

Agenda – Petitions Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 4 February 2020

Meeting time: 09.15

For further information contact:

Graeme Francis – Committee Clerk

Ross Davies – Deputy Clerk

0300 200 6565

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1 Introduction, apologies, substitutions and declarations of interest

(Pages 1 – 64)

2 New petitions

2.1 P-05-930 Petition for Ferryside Surgery

(Pages 65 – 71)

2.2 P-05-933 Ban Goldfish from being given away at funfairs.

#OperationGoldfish

(Pages 72 – 89)

2.3 P-05-934 Public Transport in Blaenau Gwent

(Pages 90 – 107)

2.4 P-05-935 Ban Pavement Parking – Pavement Promise

(Pages 108 – 114)

2.5 P-05-936 Offer Bowel Cancer Screening After the Age of 74

(Pages 115 – 122)

2.6 P-05-937 STOP BOILING CRUSTACEANS ALIVE (lobsters, crabs, crayfish, prawns etc)

(Pages 123 – 131)

3 Updates to previous petitions

Education



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

3.1 P-04-522 Asbestos in Schools

(Pages 132 – 133)

The following two items will be considered together:

3.2 P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time

(Pages 134 – 137)

3.3 P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference or bias.

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

(Pages 138 – 140)

3.5 P-05-880 Wales is Rapidly Losing its Musical Reputation and Heritage

(Pages 141 – 150)

The following two items will be considered together:

3.6 P-05-922 Withdraw the proposed home education guidance

(Pages 151 – 153)

3.7 P-05-923 Are you listening to us? Home Education Rights and Respect!

(Pages 154 – 159)

Health and Social Services

The following two items will be considered together:

3.8 P-04-408: Child and Adolescent Eating Disorder Service

(Pages 160 – 163)

3.9 P-04-505 Eating Disorder Unit in Wales

- 3.10 P-05-804 We need Welsh Government funding for play!!
(Pages 164 – 171)
- 3.11 P-05-831 End the unfairness and discrimination in the financial support for victims of the contaminated blood scandals who were infected in Wales
(Pages 172 – 179)
- 3.12 P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer
(Pages 180 – 184)
- 3.13 P-05-859 Provide Child Houses in Wales for victims of child sexual abuse
(Pages 185 – 189)
- 3.14 P-05-896 Prevent the closure of Ward 35 at Prince Charles Hospital
(Pages 190 – 193)
- 3.15 P-05-905 Call for an Independent judicial Inquiry into the reorganisation of services within Cwm Taf Health Board
(Pages 194 – 198)
- 3.16 P-05-912 Supporting Sudden and Unexpected Death in Children and Young Adults
(Pages 199 – 208)

Housing and Local Government

- 3.17 P-05-898 Ban the use of A boards in Wales
(Pages 209 – 238)
- 3.18 P-05-894 Fairer business rates for Welsh businesses
(Pages 239 – 240)
- 3.19 P-05-897 Stop Developers netting hedgerows and trees
(Page 241)

Economy and Transport

The following two items will be considered together:

3.20 P-05-775 Put an end to the Cross Border and Sub-contracting Taxi Licensing loophole.

(Pages 242 – 243)

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

(Pages 244 – 247)

3.22 P-05-886 Stop the Red Route (A55/A494 corridor)

(Pages 248 – 302)

Environment, Energy and Rural Affairs

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

(Pages 303 – 308)

3.24 P-05-876 Protection of Red & Amber listed species in Wales

(Pages 309 – 312)

International Relations and Welsh Language

3.25 P-05-873 Free Welsh Lessons for the People of Wales

(Pages 313 – 315)

Culture, Sport and Tourism

3.26 P-05-883 National Welsh History Week

(Pages 316 – 319)

Politics

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

(Page 320)

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Agenda Item 2.1

P-05-930 Petition for Ferryside Surgery

This petition was submitted by Ferryside Village Forum having collected a total of 117 signatures.

Text of Petition

We feel very strongly that it is essential to maintain a surgery in Ferryside.

We need a doctor, a nurse and a dispensary to provide the vital services required by a village where most residents are over the age of 50.

