based on local priorities.

Decisions relating to an authority's budget are taken by its Cabinet, and voted on by all council members. Funding for parks and open spaces will often be included in wider policy areas, such as 'community learning and leisure', and not always easily identifiable. There is currently no statutory requirement on local authorities to ring-fence any funding it receives from the Welsh Government for parks and open spaces.

Each individual local authority is responsible for the maintenance and upkeep of many of the parks and open spaces within its area. However, some parks and open spaces may be maintained by a community or town council or other voluntary or private entity.

### Planning policy

The Welsh Government's national planning policy is set out in [Planning Policy Wales \(Edition 10\) \(PPW\)](#). Section 4.5 of PPW discusses recreational spaces. In relation to open green spaces and playing fields, it states:

- Planning authorities should provide a framework for well-located, good quality sport, recreational and leisure facilities, and develop clear policies for the provision, protection and enhancement of sport, recreation and leisure facilities.
- These policies should set standards of provision, so that local deficiencies can be identified and met through the planning process, and set out policies to avoid or resolve conflict between different activities.
- Formal and informal open green spaces should be protected from development, particularly in urban areas where they fulfil multiple purposes;
- All playing fields whether owned by public, private or voluntary organisations, should be protected from development except where:
  - facilities can best be retained and enhanced through the redevelopment of a small part of the site;

- 
- alternative provision of equivalent community benefit is made available locally, avoiding any temporary loss of provision; or
  - there is an excess of such provision in the area.
- Planning authorities should protect playing fields and open spaces which have significant amenity or recreational value to local communities from development; and
  - Planning authorities should encourage the multiple use of open space and facilities, where appropriate, to increase their effective use.

The latest version of PPW (Edition 10) was published in December 2018. The structure of the document differs significantly from previous versions, having been revised to take account of the *Well-being of Future Generations (Wales) Act 2015*.

The new PPW also introduces the concept of 'placemaking' to help 'deliver on the aspirations' of the Well-being of Future Generations Act. PPW describes placemaking (on page 16) as:

... a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area's potential to create high quality development and public spaces that promote people's prosperity, health, happiness, and well being in the widest sense.

The Future Generations Commissioner has cited the revision of PPW as an exemplar of how the Act should be reflected in public policy.

PPW is supported by a suite of Technical Advice Notes (TANs) that provide further guidance on specific planning issues.

TAN 16: Sport, Recreation and Open Space states (in paragraph 2.2) that planning authorities can best achieve the objectives set out in PPW by undertaking local assessments of need and audits of existing provision, in the form of an Open Space Assessment. The Open Space Assessment should be used to inform preparation and review of the planning authority's Local Development Plan (LDP).

Paragraph 2.4 goes on to state that the Open Space Assessment and LDP policies should provide the basis of a broader corporate Open Space Strategy, prepared in conjunction with other sections of the local authority and key stakeholders.

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## Legislation relating to the disposal of playing fields

The *Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015*, made under the *Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010*, make provision for involving communities in local authorities' decisions about proposed disposal of land consisting, or forming part, of a playing field.

The primary purpose of the legislation is to:

- Require the local authority to publish information on the impact of the proposed disposal of a playing field on the health and well-being of the community, by reference to a number of key strategies, plans and assessments for the area in which the playing field is located; and
- Strengthen arrangements for consulting the community, playing field users and relevant national bodies before the local authority takes a final decision to proceed with a proposed disposal.

Further information can be found in the [statutory guidance on the regulations](#).

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.



Eich cyf/Your ref: P-05-893  
Ein cyf/Our ref JJ/06243/19

Janet Finch-Saunders AM  
Chair of the Petitions Committee

SeneddPetitions@assembly.wales

13 August 2019

Dear Janet,

Thank you for your letter dated 16 July regarding Petition P-05-893 - Save Our Parks in Wales.

The Welsh Government recognises the many benefits that good quality green and open spaces can offer. Open spaces are focal points for sport and leisure in our cities, towns and villages. They are naturally inclusive places, providing access for people of all ages and backgrounds to healthy, green environments. We recognise in our Natural Resource Policy the significant contribution that open spaces make to biodiversity and ecology across the country and we highlight the importance of having good quality, accessible green spaces in our communities.

### Planning and open spaces

The planning system plays an important and proactive role in promoting the value of open spaces and ensuring they are accessible and attractive places. National planning policy, set out in Planning Policy Wales (Ed. 10, 2019), embeds the goals of the Wellbeing of Future Generation Act into the planning system. This includes our approach to open spaces, where planning policy provides strong support for creating new open spaces and maintaining existing provision.

Planning Policy Wales, supplemented by guidance in Technical Advice Note (TAN) 16: *sport, recreation and open space* (2009), seeks to ensure there is sufficient provision of parks and playing fields across Wales. Local planning authorities undertake Open Space Assessments, which look at the quality and quantity of open space in their area, to inform policies and proposals in their Local Development Plans (LDPs). Typically, LDPs will identify existing open spaces and outline requirements for new open spaces to be provided as part of housing or mixed-use developments.

The planning system also has a key role in protecting existing open spaces from inappropriate development and from being lost. Planning Policy Wales states "*planning authorities should protect playing fields and open spaces which have significant amenity or*

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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.

*recreational value to local communities from development*". Sport Wales is a statutory consultee on planning applications affecting playing fields, providing valuable advice to local planning authorities.

The aims of the planning system are supported by Cadw, which seeks to protect gardens, parks and other green spaces of historic interest through the registration process. They ensure all sites on the register of historic parks and gardens in Wales are protected through the planning system. The register is not a closed list and new sites which meet the criteria for registration can be added thus affording them further protection from development.

### **Funding**

The vast majority of Welsh Government funding for parks and open spaces is delivered through the unhypothecated local government settlement. The settlement is delivered on the basis that individual local authorities are best placed to take decisions around spending priorities in their areas. The funding system we have in place gives local authorities the flexibility to make those decisions.

### **Maintaining green and open spaces to high standards.**

We recognise the importance of good quality, accessible, local green space and therefore we fund the Green Flag Award in Wales, which is the benchmark for parks and green spaces across the UK. The Green Flag Award helps to improve a wide range of spaces, by encouraging investment and pride in our open spaces, including many in urban areas. There are currently 201 awarded sites across Wales, including 112 Community Awards. One of the criteria for the award is for spaces to be '*well maintained and clean*'.

### **Disposal of green and open spaces**

In some circumstances it can be appropriate to dispose of open spaces or to redevelop them for another use. Planning Policy Wales sets out circumstances where this may be appropriate and the views of Sport Wales will be sought in these situations. There is a further safeguard against inappropriate loss of playing spaces through legislation governing processes to be followed by local authorities. These [regulations](#) require local authorities to advertise its intention and consider any representations it receives before it can dispose of playing fields.

Yours sincerely,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government

# Agenda Item 2.2

## **P-05-894 Fairer business rates for Welsh businesses**

This petition was submitted by Your Pontypridd Business Improvement District having collected a total of 80 signatures.

### **Text of Petition**

We call on the Welsh Government to recognise the changing nature of retail in Wales over the past decade and look at exploring ways of introducing a fairer business rates as part of more progressive Welsh tax system for large and small businesses in our town centres, retail parks and online to fully represent these changes.

Vibrant and sustainable towns and cities are important to everyone who lives and works in them and the Scottish Government have recognised this by looking at raising taxes for retail parks and the UK Labour Party has called for annual business rates valuations, partly recognising the need to look at sharing the tax burden more evenly.

This is an opportunity for the Welsh Government to take the lead on fairer business rates and taxes and we at Your Pontypridd Business Improvement District (BID) encourage you to grasp the opportunity to show our local business that you understand their current and future needs.

### **Additional Information**

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

- Pontypridd
- South Wales Central

## Petition: Fairer business rates for Welsh businesses

Y Pwyllgor Deisebau | 17 Medi 2019  
Petitions Committee | 17 September 2019

### Research Briefing:

Petition number: P-05-894

Petition title: Fairer business rates for Welsh businesses

We call on the Welsh Government to recognise the changing nature of retail in Wales over the past decade and look at exploring ways of introducing a fairer business rates as part of more progressive Welsh tax system for large and small businesses in our town centres, retail parks and online to fully represent these changes.

Vibrant and sustainable towns and cities are important to everyone who lives and works in them and the Scottish Government have recognised this by looking at raising taxes for retail parks and the UK Labour Party has called for annual business rates valuations, partly recognising the need to look at sharing the tax burden more evenly.

This is an opportunity for the Welsh Government to take the lead on fairer business rates and taxes and we at Your Pontypridd Business Improvement District (BID) encourage you to grasp the opportunity to show our local business that you understand their current and future needs.

### Background

[Business rates](#) (also known as non-domestic rates or NDR) have been fully devolved to Wales since April 2015. Business rates are a property tax paid on non-domestic properties and are the means by which businesses and other users of non-domestic property contribute towards the cost of local authority services.

The Welsh Government sets the business rates multiplier every financial year and determines national business rates policy including setting reliefs. Local authorities can also award discretionary reliefs for business within their authority.

Business rates revaluations have generally taken place every five years. The most recent revaluation took effect in April 2017, with the next scheduled for 2021 (brought forward from 2022).

## Welsh Government action

### Business rates reliefs

The Minister for Finance and Trefnydd states in her letter to this petition that the Welsh Government is providing “over £210 million” of rates relief support in 2019–20. The Minister goes on to note that, “more than three quarters of ratepayers in Wales will benefit from these reliefs, with half paying nothing at all”.

[Reliefs available for businesses](#) that meet certain criteria and that are available from Welsh Government and local authorities include:

- Small Business Rates Relief (SBRR)
- Transitional Relief
- High Street and Retail Rates Relief
- Relief for Hydropower Projects
- Charitable rate relief
- Rates relief for empty properties
- Hardship relief
- Discretionary relief

Certain properties are also exempt from business rates, such as:

- agricultural land and buildings including fish farms
- buildings used for training or the welfare of disabled persons
- buildings registered for public religious worship and church halls

### Tax policy

The Welsh Government’s ‘[Tax Policy Report 2018](#)’ (October 2018) outlines actions to change its Small Business Rates Relief scheme, including to develop local taxation policy as part of



wider local government finance reform. The report outlines that the Welsh Government will consider “whether local taxes could be made fairer”.

The report also notes the Welsh Government’s priority to:

Implement a better-targeted Small Business Rates Relief (SBRR) scheme in April 2018. Continue to develop the scheme beyond 2018 to ensure it meets Wales' needs

In the report, the Welsh Government detail the [consultation](#) it undertook to improve SBRR in 2017 and subsequent priority actions, including:

- Enhanced relief for childcare premises in support of our commitment to offer 30 hours free childcare for working-age parents of three and four year-olds;
- Targeted support for community energy projects;
- An extension to the high street rates relief scheme for 2018-19;
- An extra £1.3m for local authorities in 2018-19 to provide discretionary relief to local businesses and other ratepayers which would benefit from locally determined assistance.

The Tax Policy Report outlines that these actions were funded by limiting the number of properties eligible for SBRR to two per business in each local authority. The Welsh Government notes:

This policy prevents larger businesses and national chains from benefiting from the SBRR scheme which is designed to help small businesses. The change released an estimated £7m a year which is being reinvested to support small businesses.

Additionally, on [27 September 2018](#) the Welsh Government announced it would provide 100% rates relief to all childcare providers from April 2019.

The Tax Policy Report notes:

As the Welsh Government evaluates the changes made this year, it continues to consider and examine changes and improvements to non-domestic rates and relief schemes. These include time-limited relief and doing more to help businesses which support social, economic or environmental priorities.

The Tax Policy Report also includes information relating to measures to tackle evasion and avoidance of non-domestic rates.

In its report '[Reforming local government finance in Wales: 2018 update](#)' (October 2018) the Welsh Government details changes it has made to the business rates system, including changes to the annual uprating procedures to reflect movements in the Consumer Prices Index (CPI) rather than the Retail Prices Index (RPI), as had previously been the case. The report also considers flexibility of funding for local government, noting:

We have also begun to explore the scope for share-gain approaches to local taxes where authorities could retain part of additional revenue which they raise through their own efforts. This includes looking at the potential for some form of non-domestic rates retention on a regional basis in connection with

the current city deals – and potentially with the growth deals in the future – where the actions of the authorities working together result in a net growth in rates revenue.

## Business Rates revaluations

The next business rates revaluation in Wales is [due to take place in 2021](#), in line with the next revaluation in England. This has been brought forward by one-year from 2022.

The Welsh Government's '[Reforming local government finance in Wales: 2018 update](#)' outlines a revaluation as:

...a periodic review of the rateable values of all nondomestic properties in Wales. It is carried out to maintain fairness and accuracy of the system by redistributing the tax liability amongst ratepayers to reflect changes in the property market and to capture any changes that have been made to properties.

It goes on to say:

On 11 July 2018 the Welsh Government announced it would bring the next revaluation exercise for non-domestic rates forward by a year from 2022, to 2021. This announcement means the rateable values on which non-domestic rates bills are based will reflect the latest market conditions and enable ratepayers to plan ahead for changes in liability. The exercise is not designed to raise additional revenue.

The [Valuation Office Agency](#) (VOA) is responsible for carrying out revaluation exercises. The Welsh Government outlines that the VOA compiles the rating list used by local authorities for billing and collection purposes, the new list due to take effect from 1 April 2021. The update goes on to note that the UK Government has announced it will adopt a three-yearly revaluation cycle in England after 2021, however the Welsh Government suggest it would be “premature to commit to the same three-yearly cycle”.

The update notes the Welsh Government intends to explore:

...better and more frequent ways to value non-domestic property within the existing framework for non-domestic rates, if the Welsh Government concludes alternative forms of tax are not viable

On [9 July 2019](#), the National Assembly for Wales agreed a motion to propose that:

...provisions in the Non-Domestic Rating (Lists) Bill in so far as they fall within the legislative competence of the National Assembly for Wales, should be considered by the UK Parliament.

The Minister for Finance and Trefnydd outlined the purposes of the [Non-Domestic Rating \(Lists\) Bill 2018-19](#):

The UK Government introduced the Non-Domestic Rating (Lists) Bill on 12 June to provide for a number of technical changes to the non-domestic rates system in both England and Wales. Following my predecessor's announcement in July last year, provisions in the Bill applying to Wales will bring forward the next non-domestic rates revaluation date from 2022 to 2021 and adjust the deadline for the submission of proposed lists from September to December in the preceding valuation year.

## Alternative approaches to taxation

The Welsh Government's '[Reforming local government finance in Wales: 2018 update](#)' outlines research it intends to take throughout 2019, including exploration of:

...the feasibility of a land value tax as a possible replacement for non-domestic rates. This would be an initial step with a view to further work, assessing land value tax as a replacement for council tax.

The Welsh Government's '[Tax Policy Report 2018](#)' details the Welsh Government's intention to explore a different approach to local taxes in Wales, including Land Value Tax, and whether those approaches may bring benefits. The report notes:

In 2019, the focus will be on empirical and technical work to assess the magnitude of these practical challenges. The Welsh Government will undertake distinct but linked pieces of research relating to the progressiveness of council tax and the impact of welfare reform; a hypothetical revaluation exercise; alternative ways to value domestic and non-domestic property and explore the feasibility of a land value tax.

The Welsh Government intends to bring findings from that technical work together in early 2020 and outline possibilities ahead of the National Assembly for Wales elections in 2021.

## Other support for businesses

The Minister for Finance and Trefnydd notes in her letter to this petition that the Welsh Government also has a number of initiatives providing financial support for town centres, including:

- £100 million [Targeted Regeneration Investment programme](#) (2018–21)
- £54 million [Building for the Future regeneration programme](#) (2017–2022)
- £31.5 million [Town Centre Loans scheme](#) (commenced in 2014–15)
- £262,000 for [Business Improvement Districts](#) (2018–19 and 2019–20)

## Developments in Scotland

The petition refers to approaches in Scotland to Business rates. In 2017 the Scottish Government published an [independent report on Non-domestic tax rates](#) ("the Barclay Report"). That report concluded:

...some form of property tax is still an appropriate way to fund the local services provided by councils, as the whole of society benefits from the services they provide (such as education, social care and road maintenance). However, we also acknowledge that a property tax does not adequately cover all aspects of the fast-growing digital economy...

The Scottish Government looked to [immediately address](#) a number of aspects from the review, including to hold more regular revaluations and has [consulted](#) on the implementation of aspects of that review that would require primary legislation. A [Non-Domestic Rates \(Scotland\)](#)

[Bill](#) is currently progressing through the Scottish Parliament. The policy notes to that Bill outline that the Scottish Government will not be taking forward the recommendation to charge businesses based predominantly online or out-of-town, a business rates supplement.

## Other recent developments

- The Welsh Government ran a consultation from 8 March 2019 to 30 May 2019 regarding the [decapitalisation rates for the 2021 non-domestic rates revaluation in Wales](#).
- On 10 June 2019, the Minister for Finance and Trefnydd [responded](#) to a written question on support for pubs in relation to non-domestic rates.
- On 16 June 2019, The Minister for Finance and Trefnydd put a [motion to the Assembly](#) for a Legislative Consent Motion allowing the UK Government to legislate to [reduce the rates liability for public lavatories to zero](#) from 1 April 2020.
- The Welsh Government outlined in [January 2019](#) that it intends to consult on removing the charitable rate relief from private schools and private hospitals.
- On 13 August 2019, a group of retailers [wrote to the Chancellor](#) (UK Government) requesting reform of the business rates system.

The Petitions Committee has recently considered another petition relating to business rates:

- P-05-855: Small Business Rates Relief Review ([29 January 2019](#))

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.

Rebecca Evans AC/AM  
Y Gweinidog Cyllid a'r Trefnydd  
Minister for Finance and Trefnydd



Llywodraeth Cymru  
Welsh Government

Our ref RE/05313/19

Janet Finch-Saunders AM  
Chair – Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA  
[SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

24 July 2019

Dear Janet,

Thank you for your letter regarding non-domestic rates and the retail industry, sent on behalf of the Petitions Committee.

I understand the important social, economic and environmental benefits businesses deliver across Wales. For this reason, the Welsh Government has put in place a number of schemes to assist ratepayers with their non-domestic rates bills. In 2019-20 the Welsh Government is providing over £210 million of rates relief to support a wide range of businesses and other ratepayers. More than three quarters of ratepayers in Wales will benefit from these reliefs, with half paying nothing at all.

The Welsh Government is committed to supporting businesses and in December 2018 it was announced that an extra £23.6 million is being invested to extend and enhance our High Street Relief scheme for a further year into 2019-20. The enhanced scheme will go significantly further than in previous years, providing support to around 15,000 retailers in Wales with a rateable value up to £50,000. The restriction around properties seeing a reduction in rateable value following revaluation has been removed, meaning that, provided circumstances meet the criteria, ratepayers should be eligible for High Street Relief of up to £2,500 in 2019-20. The scheme is application based. For further information and how to apply, ratepayers should contact their local authority.

More information on the various available reliefs can be found on the following website:  
<https://businesswales.gov.wales/business-rates-relief-in-wales>.

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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 Welsh Government also has a number of initiatives providing financial support for town centres. These include our £100m Targeted Regeneration Investment programme, our £54m Building for the Future regeneration programme, our £31.5m Town Centre Loans scheme and £262,000 for Business Improvement Districts.

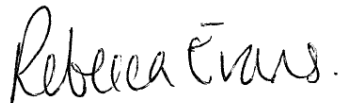
In July 2018, the Welsh Government announced it would bring forward the revaluation for non-domestic rates in Wales from 2022 to 2021, providing certainty for ratepayers and ensuring the valuations which underpin the non-domestic rates system remain timely and accurate. No announcement has been made about the frequency of revaluations in Wales thereafter, as we are instead exploring alternative approaches to valuation and local taxes more broadly.

The petition from Your Pontypridd Business Improvement District raises some interesting points about the changing nature of retail and consumer spending. The District will be pleased to know I am examining options for longer term reform of local taxes including further developing our relief schemes to ensure they are targeted to best meet the needs of Wales. Our intention is to take a progressive, fair and transparent approach towards local taxation which continues to provide funding for vital local services. On 24 October 2018, the Welsh Government issued a progress update on this work which can be found here:

<https://gov.wales/reforming-local-government-finance-wales-2018-update>

A further update on this work will be published later this year.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive, flowing style.

**Rebecca Evans AC/AM**

Y Gweinidog Cyllid a'r Trefnydd  
Minister for Finance and Trefnydd

# Agenda Item 2.3

## **P-05-896 Prevent the closure of Ward 35 at Prince Charles Hospital**

This petition was submitted by Beverly Gillespie having collected a total of 281 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to prevent the closure of Merthyr Tydfil's only dementia ward. Ward 35 at Prince Charles Hospital provides vital respite to the families and loved ones of local residents suffering with Alzheimer's and other forms of dementia. Without this vital asset in place, there is a real threat of preventable harm coming to those most vulnerable. Many people are no longer able to look after family members with this condition as they require care themselves or are under pressure due to work and childcare commitments. Please consider the wider negative implications of this closure and the pain it would cause to many families, whose nearest dementia ward would be many miles away.

### **Additional Information**

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

- Merthyr Tydfil and Rhymney
- South Wales East

# Prevent the closure of Ward 35

Y Pwyllgor Deisebau | 17 Medi 2019  
Petitions Committee | 17 September 2019

**Reference:** RS19/10339

**Petition Number:** P-05-896

**Petition title:** Prevent the closure of Ward 35 at Prince Charles Hospital

**Text of petition:**

We call on the National Assembly for Wales to urge the Welsh Government to prevent the closure of Merthyr Tydfil's only dementia ward. Ward 35 at Prince Charles Hospital provides vital respite to the families and loved ones of local residents suffering with Alzheimer's and other forms of dementia. Without this vital asset in place, there is a real threat of preventable harm coming to those most vulnerable. Many people are no longer able to look after family members with this condition as they require care themselves or are under pressure due to work and childcare commitments. Please consider the wider negative implications of this closure and the pain it would cause to many families, whose nearest dementia ward would be many miles away.