It is an integral part of Calon y Fferi Community centre which is very accessible. Visiting the centre is an opportunity to meet people and mitigates against loneliness and isolation. It helps to maintain physical and mental health at a local level. Public transport is very infrequent which makes using other medical centres very difficult for people with mobility problems. Most people want to stay in their own homes as they age and this is possible and more sustainable and economical when services and companionship are nearby. It would be a backward step to oblige all residents to leave the village for treatment.

Assembly Constituency and Region

- Carmarthen East and Dinefwr
- Mid and West Wales

P-05-930 Petition for Ferryside surgery

Y Pwyllgor Deisebau | 4 Chwefror 2020
Petitions Committee | 4 February 2020

Reference: RS19/11218-2

Introduction

Petition number: P-05-930

Petition title: Petition for Ferryside surgery

Text of petition: We feel very strongly that it is essential to maintain a surgery in Ferryside.

We need a doctor, a nurse and a dispensary to provide the vital services required by a village where most residents are over the age of 50.

It is an integral part of Calon y Fferi Community centre which is very accessible. Visiting the centre is an opportunity to meet people and mitigates against loneliness and isolation. It helps to maintain physical and mental health at a local level. Public transport is very infrequent which makes using other medical centres very difficult for people with mobility problems.



Most people want to stay in their own homes as they age and this is possible and more sustainable and economical when services and companionship are nearby. It would be a backward step to oblige all residents to leave the village for treatment.

Background

The Mariners surgery is part of the Meddygfa Minafon practice, located in Ferryside

In October 2019 Hywel Dda University Health Board consulted on proposals to close the Mariners surgery and relocate services to other practices. The Mariners surgery has only had nurse sessions since 2016, because there were no GPs available to operate from it. Some concerns have been expressed (and reported in the media) that less mobile patients will struggle to get to the next nearest surgeries in the Meddygfa Minafon practice – in Kidwelly or Trimsaran.

On 16 December 2019, Hywel Dda University Health Board released a statement confirming that Meddygfa Minafon is to close Mariners Surgery from 31 December 2019, 'owing to the need to bring together services for the whole practice population in Meddygfa Minafon and Trimsaran Surgery'.

The Health Board says it has done extensive consultation on the matter, and has written to all affected patients this to explain the decision and to keep them updated on further developments.

Jill Paterson, Director of Primary Care for Hywel Dda University Health Board said: "As a Health Board we recognise that the decision to close Mariners Surgery will be very disappointing for many patients. Unfortunately this branch surgery has been without a GP service since 2016 with patients travelling to nearby Meddygfa Minafon in Kidwelly for GP appointments and nurse-led chronic disease clinics.

"Following a review of how services are used by patients at the surgery, services at Mariners Surgery are being relocated to Minafon and Trimsaran Surgeries to sit within the multi-disciplinary teams led by the GPs to ensure that patients see the most appropriate professional for their needs, such as a Pharmacist or Physiotherapist. We have listened to patients' concerns about the services at Ferryside and are **working with Ferryside Social Enterprise Group to continue the weekly phlebotomy**

clinics at Calon-y-Fferi and a Social Prescriber will be holding regular clinics, also in Calon-y-Fferi”.

Welsh Government response

The Minister for Health and Social Services states that the provision of adequate GP services within Ferryside is the responsibility of Hywel Dda University Health Board. He says:

I am aware that Mariners Surgery in Ferryside has taken the decision to submit a request to Hywel Dda University Health Board to close the Carmarthen Road premises and consolidate their services in to the Minafon Surgery in Kidwelly. **This is a contractual issue between the Health Board and the GP practice and I am unable to intervene in this matter.**

I appreciate that this is an unsettling time for patients. Hywel Dda University Health Board is engaging with patients and stakeholders as part of a consultation process on the practice application. A practice review panel will be convened to consider the application in accordance with a protocol agreed with the Community Health Council. In considering the application, the review panel will look at the reasons for the application, current patient usage, and impact on patients, public transport links and the views of patients.

We recognise that the GP system is under pressure and are working to ensure that every patient is able to access the right care at the right time.

The Minister goes on to highlight the Welsh Government’s new Access Standards for General Medical Services, which it expects GP practices to meet by March 2021. To assist practices to meet the standards £3.76million is being invested this year in digital telephony services. He sets out details of the work the Welsh Government is undertaking to deal with GP recruitment issues and make the profession more attractive, such as the *Train Work Live* campaign. The Minister states that since the launch in 2016, there has been a significant increase in the fill rate for GP training. This year, a total of 186 places have been filled, surpassing the newly agreed higher target of 160 posts. This represents the highest number of recruits into GP speciality training in recent times.



Ein cyf/Our ref VG/08638/19

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

Government.Committee.Business@gov.wales

10 January 2020

Dear Janet,

Thank you for your letter of 22 November on behalf of the Petitions Committee regarding P-05-930 Petition for Ferryside Surgery.

The provision of adequate GP services within Ferryside is the responsibility of Hywel Dda University Health Board. I am aware that Mariners Surgery in Ferryside has taken the decision to submit a request to Hywel Dda University Health Board to close the Carmarthen Road premises and consolidate their services in to the Minafon Surgery in Kidwelly. This is a contractual issue between the Health Board and the GP practice and I am unable to intervene in this matter.

I appreciate that this is an unsettling time for patients. Hywel Dda University Health Board is engaging with patients and stakeholders as part of a consultation process on the practice application. A practice review panel will be convened to consider the application in accordance with a protocol agreed with the Community Health Council. In considering the application, the review panel will look at the reasons for the application, current patient usage, and impact on patients, public transport links and the views of patients.

We recognise that the GP system is under pressure and are working to ensure that every patient is able to access the right care at the right time. In March 2019, I announced the new Access Standards for General Medical Services, which we expect GP practices to meet by March 2021. To assist practices to meet the standards £3.76million is being invested this year in digital telephony services. We are also working closely with the General Practitioners Committee Wales and NHS Wales to make the profession more attractive whilst improving access to services and ensuring GP practice sustainability.

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.

Wales, along with other parts of the UK, has needed to deal with GP recruitment issues. To address this, I launched a national and international *Train Work Live* campaign in 2016 to promote the benefits of training and working as a GP in Wales. As part of the campaign we introduced two incentive schemes to encourage and attract more GP trainees to Wales. Since the launch in 2016, there has been a significant increase in the fill rate for GP training. This year, a total of 186 places have been filled, surpassing the newly agreed higher target of 160 posts. This represents the highest number of recruits into GP speciality training in recent times. In June, we announced an increase to the target quota for GP training from 136 to 160, starting this autumn.

I am committed to ensuring we find practical and safe solutions to achieve a sustainable workforce, which is safer for patients and improves the quality of service that the NHS can provide.

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 style with a large initial 'V'.

Vaughan Gething AC/AM

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

Agenda Item 2.2

P-05-933 Ban Goldfish from being given away at funfairs.

#OperationGoldfish

This petition was submitted by Holly Rosalie Homer collected 498 signatures online and 1,918 on paper, a total of 2,416 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to ban goldfish from being given away at funfairs.

Goldfish are still being given away as prizes at funfairs all over the country, they are complex creatures that can live up to 25+ years and grow between 25-45cm. They are kept in poor conditions and given away to someone who won on an impulse and due to this they usually only last a couple of months. This is an archaic tradition that through recent education we've realised is unethical.

Assembly Constituency and Region

- Vale of Glamorgan
- South Wales Central

P-05-933: Ban Goldfish from being given away at funfairs. #OperationGoldfish

Y Pwyllgor Deisebau | 04 Chwefror 2019
Petitions Committee | 04 February 2019

Reference: RS19/11218-1

Petition Number: [P-05-933](#)

Petition title: Ban Goldfish from being given away at funfairs. #OperationGoldfish

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to ban goldfish from being given away at funfairs.

Goldfish are still being given away as prizes at funfairs all over the country, they are complex creatures that can live up to 25+ years and grow between 25-45cm. They are kept in poor conditions and given away to someone who won on an impulse and due to this they usually only last a couple of months. This is an archaic tradition that through recent education we've realised is unethical.

1. Background

Between 2014 and 2018, there were 24 cases [reported to the RSPCA](#) of live animals being given as prizes in Wales. Of these, 60% were goldfish being given at fairs.

[Calls to ban giving goldfish as prizes at fairs](#) on animal welfare grounds have recently gained momentum. However, [advocates for giving goldfish as prizes at](#)



fairs say it is a traditional fairground activity and that rules are provided to ensure the fish are cared for.