## Background

In correspondence to the Committee dated 2 August 2019, the Minister for Health and Social Services states that Ward 35 at Prince Charles Hospital (PCH) and Ward 7 in Ysbyty Cwm Cynon were both established around seven years ago as part of Cwm Taf Health





Board's<sup>1</sup> strategic and modernisation programme on mental health services for older people. The purpose of creating the wards was to provide care for patients requiring hospital admission and a longer period of treatment prior to discharge.

The Minister notes that the Health Board has advised that the number of people requiring this type of care has since significantly reduced, with contributing factors including investment made to strengthen community services closer to home and also advances in treatment. For Merthyr Tydfil residents the number of patients requiring this care in a hospital is likely to be less than 10 people per year.

The Health Board is said to have identified a more holistic model of care based at Cwm Cynon, which also includes an extended day care service to support patients out of hospital. Further work is ongoing to explore an option of an extra care housing facility and extending services for patients.

The Minister acknowledges the concerns about the possible transfer of patients to Ysbyty Cwm Cynon following the closure of Ward 35 at PCH and the practical issues this might raise for some families. The Minister goes on to say that in recognition of the increased travel distance for families visiting Cwm Cynon, the Health Board has put in place a transport service, provided by the charity Hafal, to help them when visiting Cwm Cynon as part of the plans for Ward 35. The Health Board is now exploring the opportunity to extend this service for families.

A Wales Online [article](#) from February 2019 reported that Cwm Taf Health Board had confirmed that the ward would be closing. The article notes that some families claimed that the move could prove 'very unsettling' for the vulnerable patients and their families who would have to find alternative accommodation.

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.

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The Health Board is now referred to as Cwm Taf Morgannwg University Health Board



Ein cyf/Our ref VG/07230/19

Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

2 August 2019

Dear Janet,

Thank you for your letter of 17 July on behalf of the Petitions Committee in relation to Petition P-05-896 concerning ward 35 at Prince Charles Hospital (PCH).

I note and appreciate the concerns about the possible transfer of patients to Ysbyty Cwm Cynon and the practical issues this might raise for some families.

Ward 35 at PCH and Ward 7 in Ysbyty Cwm Cynon were both set up around seven years ago as part of the Health Board's strategic and modernisation programme on mental health services for older people. Their purpose was to provide care for patients requiring hospital admission and a longer period of treatment prior to discharge. However, the Health Board has advised that the number of people requiring this hospital based longer term care has since significantly reduced, with contributing factors including investment made to strengthen community services closer to home and also advances in treatment. For Merthyr Tydfil residents the number of patients requiring this care in a hospital is likely to be less than 10 people per year.

The Health Board is responsible for the provisions and delivery of safe and sustainable health care services on behalf its local population, within the resources available. To achieve this they have identified a more holistic model of care based at Cwm Cynon, which also includes an extended day care service to support patients out of hospital. Further work is ongoing to explore an option of an extra care housing facility and extending services for patients.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

In recognition of the increased travel distance for families visiting Cwm Cynon, the Health Board has put in place a transport service, provided by the charity Hafal to help them when visiting Cwm Cynon as part of the plans for Ward 35. The Health Board is now exploring the opportunity to extend this service for families.

I have been assured that the Health Board appreciates the impact the transfer of care has on not only the patient, but also family members, and is committed to continuing their engagement with patients moving forward.

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.

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

# Agenda Item 2.4

## **P-05-897 Stop Developers netting hedgerows and trees**

This petition was submitted by Chris Evans having collected a total of 1,508 signatures.

### **Text of Petition**

Make 'netting' hedgerows and trees to prevent birds from nesting a criminal offence.

Developers, and other interested parties are circumventing laws protecting birds by 'netting' hedgerows and trees to prevent birds from nesting.

This facilitates the uprooting of hedgerows and trees which aid biodiversity and provide the only remaining nesting sites for birds, whose numbers are in sharp decline.

'Netting' hedgerows and trees threatens declining species of birds, presents a danger by entrapment to wildlife, and produces large amounts of plastic waste.

The practice also falls foul of the Future Generations legislation already passed by the Senedd.

### **Additional Information**

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

- Gower
- South Wales West

## Petition: P-05-897 Stop developers netting hedgerows and trees

### Research Briefing:

Y Pwyllgor Deisebau | 17 Medi 2019

Petitions Committee | 17 September 2019

Petition number: P-05-897

Petition title: **Stop developers netting hedgerows and trees**

Petition text:

Make 'netting' hedgerows and trees to prevent birds from nesting a criminal offence.

Developers, and other interested parties are circumventing laws protecting birds by 'netting' hedgerows and trees to prevent birds from nesting.

This facilitates the uprooting of hedgerows and trees which aid biodiversity and provide the only remaining nesting sites for birds, whose numbers are in sharp decline.

'Netting' hedgerows and trees threatens declining species of birds, presents a danger by entrapment to wildlife, and produces large amounts of plastic waste.

The practice also falls foul of the Future Generations legislation already passed by the Senedd.

### Background

The practice of netting trees and hedges, to prevent birds from nesting in vegetation which needs to be removed from development sites during the breeding season, is not illegal in the UK.

On 13 August 2019, the Minister for Housing and Local Government, Julie James, (the Minister) wrote to the Chair regarding this petition. The Minister commented on the extent of this practice in Wales:

Whilst we are aware of instances in Wales where netting has been used, we do not have hard evidence on the extent of the practice. Officials have initiated data gathering on the number of instances of netting with colleagues in Natural Resources Wales and the response rate from local authorities is very low, suggesting that the practice is not widespread.

The Minister also clarified that:

Existing legislative controls concerning the practice of netting are driven by animal welfare considerations and the use of netting itself falls outside of the definition of 'development' for planning purposes. If a developer is aware that wildlife is being caught in netting and has not done anything about it the Police Wildlife Crime Officer should be informed.

The UK Parliament recently debated a similar petition: [make 'netting' hedgerows to prevent birds from nesting a criminal offence](#).

### **Wildlife and Countryside Act 1981**

Wild birds are protected under the [Wildlife and Countryside Act 1981](#) (as amended). This Act makes it illegal to knowingly damage or destroy an occupied nest – even if planning permission has been granted for development that would involve removing a hedge. The main nesting and breeding season for birds in the UK is typically between 1 March to 31 August.

Under section 16 of the *Wildlife and Countryside Act 1981*, appropriate authorities (such as Natural Resources Wales (NRW)) may grant licences to permit acts which would otherwise contravene the provisions of the 1981 Act concerning the protection of wild birds, if done for certain specified purposes.

The specified purposes for which licences may be issued under section 16 include:

- the preservation of public health and air safety;
- preventing the spread of disease; and
- preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or fisheries.

The appropriate authority (NRW in Wales) must not grant a licence for any specified purpose unless it is satisfied that there is no other satisfactory solution.

### **Animal Welfare Act 2006**

The [Animal Welfare Act 2006](#) may also apply in cases of entrapment of animals. Under this Act a person commits an offence if—

- (a) an act of his, or a failure of his to act, causes an animal to suffer,
- (b) he knew, or ought reasonably to have known, that the act, or failure to act, would have that effect or be likely to do so,
- (c) the animal is a protected animal, and

(d) the suffering is unnecessary.

An animal is a “protected animal” for the purposes of this Act if—

- (a) it is of a kind which is commonly domesticated in the British Islands,
- (b) it is under the control of man whether on a permanent or temporary basis, or
- (c) it is not living in a wild state.

## Planning Policy Wales

The Welsh Government’s national planning policy is set out in [Planning Policy Wales \(Edition 10\) \(PPW\)](#). Paragraph 6.4.21 focuses on maintaining and enhancing biodiversity and sets out a ‘step-wise approach’ that Local Planning Authorities (LPAs) should follow when considering development proposals. The Minister’s letter to the Chair highlights this stating:

The stepwise policy set out in PPW (para 6.4.21) discourages the removal of trees and hedgerows in the first instance, it states, “the first priority for planning authorities is to avoid damage to biodiversity and ecosystem functioning”.

The Committee may wish to note, however, that paragraph 6.4.21 does not explicitly mention trees, hedgerows or netting.

## The Environment (Wales) Act 2016 and Well-being of Future Generations (Wales) Act 2015

Section 6 of the [Environment \(Wales\) Act 2016](#) includes a biodiversity and resilience of ecosystems duty. Under this duty a public authority must seek to maintain and enhance biodiversity in the exercise of its functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.

The [Well-being of Future Generations Act 2015](#) requires public bodies to carry out sustainable development. Sustainable development is defined in the Act as:

... the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle ... , aimed at achieving the well-being goals ....

“A resilient Wales” well-being goal is described in the Act as:

A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).

## Hedgerows and biodiversity

The petition suggests a risk to biodiversity of netting and uprooting hedgerows, particularly for birds; it also refers to declines in bird populations.

The Welsh Government’s [Woodland for Wales strategy](#) includes ambitions for hedgerow management and creation in Wales. It states:

Hedgerow trees can often be overlooked, poorly managed and at risk of damage by livestock, yet they are distinctive features in the landscape and provide breeding sites, food and shelter for many species.

The [State of Birds in Wales \(2018\) report](#) was produced jointly by the [Royal Society for Protection of Birds \(RSPB\)](#), [British Trust for Ornithology \(BTO\)](#), Natural Resource Wales (NRW) and the [Welsh Ornithological Society \(WOS\)](#). This report highlighted that:

Long-term monitoring shows that the numbers and distributions of almost a third of Welsh birds are declining significantly.

Permission may be required under the [Hedgerow Regulations 1997](#) if trees in a hedgerow need to be felled in order to remove the hedgerow.

### Netting and plastic

The petition also refers to plastic waste produced from netting. The use of plastic in netting practices has been highlighted in [media coverage](#) of this topic, as have [reports of animal entrapment](#) in netting.

On 16 July 2019, the Deputy Minister for Housing and Local Government, Hannah Blythyn, published a [written statement](#) on plastic waste. This statement reiterated an ambition for Wales to become a zero waste nation by 2050.

### Welsh Government action

On 6 June 2019, the Minister published a [guidance letter](#) to LPAs and others, on the netting of trees and hedgerows during construction. In the letter the Minister states that she does not support the use of netting as a routine practice. She goes on to say:

It is my view that netting should only be considered as a last resort measure, after a full consideration of other alternatives and under exceptional circumstances only following the grant of planning permission.

The letter also refers to the step-wise approach out in PPW:

Through early engagement developers should avoid circumstances that require netting to be used. Planning Policy Wales 10 sets out a step-wise approach to maintaining and enhancing biodiversity through ensuring that adverse environmental impacts are firstly avoided (i.e. existing trees and hedgerow features should be retained in the project design), then minimised, mitigated and as a last resort compensated for.

The letter refers to [further guidance](#) produced by the [Chartered Institute of Ecology and Environmental Management \(CIEEM\)](#) and the [RSPB](#).

In her letter to the Chair, the Minister rules out new legislation in this area:

The introduction of a new legislative framework at this time to control the practice is not recommended but will be kept under review. The supporting mechanisms required to implement the legislation would be excessive and resource intensive and indeed there will be limited circumstances where the use of netting will be necessary (for example, control of Gull nuisance in certain locations or there could be instances where it is genuinely needed to prevent birds from nesting during development, so they do



not come to harm). Through policy and engagement with the industry and stakeholders, I am confident that we can avoid the use of netting.

## National Assembly for Wales action

Netting trees and hedgerows has been raised in Plenary by several AMs. In response to [concerns](#) raised on 30 April 2019, the Minister for Finance and Trefnydd, Rebecca Evans, said:

... We have received some reports of netting. We're not yet aware of how widespread it is, but clearly any incident is of real concern to us. Joyce Watson referred to the petition, which has just opened at the National Assembly for Wales. There's also one in Parliament with 330,000 signatures. So, I think that this is a real concern to members of the public. There might be occasions when the netting of trees would be legitimate, but that is only when it is absolutely genuinely needed to protect birds and prevent them from nesting during developments so that they don't come to harm, and that kind of circumstance would be extremely rare indeed. So, on the whole, I think that our policy certainly is moving away from mitigating harm and damage to integrating biodiversity and ecosystem resilience into the very earliest stages of due development control.

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 JJ/06245/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

13 August 2019

Dear Janet,

Thank you for the opportunity to comment on the petition request "*to make the netting of trees and hedgerows to prevent birds from nesting a criminal offence*"

We have a strong legislative and policy framework to maintain and enhance biodiversity. Planning Policy Wales (PPW) 10 encourages the maintenance and enhancement of biodiversity in line with the Section 6 Duty of the Environment (Wales) Act 2016 and it advocates a proactive approach towards facilitating the delivery of biodiversity and ecosystem resilience outcomes by all those participating in the planning process. The step-wise policy set out in PPW (para 6.4.21) discourages the removal of trees and hedgerows in the first instance, it states, "*the first priority for planning authorities is to avoid damage to biodiversity and ecosystem functioning*".

The use of netting is a highly emotive issue; the presence of netting is visible and jarring with the natural world. It is often perceived as a cynical behaviour by developers to avoid construction delays. I have recently written to all local planning authorities, development industry representative bodies and house builders to state that I do not support the use of netting as routine practice (letter attached, for info). My letter states that, "*the practice of using netting during construction phases of a scheme is a very public demonstration of an imbalance in society's relationship with nature. It should not be used as routine practice*".

Whilst we are aware of instances in Wales where netting has been used, we do not have hard evidence on the extent of the practice. Officials have initiated data gathering on the number of instances of netting with colleagues in Natural Resources Wales and the response rate from local authorities is very low, suggesting that the practice is not widespread.

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[Correspondence.Julie.James@gov.Wales](mailto:Correspondence.Julie.James@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.

Existing legislative controls concerning the practice of netting are driven by animal welfare considerations and the use of netting itself falls outside of the definition of 'development' for planning purposes. If a developer is aware that wildlife is being caught in netting and has not done anything about it the Police Wildlife Crime Officer should be informed. .

The introduction of a new legislative framework at this time to control the practice is not recommended but will be kept under review. The supporting mechanisms required to implement the legislation would be excessive and resource intensive and indeed there will be limited circumstances where the use of netting will be necessary (for example, control of Gull nuisance in certain locations or there could be instances where it is genuinely needed to prevent birds from nesting during development, so they do not come to harm). Through policy and engagement with the industry and stakeholders, I am confident that we can avoid the use of netting.

Yours sincerely,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government

Attached: Ministerial Letter 06 June 2019



CFO Letter on  
Netting - Engyr...



Ein cyf/Our ref DC/JJ/05066/19

To all Heads of Planning  
Development Industry Representative Bodies  
Help to Buy House Builders Distribution List

6 June 2019

Dear Colleagues,

### Netting of Trees and Hedgerows

I write regarding the practice of using netting on trees and hedgerows in and around development sites ahead of and during building work.

In Wales, we have a strong legislative and policy framework to maintain and enhance biodiversity. Welsh Government are committed to deliver this objective. Planning Policy Wales 10 is clear that the planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems by ensuring that mechanisms are in place to protect against loss and to secure enhancement.

Through early engagement developers should avoid circumstances that require netting to be used. Planning Policy Wales 10 sets out a step-wise approach to maintaining and enhancing biodiversity through ensuring that adverse environmental impacts are firstly avoided (i.e. existing trees and hedgerow features should be retained in the project design), then minimised, mitigated and as a last resort compensated for.

I do not support the use of netting as a routine practice. It is my view that netting should only be considered as a last resort measure, after a full consideration of other alternatives and under exceptional circumstances only following the grant of planning permission.

(Further guidance on the appropriate management of netting in the very limited and exceptional circumstances where it is used is provided by Chartered Institute of Ecology and Environmental Managers (CIEEM) at <https://cieem.net/cieem-and-rspb-advise-against-netting-on-hedges-and-trees/>)

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CF99 1NA

[Gohebiaeth.Julie.James@llyw.cymru](mailto:Gohebiaeth.Julie.James@llyw.cymru)  
[Correspondence.Julie.James@gov.Wales](mailto:Correspondence.Julie.James@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.

The practice of using netting during construction phases of a scheme is a very public demonstration of an imbalance in society's relationship with nature. It is essential that all those involved in the development process are familiar with and engaged to deliver wider Welsh Government legislation and policy to maintain and enhance biodiversity.

Yours faithfully,

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government

# Agenda Item 3.1

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

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

### **Text of Petition**

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

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

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

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

### **Additional information**

Why we oppose this decision:

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

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

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

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

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

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

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

- Wrexham
- North Wales

**Julie Morgan AC/AM**  
**Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol**  
**Deputy Minister for Health and Social Services**



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

Eich cyf/Your ref: P-05-771  
Ein cyf/Our: ref MA-P/JM/2435/19

Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

24 July 2019

Dear Janet,

At my appearance at Committee on 5 March I explained the change of approach I am introducing to the transfer to local authorities' social services of the support some disabled people in Wales received through the Welsh Independent Living Grant (WILG). That was to provide those people dissatisfied with the outcome of their care assessment with an independent assessment so as to have a second opinion. I am now writing to provide an update on implementing that change.

I attach a copy of a Written Statement I issued on 18 July which contains such an update. From this you will see the number of people to date who have expressed an interest in having an independent care assessment. You will also note we have an appointed an organisation to recruit the social workers to undertake these and to manage the process. This is ICS Assessment Services Ltd who has significant experience in both social care and care assessments, having worked extensively with a range of local authorities across Wales and England. Officials are now working with representatives of ICS and local authorities to agree the practicalities of undertaking these so that they can commence quickly.

As I say in my statement, I fully acknowledge that establishing these arrangements has taken some time. However, it is imperative we put in place properly considered arrangements. The "#Save the WILG Campaign" has been supportive of the approach I am taking, as we share a common interest in seeing changes implemented properly.

Yours sincerely,

**Julie Morgan AC/AM**  
**Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol**  
**Deputy Minister for Health and Social Services**

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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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.





Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE:** Welsh Independent Living Grant (WILG) - Update on Independent Care Assessments

**DATE:** 18 July 2019

**BY:** Julie Morgan AM, Deputy Minister for Health and Social Services

In February I announced a change of approach in the way that people who used to receive payments under the Welsh Independent Living Grant (WILG) were in future to access their support from their local authority's social services. This is an update on the arrangements I am introducing.

It is paramount that people's ability to live independently is not compromised by changes to the way their care and support is arranged and provided. It was for this reason that I decided that those people who used to receive payments under the WILG should have the opportunity of an independent care and support assessment if they are unhappy with the outcome of their local authority care and support assessment. Those assessments are being undertaken to agree with people the wellbeing outcomes they wish to achieve to live independently and to agree how these would be met.

While the majority of people who used to receive WILG payments are content with the care and support they are now receiving, where people are unhappy with the outcome of care assessment the ability to have an independent care assessment would provide for a second opinion. It also restores for them the tripartite decision making arrangement that existed under the Independent Living Fund (ILF) of recipient, independent ILF social worker and local authority social worker. This was something that the "#Save the WILG campaign" was very keen to have restored.

I am pleased to report that we have made good progress in putting in place the arrangements for these independent care assessments. I wrote in April to all former WILG recipients informing them of their ability to have an independent care assessment and explained my reasons for providing this opportunity. If people wanted an independent assessment, I asked them to contact their local authority by 14 June to request this, so we could gauge the level of interest. By that date 55 requests had been made across 14 local authorities. This is out of approaching 1,400 people in Wales who received payments from the WILG. This would seem to confirm our understanding that the vast majority of former WILG recipients are content with the outcome of the care assessment they had and the subsequent care and support they are receiving. However, it does also confirm that I was right to introduce this change of approach

for what is a significant number of people who have concerns about the outcome of their care assessment.

We have in addition completed a procurement exercise to secure an organisation to recruit and manage the independent social workers required to undertake these assessments. These social workers will be suitability qualified and experienced to perform this task, being registered as such on the relevant register maintained by Social Care Wales. They would consequently be well versed in the ethos and requirements of our Social Services and Well-being (Wales) Act 2014 and the regulations and code of practice we have made under this in relation to care assessments and meeting care needs. They would not, however, be employed by a local authority in Wales so as to maintain their independence.

Following evaluation of the bids received for this contract, ICS Assessment Services Ltd. has now been appointed to organise and undertake the independent care and support assessments requested. ICS has significant experience in both social care and undertaking assessments, having worked previously with a range of local authorities across Wales and England. Officials have met with representatives of ICS, the Association of Directors of Social Services Cymru and the Welsh Local Government Association, to agree the process that will be followed to complete the independent assessments and to work through the practicalities associated with this. This is well advanced so that the arrangements to begin to undertake ICS assessments should be in place by the end of this month. I will be writing shortly to those former WILG recipients who have requested an independent care and support assessment to update them in more detail on this and to confirm what they need to do to pursue their assessment.

I would remind Members that the cost of these independent care assessments, and any additional support for people that might be identified from them, will be met by the Welsh Government. This is so that there can be no question of changes being made to people's care and support as a cost cutting measure. The under-pinning principle of my approach is to ensure that outcomes reached are consistent with supporting people's agreed wellbeing outcomes.

I appreciate that establishing these arrangements has taken some time. However, it is imperative that we put in place properly considered arrangements. The "#Save the WILG Campaign" has been supportive of the approach I am taking, as we share a common interest in seeing changes implemented properly.

I will update Members as further progress is made.

**P-05-771 Reconsider the closure of the Welsh Independent Living Grant and support disabled people to live independently, Correspondence – Petitioner to Chair, 29.08.19**

27/08/2019

Dear Ms Finch-Saunders

Many thanks for giving me the right to reply to the Deputy Minister for Health and Social Services latest statement regarding an update to future funding arrangements for former recipients of the Welsh Independent Living Grant (WILG).

Since this statement was released on July 18<sup>th</sup> 2019, there has been considerable further developments. Unfortunately, at the time of writing, I am still awaiting my independent reassessment, although by the time you meet to discuss this petition it is hoped that this will finally be completed. It has been a long time coming, but I am satisfied that the rejuvenated Welsh Government – under the leadership of the dynamic new First Minister – have been working around the clock to maintain independent living for all.