The *Animal Welfare Act 2006* ('the 2006 Act') includes a general requirement for owners / keepers of animals to meet the animals' needs. This includes those giving or receiving pets as prizes. Under Section 11 of the 2006 Act it is an offence to give an animal as a prize to anyone under the age of 16, unless they are accompanied by someone over the age of 16, or it is within a family context.

Some Local Authorities in Wales (Newport, Caerphilly and Wrexham) have introduced bans on giving out pets as prizes on Local Authority-owned land.

In Scotland it is an offence to give a person an animal as a prize, regardless of their age, under Section 31 of the *Animal Health and Welfare (Scotland) Act 2006* (except where it is offered in a family context).

2. Welsh Government action

The Minister for Environment, Food and Rural Affairs ('the Minister') highlighted the action she has taken on the issue in a letter to the Petitions Committee (December 2019). She stated that she wrote to the Showmen's Guild, an umbrella body whose members include fairs, 'to find out more about their efforts to self-regulate and the prevalence of this activity'. The Minister said she was awaiting a response before offering advice on any safeguarding system.

On 29 August 2019 the Welsh Government published a consultation on draft Regulations which would introduce a licensing scheme for Animal Exhibits; *The Animal Welfare (Licensing of Animal Exhibits) (Wales) Regulations 2020*. The accompanying written statement says the licensing scheme will allow 'checks to be made to ensure good welfare standards are met at their home base, in transport and during exhibition'. The Minister's letter to the Petitions Committee states that:

If the licensing scheme is introduced, Local Authorities will be encouraged to take a pragmatic approach to ascertain whether an activity is licensable. Dependent on the final licensing criteria and individual circumstances, this may include the exhibiting of goldfish for the purpose of prize giving.

Title:

During the Climate Change, Environment and Rural Affairs (CCERA) Committee's consideration of the Wild Animals and Circuses Bill in October 2019, the Minister said [emphasis added]:

[...] I did wonder if it [pets as prizes] could fit under the animal exhibits regulations that we're going to, hopefully, bring forward next year, and it doesn't. So, **it will be a separate piece of work.**

The Welsh Government published a summary of responses to the Animal Exhibit licensing consultation on 20 December 2019. Some respondents identified 'pets as prizes' as a type of activity to be licensed under the scheme. The Welsh Government responded:

We will consider the suggestions made by respondents to the consultation in line with the policy intent to determine whether any changes are required, or where concerns are raised, whether it would be more appropriate to consider them under different policy areas.

3. National Assembly for Wales action

During the CCERA Committee's work on the Wild Animals and Circuses Bill in October 2019, Neil Hamilton AM and Joyce Watson AM both raised the issue of goldfish as prizes. Neil Hamilton said:

I think there are actually significant animal welfare considerations in relation to the sale of goldfish in fairs and so on, fundamentally because the people who buy them have no idea how to look after them, and 90 per cent of them or more probably die within a very short time. So, shouldn't we really be considering issues where there are real animal welfare considerations, rather than a Bill that is obviously so narrowly drawn as this one, affecting so few animals and based upon subjective criteria?

The Minister said:

...I've asked officials to have a look at it [goldfish as prizes], but I have had somebody ask a specific question of me as to whether I could do that within this Bill; obviously, I can't. [...] I do agree with you that we need to look at the giving of goldfish, because, certainly, if you think about the longevity, [...] things have changed, and public opinion's changed about this.

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.

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

Document is Restricted

Lesley Griffiths AC/AM
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-933
Ein cyf/Our ref LG/07501/19

Janet Finch-Saunders AM
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

3 December 2019

Dear Janet

Thank you for your letter of 22 November regarding Petition P-05-933 Ban Goldfish from being given away at funfairs.

Animal welfare and the responsible ownership of animals are priorities for the Welsh Government and the Wales Animal Health and Welfare Framework Group (WAHWFG). We are committed to maintaining high standards of welfare for all animals kept in Wales at all stages of their lives.

I am aware of concern among the general public about the giving of animals as prizes. The Animal Welfare Act 2006 does already require owners and keepers of animals, whether permanent or temporary, to meet the needs of the animals. This includes prize givers and receivers. Further, it does not permit the giving of animals as prizes to anybody under the age of 16 unless accompanied by an adult.

My officials have for some months been gathering information about this practise. Two Local Authorities in Wales – Caerphilly and Newport – have implemented voluntary bans on the giving of animals as prizes on Council-owned land and I understand the RSPCA is lobbying others to follow suit. Ordinarily, I am advised Local Authorities would only inspect businesses that were giving away goldfish as prizes *if* a welfare complaint was received.

I recently wrote to the Showmen's Guild, an umbrella body whose members include fairs, to find out more about their efforts to self-regulate and the prevalence of this activity. Whilst a positive discussion has already taken place between the Guild and a policy official, I am waiting for a formal response, following which I will be better placed to offer advice on any safeguarding systems they have in place and how widespread the activity is 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.

Pack Page 79

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 recently consulted on draft Regulations to introduce a proposed licensing scheme for Animal Exhibits. If the licensing scheme is introduced, Local Authorities will be encouraged to take a pragmatic approach to ascertain whether an activity is licensable. Dependent on the final licensing criteria and individual circumstances, this may include the exhibiting of goldfish for the purpose of prize giving. I will be publishing a summary report of the responses received, and issuing a statement outlining next steps before the end of the year.

Regards
Lesley

Lesley Griffiths AC/AM

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

P-05-933 Ban Goldfish from being given away at funfairs. #OperationGoldfish, Correspondence – Petitioner to Committee, 29.01.20

Having a passion for animals and a career working with animals it is imperative to me that any animal, big or small, is cared for and given the best quality of life. I work in a pet shop as a qualified freshwater aquatics specialist. This has allowed me to build up a high level of knowledge about how to correctly care for all types of fish. There are many myths surrounding the care of Goldfish, such as they can live in a small bowl, they have a short life span and they are easy pets to look after.

In fact, if correctly cared for **Goldfish should live for 25 years**, they require a tank of at least 100 litres and have complex needs, which require “a great deal of preparation, investment, time and care”. (Please see document 1 - RSPCA report, page 3, paragraph 2 – “Tank size”, Page 4 and 5 “RSPCA guide to caring for Goldfish”)

My shop is near a popular funfair which gives away Goldfish as prizes. What was alarming to me is that on a regular occurrence people who had just won a Goldfish on impulse, were visiting the shop seeking advice and more information. After hearing advice from my shop, many of the members of public were not prepared to spend the amount of time and money to provide adequate care for the Goldfish.

I then decided to investigate this further and visited Barry Island funfair, where I was alarmed to find that the information leaflet which was given out with the ‘prize’ was incorrect. This leaflet is produced by a third party who solely sell fish products and not live fish. (Please see document 2 – “Waterlife Goldfish Guide”)

Funfair leaflet point 2 “What size tank do I need” states that “without a filter...”, however every fish tank requires a filter to ensure that the water is kept clean (Please see document 1 –Page 5 “RSPCA guide to caring for Goldfish”). The funfair leaflet also states “The traditional goldfish bowl is really only big enough for one goldfish, a better option would be a 45 litre aquarium”. Again, this is incorrect as one goldfish requires at least 100 litres. When the Goldfish is won at the funfair the fish is handed over in a plastic bag; a tank which is only approximately 5 litres in size can be purchased from them for an additional £5, however this is not compulsory.

Funfair leaflet point 4 – “you need to set up your tank for a couple of days before adding your Goldfish”. Although this is partially correct, the Goldfish are usually won on impulse and therefore the likelihood of the tank being set up prior to their visit is unlikely. (Please see Document 1 - Page 5 “RSPCA guide to caring for Goldfish” and cover page). The RSPCA strongly advise new owners to set up their tank at least two weeks before adding in any fish and therefore **the ownership of a Goldfish requires more thought and preparation than an impulse win at a fair.**

Barry Island attracts lots of visitors who can travel far for a day out. If this animal is won on impulse, how is the welfare looked after as it could remain in a bag, in warm conditions for the remainder of the day and also possibly face a long journey home. On many occasions as the animal is won on impulse the new owner is not prepared or equipped to look after this animal correctly. Barry Island is only one example of where this is happening and this needs to be stopped. (Please see document 1 - RSPCA case studies)

I am not trying to stop people owning Goldfish as pets, as if they are ready to own a Goldfish then they would visit a pet shop where they make a pre-planned purchase. Pet shops have regulations and have qualified specialists who will offer all the support and advice that the new owner requires.