Back in February, #SaveWILG campaigners were delighted that the Welsh Government showed humanity and humility in accepting that people's ability to live independently should not be compromised by changes to the way their care and support is arranged and provided. This was a bold change of direction helped by the appointment of Julie Morgan as Deputy Minister for Health and Social Services who has kept WILG recipients updated and informed at every stage. It has been a welcome change to be working with Government and personnel that are actually prepared to listen to the voices of the disabled community in Wales and act accordingly.

It is regrettable that the independent assessments from ICS have not yet started. However, it was never going to be a speedy process to facilitate a number of independent assessments to those who requested them following the bureaucratic nightmare created by those who would not listen to #SaveWILG campaigners.

We would like to thank the Petitions Committee for their help and assistance throughout the #SaveWILG campaign. Our fight to maintain independent living for disabled people with high care and support needs continues. We will continue the #SaveWILG campaign until we are absolutely certain that justice has been served across the board. If the expected progress is not made, then you can expect to hear from us again, but based on our communication with the Welsh Government we are very hopeful that all will be ironed out in the not too distant future, with regard to WILG recipients.

Yours Sincerely,

Nathan Lee Davies  
#SaveWILG Campaign

# Agenda Item 3.2

**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

## **P-05-812 Implementing NICE guidelines for Borderline Personality Disorder, Betsi Cadwaladr University Health Board Response to the Committee, 10.5.19**

Current services for people in North Wales who have Borderline Personality Disorder difficulties are mapped to Borderline Personality Disorder: recognition and management (2009) NICE guideline CG78 and 2018 surveillance recommendations below, with additional information on future direction.

### 1.1 General Principles including access to services compliance

Within BCUHB, adults with borderline personality disorder difficulties or attachment disorders have access to stepped care mental health services, and for young people care is provided by CAMHS.

People with mild learning disabilities are not excluded from the mainstream available services. In addition, adapted DBT services within Learning Disability services are available for people who have moderate Learning Disabilities.

People who present with complex interpersonal difficulties require informed and supportive pathways through services. Service capacity and demand and the structure of mainstream services continue to present system-wide challenges requiring attention. There are ongoing challenges in managing endings and supporting transitions between services, and issues of timely equitable access to the right help at the right time. There has been better recognition of these difficulties in society and within services, resulting in an increase in demand over the last 10 years, but this has not been matched by significant increases in service capacity.

Solutions include encouraging a system-wide approach. This promotes inclusion and the ethos that mental health and wellbeing, including helping service users with complex personality or attachment based disorders, are “everyone’s business”. Service users enter services at various entry points, and move between and across multiple and tiered services. Local aims are to promote awareness, knowledge, and skills, and work together to enable consistent training, supervision, and support for frontline multidisciplinary staff in statutory services. This requires enough specialist knowledge and training to deliver on, and the availability of timely and equitable access to specialist level intervention when needed for service users. In addition, work has progressed in wider partnership work with the voluntary sector to support and work alongside community initiatives.

Further work is required to progress more coherent and evidence based pathways across these multiple services, including general health and stepped/matched community and inpatient mental health care. Specialist knowledge is available from secondary care mental health specialist psychology. However, this competes with the full range of secondary care mental health need and there remain challenges around timely access to specialist psychological interventions where waits continue to be too long. Significant further work and resources will be required to improve equitability and ready access to the right care at the right time for service users across the Board.

### 1.2 Recognition and management in primary care

There is increased recognition of these complex difficulties in primary care at GP level. At primary care mental health service level in adults, there is also increased recognition and more consistent and routine assessment of risk facilitated by the Mental Health Measure Part 1 framework.

For management and treatment options in primary care mental health, some progress has been made in the setting up of skills groups within primary care mental health services.

However, this requires further development for coherent and consistent delivery across the Health Board. In alignment with Matrics Cymru and stepped/matched care models, an additional small investment from new psychological therapies monies will be used to support primary care mental health staff further. This will support the development of more consistent delivery of transdiagnostic DBT informed coping skills groups, which will increase accessibility to interventions for service users with less serious difficulties.

BCUHB primary care mental health services are routinely referring adults with complex problems onto community mental health services, and young people onto CAMHS teams.

### 1.3 Assessment and management by community mental health services

Last year we reported that in North Wales people given a diagnosis of Borderline personality disorder receive input via the CMHTs and that services aim to follow a person centred evidence based approach which is stepped and tailored around the individual's needs. This includes risk assessment and management or treatment offered at secondary care mental health level, including care management provided at CMHT or CAMHS level. Management of crisis may also involve support from Home Treatment services or local inpatient services

With regard to NICE recommended Psychological Treatment and evidenced based therapies, a number are offered within BCU CMHT adult secondary mental health services via psychology, and in specialist CAMHS for under 18s. Of the most highly rated by NICE, Dialectical Behavioural Therapy (DBT), Schema focused Cognitive Behavioural Therapy (CBT), CBT for Personality Disorders, and Transference focused psychotherapy are available. Cognitive Analytic therapy is also available and within Substance Misuse Services Acceptance and Commitment Therapy informed recovery programmes are offered. There remain issues of timely and equitable access to specialist psychological therapies across the region, due to demand and the small specialist resource trained and qualified to deliver these approaches. While full programme DBT has been available in the past in two localities, at present full programme is not running. Full programme DBT is recommended for women who present with significant risk of self-harm. However, it is a treatment programme which requires a team of trained clinicians with dedicated time to deliver and currently there are issues with MDT staffing sustainability. In the interim, DBT skills only groups are delivered in a number of settings. The large geographical spread of the Board remains an additional challenge in service delivery, with group programmes having significantly less reach in rural areas.

Significant work is continuing on waiting times and ways of working within secondary care mental health services to improve access, and NICE and Matrics Cymru (2018) are encouraged as best practice. It is important a wider holistic understanding of service users' difficulties and needs are understood throughout all services. An aim is to promote fuller understanding of the impact of Adverse Childhood Experiences (ACE's) on mental health long term. The work to meet needs should include the promotion of preventative measures, as well as system wide psychologically informed ways of working within services. This will involve developing more training opportunities to enable services be more attachment and trauma informed, and developing wider formulation led person centred risk assessment, support, and interventions. For survivors of childhood sexual abuse and other serious trauma resulting in significant mental health difficulties, targeted trauma work is provided at secondary care CMHT level mainly through specialist psychology. The partnership with Amethyst and CMHT psychology of group therapy for survivors of childhood sexual abuse (evaluated in a joint research study with Bangor University via a Health and Social care fund) is continuing, as well as teaching re: trauma informed care across MDTs in community and inpatient services.

Work continues on addressing issues of demand and capacity, supported by additional Welsh Government investments. This has included programmes of upskilling

multidisciplinary staff through investment in additional CBT and DBT training, but more development is needed to support staff to implement new skills within teams and services which require both systems change and increased specialist level to facilitate this.

#### 1.4 Inpatient Services

There has been significant development work within BCU adult acute psychiatric units. In the last year, remodelling work has been ongoing and plans include developing alternatives to admission which aim to offer more therapeutic and helpful support to service users in crises.

Work has progressed in the promotion of more psychologically informed ways of working within the psychiatric inpatient units. This has been supported by new investment from Welsh Government over the last 3 years which has enabled dedicated inpatient psychology staff are now added to inpatient MDTs across all units. This has facilitated psychologically informed working, and individualised formulation of a person's of risk and circumstances leading to admissions. It has also enabled the setting up of DBT skills and stabilisation groups within the units, and psychologically informed discharge plans.

Service users who currently require out of area placements have complex multiple difficulties. In North Wales the largest group of people requiring this level of service have either neurological or learning difficulties. Some service users can have complex personality difficulties, and development work is ongoing with CHC and local rehabilitation services to develop a three year plan of how best to meet people's needs.

#### 1.5 Organisation and planning of services

Whilst BCUHB has specialist clinicians working in services (mainly in secondary care CMHTs), in reference to adherence to recommendation 1.5.1. sustainable multidisciplinary specialist teams have yet to be developed comprehensively across the region. This requires further attention. In addition to NICE recommendations, evidence from local practice and local clinical research indicates this specialist resource is required. This is reflected in the views expressed by service users in North Wales, and by staff supporting service users with these difficulties.

Dr. Dawn Henderson  
BCUHB Director of Clinical Psychology & Psychological Services (Interim)





Ein cyf/Our ref VG/06885/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

3 July 2019

Dear Janet,

Thank you for your letter of 14 June requesting further information following my previous response related to Petition P-05-812 and the implementation of NICE guidelines for Borderline Personality Disorder.

In relation to the additional funding for psychological therapies, this is being released as part of the mental health service improvement funding. Health Boards have been requested to develop proposals that support the implementation of Matrics Cymru and the National Psychological Therapies Management Committee Action Plan which aims to improve the range and accessibility of psychological therapies. Proposals also need to include how the funding will be used to support the achievement of the current 26-week targets for specialist psychological therapies and adherence to current targets for Local Primary Mental Health Support Services. Proposals were expected from Health Boards by 30 June and will then be reviewed by officials before funding is agreed.

In terms of the evidence base, I have attached a link to [Matrics Cymru implementation plan](#) for the Committee's information which supports Health Boards with increasing the range of evidenced based psychological therapies. I can also confirm that Matrics Cymru was supported by a number of [evidence tables](#), including reference to Borderline Personality Disorder.

In respect to your questions in relation to the number of therapists and therapeutic hours available and per person cost for providing treatment to people with borderline personality disorder, including costs for out of area placements, this information will need to be obtained directly from Health Boards.

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

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Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

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

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

I hope you find this information useful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

# Agenda Item 3.3

## **P-05-817 Specialist prosthetics for child amputees**

This petition was submitted by Rebecca Roberts having collected 116 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to ensure that funding is in place to enable each child amputee in Wales to have access to a specialist sports prosthetic.

We welcome the news that Westminster have made a further £1.5 million available to develop specialist prosthetics for young amputees in England. We ask that the same level of support be made available to children and young people living in Wales, so that any child or young person who would benefit from having a specialist sports prosthetic is able to have one made by the NHS.

### **Additional information**

#### **Petitioner's story**

My daughter was born with a rare condition called Fibular Hemimelia, meaning a total absence of fibular bones. She has the rarer version of it, which affects both legs. A few days after her first birthday she underwent a double amputation at Alder Hey hospital. A few months later she attended the Limb Centre at Wrexham Maelor to fit her first pair of prosthetic legs.

We have never had anything other than excellent and skilled service from the staff at the Centre; but her prosthetic legs are by necessity, heavy and rigid. She can walk, but slowly. She can climb, but with difficulty. She has never known what it is to run as fast as she can, to be able to ride a bike, or to keep up with her cousins as they race around the park. She has overcome so many challenges in her short life, but she faces many more.

As a parent my wish is that she can be the best version of herself; that she can play without struggling to keep pace with her peers and that she can participate fully in all aspects of life.

Soon she will be old enough for specialist prosthetics. If they were available

to her on the NHS it would make a world of difference to her as she goes about her daily life.

I know other child amputees in Wales are facing similar struggles, and I believe that our children are as deserving of the specialist support as English children. Westminster has just released an additional £1.5 million funding to help English amputees. The number of child amputees in Wales is much smaller than in England, but their needs are the same. We're not asking for millions, just for equality.

My daughter will spend her entire life wearing prosthetic legs. Specialist support could make a huge difference to her as she grows up. Please don't deny her and other Welsh amputees the support offered to English children.

**Assembly Constituency and Region**

- Vale of Clwyd
- North Wales



Eich cyf/Your ref: P-05-817  
Ein cyf/Our ref VG/06887/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
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CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

5 July 2019

Dear Janet,

Thank you for your letter of 14 June on behalf of the Petitions Committee regarding petition P-05-817 - Specialist Prosthetics for Child Amputees.

The Chief Therapies Advisor has written to the Welsh Health Specialised Services Committee (WHSSC) to request a detailed costed business plan to commission a service across Wales to provide specialist sports prostheses (running blades) for children. This is due to be sent to the Welsh Government by mid July.

Once received, the business plan will be considered and presented to me for final sign off with an announcement to be made in due course. We will consider if we are able to share a copy of the business plan once the plan has been reviewed.

The Welsh Government has previously allocated funds to 3D printing projects through the Health Technology and Telehealth Fund. The initial project was for printing of facial implants but I believe there is scope to use the technology for prosthetics also.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

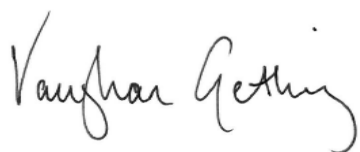
[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

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

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

I am aware of other projects that NHS Wales and industries partners have been working on to introduce advanced digital technologies in implants and prosthetics. Although there is more to be done in the field of limb prostheses, there are exciting prospects in this field and more opportunities that are being explored.

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.

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

**P-05-817 Specialist prosthetics for child amputees, Correspondence – Petitioner to Committee, 03.09.19**

The progress and the speed of the latest developments is welcome news to us as a family. Hopefully, by the time the committee meets things will have progressed further still. I have nothing new to add; all I can do is take this opportunity to remind the committee members, Mr Gething, the Chief Therapies Advisor and the WHSSC that if they were to make specialist leg prostheses freely available to child amputees then they would be changing the lives of child amputees and their families for the better, improving a child's quality of life immeasurably. As my daughter is growing up and becoming stronger and faster it is becoming increasingly apparent to us that ordinary prostheses are not designed to meet a child's physical demands – sports prostheses will be a necessity if she is to have a full, happy and active childhood. It is my greatest hope that they will become available to her soon.

Kind regards,

Rebecca Roberts

# Agenda Item 3.4

## **P-05-826 Pembrokeshire says NO!! To the closure of Withybush A&E!**

This petition was submitted by Myles Bamford-Lewis having collected 40,045 signatures.

### **Text of Petition**

We the undersigned are calling on the Welsh Government and Hywel Dda Health Board to reverse their decision to downgrade our county hospital and to remove our A&E.

The Hywel Dda Health Board has proposed drastic changes to how hospital services are provided in West Wales. They propose a downgrading of our county's Withybush general hospital and Carmarthenshire's Glangwili general hospital, both to community hospital standard and a new general hospital to be built around the Whitland area. But this also means that we will no longer have a fully functioning A&E department within our county as it will be replaced by a minor injury unit at the Withybush site. In doing so patients who require emergency care in our county will be faced with traveling for up to an hour, possibly even more if you live in our county's more rural areas just to have that life-saving emergency care in a hospital that will be outside the county. A time scale that not only is putting Pembrokeshire lives at risk but doesn't even factor in that added time of having to wait for an ambulance to get to where a patient may be, stabilising the patient, then transporting that patient to a hospital that is beyond the borders of our county. Crucial minutes lost in a situation where time is already not on your side.

Having no A&E department within our county is completely unacceptable and is all in the name of cutting costs but more importantly cutting corners. Well Pembrokeshire is one corner of Wales that we will not let them cut us off the map!

Please sign and share, we can't let the Welsh Government and the Hywel Dda Health Board take our county's greatest asset away from us. They've already taken our SCBU, our Consultant led maternity and our 24 hour paediatric care away from us.. already putting our babies, children and mothers at great risk! Now they are coming to finish off the rest of our county's hospital services. Please don't let that happen!



Together we will send Steve Moore and Vaughan Gething a message that they can think again if they think Pembrokeshire will go down without a fight while they strip our hospital away from us!

Save Withybush A&E! Save Withybush Hospital!

**Assembly Constituency and Region**

- Preseli Pembrokeshire
- Mid and West Wales

**P-05-826 Pembrokeshire says NO!! To the closure of Withybush A&E!,  
Correspondence – Heather Scammell to Committee, 21.03.19**

To The Petitions Committee,

Thank you for the opportunity to provide further comments on the latest position with regard to P-05-826 Pembrokeshire says NO!! To the closure of Withybush A&E!, You will perhaps be unsurprised to hear that Hywel Dda continue to ignore all opinions which run counter to their narrative whilst promising ever more 'jam tomorrow' on what seems to be aspirational and unsubstantiated evidence.

A recent attempt to call for Hywel Dda to be put into special measures by a member of PCC led to a further scrutiny session which was held behind closed doors. As a result of this, a number of Councillors appear to have been 'reassured' that there will be 'no reduction to A&E until the new build is ready.' But in the January Hywel Dda Board Meeting, it had already been determined that as part of the development of a trauma network across South Wales, trauma for Hywel Dda will be 'temporarily' centred in Glangwili; this will entail trauma cases which do not merit transfer up the line to a larger regional centre, but are of sufficient concern, being transferred to Glangwili until such time as the New Build is ready. Given that we have been led to believe that the New Build site has not been secured and that funding, plans and associated permissions have yet to be obtained, 'temporary' suddenly seems a very long time indeed. It is perhaps unfortunate that PCC seemed unaware of what was already in the pipeline; it is unrealistic to pretend that making Glangwili the focus for trauma (subject to an Impact Assessment on Bronglais, Withybush did not merit a mention,) will have no impact on Withybush A&E. Last year, the CEO of Hywel Dda intimated to us that he would like to see Trauma at Withybush. Shortly before Christmas, he also informed my group that they 'hadn't anticipated' the knock on effect on A&E when they centralised Maternity and Paediatrics – if that is true, it means that they totally discounted all the medical opinions from the Withybush Clinicians, who spelt out the probable consequences in some detail; their decision to ignore local clinical opinions confirms their bias against our County. It should be noted that the January Board meeting took

place in Haverfordwest and was rushed through in order to beat the forecast inclement weather; Board members did not want to be 'stuck in Pembrokeshire,' but our sick children and pregnant women still had to get to Carmarthen for treatment or to give birth; their needs were obviously of less consideration than those of Hywel Dda Board Members.

The dissemination of 'misinformation' seemed to be a characteristic of last Summer's 'Drop Ins,' where individual members of the public were encouraged to come and discuss Hywel Dda's Utopian vision with members of the Health Board. Unfortunately, attendance at a number of these events revealed that different members of the Health Board had rather different views as to what might characterise a 'Community Hub,' so members of the public were coming out with quite different ideas as to what services would be available. Moreover, the Board were happy to admit that they were refining their ideas throughout the consultation period, completely oblivious to the fact that someone who completed a questionnaire on the back of an early Drop In might have been acting on information that was later to be modified rendering their response invalid (although still included.) Hywel Dda have also acknowledged since the completion of their 'Consultation' that their tag line of 'Safe, Sustainable, Accessible and Kind' may not be deliverable in its entirety. We would dispute a definition of 'safe' based on staff numbers alone, because one of the major issues as far as we are concerned is the safety of patients and families travelling too far whilst under stress – I know from my own experience how traumatic this is and know someone who decided to cease treatment for a frail husband after a traumatic journey to Glangwili during the early hours of the morning because Withybush (which is five minutes from her home) was not accepting admissions – he died not long afterwards.

I have been taking a close interest in the machinations of Hywel Dda since 2010 and I am firmly of the opinion that they do not act in the interests of the people of Pembrokeshire. Their adherence to a numbers game, discounting tourism or proximity of the bulk of the Carmarthenshire population to Swansea is skewing delivery of services to what amounts to an Urban Health Service and because Bronglais is ring fenced, it is Pembrokeshire which is suffering the most. The bulk of Hywel Dda's

clinicians are now Carmarthen centric and do not seem interested in the impact of their centralist agenda on our County. On their watch, we have seen a steady outflow of services to Carmarthenshire and an associated collapse in Primary Care. They have steadfastly ignored all opinions which run counter to their narrative and there is an alarming culture of intimidation of staff. I know that Hywel Dda will deny this, but I can substantiate the claims that I make. Nowhere is this more clear than in the field of mental health. It so happened that when they launched their 'Transforming Mental Health' Consultation, I was part of a small group of volunteers undertaking ground maintenance on the Withybush sites (Hywel Dda had not even cut the grass for two years and did not seem to see the link between the obvious neglect and their difficulties in attracting recruits.) This meant that we happened to be working on the grounds of the Mental Health unit and were engaging in conversations with staff, patients and visitors alike whilst the 'Transforming Mental Health' Consultation was taking place. What we have encountered is universal horror at the proposed changes which run completely counter to the Board's zealous assertions that 'everyone' is on board – the only people with whom I have spoken that seem to be 'on board' are those members of senior management who have been to Trieste; the consensus from those on the ground – including people from Pembrokeshire MIND, Dyfed Powys Police, WAST and St John Ambulance is that the removal of Psychiatrist led acute adult in-patient beds from a purpose built unit (which only opened in 2005) to a new build in Carmarthenshire is very bad news indeed. I have been reliably informed that the Community Model requires three times as many staff as an in-patient facility and there is no evidence that they are recruiting anything like the number of staff required. They determined that our expensive, purpose built acute Adult Inpatient unit, which opened in 2005 is 'obsolete' and will be 'remodelled' as a Community Facility with a small number of nurse led 'crisis beds' whilst patients requiring hospital admission will be moved to Carmarthen (or now the New Build;) a business case will be forwarded for a new building there, which seems a massive waste of a very good facility which happens to be in the 'wrong County' for the Carmarthen based lead Psychiatrist. Quite how removing our most vulnerable patients to the next County is supposed to 'reduce the stigma of mental health' eludes me. Having railroaded their

proposals through on a tiny response (because many were unaware that it was happening,) they then used the outcome to apply leverage to their 'Transforming Clinical Services,' determining that we will all be treated in our own homes, so will not require the number of beds – even though Withybush has been consistently over occupied since the number of beds has been drastically cut in recent years. There seems to be a huge move towards 'volunteers' and the Third Sector, with no consideration of where they are all to come from as that pool diminishes. People are much less likely to retire to an area without a good hospital and young retirees who have moved to the area, along with a substantial pool of retired nurses, seem to be key to current Charitable enterprises in Pembrokeshire. Certainly access to services has become hugely problematic as services increasingly migrate eastward under Hywel Dda's jurisdiction. – and again 'volunteer drivers' are expected to plug the gap. I am also tired of being told that Hywel Dda 'cannot recruit to Pembrokeshire as though the fault lies with the County and has nothing to do with Hywel Dda – even now, they tend to advertised short fixed term contracts and locum positions for Withybush, yet full time posts for Glangwili.