As this campaign has developed, I have received endless amount of support from the general public. I was surprised at the amount of people I have spoken to who were shocked that this archaic tradition still goes ahead. I have received feedback and comments such as "if puppies and kittens were given away as prizes this would have been stopped years ago".

The operation goldfish campaign has been featured on the BBC news, radio stations and local newspapers. This has resulted in professionals such as Tom Hird, a marine biologist contacting the BBC giving 100% support to the campaign. Please see some of the quotes form Tom Hird's interview (The interview is on BBC archive and a copy can also be obtained from me directly):

"They have been abused for many, many years"

"Winning a goldfish in a bag it would be like winning a puppy in a suitcase"

"They have feelings, they get stressed, they have friends....and need to be treated with respect"

"Lack of understanding of the animal"

"They are not an easy fish to keep and you managing to get one, to two or three years old....is not an achievement"

"They are living creatures and need proper care the same as any other living creature....just because it's a fish doesn't mean it's any less of a responsibility".

The story which was broadcast on the BBC news features myself and also Paul Tapley, the Maidenhead aquatics Welfare Officer who also strongly supports the campaign. (Please see link for the full video clip: <https://www.bbc.co.uk/news/uk-wales-49473624>). Since the BBC interview Paul has also been in touch to provide the below quote in support of the petition:

"It's true to say there's a long tradition of goldfish as pets and for many of us, these are our first experience of keeping fish. The main issue is that fishes are entirely reliant on their environment to thrive, in a way that stands apart from mammals, birds and other companion animals.

Fresh tap water contains chlorine and dissolved gases that are harmful, which means that without the use of water conditioners and time it's difficult to cater for a goldfish as an unexpected new pet. **Retailers spend hours advising customers to prepare their facilities in advance and the fact that so few people are surprised to hear that goldfish should live for decades is a testament to how culturally ingrained this low-level animal abuse is".**

The publicity of the campaign has resulted in an overwhelming amount of support from the general public. After the BBC news report aired the RSPCA then contacted me directly and I have since been working with them and attending Council meetings to introduce the ban on Council land.

We are making a step in the right direction and it has been great to see Conwy and Wrexham Council joining Caerphilly and Newport Council in passing a ban to give animals as prizes on Council land. Within the Scotland Animal Health and Welfare Act 2006, it is an offence to give an animal as a prize. This is a movement which is building up momentum with Councillors, organisations and most importantly the general public.

We have a duty to do more to help protect Goldfish and I believe up until now, Goldfish have been overlooked. There are other Animal acts in place which restricts and regulates areas such as puppy farming and the use of wild animals in circuses. I agree with the proposal for the animal licences, as it will have great benefits for animals in Wales, however I don't feel that it will provide adequate protection for the welfare of fish.

We are living in a society where we should stand up for what is right, and all animals deserve a good quality of life. **Should winning a living animal as a prize, merely to satisfy us be a strong enough reason to let this continue?**

With your help in passing this ban we can ensure that no more goldfish need to go through pain, just for an outdated tradition to continue.



Briefingdocument

FROM RSPCA CYMRU'S PUBLIC AFFAIRS TEAM

The case for a ban on animals as prizes on Council owned land

August 2019

Summary of Points

- Animal ownership is a big responsibility, one that should be planned and well thought out. Animals often do not have their welfare needs met both prior to, during and after being given as a prize.
- Between 2014 and 2018, there were 24 cases reported to the RSPCA of live animals being given as prizes in Wales. Of these 60% were goldfish being given at fairgrounds, however other animals including dogs, ducklings and horses were also reported during this period.
- Under the Animal Welfare Act 2006, it is an offence to give an animal as a prize to anyone under the age of 16, except within the family context. RSPCA Cymru believes that this does not go far enough, and would like to see legislation introduced similar to that within the Animal Health and Welfare (Scotland) Act 2006, which states that it is an offence to give an animal as a prize, regardless of age, except within the family context.
- Wales' local authorities have the opportunity to ban the giving of live animals as prizes on Council owned land, ensuring the welfare of these animals is not compromised, as well as raising public awareness of the issue and leading the way on ending this outdated practice.

The RSPCA is opposed to the giving of live animals as prizes and have long discouraged the practice, encouraging members of the public not to attend any showgrounds, fairs or other events where live animals are being given as prizes.

The Legislative Position

The Animal Welfare Act was introduced in England and Wales in 2006, in a bid to improve animal welfare across the two countries. While this legislation remains one of the most important pieces of legislation ever introduced for animals in Wales, it could go further in protecting the welfare of pets currently issued as prizes.

Under Section 11 of the Act - *Transfer of animals by way of sale or prize to persons under 16* - it is an offence to give an animal as a prize to anyone under the age of 16, unless they are accompanied by someone over the age of 16 or it is within the family context¹.

RSPCA Cymru believes that this piece of legislation could go further to help ensure the welfare of animals currently issued as prizes.

Animals are being kept and transported in conditions which do not meet their needs, often resulting in their death before the new owners even get them home. As such, RSPCA Cymru advocates a move similar to the Scottish legislation, set out under Section 31 of the Animal Health and Welfare (Scotland) Act 2006, which states that is an offence for an animal to be given as a prize regardless of age, except where given within the family context².

Despite the current law, many are also being given to individuals aged under 16 - potentially highlighting issues around enforcement of the existing provision, and the need to rethink.

The need for a voluntary ban

Ultimately, RSPCA Cymru believes that the introduction of a Scottish-like outright ban on animals as prizes on both public and private land by the Welsh Government is the most effective means to prevent animals being given thoughtlessly as prizes and therefore ensuring the welfare of these animals.

However, in implementing a ban on Council-owned land, Wales' local authorities could deliver a powerful message to the local community, Welsh Government and their counterparts elsewhere on the importance of this issue. Councils, as such, not only have the opportunity to ban the giving of live animals as prizes on their land, but also - in the process - to raise wider public awareness as to the impact that this practice has on the welfare of the animals.

By adopting this ban, local authorities across Wales would be following the likes of Newport City Council who have already banned the giving of live animals as prizes on Council land.³ It is the view of the RSPCA that the more Local Authorities that make this step, the greater the possibility of us achieving an outright ban on this outdated practice; while also dramatically restricting areas across the country where pets can be given as prizes.

Animals as Prizes and the impact on their welfare

RSPCA Cymru is firmly opposed to the giving of live animals as prizes. Animal ownership is a big responsibility that needs to be planned and well-thought out, in order to help provide the

¹ [Animal Welfare Act 2006](#)

² [Animal Health and Welfare \(Scotland\) Act 2006](#)

³ Newport City Council has confirmed that pets being given as prizes has been banned on Council land for numerous years, however Newport Council have been unable to confirm the exact date such a regulation was introduced.

best quality of life for that animal - not a spur of the moment event resulting from a game.

While a range of animals are given as prizes each year in Wales and the rest of the UK, goldfish are the animal most commonly associated with pets as prizes. Goldfish are easily stressed and very often fish that are won as prizes suffer miserably from shock, oxygen starvation or die from changes in water temperature, and many will die before their new owners can get them home.

People who are given goldfish as prizes do not normally have an aquarium set up so may keep them in unsuitable environments (such as fish bowls) and some fish may even get illegally dumped in local waterways. Fish bowls do not allow for appropriate oxygenation of the water and keeping fish in a small volume of water will also lead to high levels of ammonia, which can cause disease. Bowls provide limited or no opportunities for enrichment, shelter, company or a stable temperature, all of which are important factors in providing fish with a suitable living environment.

Acquiring an animal to be kept as a pet should be the result of careful planning and prior consideration. The prospective owner should have a clear understanding of the responsibilities involved and carefully consider whether they have, and will continue to have, the facilities, time, financial means and level of interest necessary to ensure a satisfactory standard of care for their animal prior to acquiring it.

Pets as Prizes Statistics

Year	Incidents
2014	5
2015	3
2016	6
2017	6
2018	4
Total	24

The above table shows a breakdown of reported incidents to the RSPCA relating to pets as prizes in Wales from 2014 to 2018. While the majority of these cases - 60 percent - were goldfish being given as prizes at fairgrounds, RSPCA Cymru has also received calls regarding dogs, horses and other animals being raffled or given as prizes⁴. These statistics only show the number of incidents reported to the RSPCA concerning the welfare of animals given as prizes, and it is likely the figure of incidences witnessed across Wales are far higher.

⁴ RSPCA Data on Pets as Prizes reports, 2014 - 2018

Case Study One - Barry Island Pleasure Park

Barry Island Pleasure Park is a popular destination for families across South Wales. Thousands of people visit the Island during the summer months, however it is also home to a fairground known for giving goldfish as prizes⁵.