When Hywel Dda first tried to persuade us that we would be 'better off' with a hospital in Whitland, it was resoundly rejected by the people of Pembrokeshire for reasons that I still believe to be valid, key of which is the Pembrokeshire infrastructure; Withybush is in Haverfordwest because that is where the roads meet. We do not have dual carriageways in our County and St Clear's (which many believe to be the likely location for the New Build) is ten minutes from Carmarthen along excellent roads, but half an hour along a non-dualled, frequently blocked road from Haverfordwest. Many Pembrokeshire residents have journeys of 30–40 minutes to get to Haverfordwest. Carmarthen is only around twenty minutes along dual carriageway/ motorway from the soon to be expanded Morriston Hospital and it is still questionable as to whether Hywel Dda's new build will actually achieve their stated aims, because it will never be able to rival the range or scope of services available in Swansea. Increasingly, Doctors seem to be taught in training that they can only 'safely' deliver services in Large Urban units, so why would anyone want to be a GP who does not have the 'family

Doctor' relationship with a patient because much of the work is done by Physics, paramedics etc, but is more of an overseer, with the only hospital back up in the next County? No wonder Primary Care now has 'recruitment issues' in Pembrokeshire! Although both Withybush and Glangwili are supposedly due to be 'repurposed,' it is quite clear that they have a greater commitment to service delivery in Carmarthenshire, whilst Pembrokeshire becomes the unwilling laboratory for their experimental 'never tried anywhere before on this scale' Transformation of services by a Health Board which has systematically failed to deliver any of its promised 'improvements' to date. Nothing was supposed to move until Glangwili was ready. We are still waiting for the improvements, but essential services moved in 2014. Instead of resolving Glangwili's over dependence on locums and agency staff, it created an additional recruitment crisis in Withybush; very few of our midwives remained at Glangwili because working practices there were more autocratic and less amenable than in the excellent unit (level 2 in all but staffing) that was sacrificed at Withybush. The Royal College 'Review' failed to pick up on this because it was the Health Board who funded the review and set the parameters, which meant that some of us who had been promised the opportunity to meet with the team and express our concerns were denied that meeting. Indications are that perinatal mortality has at least doubled since August 2014, but it is very difficult to access accurate information, or indeed to prove whether outcomes would have been definitively different under other models of delivery.

It is a recognised Hywel Dda trick to conflate criticisms of their decisions on social media, or in the press with criticisms of individual staff, which is unfair on so many levels. They have created closed FaceBook groups for new mothers at each hospital, which means that information does not always reach the public domain and the 'fact' of negative publicity is stated as a Truism. I have to say, it is extremely rare to see express criticism about individual employees, but there is huge dissatisfaction at the way Hywel Dda shows a cavalier disregard for our county's health. This is particularly true when that County is one of only five to make a net contribution to the Welsh Economy and two of the linch pins of our economy are Tourism and The 'Silver Pound,' yet there is good empirical evidence that both these sectors

suffer when a hospital is downgraded. One clear example of the indifference of Hywel Dda is that David Williams, who pioneered the Voluntary GroundForce scheme in tribute to a good friend and fellow campaigner managed to secure sponsorship to revamp the garden of Withybush Creche. The Creche had been begging Estates for help for twenty years, but David persuaded Willmott Dixon to do in the region of £20,000 worth of improvements and the place has been transformed. The Health Board decided to celebrate the start of improving maternity services at Glangwili – which is still a hugely controversial issue since it has caused so much heart ache in Pembrokeshire – by filming in Withybush Creche! Not only that, but they don't understand why that was so totally inappropriate – to celebrate controversial developments in Glangwili with a film made in Withybush which has been decimated by Hywel Dda on a site that the Health Board had neglected, so had been Transformed by Sponsorship thanks to the efforts of a Volunteer. That is what Hywel Dda thinks of Withybush! Nor do they seem to understand that telling us that we should be 'pleased' that services which used to be available in Pembrokeshire, but have ripped away, to be replaced by a less good, less accessible service in Carmarthen are supposedly coming 'closer to home' in the new build (which will almost certainly still be in Carmarthenshire if it ever happens.) It would seem that those who claimed that we would be punished for objecting on principle to services being taken away, by being obliged to travel even further until we accept what was once an anathema, are being proved right. Pembrokeshire will always lose out to Carmarthenshire in a 'numbers game' because the millions of Tourists who flock to our County do not have votes. Nor do we have the political clout of Llanelli, even though we have well recognised pockets of deprivation and the concentration of COMAH sites within Hywel Dda – indeed until recently, the Major Incident Plan made it perfectly clear that Withybush had twice the capacity to deal with seriously injured patients following a major incident as other Hywel Dda sites (notably Glangwili,) but this observation has mysteriously disappeared. It is worth noting that Withybush is the second youngest of the four hospitals in Hywel Dda, it is the cheapest to run and the only one to meet the basic energy requirements, but they determined to 'repurpose' it for reasons that would seem to be more political than medical.

It gives me no pleasure to say that, but it is the only conclusion left when everything is examined in depth.

In the meantime, the CHC which used to be our voice, has been 'reconfigured' and is now adopting a 'more consensual approach,' working 'with Hywel Dda' to improve service delivery – which means that they no longer act as the patient voice. Hywel Dda is busy 'engaging with our stakeholders' on the new service delivery – so I was very concerned to learn that at least some of those 'stakeholders' are Third Sector organisations who are in receipt of payments from Hywel Dda – in which case, how can they be impartial in their deliberations? Furthermore, the supposed 'independent' Board members, whose job is to provide scrutiny, are appointed by the Cabinet Secretary, whose policies the Chair and CEO are appointed to implement.

It is hard to escape the conclusion that Hywel Dda is the medical equivalent of 'Dyfed' – very much to Carmarthenshire's benefit at Pembrokeshire's expense. We do not have the well-oiled opposition of Llanelli campaigners (but they have been encouraged by small 'victories' along the way that have been denied to Pembrokeshire.) It seems that we have neither the political clout nor the benefit of numbers and it feels as though we are being treated as expendable. This is compounded by the lack of independent scrutiny at all levels. But our County makes a significant contribution to the Welsh Economy and Health Care is a significant part of our Well-being. Hywel Dda has proved itself as an organisation that is either unwilling or unable to deliver the Healthcare that we need and there is genuine concern that unless it can be stopped – and preferably disbanded – that primary care in our county is set to implode.

Heather Scammell,



**P-05-826 - Pembrokeshire says NO!! To the closure of Withybush A&E! – Correspondence – David Williams to Committee, 25.03.19**

To the Petitions Committee,

Thank you for the opportunity to provide further comments with regard to P-05-826 Pembrokeshire says NO!! To the closure of Withybush A&E!.

The new build, if approved, will result in Withybush A & E being downgraded to minor injuries unit & nearest A & E will be a minimum 20 mins from Haverfordwest. This can be much longer during summer/tourist season, inclement winter weather, traffic accidents closing road or slow moving agricultural/HGV vehicles – there is no dual carriageway and only alternative to A40 are minor roads.

Those to west can currently take 30 mins after collection by ambulance to reach Haverfordwest so moving of A & E from Withybush will mean many taking over an hour to arrive at A & E on top of response time which due to above reasons can be quite long. It is not unrealistic to estimate that from 999 call received to reaching New Hospital A & E it will normally take a minimum of 1 hour 10 mins and could frequently be double that. I accept that we have to travel for non-urgent specialist treatment but A & E is for urgent life-threatening treatment and moving 20-30 mins travel time further away for those who already can take 30 mins to reach current one is going to cost lives and/or create disabilities which will cost more long term.

Pembrokeshire has a huge increase in population during summer months (Tenby alone goes from 5000 in winter to 95,000 in tourist season) and has much more industry than adjacent county's with Milford Docks, Valero, LNG etc with accompanying risk.

Haverfordwest has catchment area of 80,000 compared to Carmarthen's 40,000. Carmarthen has dual carriageway/motorway to Swansea so is much quicker to get to although same distance as H'west to Carms. Carmarthenshire's' largest town catchment is Llanelli Also 80,00 but only about 10-15 mins from Swansea again on good roads.

The stated problems are recruitment & Glangwili being old & not fit for purpose. While there was a national recruitment problem but until Withybush future was threatened it bucked the trend and had no major recruitment problems unlike Glangwili. In fact the 2 nurses needed for SCBU had applicants but health board refused to fund. They tried to solve problem by moving services & staff to Glangwili instead of learning why Withybush could recruit and applying to Glangwili. Now because most of transferred staff have left they still have a problem.

Given history why do they think they will be able to recruit to new hospital. They think combining current consultants etc in one place will solve staff/rota issues but unless these staff are currently standing idle some off the time, which from my observation is not true, it does not hold water.

To me the long-term answer is to fund more (at least double) the medical training places. There is no shortage of applicants as latest figures I have seen are 3500 applicants for 300 places in Cardiff and similar % for Swansea. Give applicants the choice of funding totally themselves and be free to go where they like when qualified or totally free training if they sign to work in Welsh NHS for 10 years. This would prevent trainees taking bursaries/grants for training and then going overseas or working as locums/agency when qualified. This would not be as expensive as sounds as it would reduce the vast current expenditure on agency/locum. A larger number of qualifies applying for same number of places would mean more having to work outside the city areas. It would also save the many hundreds of millions of new build.

The health board say we cannot look at past or go back but that is how we learn from our mistakes and correct them, otherwise we keep exacerbating the errors and continue going further in wrong direction.

David Williams



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Mrs Janet Finch-Saunders AC/AM  
Chair of the Petitions Committee  
National Assembly for Wales

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

Dear Mrs Finch Saunders,

Thank you for your letter dated 24<sup>th</sup> May, I apologise for the delay in responding.

You asked for the CHC's reflections on Hywel Dda Health Board's plans relating to Withybush A&E department. Please see our response below, and note that we have attached a copy of our commentary document that was submitted to the Health Board (and published by us) prior to their decision-making on a Clinical Strategy towards the end of 2018.

We heard from a wide range of people during the Health Board's public consultation. Understandably, many of the public in Pembrokeshire (as well as some areas in south Ceredigion and north Carmarthenshire) were worried that if changes to established A&E departments went ahead, in an emergency they could not be assessed and treated in a timely way.

In our letter of April 15th to the Petitions Committee relating to other proposed NHS changes in Hywel Dda, we said that

*"the outcome of Health Board's public consultation showed a mismatch of expectation. Whilst many of the public who*

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*feared cuts to their services wanted more detail and concrete reassurances, the Health Board was looking to understand how the public viewed the strategic principles within proposals, with detail to be worked out in coming years.*

*The answer to addressing this mismatch will be continuous engagement with the public to help shape implementation, something that we have made very clear in our expectations and that the Health Board has agreed to. Further, it is possible that there will also be a need for further consultation on specific issues or change proposals as required.”*

This outlook also applies to any changes to A&E departments. Ultimately whilst stating that change and improvement is important, after public consultation the CHC was unable to support or oppose proposals. It was felt a number of issues would need to be clarified before the CHC could agree or disagree that the changes were in the public’s best interest.

As stated in our commentary document, one of the crucial questions would be the extent to which Welsh Ambulance Service Trust could meet demand within a new local system. We understand that work is underway to model and understand this. Additionally the CHC is working on a local and national level to understand key related issues such as the development of a Major Trauma Centre and network, the strengthening of the Emergency Medical Retrieval and Transfer Service, a potential new Hyper Acute Stroke Unit, stroke and acute cardiac pathways.

It would be important to scrutinise wider related areas of local NHS development in the future, which would impact on or support the operation of a new urgent care system. For example, agreement to fund a new hospital that would house a large new Emergency Department and Trauma Unit is a significant first step, with a much improved picture of health and social care capacity needed in community settings to avoid the hospital-focused congestion that ultimately adds more pressure to ambulance and A&E settings. The future of transport and accessibility (both issues

which the public raised repeatedly during consultation) remains unclear.

Fundamentally, the public must be given the opportunity to have their say as a clearer picture of future NHS urgent care emerges. Until this happens we would oppose any changes to the current configuration of A&E units in Hywel Dda, a principle we made clear in our commentary and one which was agreed with by the Health Board.

I trust this addresses the issue raised in your letter and if you feel that further elaboration is needed, please do not hesitate to make contact with me again.

Yours sincerely

A handwritten signature in cursive script that reads "Donna Coleman".

Donna Coleman  
Chief Officer

# Agenda Item 3.5

## **P-05-842 Give young people a voice when commissioning local services in Wales**

This petition was submitted by the Changing Minds Campaign Group, having collected 1,387 signatures online and 2,865 on paper, a total of 4,252 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to acknowledge that the current level of young persons' participation in the commissioning of services does not allow for the inclusion of marginalised groups. We request a review of the policies and guidance in place and a recommendation that new guidelines are mandatory for services commissioned to work with young people.

Every young person in Wales needs to be able to share their voice and experience in a way that is meaningful to them, to shape the services that are available to support them. We are asking for your support to promote changes to achieve this goal. As young people we must be able to share our thoughts and views on the projects that we need in our area.

Currently, only youth councils/ forums are consulted- which is not representative of those who struggle to attend such forums such as those 1 in 5 young adults who have a diagnosable mental health disorder. There needs to be a platform for those young people who may not be able to participate in the current schemes due to their mental health to share their opinions on services and projects that are directly affecting them. We are a group of young people that have been involved in the Changing Minds Project coordinated by Newport Mind, which is due to lose funding in November of this year. Because of this we have been learning about the commissioning process, which has led to this petition being created and to our wider #changeit campaign. Direct inclusion of young people with mental health issues in the commissioning process will allow for greater tailoring of service provisions and improve confidence in the services amongst the targeted demographic.

“Involvement in this project enabled me to really understand the concerns of young people and the issues they face. Without these concerns being raised

and included from the inception of any policy which affects them, any initiative affecting young people will be flawed".

### **Additional Information**

The Children's Rights Approach in Wales by the Children's Commissioner for Wales outlines a framework for embedding children's rights within services working with young people. These are guidelines and thus non-binding. Based on the United Nations Convention for the Rights of the Child (UNCRC) Article 12 outlines the right of children to be involved within policies creation and implementation; particularly those which affect their demographic. The Children's Commissioner for Wales Annual Report for the 2016/2017 year (the Report) specifically highlights the Commissioner's wish to see greater integration of young people within the commissioning process. The current guidelines for youth participation in Wales are, amongst other sources, contained within the Children and Young People's Participation in Wales Good Practice Guide 2016. The seven 'Core Standards' contained within the Guide are excellent starting steps. We feel that the non-mandatory nature of these standards and approaches, although partly met within some authorities in Wales, are insufficient for ensuring accountability for all services working with young people. We seek to ensure that young people from marginalised groups have a voice in the decision making processes as well as ensuring that service provision for young people all over Wales are of a similarly excellent standard. Our petition is in line with Recommendation 10 of the Mind over Matter report that highlights the current levels of provision of mental health services for young people, and compliments the work by the Together for Children and Young People Programme. Without change to the current guidelines, young people across Wales will continue to be marginalised. Specifically, those with mental health issues or additional needs who may not be able to take part in the current – and limited – youth participation initiatives will continue to find it difficult to voice their opinions.

### **Assembly Constituency and Region**

- Newport West
- South Wales East

Vaughan Gething AC/AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref VG/06676/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

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17 June 2019

Dear Janet,

Thank you for your letter of 24 May.

I have noted the correspondence from the #Changelt Campaign Group and the concerns of the petitioners relating to membership of the Strengthening and Advancing Equality and Human Rights in Wales Working Group.

I am pleased to inform you that the chair of the working group, Jane Hutt AM, Deputy Minister and Chief Whip, is content for a young person's representative to be included on the working group and my officials are working with Children in Wales to identify someone to fulfil that role.

I will, as previously offered, update the Committee on the work underway by the beginning of the autumn term.

Yours sincerely,

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

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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-05-842 Give young people a voice when commissioning local services in Wales, Correspondence – Petitioner to Chair, 07.08.19**

Dear Ms. Saunders,

Thank you for the opportunity to respond to the letter from Vaughan Gething dated 17 June 2019.

We would firstly like to thank Mr Gething and Ms. Hutt for this excellent opportunity. Certainly, having a youth representative on the Strengthening and Advancing Equality and Human Rights in Wales Working Group is a very positive step forward.

However, this still does not address the gap highlighted in our petition. We are calling for there to be a statutory right for young people to be included in the commissioning of children and young people's services in Wales.

While having a representative on the board mentioned by Mr Gething is good progress, it risks being tokenistic for two particular reasons.

The first is an issue of full representation. Naturally, the diverse backgrounds of Welsh youth cannot be neatly embodied by a single representative. In order to represent the full spectrum of Welsh youth, we wish to advance the argument that there needs to be a panel of young people to consult on the commissioning of youth services in Wales. This is the only way for young people's views and opinions to be accurately and fairly advocated.

Secondly, there is an issue of accessibility. As our Petition has noted, there are many young people who cannot participate in face to face engagement. This is frequently due to circumstances of which they have little or no control. This can be due to issues as diverse as poverty (thus an inability to afford travel), mental health (e.g social anxiety, therefore an inability to leave their house) or physical disability (resulting in an incapability to move).

The need for diversity of representation in the commissioning of youth services goes to the core of our Petition. Diversity in the appointments is critical as, for example, it is unlikely that LGBTQ+, BAME and mental health could be adequately represented in a single individual. It is the aim of our Petition that the views of the wider background of Welsh youth are consulted in the process of commissioning services.

By way of a hypothetical, a young man from inner city Cardiff could not accurately represent the views of a young woman from a more rural environment in mid-Wales, and vice versa.

Therefore, a modality needs to be devised which allows for the inclusion of those who cannot engage face to face. For example, an online platform that would be easily accessible by those who cannot travel to Cardiff is a possible solution. Regardless of what solution is eventually adopted, our Petition calls for it to be open and easily accessible to engage the broadest spectrum of Welsh youth with particular emphasis on those who would otherwise have difficulty voicing their views.

Again, we would like to note the progress that has been made in the course of our Petition. In particular, we would like to thank the Petitions Committee, Mr Gethin and Ms. Hutt for their co-operation and efforts to implement a solution that works for all parties concerned and, most importantly, the young people of Wales. We welcome any feedback about how work can be undertaken to ensure that there is a statutory right for young people to be included in the commissioning of children and young people's services in Wales.

As ever, if we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

**The #Changeit Campaign Group**

# Agenda Item 3.6

## **P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer**

This petition was submitted by Stuart Davies, having collected 5,916 signatures online and 429 on paper, a total of 6,345 signatures.

### **Text of Petition**

We, the undersigned call on the National Assembly for Wales to urge the Welsh Government to act now and make high-quality, multi-parametric MRI (mpMRI) before biopsy scans available to all eligible men across Wales who have a suspicion of prostate cancer.

Why is this petition needed?

Prostate cancer can be difficult to diagnose. For years, men have had biopsies that are invasive and painful. Sometimes they can lead to serious infections – we only want men to have a biopsy if it is needed.

If a biopsy is carried out before an mpMRI this involves using a series of needles that randomly sample tissue from the prostate, to see whether there are any cancerous cells. The problem with these techniques is there are gaps between the needles, so sometimes significant cancers can be missed if that section of tissue isn't sampled. A biopsy can lead to false positives, where clinically insignificant cancer is diagnosed, this can lead to unnecessary overtreatment.

mpMRI scans can be used with other tests to improve the number of aggressive prostate cancers being caught earlier. If the mpMRI is carried out to a sufficient standard it's also been proven to safely reduce the number of men who may have biopsies unnecessarily, by ruling them out of having prostate cancer at an earlier stage.

What is mpMRI?

mpMRI means multi-parametric MRI. This combines up to three different types of scan for a clearer picture of what's going on in the prostate. Also, an injection of a dye means that scan images can be enhanced making it clearer to see if cancer is present or not. This is different to a standard MRI scan which creates an image of an internal organ, these are rarely clear enough to confidently diagnose early prostate cancer.

What is happening in Wales?

There are 7 Health Boards in Wales, mpMRI before biopsy is being provided in 3 Health Boards. Only one board is doing it to a standard high enough to safely rule men out of biopsy. This means men in 4 Health Boards do not have access to mpMRI as a diagnostic test, unless they pay more than £900 to have it done privately.

Find more information about mpMRI and biopsies here:

<https://prostatecanceruk.org/prostate-information/prostate-tests/introduction-to-prostate-tests>

### Assembly Constituency and Region

- Clwyd South
- North Wales

### Status

This petition is currently under consideration by the [Petitions Committee](#).

### Further information

- [Learn more about the Assembly's petitions process](#)
- [Sign an e-petition](#)
- [How the petitions system works](#)



Ein cyf/Our ref VG/06868/19

Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

1 July 2019

Dear Janet,

Thank you for your letter of 13 June regarding petition P-05-849: all men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer.

Patients in Wales should have access to investigations for cancer in line with clinical guidance and this should be delivered consistently across Wales. The National Institute for Health and Care Excellence (NICE) published its revised guideline on the diagnosis and treatment of prostate cancer in May 2019. This confirmed that Health Boards should be delivering pre-biopsy mpMRI for the investigation of suspected prostate cancer.

Two Health Boards in Wales had already started to provide this investigation and one Health Board was providing pre-biopsy but not to the mpMRI standard. In recognition of the emerging evidence and NICE's review of its guidance, the Welsh Government had convened a series of three workshops to bring the clinical community together to create a consensus on the best way forward and to enable local planning to comply with any revised guidance. At the most recent workshop in June, Health Boards not providing investigation in line with the revised guidance were required to submit and review outline implementation plans.

These plans have been reviewed and further work will take place to change local practice. This programme of change will be overseen by the Imaging Network and Urology Board. It is my expectation that all Health Boards will come into line with guidance by the end of the financial year, potentially earlier. I will be monitoring progress closely.

While Health Boards are transitioning to this new service model, people with suspected prostate cancer will continue to be investigated in line with the extant clinical pathways.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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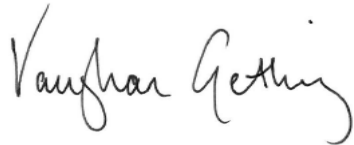
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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.

While I appreciate it is desirable for appropriate patients to be offered pre-biopsy mpMRI, I must accept that Health Boards will need to put in place the relevant equipment, training and capacity to do this. Now that we have arrived at a consensus, it is my role to ensure Health Boards implement this as quickly as possible. In the meantime, should patients seek to be investigated by private means then this must remain a private matter for those patients concerned.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

**P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer, Correspondence – Petitioner to Chair, 31.07.19**

Thanks for that, I am disappointed in the response, the Minister in September 2018? made a promise that £12 million was to be provided for infrastructure etc to provide these facilities. Nothing seems to be happening. Men are contacting me with fears of not being able to access these scans in North Wales, that they are still paying for them!!!! and then chasing up the Betsi for refunds.

We made the point at our meeting with Mark Polin and Gill Harris that the Betsi could buy in these services from the private sector for £350 ish and yet we see men paying £900 ish and then reclaiming this from the Betsi. How stupid is this? If they did what I suggested, the private sector could provide an interim service at a third of the cost if the Betsi would only do this directly!

I will forward a couple of emails in a minute detailing the stupidity that is going on at the moment.

Stuart

**P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer, Correspondence – Prostate Cancer UK to Chair, 30.08.19**



Fourth floor  
The Counting House  
53 Tooley Street  
London SE1 2QN

Telephone 020 3310 7000  
Fax 020 3310 7107  
info@prostatecanceruk.org  
prostatecanceruk.org



30<sup>th</sup> August 2019

Dear Ms Finch-Saunders,

We welcome the opportunity to contribute further to the ongoing discussions regarding petition P-05-849: all men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer.

Firstly, Prostate Cancer UK wishes to acknowledge the work of the men in North Wales who raised this petition and, with the support of the North Wales Community Health Council, have helped to bring this issue to the top of the agenda. Their efforts have contributed to a situation where, in the coming months, all eligible men will have access, through the NHS, to pre-biopsy mpMRI.

Prostate Cancer UK is encouraged by many aspects of the letter the Minister for Health and Social Care sent to you as Chair of the Petitions Committee. We appreciate the efforts of the Planned Care Programme, Welsh Urology Board and Health Boards in reaching a consensus on the provision of pre-biopsy mpMRI in Wales.

We were pleased to see areas not currently providing this important diagnostic tool presenting their plans, as per the Minister's letter, in the middle of June. A series of ambitious timelines are now in place to deliver prostate cancer diagnostics in line with the recently updated NICE guideline.

We are further encouraged to see the Minister commit to "monitoring progress" and "ensure Health Boards implement this as quickly as possible."

We would appreciate details of transitional arrangements that are being implemented until pathway transformation is complete.



We have concerns around the final statement in the minister's letter – *"In the meantime, should patients seek to be investigated by private means then this must remain a private matter for those patients concerned."* We would welcome some clarification on whether this is in reference to a patient choosing to go privately (even in an area with pre-biopsy mpMRI) or if this is a proposed interim solution in Health Boards that have not yet implemented mpMRI.

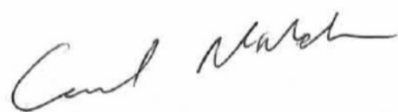
We acknowledge that Health Boards are moving towards implementing mpMRI before biopsy and fully understand the challenges that come with such a transition. However, it's not fair that some men might still have to rely on the private sector to confirm or rule out prostate cancer, when other men in Wales are routinely able to access this freely on the NHS. As we have said, we hope that transitional arrangements can be developed in the interim to ensure parity of access across Wales.

Prostate Cancer UK is championing the adoption of pre-biopsy mpMRI for all eligible men in Wales (and the rest of the UK) and we have endeavoured to support the NHS in Wales in this regard. We have regularly engaged with the Planned Care Programme, the Welsh Urology Board and individual Health Boards to help achieve this. The charity recently supported an mpMRI training event at the National Imaging Academy in June 2019, where x Radiologists attended from across Wales.

We will continue our efforts to support Health Boards as they overcome barriers to implementation of pre-biopsy mpMRI. This will involve the ongoing engagement with stakeholders across Wales to support them with their training needs and sharing of best practice. Prostate Cancer UK believe that adoption of pre-biopsy mpMRI in line with NICE guidelines will play a key role in improving prostate cancer diagnosis for men across Wales.. The charity is developing a diagnostic demand model that Health Boards will be able to use to forecast mpMRI service demand over a ten-year period, allowing them to plan for changes in local demand and the potential impact this may have.

There is a tangible opportunity for Wales to lead the way in the UK, in having every Health Board providing pre-biopsy mpMRI for all eligible men. We look forward to continuing to work with the Planned Care Programme, Welsh Urology Board and Health Boards to transform the prostate cancer diagnostic pathways in Wales.

Yours sincerely,



**Gerard McMahon**

Change Delivery Senior Officer Prostate Cancer UK

# Agenda Item 3.7

## P-05-859 Provide Child Houses in Wales for Victims of Child Sexual Abuse

This petition was submitted by Mayameen Meftahi, having collected 227 signatures.

### Text of Petition

The child house concept is based on best practice learned from the USA and Scandinavia. Recognising the vulnerability of the child victim and the harm caused to the child by multiple interviews, the child house uses a child-friendly response to child sexual abuse (CSA).

In the UK, 2 child houses are available in the city of London, in Wales there is none.

As a child, you do not know who and where to run to, you do not know that there is any support available, if we can offer Child Houses across the UK, we can save children.

Continuation of Refuges for Domestic Violence, there should be Child Houses for children suffering child sexual abuse.

We know that many children who are suffering child abuse will at some point try and escape, they will want to free themselves, but they have nowhere to go. They will be returned back home, back into the arms of their abuser.

Providing a safe house, that is child-friendly, that can open the way for disclosure and safeguarding.

In Iceland, the 'Barnahus' model has been in place since 1998, and offers in one place, forensic interviews, making court statements, medical examinations and access to therapeutic services. We should make this available like we do a domestic violence refuge. Since the Barnahus model was established in Iceland, the number of child victims of CSA coming forward for help has more than doubled per year, indictments have tripled, and convictions have doubled. This is enough evidence to show they are crucial.

Not only should we be providing child houses, but we should continue this

with educating children that these options are available. Please join us in the Campaign to address this issue and let's make a push for the Welsh Government to provide a Safe House in Wales, we surely cannot expect children to get to London, if they are even aware such houses exist. Sadly this is currently not the case.

### **Additional Information**

Our children need somewhere to run to, they need to be safe and they need to have access to the correct support to save themselves from the life sentence of child sexual abuse.

Please sign this petition and start to make movements!

### **Assembly Constituency and Region**

- Swansea East
- South Wales West



Llywodraeth Cymru  
Welsh Government

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## WRITTEN STATEMENT BY THE WELSH GOVERNMENT

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<b>TITLE</b>	<b>Launch of National Action Plan on tackling child sexual abuse and consultation on safeguarding children from child sexual exploitation</b>
<b>DATE</b>	<b>15 July 2019</b>
<b>BY</b>	<b>Julie Morgan, Deputy Minister for Health and Social Services</b>

Today, I am publishing a [National Action Plan on tackling child sexual abuse](#) and launching a [consultation on statutory guidance to safeguard children from child sexual exploitation](#).

Part 7 of the Social Services and Well-being (Wales) Act 2014 set out a new legal framework to strengthen safeguarding arrangements so that people at risk can be protected more effectively. There has been much progress since the introduction of the Act with leadership and improvements in safeguarding driven by the regional safeguarding boards and the National Independent Safeguarding Board.

However, I am clear that there can be no complacency and that tackling abuse and harm to children and adults must remain a key priority for the Welsh Government and our partners. Our commitment to deliver this policy has been informed by the important work of the Cross Party Group on Preventing Child Sexual Abuse and evidence from the Independent Inquiry into Child Sexual Abuse (IICSA). Most importantly we have considered evidence from children themselves and from adult survivors.

At the heart of this policy is a commitment to promote a position where children in Wales feel listened to, benefit from child-centred practice and can realise their right to be safe. Sexual abuse can have a devastating impact on childhoods and throughout life. We must work together to do everything we can to prevent child sexual abuse, to protect children at risk and to support children to recover from the significant harm that sexual abuse causes.

**P-05-859 Provide Child Houses in Wales for victims of child sexual abuse,  
Correspondence – Petitioner to Committee, 16.08.19**

I would like to thank Julie Morgan, the Deputy for her statement and the commitment made to listen to the position where children in Wales feel listened to, benefit from child-centred practice and can realise their right to be safe. However, the whole reason for my petition, is because there are no places for this to happen.

The commitment is lovely, but what is the action to provide this place. SARC centres have waiting lists of up to 18 months, and a SARC centre that deals with adults is not always appropriate to deal with children. The point is being missed along these discussion, that there is not an adequate centre/centres in Wales to provide this commitment.

I address the concern again, whilst you wait for the Child Houses in London to be reviewed, what happens to the children in Wales who are currently being sexually abused and assaulted. Can they wait, years down the line for a Child House concept to be in place.

There is, appropriate research and evidence in to the module to date, that can show its success and there should be similar across the United Kingdom.

Safe places can be provided alongside existing frameworks, just as Womens Refuges have been provided alongside existing frameworks. To say, that there would be concerns of a child refuge being a target for perpetrators, is the same as saying Womens Refuges is a target for perpetrators. Quite clearly, Womens Refuges have proven they are a necessity and a not a risk factor.

New Pathways is a SARC, and is not wholly children centred. It would not take a great deal of provision, to provide a focused child centre wholly for children, as is the Lighthouse in London.

My apologies for lack of response previously, I was not aware a lack of response interfered with the petition, this has never been explained and I have discussed this in detail with Ross, and secondly it was because there was nothing to say in reply. As is my response above, the commitment and responses that they are acknowledging and updating legislations, is not dealing with the actual issue the petition was for. To provide the child house concept in Wales, and to make sure there are child focus centres across Wales, where children can access themselves, without needing to be referred.

The Lighthouse in London, has an open door policy, children can walk in and speak to someone.

If a Child Refuge is not an option at this time, then the above is certainly doable.

With regards

Mayameen Meftahi

# Agenda Item 3.8

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

This petition was submitted by Sian Godbert and was first considered by the Committee in having collected 1,070 signatures.

### **Text of Petition**

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

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

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

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

- (a) Pollution prevention, monitoring, effective enforcement and prosecution.
- (b) Wildlife predation monitoring and recommending proportional controls.

### **Additional information**

4. The NRW Executives at the board meeting openly accepted that they failed to effectively communicate and adopt a policy of implementing agreements with stakeholders, who are expected to monitor and report on

behalf of Natural Resources Wales and voluntarily enforce the proposed changes to bye-laws, which many disagree with.

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

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

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

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

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

- Aberconwy
- North Wales

# Agenda Item 3.9

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

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

### **Text of Petition**

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

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

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

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

### **Assembly Constituency and Region**

- Arfon
- North Wales





Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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<b>TITLE</b>	<b>Outcome of the Local Inquiry on Natural Resources Wales' proposed 'All Wales Salmon and Sea Trout Byelaws'</b>
<b>DATE</b>	<b>16 July 2019</b>
<b>BY</b>	<b>Lesley Griffiths AM – Minister for Environment, Energy and Rural Affairs</b>

In August 2018, I announced my decision to refer Natural Resources Wales' (NRW) proposed Wales Rod and Line (Salmon and Sea Trout) Byelaws 2017 and the Wales Net Fishing (Salmon and Sea Trout) Byelaws 2017, to the Planning Inspectorate Wales to conduct a Local Inquiry. This was to allow for independent scrutiny of the proposed Byelaws, for consideration of any evidence in support or objection to them to be presented by any interested parties and to enable me to reach a conclusion on how best to proceed.

The Planning Inspectorate presented me with their final Report on 3 June. I would like to thank them for their diligence in conducting an open, impartial and fair inquiry and for providing me with their recommendations. The Planning Inspectorate's Report is published alongside this Statement.

It is clear to see, from the Report, the depth of feeling and passion on both sides of the debate and to see there is common ground between NRW and objectors that salmon and sea trout stocks in Wales are suffering an ongoing decline. It is, therefore, generally agreed there is a problem. It is also accepted stock levels must not fall to unsafe levels and should be increased as a matter of urgency. The report recognises many anglers already operate voluntary catch and release and, therefore, the Byelaws will not have an impact on them.

Having carefully reflected on all the evidence and arguments put forward, the Planning Inspector considers the proposed Byelaws to be a measured response to declining fish stocks in Wales. Accordingly he found them to be necessary, proportionate and reasonable in view of the decline of salmon and sea trout stocks throughout Wales. His recommendation was to confirm the Byelaws.

After considering the report, recently published stock assessments and discussions with many stakeholders, I have decided to confirm the Byelaws and for these to come into force from 1 January 2020.

In addition, I believe there are lessons to be learnt from this inquiry.

I acknowledge angling is only one of the many interventions which impact on the decline in salmon and sea trout stocks. Other issues, which stakeholders quite rightly raised at the inquiry, also need to be addressed. The effects of agricultural pollution have a significant impact on the mortality of these stocks. I intend to bring into force regulations to tackle agricultural pollution in January 2020, aligning with the introduction of the Byelaws.

Other issues raised at the Local Inquiry were obstructions to migration, water abstraction, robust enforcement activity and piscivorous predation. There is a role here for us all. We are not starting from a blank page on these issues. NRW, as stated in their evidence to the Local Inquiry, take forward a significant amount of work in relation to the protection of vulnerable stocks, including Salmon and Sea Trout. Whilst they report these actions to international bodies such as NASCO, the information should all be in one place and presented in a way which is relevant and specific to Welsh anglers.

I will, therefore, be asking NRW to take the lead on working with stakeholders to bring together all the current work being taken forward by all relevant parties in a *Salmon and Sea Trout Plan of Action*. The Welsh Government will be contributing to this, as I hope will anglers and supporters of angling. I expect the Plan of Action to be finalised before the Byelaws come into force on 1 January 2020 and NRW to make a concerted effort to share the plan with anglers and other interested parties and for it to be updated annually in conjunction with stakeholders with clear actions and timelines.

We must work together to protect these magnificent fish before it becomes too late.

**Response to Petitions Committee WG – All Wales Byelaws (Fisheries) – Public Inquiry – Inspector’s  
Report**

**Petitioners Response – Mr Reuben Woodford (Afon Ogwen Anglers in conjunction with  
CPWF/Petitioners) [Petition P-05-810 Give Welsh Fishing Clubs and Salmon and Sea-Trout a  
Chance]**

**To Report [ENV/3209811] 190/16-LG-Written Statement-Marine and Fisheries – Inspectors Report**

**30 August 2019**

**Summary of key points:**

- General and specific suppression of objector/CPWF evidence
- General and specific tendency to adopt NRW stance even when unsubstantiated by objective evidence – an appearance of bias
- The inspectors report mirrors the dismissive tone and tact adopted by NRW. It should be noted that within the PI proceedings NRW legal team stooped as low as to belittle objectors.
- In our dealings with NRW it is very apparent there has been little compromise nor is there compromise within this report. At worst, the comments made are based on conjecture, in particular when it comes to ‘fishing’ matters.
- There are a considerable number of erroneous statements made – therefore the context of numerous arguments is lost.
- The phrase ‘Notwithstanding’ unfortunately weighs heavily upon us, as used re-iteratively within the report by the inspector it marks the pre-cursory signal that our evidence is to be given a superficial airing only to be superseded by statements reflective of NRW’s own, backed up with varying degrees of substantiated evidence.

Below are key elements of objector evidence, we perceive the report fails to substantiate and therefore fails to apportion requisite weight and influence in the formulation of conclusions and thus ultimately the inspectors decision upon the necessity for; proportionality of and how reasonable the byelaw measures actually are.

Aside from the above, in addition to the substantive evidence we provided at the Inquiry that the byelaws simply cannot be enforced, sources at NRW now indicate they are limiting their enforcement potential even further since the Inquiry to a mere handful of specialist fisheries enforcement officers across Wales. In the absence of regulatory enforcement the angling community currently sit between a rock and hard place, alienated from shaping their future however tasked with an unmanageable and obtuse workload.

The report omits to present critical objector evidence in appropriate context for the following:

- Shortfalls and implications of 1) Stock Reporting 2) River Classification Model 3) Policy – Decision Making Process
- Critical relevance of CPWF evidence as a contribution to future statistical reviews – (The very same evidence NRW legal team attempted to quash is now considered highly relevant to the ongoing process) this evidence underpins a number of the objectors arguments and was suppressed
- The River Classification Model underpinning NRW’s evidence – has not been peer reviewed and is not periodically reviewed. This leaves the system open to challenge.

- The 'precautionary principle' is already built into NRW's statistical analysis – manual application of the concept beyond that stage creates an overly precautionary response.
- Under NASCO Guidance all rivers in Wales should, formally be given the opportunity to achieve 90% return rates for salmon before mandatory measures are considered. This has not happened and is a failure of ministerial direction.
- CPWF/angling community's proposals for a community centric alternative to the byelaw measures, conducive with principles of sustainable management and well-being goals.
- Progress made by the angling community – 86% return rate of salmon across Wales in 2016 – is treated as failure not success.
- There are rivers within the 23 principal salmon rivers in Wales that are compliant year on year with their Conservation Limits (compliance with NASCO Management Objective) – mandatory measures should not be applied to them under the NASCO Decision Structure.
- All rivers in Wales outside of the 23 principal salmon rivers are subject to the All Wales Byelaws order. This is in direct contravention of the NASCO Guidance and a contradiction that these are not, pan Wales byelaws as stipulated by NRW. This is clearly application of the organisations institutional preference and is contradicted by their approach to managing sea-trout stocks.
- Consideration of rivers on a catchment by catchment basis – which is what the Inquiry has been stated to provide – has not been possible. This is illustrated by the blanket and generalised statements made in the report.
- There has been a critical failure by NRW to ingrain considerations of well-being (WFG Act (Wales) 2016) and principles of sustainable management (Environment Act 2010) (achievement of well-being). In parallel to these statutory requirements NRW have not qualified the socio-economic; socio-cultural risks posed by these measures to community angling clubs and communities. No true evaluation of the byelaw measures has been made.
- The mandatory byelaws are inequitable; unfavourable and infringe on people's rights.
- One of the principal reasons for disagreement between CPWF and the NRW is because their inaction and inability to manage other threats has led to stock decline on certain, but not all rivers.
- Loss of salmon fishing methods will severely inhibit many anglers fishing for salmon under most water conditions.

***Further detailed review of the report is contained in the document below.***

The consequence of the above is to disable appropriate consideration and illustration of requisite evidence to make an appropriate decision upon the necessity for; proportionality; how reasonable the byelaw measures are and their enforceability.

Reflecting upon the perceived inadequacies of the process (***Please see letter to First Minister – included – Originator Chris White CPWF***) and weakness of the report to present a seemingly fair and balanced representation of fact and requisite decisions. It is with urgent necessity that we ask members of the Senedd's Petitions Committee to make a stand for appropriate judicial and democratic process to prevail.

Without the angling community holding a pivotal role within the management of our fisheries and inappropriate and high risk byelaw measures in place we will all struggle to achieve meaningful progress. Many fishing clubs are currently fire-fighting the consequences of the Cabinet Secretaries decision – our resources are meagre and resilience challenged. Something has to change.

Thank you for your attention to this matter.

On behalf of representatives from the angling community of Wales (petitioners),

.....

**Detailed consideration of the Inspectors Report:**

{The Inspectors comments are underlined/italic *Inspector*}

[Our comments – bulleted]

**548. [ Deviation from objective evidence at catchment scale] NRW accept that fishing effort i.e. rod days fished, are not taken into account in terms of estimations relating to compliance with Conservation Limit assessments.....In addition, NRW maintain, equally the impact of weather conditions can affect fish migration and angling effort.**

However, notwithstanding any shortcomings, in this regard, based on substantive evidence available, it is apparent there has been, overall, a significant and sustained pattern of progressive decline in the majority of salmon and sea trout stocks in Wales.

- Angler's behavioural responses have become a key variable in the variability of stock assessment as an extrapolation of catch return information.
- 'Rod days fished', critical to our understanding of the relevance of catch return data to actual stock is not considered by NRW.
- Generalisation of the pattern of fish stocks in Wales for salmon and sea trout stocks distracts from the catchment by catchment and conservation limit focus necessary to be able to make proportional decisions on a catchment by catchment basis.

**555. The electro fishing surveys carried out by NRW indicated a marked and widespread reduction in abundance of salmon and trout fry across a number of catchments in Wales.**

- Electro fishing surveys undertaken by NRW very rarely represent a widespread area of river catchment. It must also be recognised that the inspector's statement only applies to a single years' sample.
- The report fails to state that in some catchments there was no marked reduction in abundance of salmon or trout juveniles and therefore there is the appearance of bias.
- Without temporal context, there is no attempt to retain objectivity and balance in this statement - however there is apparent bias which suggests a far greater magnitude of phenomenon than the actual evidence illustrates.

**558. Neither the above objections, or any others relating to data sources, provided substantive evidence to challenge the validity of NRW's stock assessment data.**

- This statement has the appearance of bias.
- The reader must be reminded that the 'All Wales Byelaws' Inquiry was responsible in part for considering evidence at a catchment scale.
- The validity of objective data presented for individual catchments, has been denied by imposition of blanket generic statements.
- Forming conclusions on this basis illustrates an intent to override a catchment view to this process; to deny the reader visibility of the catchment specific evidence that contradicts the broad brushstroke statements and an intent to 'cover up' evidence critical to assessing the proportionality of the byelaw proposals.

**571. I would tend to agree with Mr Russell of NRW who expressed the view in oral evidence that 'the absence of perfection doesn't stop us acting in a precautionary way'**

- The absence of a fit for purpose stock assessment methodology however provides reasonable doubt that we should all be cautious in the actions we take, as overstepping the mark in terms of the severity of the response imposes additional risks to both the angling and regulatory systems.
- As the Inquiry progressed and the inspectors report considers the 'precautionary principle', it appears the principle itself becomes an ever present all, consuming general rule of thumb that allows NRW to justify each and every decision it makes. The angling community do not oppose precautionary principles, however when the actions proposed are proven to be disproportionate to the evidence and counter to sustaining the resilience of fisheries and angling institutions, those actions in themselves can be seen to undermine the very system we are reliant upon.

**574. [CPWF – Dublin Statisticians evidence]** *The above casts significant doubt as to the veracity of the evidence presented by the Dublin Statisticians via parties such as CPWF. Without significant evidence to indicate otherwise, I prefer the statistical testimony submitted by NRW whose three expert witnesses appeared before the Inquiry, as it was overall much more robust and justified than that of untested third party evidence given via objectors to the proposed byelaws.*

- It has to be questioned, whether the inspector's 'preference' for one statistical testimony over another has any bearing on his personal ability to comprehend the validity of those calculations. The inspector was at full liberty to seek independent expert witnesses to enable fully objective scrutiny of the evidence provided by both parties and yet he chose not to utilise this option. Ultimately, his decision upon very complex and contentious statistical analysis was reliant on the narrative dictated by NRW's legal team and not necessarily an objective critique of facts.
- The time spent at the Inquiry by NRW's barrister attempting to quash CPWF's Dublin Statistician evidence was excessive and ultimately CPWF were prevented from presenting their evidence in entirety. Whilst the inspector had repeatedly throughout the Inquiry hurried members representing CPWF along, NRW were allowed an inordinate period over which to attempt to discredit a key element of CPWF's evidence.
- It is very hard to envisage, how, bias can be thwarted, when ultimately evidence is concealed by manoeuvres unfit for a public inquiry of this nature.
- A critical fact of significant irony is not exposed by the report – that being, that the assessment process utilised by NRW and the EA in England is not quality assured and validated and both organisations are fully aware the stock assessment model must be revised.

**576.** *Concerns raised by Mr Ashwin of CPWF and others were that NRW were not following NASCO guidance, nor that of its own, in terms of the procedure for the 'Decision Structure' for developing salmon fishing controls in Wales and England. That process, it is argued, requires in the first instance, voluntary measures to be adopted for these rivers – not mandatory measures.*

- The requirement for this staged approach is clear. It is unclear therefore why and how NRW have deviated from best practice guidelines.
- The damage of not following this guidance is not only to bypass a means of empowering fishing clubs, but to leap frog forth into a high risk scenario with certain consequential impacts that NRW have on the basis of personal belief, chosen to play down and in some instances completely ignore.
- Considerations of proportionality and well-being have been denied by NRW's 'draconian' response – the inspector in para 578 unwittingly divulges NRW's exact tact:

**578.** *The approach taken by NRW is broadly in line with the Decision Structure i.e. they have considered a range of options and then selected their preferred options.*

- NRW's 'preferred option' of mandatory catch and release, which dictates crudely the method adaptations included in the byelaws has been common knowledge for many years.
- The regulator's query has always been 'what should we ban', rather than 'what should we promote'.
- Failing to make appropriate consideration of the proportionality of the measures and the likely consequential impacts upon current and future wellbeing over a transitional period (a statutory

requirement placed upon them) has led to decisions not concordant with the decision structure, but mirroring NRW's long standing 'preferred option'. The 'broad' compliance with the decision structure referred to by the inspector becomes meaningless when behind that broad compliance sits a very specific failure to utilise it in a pragmatic way that assists in ironing out the death of problems this set of measures as a mandatory response delivers.

- What is quite clear in para 578 is that the inspector has failed to grasp 1) the risks posed by the 'All Wales Byelaws' to fish stocks and community angling clubs and what they provide to communities and through ecosystem services; 2) the inherent problem of being compliant with C&R targets that have until now been vague, variable and poorly communicated.
- There is no evidence 'banning' elements of fishing are going to result in positive outcomes. There is evidence, empowerment of anglers has wide ranging benefits. To suggest that the 'precautionary approach' by default equates to the byelaw measures is simply a misnomer and NRW's red herring of all red herrings reiterated by NRW's legal and management team without proof of its validity.

**580** ....even if I had reservations about some elements of the statistical methodology employed by NRW, the entirety of the evidence base, would suggest the application of the precautionary approach.....would be prudent in terms of the interpretation of any data....

- Given a key part of the evidence base provided by NRW is reliant upon a river (risk status) classification system that is proven to be very poor at predicting actual salmon stock status and which the inspector states he has reservations about, it defies logic, that the 'entirety' of the evidence base is then seen by him to prove the necessity to apply a precautionary principle.
- It is quite evident from the reports consideration of the 'precautionary principle' that without exception, the byelaw measures as stipulated by NRW in their 'preferred option' are considered by the inspector as the only conceivable option which satisfies this requirement. This is simply not the case and it is a construct devised by NRW and substantiated by endless repetition rather than objective substance.

**581** The proposed byelaws offer several solutions to the decline in fish stocks.....

- This is an erroneous statement and a misnomer which has spread like wild fire throughout this debate, being erroneously stated on a number of occasions by NRW management teams. NRW themselves stipulate that the 'All Wales Byelaws' are not the solution to the decline in fish stocks. It is exceptionally hard to instil this fact.
- It remains to be explained therefore why NRW have pursued this version of the byelaws to the extortionate cost, both time, money and resource of the organisation to the detriment of not providing a robust and holistic, course of action to tackling the causes of stock variability.

**589** Therefore, there is substantive and compelling scientific studies, in addition to first-hand anecdotal evidence that C&R is an effective management tool to maintain fish stocks and fisheries.

- This is an erroneous statement - on two counts.
- There is not clear evidence to illustrate that early season 100% mandatory C&R leads to increased salmon stock levels in Wales. There is substantive evidence which indicates the primary controls on salmon stock abundance are environmental controls/degradation.
- The statement also seems to be suggesting that C&R as a stand-alone measure has the propensity to maintain fish stocks – it does not.
- It is critical therefore that the proportionality of the byelaws is considered in true context and that C&R as a mandatory measure is understood fully in particular given as a proportional measure, it arguably carries greater ability to do widespread good and to support sustainable management principles. NRW's approach deviates from a sustainable response because it focusses on an ideology which negates to consider the fundamental requirements of a system that retains functionality.

**590** A common argument against the introduction of mandatory C&R was that most anglers already practice voluntary high levels of C&R e.g. the figure for 2016 is approximately 86%.....

- The primary focus of NRW's argument to counter the implications of this statement is that all salmon should be returned to the water. It is not nor should it be, necessary for every salmon caught to be returned to the water in most rivers in Wales.
- With reference to NASCO guidance, if there is a primary target to focus upon, then it is the 90% return rate. To class an 86% return rate by anglers on a voluntary basis as failure is disingenuous.
- The action of returning a mortally wounded fish to a river to fester as a carcass lies beyond the moral compass of most if not all anglers and the public at large.

**592** Allowing anglers the freedom to continue to intentionally kill those fish would further risk declining stock of these species, and would also introduce inequality between those who voluntarily practice C&R and those who do not...

- Misleading statement – The primary causal factors of stock decline are perpetuated because of regulatory inaction to manage the environmental inhibitors to optimal fish stocks. The angling community do not seek the 'freedom' to kill fish, they seek the ability to apply a proportional system that sustains rather than undermines fisheries management.
- Angling and the stock assessment system thrive on inequality. Invariably, the primary inequality is not between those who keep and return fish, but between those who expend hundreds of hours to fish and return fish with the intention of keeping the occasional fish and the casual angler who contributes by a far lesser degree to the catch return statistic that allows NRW to attempt stock assessment. Without that inequality – NRW have no stock management system.
- There are considerations of equality and fairness to be made, however these are only effectively managed and sustained at club and catchment level.

**593** The proposed byelaws will establish a level playing field.

- It has been illustrated that the byelaw proposals are un-enforceable.
- NRW have now announced plans to disband most of their specialised fisheries enforcement potential.
- The disparity between 'obedient citizen' and 'hard-core poacher' will widen.

**596** [Hook Restrictions]

The proposed byelaws.....

- **Erroneous statement**

Hook size restrictions will reduce the chances of deep penetration and potential fatal injury...

- **Erroneous statement**

Restrictions on the use of flying 'c' type lures.....

- **Erroneous statement**

**600** [Ban on worm fishing – salmon] Objectors made no significant arguments to counter the ban

- **Erroneous statement**
- CPWF illustrated that it is impossible to fish certain spate conditions for salmon without use of the worm method. It is traditionally the most prized angling experience on the spate, rivers of North Wales. Fishing with worm for salmon is a traditional method applied under all water conditions and seen as a 'fair method' during low water conditions when spinning usually is not.



- Adaption to the worming technique in an early strike makes this a highly favourable method in terms of limiting damage to fish.
- Omission of this evidence in the report is unacceptable.

### 603 [Bunching of worms]

- Comments made by the inspector are mere conjecture and make a mockery of the reports repeated reference to the inadequacy of angling representatives anecdotal evidence of methods they and they alone practice.

604 During the cross examination of Mr Gough of NRW by an objector, it was claimed small rivers can only be fished with worms, which in effect would preclude them from angling; Mr Gough's experience indicated otherwise. I suspect the reality is the effectiveness of fishing such rivers without worm bait is very much down to the skill of the individual angler.

- Given Mr Gough has as far as we are aware very little if any angling experience, it is apparent this conclusion is drawn upon the basis of predominantly conjecture.
- There are hundreds of small rivers across Wales which sit outside of the 23 principal Salmon rivers, and yet without explanation apart from a general intent to include them under a 'precautionary principal', they are subsumed by the byelaws.

607 In terms of justifying the use of shrimp/prawn to after 1<sup>st</sup> September, NRW highlight that for a reason currently unknown, salmon will take a shrimp in warm water conditions.....

- Salmon will take any bait/lure under summer conditions if it is presented well. Worm and crustacean baits have the advantage of being naturally alluring to salmon.
- This element of the byelaws defies logic when considered in context.

.. there was no substantive evidence to challenge NRW's approach.

- **Erroneous statement**

608 The overall approach to the use of shrimp/prawn is measured and proportionate.

- This regulation constitutes a ban on bait fishing for salmon for at least 4 months of a 5.5 month season on average.
- Most fishing with shrimp/prawn is undertaken in the spring and summer months.
- The conclusion drawn is based upon **erroneous** evidence.

### 611 [Sea-trout slot limit 60cm]

- Deviation from an evidence based/catchment specific justification for the byelaws.
- The opportunity to take a 'trophy fish' of any kind (traditionally the greatest draw to angling for migratory species) is denied in entirety by this additional step.
- Science contradicts the importance of these fish stipulating they have done their work (genetically).

### 613 [Striking a balance – nets/rods]

- Deviation from an evidence based/catchment specific justification for the byelaws – rivers without nets.

### 614 [General poor state of sea trout stocks]

- Deviation from an evidence based/catchment specific justification for the byelaws.

**624 [Equality considerations]** As regard the ban on worm fishing for salmon, it is argued this would affect people with physical limitations who are not able to fish with either a fly or spinner; this was deemed to be indirect discrimination under the Equality Act 2010.

**626 [Adaptions to Byelaws]**

- The adaptions to the byelaws do not mitigate the consequence of 'indirect discrimination' imposed upon salmon anglers with physical limitations during the majority of the fishing season.

Furthermore, less physically able anglers would still be able to continue to use bait for coarse fishing which is unaffected by the proposed byelaws.

- North Wales Rivers are primarily not coarse fisheries.
- In context this statement implies that less physically able anglers can go elsewhere for their fishing experience – this appears to be direct discrimination against less physically able anglers.

All these measures are a proportionate response given the current state of sea trout and salmon stocks in Wales.

- Blanket approach.
- Apparent false justification of discriminatory decision.
- Deviation from an evidence based/catchment specific justification for the byelaws.
- This statement does not appear to be appropriate to this paragraph

**631 [Enforcement]**

I accept there may be challenges to effective enforcement however that is not a defence to doing nothing at all....

- NRW's statements are given president over CPWF evidence
- There is substantive evidence to illustrate that the byelaws are not enforceable
- The unenforceability of the byelaws alone illustrates the non-functional scenario presented to WG
- The alternative option is not to 'do nothing at all'. The alternative is the option presented by CPWF to empower angling clubs to optimise sustainable angling practices on their waters

**632**

I have no reason to doubt the proposed byelaws would not be generally accepted and complied with as per previous byelaws...

- NRW's statements are given president over CPWF evidence. Critical CPWF evidence is not given exposure.
- Significant evidence was presented by representatives of CPWF illustrating barriers to the enforceability of the byelaws, not least opposition by the majority of anglers.

**635**

..there is still a preponderance of other licensed anglers, riparian land owners, other members of the public and other agencies who would still be on the river banks and be likely to report incidents

- The preponderance of evidence from the angling community does not substantiate this position.
- The byelaw process has not only alienated the angling community, but many rural communities in Wales.

**636 [Socio –Economic Impacts]**

- NRW statements are given president over CPWF evidence. Critical CPWF evidence is not given exposure.

**637** [Socio – Economic Impacts] NRW's consideration of the socio-economic impacts of the proposed byelaws is detailed in several documents, contrary to the view of a number of objectors who indicated otherwise.

- The risk to community angling clubs has not been qualified
- Without the necessary consideration of the direct and indirect consequences of the byelaws, the socio-economic; socio-cultural and thus all well-being considerations cannot and have not been made.
- Whilst NRW argue over the net worth of angling to Wales at a macro scale, localised impacts and the long-term resilience of clubs remains the key concern to local volunteers fire-fighting to sustain community clubs – the means of access for local anglers to local waters.

**641** I concur with NRW's viewpoint that if nothing is done to eliminate the intentional killing of fish, whilst other initiatives to improve freshwater habitats are pursued, then the timescales for stock recovery will inevitably be prolonged.

- There is clear evidence that the angling community in Wales have progressively adapted angling practices in a proportional manner to protect vulnerable stocks of salmon and sustain the resilience of angling clubs.
- The primary limitation upon stock enhancement is arguably inactivity by NRW and its legacy organisations. As Peter Gough (head of NRW fisheries and NRW manager behind the byelaws) stipulated at the inquiry, catchment improvements would only come to fruition if river restoration plans did not sit on the shelf within an organisation that is clearly resource poor.
- The byelaws are not a proportional response in relation to the evidence nor the current level of progress made by NRW to restore environments capable of sustaining optimal smolt production.

#### **644 [angler tourism/tourism impacts]**

- Critical CPWF evidence is not given exposure.

**645** Overall in terms of the socio-economic impacts of the proposed byelaws, I prefer NRW'S evidence...

- The All Wales Byelaws impose a risk to community angling clubs.
- NRW do not have evidence to illustrate the risk or means of mitigation to manage the short to medium term impacts on clubs through lost members and the consequential impacts that brings.

#### **646 [Other measures to address the decline in fish stocks]**

- There is a significant gap between the progress aspired to by NRW and actions on the ground.
- As indicated at the PI NRW's reputation for developing weighty strategic plans over meaningful outcomes is clear – The State of Natural Resources report (SoNaRR).

**650** NRW maintain that if the other measures were pursued in the absence of the proposed byelaws, then there is a risk that on-going catch and kill fishing would increase the risk of further decline of stocks, as the on-going depletion of spawning reserves would continue.

- On a catchment by catchment basis there is no guarantee other measures will be pursued. (these are catchment by catchment byelaws) As Dr Mawle stipulated at the PI the byelaws serve little purpose if the other habitat improvements are not achieved.
- The current level of kill by anglers (2016 figures) represents a mere 4% shortfall in the ideological NASCO set threshold. It is not angling with rod and line that poses the significant risks to fish stocks.

## 652 [Statutory purposes of NRW]

- The report omits critical CPWF evidence which illustrates NRW has failed to promote:
  - 1) The Sustainable Management Principle
  - 2) Well-being considerations in line with the WFG Act
- The byelaws pose a significant risk to economic prosperity; socio-cultural/amenity values; health and participation; evidence and analytics; future partnerships and prevention of illegal activity. NRW have played down these risks and undertaken no meaningful risk assessment. Well-being considerations have simply not been ingrained in this process, thus allowing NRW to engineer measures they falsely claim have little consequence in the short term and will bring well-being benefit in the long.
- The Well-being Act, interprets ‘Sustainable Development as the process of improving well-being.’ This is our joint aim and NRW’s responsibility under ‘the WFG Act’. As NRW have developed measures that illicit ill-being, then this is not ‘sustainable development’ and those measures through definition should be deemed inappropriate.

653 Despite the reservations of some, there is no substantive evidence to believe that NRW or others would not actively pursue the range of other measures referred to above, particularly bearing in mind its duties under the aforementioned statutory framework.

- Various NRW managers/technical specialist at the PI indicated the organisation is currently hamstrung by resource deficit.
- NRW stipulated at the PI they did not have a requirement to consider all 7 well-being goals as stipulated under the WFG Act – No evidence was provided to substantiate this position.
- SPFST – Core Guidance Document WFG Act – Stipulates in terms of ‘well-being considerations’ – this is ‘about complex , but real world interconnections between our environment, our economy, our society and culture.’ Without due consideration for the limitations posed by the byelaws, NRW have applied certainty to the ability of these byelaws to stimulate stock recovery and improve future well-being.’ Neither assumption is evidence based.

658 In any event irrespective of the impacts of avian or other predation on Welsh salmon and sea trout fish stocks, the fact of the matter is that those fish are generally in a very vulnerable state, and the deliberate killing of fish is unsustainable and contributes to the problem albeit to a more modest extent.

- **Erroneous statement**
- Why if this is the case, has gathering evidence in relation to natural predation impacts been an afterthought? Failure to apply proportional response.
- CPWF evidence suppressed. Catchment specific evidence suppressed.

661 The proposed byelaws would also apply to a modest number of other non-principal salmon rivers. NRW accept that the inclusion of these other non-principal rivers in the proposed byelaws may give the appearance of a blanket approach.

- **Erroneous statement**
- Clear indication of misuse of precautionary principle – inclusion of all these rivers is a failure to comply with the NASCO Decision Management Structure.
- This is a ‘blanket approach’.
- Catchment specific evidence suppressed – Ogwen and other rivers exceeding CL year on year in compliance with NASCO Management Objective.

662

- **Erroneous statement**

663

- **Erroneous statement**

**665** *I do not consider direct parallels can be made between NRW's approach as advanced in the proposed byelaws and that of equivalent agencies in other jurisdictions.*

- NASCO Guidance has not been complied with.
- The Environment Act/ WFG Act places greater onus on Wales to consider sustainable principles and thus well-being considerations (social, economic, cultural & environment) in the short, medium and long term with the focus on parallel advantages to all. The consequential impacts of the byelaws illicit ill-being.
- Wales is being put at disadvantage to other jurisdictions.

**667 [NASCO Guidance; Conservation Limits; Allowable Angling Practices]**

- NASCO Guidance has not been complied with.

**671** *Objectors.....considered their views were simply ignored and that the outcome was a fait accompli.*

- There has been no meaningful attempt to reach consensus.
- Minutes of Local Group Meetings used as evidence at the Inquiry were bias and censored and thus non representative of proceedings during the consultation period.

**682 [10 year byelaws; 5 year interim review]**

- The 10 year period compounds the negative consequences of the byelaws.
- No details of the interim review have been made publicly available.

**684** I am satisfied the byelaws have been progressed on a sound legal basis and in accordance with the principles of natural justice, with all interested parties given the opportunity to present their case.

- Reference – Letter Chris White to First Minister – Copy Included

**685** *NRW who have assessed the impacts of the proposed byelaws on those likely to be affected in a proportionate manner.*

- **Erroneous statement**
- NRW have not assessed the impacts of the byelaws

**688 (Well-being Goals)**

- This has not been done by NRW

**689 (Well-being Goals)**

- No evidence was presented to substantiate this statement – CPWF presented evidence to illustrate that ill-being is being stimulated by lack of appropriate consideration of well-being goals within this process.

**695** *There was no convincing arguments that the raft of measures contained within the proposed byelaws were not appropriate, reasonable and proportionate.*

- Critical CPWF evidence is suppressed and given undue consideration within the report.
- Critical CPWF evidence was suppressed and given undue consideration within the Inquiry.

**697** *It should be noted that the proposed byelaws would affect only about 15% of anglers...*

- **Erroneous and misleading statement**
- The future of angling on Wales Rivers is at risk – without a fishing club, an angler can invariably not fish.

**698** *It is only reasonable therefore that anglers and net men play their part in the solution.*

- NRW and the report are highly disingenuous to the part the angling community already play in instigating sustainable practices.
- The CPWF proposals for a workable way forward have been given little if any coverage within the report. Anglers aspired way forwards is thus suppressed and ousted from consideration.
- Anglers are a critical component of a progressive means of developing improvement in fisheries – the PI and the report confound the alienation of the angling community from this arena.
- There has been no attempt by NRW to reach a point of consensus.

-----End of Document-----



**President**  
Allan Cuthbert

**Strategy Officer**  
John Eardley

**Conservation Officer**  
Chris White

**025 July 2019**

**Re: THE WALES ROD AND LINE (SALMON AND SEA TROUT) BYELAWS 2017 Inquiry**

Dear First Minister,

As conservation officer for the Campaign for the Protection of Welsh Fisheries (CPWF) I both presented evidence and attended every day of the above inquiry. My role along with other colleagues from CPWF was to represent some 21 local fishing clubs from across Wales acting, in socialist terms, as shop steward for the hard-working men and women of local communities across Wales who were unable to attend the inquiry and have their voices heard.

Following the inspectors report on the recent inquiry into what is now referred to as 'The All Wales Byelaws' your Minister has approved the byelaws in their entirety. These byelaws will apply restrictions on all the rivers in Wales regardless of their conservation status – not all rivers are at risk despite what NRW claims. The basis of the byelaw proposals was due to poor fry and parr counts in 2015 following significant flood events in previous years which depressed recruitment of juvenile salmon and sea trout. These depressed results were then used in a statistical model which predicted all the rivers in Wales to be 'at risk' in 2019/2020 this risk in 2019 has not been realised on many rivers.

The decision by your Minister to approve these byelaws for all Welsh rivers will see many local fishing clubs close as the method restrictions effectively makes fishing in the small spate rivers of Mid, South Wales and North Wales impossible. I have written to the Minister appealing her decision (copy of the letter attached). Prior to the inquiry our requests to meet with your Minister to explain our case was refused.

There are however some procedural issues which I feel you should be made aware.

I had challenged your Minister prior to the commencement of the inquiry in the way the inquiry was to be run i.e. the use of the Planning Inspectorate and the Planning Appeals Procedure rather than a Public Inquiry under the Inquiry Act. There are also issues around calling this a 'Local Inquiry' when the findings are to be applied to all Welsh rivers, of course by declaring this a 'local inquiry' it has enabled the Minister to use her own department (the Planning Inspectorate) to over see the inquiry and appoint a friendly inspector, details now follow.

On the announcement of the appointment of the inspector for the above inquiry I undertook a Google search on Mr Beggan (the inspector) and found a reference in the public domain from Landmark Chambers a London law firm who were publishing their success in defending a planning appeal representing NRW claiming the inspector, Mr Beggan, had found in favour of NRW based upon the 'precautionary principle'. Whilst

the link still exists on Google the access to the Landmark Chambers servers has since been removed (we have a copy on file).

With this in mind we were most concerned to discover that the planning Inspector appointed by Welsh Ministers had apparently sat as adjudicator in a planning appeal action brought by NRW in a case which we believe to a large extent turned as in the instant upon the doctrine known as The Precautionary Principle. In that case the Inspector apparently sided with NRW. Our concern is not that there has been bias but that this inquiry has manifestly demonstrated the appearance of bias in favour of NRW as we shall address below.

You should be aware that the byelaw proposals by NRW which will restrict catch methods have been robustly opposed by the angling community in Wales. Indeed, the level of opposition required your Minister to hold an inquiry to determine whether they should be accepted by your Government.

We had previously expressed our concern to your Minister that she chose to utilise an appeal procedure conducted by a planning inspector under planning legislation rather than an independent Public Inquiry conducted by an independent and impartial adjudicator. The procedure under the planning legislation is designed to address a local issue not a pan Wales issue affecting your electorate across Wales i.e. a byelaw under UK administration law is both local and limited in its application the NRW proposals are neither as this is a blanket response i.e. primary legislation.

Notwithstanding our concerns your Minister proceeded to pursue the inquiry using the Planning Inspectorate, a department which the Minister has responsibility for. Utilising a planning appeal procedure and appointing an inspector who had previously supported an NRW appeal based upon environmental concerns.

Our concern is that Welsh Ministers have proceeded to utilise the planning appeals procedure as a device to try and procure a favourable outcome for its Agency NRW rather than a truly independent inquiry. Instead an Inspector who has apparently previously found in favour of NRW advancing the Precautionary Principle and with no known expertise in fisheries or their management was appointed.

The subsequent process has adopted an adversarial instead of an inquisitorial approach the manner of which has attracted previous complaint and of which your Minister dismissed out of hand. The inspectors report claims that the inquiry was conducted in an inquisitorial manner. This was far from the truth and whilst as objectors we expected to be challenged, we were faced with aggressive questioning by counsel for NRW, in my case for more than three hours with few if any questions from the inspector. To say that this was inquisitorial beggars' belief. The inspector has dismissed our very real concerns and only considered the case presented by NRW, there are therefore clear indications of bias.

Given the highly contentious nature of this inquiry we are surprised that this association i.e. the inspector previously supporting NRW would have been concealed from CPWF and the general public by both NRW and your Minister had we not made diligent enquiries.

We would perhaps have expected in the interests of fairness and transparency to have been consulted as to whether we objected or consented to the appointment of the inspector who had previously found in favour of NRW. We were not and instead our concerns to your Minister about how the inquiry was to be conducted were dismissed.



Be that as it may we submit that, given the fact that the Inspector has supported NRW in the past on such a narrow point, that there was a real risk of bias or at least the appearance of bias in these proceedings should these facts be known to a member of the public observing proceedings. The dismissive nature of the inspector's report with respect to our objections tends to reinforce our concerns of bias.

Given the inequality of arms of the State and its agents facing unrepresented members of the public this omission is we submit indefensible.

Finally, it is painfully apparent that those representing NRW had been accommodated by the inspector throughout this inquiry to ensure the most favourable conditions in which to present its case.

We were not Appellants bringing an appeal against a decision, this was an inquiry into proposals the recommendations upon which your Minister will rely upon to make a final decision.

This process has throughout been unfair and demonstrated the appearance of bias in favour of NRW.

Regards



Chris White

Conservation Officer: Campaign for the Protection of Welsh Fisheries

# Agenda Item 3.10

## P-05-813 Ban the USE of LARSEN TRAPS (Multi Corvid Traps)

This petition was submitted by Action Against Wildlife Persecution having collected 1,943 signatures.

### Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to BAN the USE, Sale & Manufacture of LARSEN TRAPS (Multi Corvid Traps).

The Larsen trap is a cage bird trap where a live wild decoy bird, (call-bird), is kept trapped inside one compartment to encourage another bird to come down to it. When another visiting bird lands on top s/he falls through a one way gate or false floor into a compartment, where s/he awaits their fate.

Larsen traps were invented in Denmark but are now BANNED in that country, as they are now considered inhumane and extremely cruel.

Larsen traps are mostly used by gamekeepers & smallholders to trap magpies, crows & other corvids. The bird suffers a terrifying ordeal by being trapped day and night without food, water or any shelter from the elements, which causes extreme distress.

Because they use a captive wild bird (technically contrary to the 1981 Wildlife and Countryside Act) these traps have to be used under the terms of a "General Licence" issued by Natural Resources Wales, where magpies, crows, jays, jackdaws and rooks can be trapped.

The wild "decoy call-birds," with their most vital instincts frustrated & abused by confinement, suffers a most terrible fate. Close to the ground they are terrorised by predators and watch as fellow birds are brutally killed in front of them. A number end up being found dead through neglect. Legally, the trapped decoy call-bird should have food, water, shelter & a perch & the 'trap' inspected at least every 24hrs, but, this is not the case. We have witnessed crows left to die without food & water and found dead rotting corpses of the previous decoy call-birds, who are permanently wired inside until they die of starvation or stress.

We have witnessed birds with broken beaks and cut heads where they have tried to escape. We have witnessed brutality, mutilation & maiming where the gamekeeper has cut wing flight feathers to stop the decoy bird from escaping.

### **Additional information**

The trapping continues throughout the summer months, consequently thousands of chicks starve to death in their nests due to their parent birds being trapped.

Larsen traps are indiscriminate and can trap non target birds or mammals. Although illegal, Pigeons are sometimes used to attract birds of prey who are also then killed.

Trapping wild birds in live bird traps & the use of live decoy call-birds causes untold stress to the unfortunate birds.

We urge that this persecution of wildlife be stopped.

### **Assembly Constituency and Region**

- Cardiff West
- South Wales Central



Janet Finch-Saunders AM/AC  
Chair  
Petitions Committee  
By email: [SeneddPetitions@Assembly.Wales](mailto:SeneddPetitions@Assembly.Wales)

4 July 2019

Dear Janet Finch-Saunders

### **Petition P-05-813 Ban the use of Larsen Traps (multi-corvid traps)**

Thank you for your letter of 23 May 2019. Please accept my sincere apology for the lateness of my reply.

As you may be aware, in April 2019, following legal challenge by way of judicial review by Wild Justice, Natural England revoked three of their General Licences (GL04-06). The basis of the Wild Justice challenge was that in so far as those General Licences were concerned, they had been granted unlawfully as Natural England had not complied with section 16(1A) of the Wildlife and Countryside Act 1981 (as amended).

As a result of the challenge, as outlined above, Natural Resources Wales (NRW) are currently in the process of reviewing and revising a suite of General Licences, these are GL 001-004<sup>1</sup>, that apply to 15 bird species<sup>2</sup> in Wales. These General licences allow lethal action and capture to be carried out (including the use of Larsen Traps to catch corvids), which would otherwise be illegal, without the need to apply for a bespoke licence.

As part of our review NRW are currently appraising the evidence base for General Licences 001-004, focussing on two principal areas:

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<sup>1</sup> NRW General licence 001 - 2019 Licence to kill or take certain wild birds to prevent serious damage to agriculture, forestry or fisheries, or prevent the spread of disease, 002 - 2019 Licence to kill or take certain wild birds for the purpose of preserving public health and public safety, 003 - 2019 Licence to kill or take certain wild birds for the purpose of preserving air safety, 004 - 2019 Licence to kill or take certain wild birds for the purpose of conserving flora and fauna, including wild birds.

<sup>2</sup> Carrion crow, jackdaw, jay, magpie, rook, lesser black-backed gull, herring gull, great-black-backed gull, common gull, black-headed gull, lapwing, wood pigeon, collared dove, feral pigeon, Canada goose.

- i. Identifying the level of evidence available to support inclusion of the 15 species of wild bird variously listed on General Licences 001-004 in Wales.
- ii. Appraising the evidence base to determine whether, in Wales, there are no other non-lethal satisfactory solutions available.

Currently, we have established a General Licence 'user' stakeholder group, held regular update calls with them and chaired two face-face meetings. Additionally, we are also in the process of establishing a 'non-user' group meeting to identify their concerns and points of view to ensure we have a balanced view from all stakeholders.

As you may appreciate, the current issue surrounding General Licences in Wales and indeed elsewhere throughout the UK is both complex and sensitive. In support of this view, NRW are engaged in ongoing delicate discussions with both 'user' and 'non-user' stakeholders. The use of Larsen Traps as a means of lethal control of corvids is referenced, together with conditions of use, within the General Licence suite we are currently revising. Therefore, NRW recommend to the Petitions Committee that we investigate the use and regulation of Larsen Traps in Wales after we complete our appraisal of the evidence base during our review of General Licences 001-004.

I trust the contents of my response reassures the Petitions Committee that NRW will take the use and regulation of Larsen traps in Wales seriously.

Should you need any further clarification please do not hesitate to contact me.

Yours sincerely



Clare Pillman  
**Chief Executive**

CC Ceri Davies, Executive Director, Evidence, Policy and Permitting  
Mike Evans, Head of Knowledge and Evidence  
Ruth Jenkins, Head of Natural Resource Management Policy



Eich cyf/Your ref P-05-813  
Ein cyf/Our ref LG/05626/19

Janet Finch-Saunders AM  
Chair - Petitions Committee

Janet.FinchSaunders@assembly.wales

April 2019

Dear Janet

Thank you for your letter of 20 March regarding Petition P-05-813, "Ban the Use of Larsen Traps (Multi Corvid Traps)". I have noted the RSPCA and RSPB's concerns about the use and regulation of these traps.

All wild birds and their eggs and nests are protected under the Wildlife and Countryside Act 1981 (as amended). However, Natural Resources Wales (NRW) issue a number of General Licences which allow authorised persons to kill or take these 'pest' species (e.g. Carrion crow, Jackdaw, Jay, Magpie and Rook) using certain specified methods, including the use of cages for trapping.

The welfare of decoy birds in Larsen traps is important and any live birds used in this context are considered captive (i.e. kept). They therefore fall within the scope of, and protection conferred by, the Animal Welfare Act 2006 (as amended). Section 9 of this Act places the duty on the person responsible for animals to ensure welfare and sets out the needs of animals to include;

- a suitable environment;
- a suitable diet;
- ability to exhibit normal behaviour patterns;
- to be housed with, or apart from, other animals (as necessary); and
- the need to be protected from pain, suffering injury and disease.

The requirement to be compliant with all relevant animal welfare legislation is made clear in the conditions of the General Licences. Additionally, the conditions of a General Licence issued under the Wildlife and Countryside Act and the requirements of the Animal Welfare Act 2006 makes it an offence if an operator:

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

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

- Uses a Larsen trap without first reading and understanding the General Licence under which they will be operating;
- Fails to check the trap every day at intervals of no more than 24 hours;
- Fails to release non-target species unharmed;
- Uses decoy/call birds other than those listed in the General Licence under which they are operating; and
- Fails to provide decoy/call birds with sufficient food, water, shelter and a perch

I strongly believe the way we treat our birds and animals is an important reflection of the values of our society. Animals and birds should therefore be protected and those who choose to break the law should be duly prosecuted.

Regards  
Lesley

**Lesley Griffiths AC/AM**

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig  
Minister for Environment, Energy and Rural Affairs

# Agenda Item 3.11

## **P-05-856 Ban the sale of puppies by pet shops and all commercial 3rd party dealers in Wales (Lucy's Law)**

This petition was submitted by C.A.R.I.A.D., having collected 11,195 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to implement a ban on the sale of puppies by pet shops and all commercial third-party dealers.

A ban on third-party sale of puppies for profit has been named 'Lucy's Law' and its implementation in England was recently announced. Lucy's Law has huge public, media and cross-party support and we call on the National Assembly for Wales to urge the Welsh Government to deliver Lucy's Law for Wales as a matter of urgency.

Removing puppies for sale from their mum often creates sick, traumatised, dysfunctional dogs. Puppies should be seen with their mum in the place they were born. Transporting them to a different place for sale harms their welfare. Regulating commercial third-party puppy selling is ineffective in preventing harm and a ban is therefore necessary for the welfare of puppies.

Breeding dogs kept in puppy farms are hidden from public view and often suffer from years of physical and psychological trauma. Regulating commercial third-party puppy selling is ineffective in preventing harm to breeding dogs and a third-party ban on puppy selling is therefore necessary for the welfare of breeding dogs.

A ban on the third-party sale of puppies will have a positive impact on breeding dogs, ensuring their visibility and enabling the public to act on best practice advice to view the puppy with the mum where the puppy was born.

In addition, illegal, unlicensed puppy farmers and puppy smugglers currently use licensed third-parties to sell their puppies, making it possible for them to operate under the radar and without the health and welfare of breeding dogs and puppies able to be monitored by local authorities. Regulating commercial third-party puppy selling is ineffective in preventing illegal puppy farming and puppy smuggling and a third-party ban on puppy selling



is therefore necessary for the protection of dogs, puppies and the public as well as in the prevention of criminal activity.

There are no welfare advantages in selling puppies through commercial dealers. This practice only ensures breeding dogs are kept hidden from the public. As well as welfare concerns for animals, third-party sales create additional risks for public health and safety.

Puppy sales direct from reputable breeder or reputable rescue centre protects all parties through greater transparency and accountability. A ban on dealing in puppies for profit can only raise health and welfare standards for breeding dogs and puppies as well as providing greatly needed public protection.

The implementation of Lucy's Law in Wales is also vital if we are to address the damage that has been done to the reputation of Wales, which continues to be acknowledged as the puppy farming hub of the United Kingdom.

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

- Bridgend
- South Wales West



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE**        **Third Party Sales of Puppies and Kittens**

**DATE**        **18 July 2019**

**BY**            **Lesley Griffiths, Minister for Environment, Energy & Rural Affairs**

In February, I launched a public consultation on third party sales of puppies and kittens in Wales.

There are concerns commercial third-party sales of puppies and kittens may be associated with poorer welfare conditions for the animals compared with direct purchase from the breeder. For example, the introduction to several new and unfamiliar environments, and the increased likelihood of multiple journeys the puppies or kittens have to undertake have the potential to contribute to an increased risk of disease and a lack of socialisation and habituation for the puppies or kittens.

The consultation, which closed on 17 May, also sought views on wider issues associated with breeding dogs and cats. A summary of the responses will be published today; 18 July.

458 responses were received. This demonstrates the strong public feeling on this matter. The vast majority of respondents would like to see an end to the third party selling of puppies and kittens in Wales. In addition, a call for more to be done to improve the welfare of cats and dogs at all breeding premises in Wales was a reoccurring theme.

Along with concerns over conditions at breeding premises, confusion with the current system and resourcing of enforcement, respondents highlighted issues with on-line sales, impulse purchasing, and breeder accountability. The illegal importation of puppies was also raised.



Llywodraeth Cymru  
Welsh Government

Having considered the consultation responses and the demand for improvement to the current system, I propose to introduce a ban on the third party sales of puppies and kittens. Recognising the banning of third party sales of puppies and kittens alone will not address all of the concerns raised through the consultation process; I intend also to revisit the current breeding regulations to improve welfare conditions at breeding establishments, and to consider how to help the public make more informed choices when buying a pet. These two strands of work will require regulatory impact assessments and further full public consultation on the proposed amendments.

We continue to work closely with stakeholders and enforcement agencies to make a lasting impact on the welfare standards for dogs and cats bred in Wales.

**P-05-856 Ban the sale of puppies by pet shops and all commercial 3rd party dealers in Wales -Lucy's Law, Correspondence – Petitioner to Committee, 09.09.19**

Dear Petitions Committee,

C.A.R.I.A.D. is obviously delighted that the Cabinet Secretary, Lesley Griffiths has now announced confirmation that Lucy's Law – a ban on the selling of puppies by third parties including pet shops and puppy dealers - is to be introduced in Wales following England's decision to ban this trade.

We currently await her announcement for a date for a consultation for this to become law in Wales and urge the Cabinet Secretary to adopt the same date as England, 6<sup>th</sup> April 2020, if not beforehand, as this will ensure not only cross border co-operation but also the most effective enforcement of this new legislation. We are currently urging the Scottish government, who will also be introducing this ban, to align their implementation dates for the same reason and to ensure maximum protection for mainland UK against what would become the illegal importation of puppies from both Northern Ireland, Ireland and Europe as, at present the only legal route to sell these puppies on the mainland is via a pet shop licence.

Given that 20 of the 22 Unitary Authorities in Wales have passed motions of support for Lucy's Law, we are also heartened that some of these Councils have already chosen to implement the prevention of selling puppies via a pet shop licence, as is their gift. We also note that, as a result of one Council's support for Lucy's Law, they have been able to refuse planning permission for the selling of puppies at a separate location by a large dog breeder and pet shop licence holder, who has been reported on numerous occasions by ourselves and other organisations for low welfare dog breeding and selling.

C.A.R.I.A.D. is also happy that the Cabinet Secretary is scrutinising existing Animal Welfare (Breeding of Dogs) (Wales) Regulations which have proven to be ineffective in preventing welfare harm to breeding dogs and puppies to date. Of particular concern is the unenforceable 20:1 staff dog ratio which has been cited by some Councils in Wales as frustrating the process of enforcement action on establishments who have previously committed welfare harm to breeding dogs and puppies. It is, of course, only one instance where these regulations require improvement and we look forward, as a major stakeholder, to submitting our recommendations to the Welsh Government.

The Cabinet Secretary has stated publicly that Wales does not want puppy farming in our country. The introduction of Lucy's Law is an excellent start to this and is central to ensuring that any other improvements to legislation or regulation are effective.

We thank the Petitions Committee members for the ongoing support they have shown for this petition and look forward to confirmation of a date for the implementation of this new legislation. In the meantime, we would urge the Petitions Committee to leave the petition open until such a time as a firm date for the implementation of Lucy's Law has been confirmed by the Cabinet Secretary.

Thank you.

Kind regards,

**Linda Goodman**  
**Founder**  
**C.A.R.I.A.D.**

**Care And Respect Includes All Dogs**

# Agenda Item 3.12

## **P-05-874 Ban the sale of goods packaged in single use plastics on Transport for Wales services**

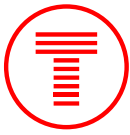
This petition was submitted by Lydia Jackson having collected a total of 125 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to ban the sale of goods which are packaged using single use plastics on Transport for Wales services. As stated by the Welsh Government: "Transport for Wales exists to drive forward the Welsh Government's vision of a high quality, safe, integrated, affordable and accessible transport network that the people of Wales are proud of." We feel that banning the sale of single use plastics which are damaging our natural environment would be a significant step in reaching this objective and demonstrating the Welsh Government's commitment to providing a fairer and safer future for the citizens of Wales.

### **Assembly Constituency and Region**

- Cardiff Central
- South Wales Central



Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff, CF99 1NA

12 July 2019

Dear Chair,

**RE: Petition P-05-874 Ban the sale of goods packaged in single use plastics on Transport for Wales services**

I write to you in response to your letter of the 30 May 2019 inviting us to respond to petition P-05-0874 “Ban the sale of goods packaged in single use plastics on Transport for Wales services.”

Firstly, we recognise the role that we play as Transport for Wales in ensuring that the services we provide have a positive long-term legacy for the people and communities of Wales. Specifically, we are considering our response to the climate change emergency, as well as the emerging issues associated with plastics and the impact they can have on people and our environment. Our plans will help us to mitigate the environmental impact of the services we provide.

To further strengthen our commitment to the environment, we have recently appointed a Sustainable Development Manager who has expert experience of working within the waste sector having worked for the international charity Waste Resources Action Programme (WRAP), who provide industry leading advice on resource efficiency and the circular economy. Our Sustainable Development Manager has also previously worked with the sector Packaging Managers at various companies to provide support and evidence for their plastics campaigns.

In response to your specific question regarding whether targets will be set to reduce or eliminate the use of plastics for catering services on board our trains, I can confirm that we have already begun to phase out all single use plastics and we expect that suppliers of our food and other products will start to make quick, positive changes to the packaging that they offer.

Having considered the public commitments made by our supply chain and commitments within the wider food industry, our expectation is that we will have completely phased out single use plastics by 2023. This phase out date for single use plastics is based on the availability of suitable alternatives as at present, packaging labelled as compostable or biodegradable cannot be recycled or composted at large scale in Wales.

Sadly, ‘compostables’ still require specific conditions to break down; in landfill or the environment, they can last for decades. Therefore, our belief is that a short-term switch to these types of plastic alternatives could create more general waste

to be sent for landfill or incineration. Therefore, it is our belief that 2023 gives us an achievable timescale to make changes that will have a genuinely positive impact on levels of waste production overall.

As well as our own directly retailed products, we will also work with businesses in our supply chain and retailers that operate within our stations as tenants to ensure that they phase out single use plastics. We are currently working with our supply chain to understand the specific date by which we can commit to the elimination of single use plastics on our services through third party retailers.

We welcome the Welsh Government's aim to reduce the use of single use plastic bottles for water and other drinks and we will support this aim by:

- Promoting use of re-useable drinking containers for passengers;
- Provide access to free drinking water available for refill of water bottles through:
  - provision at retail outlets implemented utilising concession contracts;
  - provision of water infrastructure at Hub and Interchange stations where justified by passenger numbers and lack of other suitable provision; and
  - cooperation with other businesses and suppliers in the vicinity of stations;
  - considering the need for such water provision and reduction in use of plastic bottles in the design and implementation of any station refurbishment; and
  - using innovative solutions to reduce the use of plastic bottles for drinks.

In terms of details on other initiatives referred to in your letter, we and our partners have made very strong commitments to reducing our waste overall.

Our Sustainable Development Plan, Station Improvement Vision and our Waste Management Plan, which are due to be published over the summer and early autumn, detail our commitment to reducing and designing out waste.

We will act to minimise the impact of waste by implementing a plan that deals with waste in the following order of priority:

- Prevention of waste;
- Minimisation of waste;
- Re-use of waste;
- Recycling of waste; and
- Disposal of waste

The targets in our Sustainable Development plan and Waste Management Plan are:

- Divert at least 95% of waste away from landfill by the end of 2020
- Increase recycling rates above 50% by the end of 2021

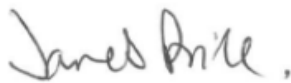


- Reduce the use of virgin materials by 30% by the end of 2021

We will work with our suppliers, sub-contractors and other companies to find innovative practices to eliminate waste and reuse surplus materials and we will work with other local businesses to lobby for improved services to increase diversion from landfill.

I look forward to updating you in due course as we develop our plans to further reduce the environmental impact of our activities.

Yours sincerely,

A handwritten signature in black ink that reads "James Price". The signature is written in a cursive, slightly slanted style.

James Price  
Prif Weithredwr / Chief Executive  
Trafnidiaeth Cymru / Transport for Wales

**P-05-874 Ban the sale of goods packaged in single use plastics on Transport for Wales services, Correspondence – Petitioner to Committee, 31.07.19**

I am delighted that the Welsh government is already acting to reduce single use items on TfW services. However I am concerned about the time frame to do so. Whilst Wales has made hugely commendable efforts to improve waste processing and recycling, it seems to me as though the declaration of a climate emergency is not being taken seriously enough. Particularly in light of the 2050 target that has been set. I am aware that I would need to raise a separate petition to cover these points. However I do think it is relevant to raise them here, seeing as how my petition ties into tackling a much larger problem and how action is not being taken seriously or swiftly enough in the phase out of single use plastics on TfW and indeed the climate emergency we face as a whole. Unfortunately drastic times call for drastic measures. I hope that the Welsh Government can amend its time frame to reflect this and to accelerate its plan to phase out single use plastics on TfW.

Many thanks for such thorough responses and the committee's time.

Lydia Jackson

# Agenda Item 3.13

## **P-05-858 Fire Sprinklers are for life, not a fast buck!**

This petition was submitted by John Newman, having collected 209 signatures.

### **Text of Petition**

Call upon the Welsh Government to amend paragraph 2.6 of Approved Document B in such a way as to make it mandatory that the design, installation and maintenance of residential and domestic fire suppression systems is conducted only by those that are members of appropriate third party certification schemes. This will ensure that such life saving systems are correctly designed, installed and maintained by suitably qualified personnel. Sadly this is currently not the case.

### **Assembly Constituency and Region**

- Caerphilly
- South Wales East

**Julie James AC/AM**  
**Y Gweinidog Tai a Llywodraeth Leol**  
**Minister for Housing and Local Government**



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

Ein cyf/Our ref JJ/06134/19

Janet Finch-Saunders AM  
Assembly Member for Aberconwy  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA  
[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

16 July 2019

Dear Janet,

Thank you for your letter of 24 June, requesting an update on the petition received from John Newman in relation to fire sprinklers and third party certification.

As you have mentioned in your correspondence, the previous Cabinet Secretary for Energy, Planning and Rural Affairs in the response dated 5 December 2018, stated that a review of the fire safety requirements of the building regulations will form part of a much wider ongoing review.

The content of the review has been taken forward by the Ministerial Building Safety Expert Group, who issued their roadmap to safer buildings in Wales on the 1 April 2019.

In my statement of response to the Building Safety Expert Group's Roadmap on the 21 May, I accepted all the expert group's recommendations in principle. There is a need for a considered and coherent approach and it will take time to get this right.

The Expert Group's Roadmap includes a recommendation for clients to improve their ability to identify competent contractors, developing guidance and sharing best practice in support of this. This will form part of the Design and Construction phase Task and Finish Group looking into changes to the building control process.

Yours sincerely,

**Julie James AC/AM**  
**Y Gweinidog Tai a Llywodraeth Leol**  
**Minister for Housing and Local Government**

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
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[Gohebiaeth.Julie.James@llyw.cymru](mailto:Gohebiaeth.Julie.James@llyw.cymru)  
[Correspondence.Julie.James@gov.Wales](mailto:Correspondence.Julie.James@gov.Wales)

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

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

**P-05-858 Fire Sprinklers are for life, not a fast buck!, Correspondence –  
Petitioner to Committee, 08.09.19**

I have received both praise and criticism in equal measure for my petition to the Committee requesting relevant authorities (particularly Building Control) to use third party accreditation as evidence of competence to design and install.

When it comes to designing and installing sprinkler systems true competence only comes with several, if not many, years' practical experience that provides a well rounded knowledge of what will, or will not, work in situations that do not neatly fit into the limited practical examples that are provided in a three or four day design course.

Just a few questions that may arise during a design or installation:-

If a typical two storey house only has one sprinkler in each room are you sure you only allow for one head operating for a category 1 system? There is a very common error made by the inexperienced when considering this.

What do I do with this shadow area?

How far should my sprinkler be from this light?

Where do I position the sprinkler on this vaulted ceiling?

Competence comes from experience and training, not just the passing of an exam. Experience tells you where to look for answers that may not be in the relevant Standard or data sheet. An in depth understanding of how sprinklers operate, particularly of their spray pattern, will help a 'judgement call' when a situation that does not fit any guidance presents itself. Having a policy of utilising third party accreditation as evidence should ensure an installer is 'competent', after all, competence and ability is precisely what has been tested and assessed by the relevant certification body.

One criticism that occurs frequently on this issue is an accusation that my position on this is 'protectionist', the 'big boys' keeping competition out. This is far from the case, it is not prohibitively expensive to secure third party accreditation. No more expensive than what plumbers have to expend to secure their 'Gas safe' certification. My brother and I started our company in 2013 with no working capital yet immediately sought our accreditation with EXOVA FIRAS, becoming the first company in Wales to secure accreditation. Since that time we have actively assisted and sponsored others towards their certification, creating competitors in the process!

There have been some very expensive errors made by inexperienced trades (often plumbers or electricians) that have decided to install sprinkler systems creating much

distress and unnecessary expense for, in particular, individual house building projects. There were quite a number of non compliant mist systems installed by unqualified installers in 2018, most of which either failed causing water damage to houses, or were identified as not suitable and had to be replaced by fully compliant sprinkler systems. Unless some control measures are in place such situations will undoubtedly grow in number.

Kindest regards,

JOHN NEWMAN

# Agenda Item 3.14

**P-05-867 Make the 'Cofiwch Dryweryn' Mural a designated Welsh landmark**

This petition was submitted by Joe Williams having collected 1,016 signatures online.

## **Text of Petition**

It's ridiculous that such an important landmark in 20th Century Welsh History is the subject of vandalism, while a recent Banksy work is being protected.

It's time that this landmark be granted official protected site status within Wales.

## **Assembly Constituency and Region**

- Merthyr Tydfil and Rhymney
- South Wales East

# Cyngor Sir CEREDIGION County Council

Russell Hughes-Pickering

Swyddog Arweiniol Corfforaethol : Economi ac Adfywio  
Corporate Lead Officer : Economy and Regeneration

Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron. SA46 0PA  
www.ceredigion.gov.uk



Janet Finch-Saunders AM/AC  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dyddiad  
Date

05/04/2018

Gofynnwch am  
Please ask for

Russell Hughes-Pickering

Llinell uniongyrchol  
Direct line

01545 572004

Fy nghyf  
My ref

Eich cyf  
Your ref

Ebost  
Email

russellhp@ceredigion.gov.uk

Dear Janet Finch-Saunders,

Petition P-05-867 Make the 'Cofiwch Dryweryn' Mural a designated Welsh landmark

Thank you for your letter regarding the above mural.

I have circulated the letter to various sections within the Council and spoken with colleagues, in particular those in our Planning Service to consider whether there would be support for listing the wall and mural. They advised that they were aware that CADW have been approached in the past in relation to 'Cofiwch Dryweryn', and they were not interested in listing the mural. Having discussed that further there is a limit to what it would achieve in any event as there has been no attempt by owners of the wall to change it or to demolish it. To some extent listing the building could work against the community who have quickly remedied vandalism in the past by either re-painting or reconstructing the wall, as a listing may require permission to carry out works which would frustrate a speedy response.

We believe the owners to be in discussion about options for the mural but to date have not been involved or approached. We will continue to monitor the situation and assist if appropriate to do so.

Yours sincerely

Russell Hughes-Pickering  
Corporate Lead Officer – Economy & Regeneration

Rydym yn croesawu gohebiaeth yn Gymraeg a Saesneg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ateb Saesneg i bob gohebiaeth Saesneg. Ní fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh and English. Correspondence received in Welsh will be answered in Welsh and correspondence in English will be answered in English. Corresponding in Welsh will not involve any delay.

Prif Weithredwr / Chief Executive :

Cyfarwyddwyr Corfforaethol / Corporate Directors :

Eifion Evans

Prif Weithredwr / Chief Executive :  
Barry Rees

Page 167





**P-05-867 Make the 'Cofiwch Dryweryn' Mural a designated Welsh landmark,  
Correspondence – Llanrhystud Community Council to Chair, 06.06.19**

Thank you very much for your correspondence in relation to the 'Cofiwch Dryweryn Wall'.

The community Council of Llanrhystud met last night and discussed the petition and asked me to respond as I have been involved in trying to secure the wall for some time.

I have been speaking with a representative of the National Trust to see if they would be interested in looking after the Wall, they are interested if we were able to secure it and raise enough funds to renovate it. As things stand today the owner of the wall is still unsure what to do with it. I have offered to take on a long term lease for the Wall, this would be in conjunction with the local Community Council and or the National Trust. At the moment we do not have the funds to purchase or renovate it.

Until this situation changes our hands are tied as we do not have any legal jurisdiction over the Wall.

However, I do believe that our local Assembly Member and the Presiding Officer, Elin Jones, has been in contact with the owner of the Wall to see if she can help. May I suggest someone speaks to Elin as she probably has more information than I have on the progress.

On another note, we have spoken to CADW and we all came to the conclusion that it would not be a good idea to list the Wall at this stage. We believe that should we be able to purchase or gain control of the Wall then using the expertise of CADW we should be able to keep the Wall in perpetuity.

I hope this information helps.

Thank you

Kind regards

Cllr. Rowland Rees-Evans

Llanrhystud Ward

# Agenda Item 3.15

## **P-05-884 Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operations overseas**

This petition was submitted by Alanna Jones having collected having collected 158 signatures online and 141 on paper, a total of 299 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to amend the current wording of the Education (Student Support) (Wales) Regulations 2018 ("the Regulations"). We call on the National Assembly to make the amendments to the Regulations to address the current limitation of Regulation 6, Condition 5 which prevents Welsh students accessing student finance to study at UK higher education institutions where the location of study is at their overseas campus which we consider could be achieved in one of either two ways, by either:

widening the criteria in Condition 5 to include courses which are provided by UK higher education institutions at either their UK or overseas campuses; or amending Condition 5 to include courses which are provided by higher education institutions offering designated courses and to include the University of London Institute in Paris on the list of institutions offering designated courses, using your discretion under Regulation 8.

Proposed Amendment:

Option 1

"Condition 5

At least half of the teaching and supervision which comprise the course is provided in the United Kingdom or at any campus of a United Kingdom higher education institution located outside of the United Kingdom".

Option 2

"Condition 5

At least half of the teaching and supervision which comprise the course is provided in the United Kingdom. This condition shall apply, unless the course has been deemed to be treated as a designated course pursuant to Regulation 8(1) or 8(2)."

We call on the National Assembly for Wales to adopt the proposed amendments so that Welsh students applying for courses at institutions such as the University of London Institute in Paris, can be considered as "eligible students" for the purposes of receiving student support. The University of London Institute in Paris offers higher education courses in modern languages, where the teaching and supervision is carried out primarily in Paris. Nonetheless, students are taught by employees of the University of London and its collaborative partner, Queen Mary, University of London.

Unless an amendment is made to the current wording of the Regulations, Welsh students will continue to suffer an unjust disadvantage when applying for courses at specific UK institutions. We call on the National Assembly for Wales to make this change as there is no equivalent limitation across other parts of the UK. If no action is taken, the Regulations may continue to act as a deterrent for students hoping to apply for courses at the University of London, Institute in Paris.

### **Additional Information**

Between September 2018 and February 2019 we received inconsistent messages relating to the University of London Institute in Paris' position and both current and prospective students received contradictory information on their eligibility. The University of London Institute in Paris took the following steps to address this:

Contacted the Students Loan Company

Contacted Student Finance for Wales

Contacted the 'Designation' department of the Welsh Government.

Copies of the relevant correspondence are available on request.

When the position was eventually clarified in February, Welsh applicants were informed by the University of London Institute in Paris of their ineligibility for student finance for these programmes which caused significant distress, so

we call on the National Assembly for Wales to please consider our concerns as a matter of priority.

**Assembly Constituency and Region**

- Carmarthen East and Dinefwr
- Mid and West Wales

Kirsty Williams AC/AM  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-884  
Ein cyf/Our ref KW/06644/19

Janet Finch-Saunders AM  
Assembly Member for Aberconwy  
Chair - Petitions committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

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

11 July 2019

Dear Chair

**P-05-884 Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operations overseas**

Thank you for your letter of 5 July regarding a petition made to the National Assembly of Wales. My response to the Committee in May 2019 noted that I would instruct my officials to consider these matters further, which they have done.

The Education (Student Support) (Wales) Regulations 2018 ('the Regulations'), as amended, provide the basis on which the Welsh Ministers designate undergraduate courses of higher education (regulation 6). Courses at the University Institute of London in Paris ('ULIP') do not meet these criteria.

My officials have reviewed the position in order to determine whether amendments to the regulations would be appropriate. However, the underpinning policy position has always been that courses will be designated where the Welsh Ministers are assured that the provider demonstrably meets certain standards which protect the interests of both the student and the public purse. In the case of courses outside Wales which are designated by the regulations (so-called 'automatic designation'), this has always been achieved by relying on regulation of the provider by the UK Government. Where the provider is not regulated, the provider's courses will not be automatically designated by the Welsh Ministers.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

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

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

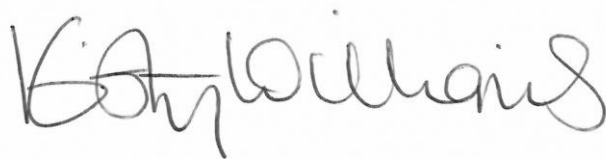
Regulation of providers in England is now carried out by the Office for Students, who maintain a Register of providers which are regulated. As ULIP is not currently on the Register, I cannot be certain that the institution is regulated. My policy officials have written to the Office for Students on this matter, but they have not had a response. In my view, making amendments to the Regulations to enable an unregulated provider to have courses designated would not be appropriate or in the best interests of Wales.

The Welsh Ministers may use their powers to designate a course under the Regulations (regulation 8). Courses so designated ('specific designation') attract a lower rate of fee support. I am of-course prepared to consider an application for specific designation. The Welsh Ministers policy on specific designation, including the criteria that must be met, can be found at <https://www.studentfinancewales.co.uk/media/196461/specific-course-designation-policy-document-english.pdf>.

There has been no discussion with ULIP since I last wrote to you.

Further information on the regulatory position of ULIP is necessary before the Welsh Government can determine whether its courses could be designated. In the meantime, ULIP may apply for specific designation.

Yours sincerely

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

**Kirsty Williams AC/AM**  
Y Gweinidog Addysg  
Minister for Education

**P-05-884 Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operations overseas, Correspondence – Petitioner to Chair, 25.08.19**

25 August 2019

Dear Chair,

I am writing this letter in response to Kirsty Williams AC/AM's letter dated 11 July 2019 regarding Petition P-05-884 Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operations overseas.

Ms Williams' letter focuses on the fact the University of London Institute in Paris (ULIP) isn't regulated as it isn't on the Register maintained by the Office for Students. As you are already aware from the previous meeting, ULIP is affiliated with Queen Mary University of London (QMUL) and tuition fees are paid to QMUL and some lecturers and professors travel to ULIP from QMUL on a weekly basis to teach. It is worth noting that QMUL is on the Register. This Register can be easily found on the Office for Students' website. According to the Head of Student, Academic and External Services, ULIP is covered through a validating partner (QMUL) and this is why students can continue to receive Student Loan Company support.

As a student of ULIP, I am unable to apply for Specific Designation for ULIP. However, I have passed this information onto the relevant staff at ULIP and it is up to them whether they believe that they need to apply for Specific Designation or that their affiliation with QMUL is enough to satisfy that they are regulated.

Yours sincerely,  
Alanna Jones



# Agenda Item 3.16

## **P-05-888 Make GCSE Welsh Language compulsory in all schools in Wales**

This petition was submitted by Gwion Rhisiart having collected a total of 175 signatures.

### **Text of Petition**

Currently, Welsh Language is compulsory as either first or second language in all state schools in Wales. However, this does not apply to private schools, who do not have to follow the national curriculum. In many cases, pupils leave private schools not being able to speak a word of Welsh. If we are to progress with our language, and want to reach the government's target of 1 million Welsh speakers by 2050, we must give every child in Wales the chance to learn. We call on the Welsh Government to: –Make Welsh Second Language GCSE compulsory in all schools in Wales by law for the new curriculum in 2022.

### **Additional Information**

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

- Cardiff Central
- South Wales Central

**P-05-888 Make GCSE Welsh Language compulsory in all schools in Wales,  
Correspondence – Welsh Independent Schools Council to Chair, 18.07.19**



18<sup>th</sup> July 2019

Dear Mrs Finch-Saunders

**RE: Petition P-05-888 Make GCSE Welsh Language compulsory in all schools in Wales**

Thank you for your letter of the 5<sup>th</sup> July 2019, the contents of which are noted.

The Welsh Independent Schools Council and most member schools agree with most of what you are saying in the text of your petition that every child should have 'the chance to learn Welsh'. Schools realise the importance of and see the value of the Welsh Language and are aware of certain professions which require GCSE Welsh for our students remaining in Wales.

My understanding is that the vast majority of independent schools in Wales do offer their learners the chance to have Welsh at Key Stage 3 and optional Welsh GCSE at Key Stage 4 and Key Stage 5 A Level. Many schools teach incidental Welsh.

As a sector independent schools are keen to give parents and pupils a choice in education. Independent schools are businesses and are market driven by parents and pupils and thus parental choice is key. The independent sector is good at adapting to what the learners and parents want and is market driven.

I would like to remind the Petitions Committee that independent schools are governed in Wales by the Independent School Standards (Wales) Regulations 2003 and by virtue of their independence schools can follow a curriculum of their choosing and it is a dangerous precedent to impose subjects on the independent sector.

For those schools who do not offer GCSE Welsh, there are several reasons for this which I will outline below: -

- **The literacy needs of students** – not all students especially students in special school's study GCSE's and the focus is in a functional level in English only. Pupils have significant language and communication difficulties; the teaching of Welsh would complicate things further. Many of these learners have had very disrupted educations and have significant gaps in their learning so the whole focus is ensuring that they have improved literacy and numeracy skills in readiness for the world of work/college.
- Many special schools do not teach the Welsh language as a lot of their **learners are placed by English Local Authorities**, for these learners as they return to England at the end of placement they would never need a Welsh GCSE as Welsh is in no way appropriate to their culture, their experiences or their SEN profiles.
- For some schools a large percentage of students are **international students, where English is their second language**. As an international school, most of the students having no intention of ultimately living or working in Wales.
- Some independent schools are boarding schools and whilst many pupils are international, **there are more English students boarding than Welsh and they will return to England after their education.**
- Some **independent schools do not offer GCSE's** for example some schools offer the International Baccalaureate, the English Baccalaureate or the International Certificate of Steiner Education.
- Parental surveys have revealed that some **parents would prefer their children in independent schools in Wales to study a modern foreign language** as an alternative to Welsh. **Our Muslim schools' parents would prefer their children to study Arabic and Urdu as an alternative to Welsh.**

As CEO of WISC and having spoken to our WISC Chair, Stuart Hay we agree with the vast majority of the petition however the Welsh Independent Schools Council is strongly opposed to the final sentence of this petition 'Make Welsh Second Language GCSE compulsory in all school in Wales by law' for the reasons outlined above. We are very happy to speak to member schools of the benefits of doing Welsh and we are more than happy to promote and forward any Welsh Language literature and posters to our schools. We are also more than happy for a spokesperson to speak at our conference. However, any

threat to a schools' independence will be vehemently opposed. A schools' decision to teach Welsh should be the decision of the individual schools needs and not mandatory. Compulsory GCSE Welsh would not benefit all learners especially those with complex needs or international schools where English is a second language. There are also the cost implications - to a small school these would be large as more staff and training would be needed and as an independent school this would have to be paid for privately as they have no access to Local Authority training and funds.

Please acknowledge safe receipt.

Should you have any further queries, please do not hesitate to contact me.

Very best wishes

**Emma Verrier**  
**Chief Executive Officer**  
**Welsh Independent Schools Council**