RSPCA has received numerous calls with regards to the giving of goldfish as prizes at the Pleasure Park, with a number of them relating to children aged under 16 years which is an offence under the Animal Welfare Act 2006⁶. We have also received reports of fish in bags that are hanging in direct sunlight and dead fish lying in the plastic bags filled with “green slime” while the games continue.

Case Study Two - Bridgwater Fair Ground

In April 2019, a man was fined, sentenced to a 12-month community order and banned from keeping fish for five years after filming himself swallowing a live goldfish that he had won at Bridgwater fairground, Somerset in September 2018.

The fish had been won as a prize at the fairground prior to the incident, which was filmed and reported to the RSPCA⁷. Following this particular case, Sedgemoor District Council was inundated with requests from animal charities, journalists and individuals asking them to ban the practice of giving live animals as prizes on Council land. Consequently, 2019 will see Bridgwater fairground not offering goldfish as prizes for the first time, which is a big step forward for those involved in animal welfare and the banning of pets as prizes⁸.

This case study demonstrates the lack of understanding of, or appreciation for, a goldfish's sentience after it has thoughtlessly been offered as a prize. Spontaneously giving animals away as a prize can clearly encourage individuals to not treat them as a sentient being, but rather as a worthless object that can be thrown away, or in this case purposely destroyed. Subsequently, the individual was prosecuted for causing “unnecessary suffering” to the animal under Section 4 of the Animal Welfare Act 2006, and also fined £300 for his actions⁹.

RSPCA Guide to Caring for Goldfish

While Pets as Prizes is a problem in itself in Wales, 60% of incidents reported to the RSPCA since 2014 have related to the giving of goldfish as prizes at fairgrounds and other events. Goldfish and other fish can make excellent companion animals - with 14% of all households in Wales owning fish¹⁰. However fish can be challenging pets; meeting their complex biological, environmental and behavioural needs takes a great deal of preparation, investment, time and care.

⁵ [Tweet - @mangofire2](#)

⁶ [Tweet - @KimIannucci](#)

⁷ Independent - [Man swallows live goldfish at fun fair, is banned from keeping fish](#)

⁸ Somerset County Gazette - [Goldfish prize ban at Bridgwater Fair 2019](#)

⁹ [BBC News - Man fined for swallowing goldfish at Bridgwater Fair](#)

¹⁰ [National Survey for Wales](#)

Prospective owners of pets such as fish must thoroughly research the needs of the particular species and what is required in the care of the animal, using expert sources, and only consider keeping one if they can ensure they are fully able to provide for these needs. Owners need to make sure they can give their animal the environment it needs and that they have the facilities, time, financial means and long-term commitment to maintain a good standard of care, as required under the Animal Welfare Act 2006.

The RSPCA believes that all five of the welfare needs of fish would need to be considered before purchasing them as a pet. Information about how to meet these welfare needs is available on the RSPCA's website and our guide on the care of freshwater fish. Some examples of these welfare needs are:

- Goldfish need an aquarium or tank with a filter and regularly changed water - the water should be between 10 and 21 degrees centigrade. Other species of fish kept as pets can require very different water temperatures - and owners should research this requirement thoroughly.
- The number of fish you can keep in an aquarium depends not only on the water quality but also the behavioural needs of the fish. Despite goldfish being a single species, there are many different varieties and not all varieties of goldfish should be kept together in a tank.
- It is important to supplement fish food flakes with other foods for balanced nutrition and enrichment. Goldfish enjoy chopped vegetable matter like lettuce or spinach and they will also nibble on aquatic plants. For other species of pet fish, research should always be done to find the appropriate food.
- It is important to be aware of common signs of illness in goldfish, what might cause these illnesses, and how they should be treated. Fish need to have a vet consulted if their behaviour or appearance changes.
- You need to provide furnishings and enrichment to provide for the specific behaviours of goldfish. This could include places to hide in their tanks e.g. plants, secure branches, rocks or artificial decorations¹¹.

When preparing to bring a fish home for the first time the RSPCA strongly advises that new owners use 'fishless cycling', which involves running the tank filter for some time before adding any fish and can take at least two weeks.

Giving goldfish as prizes gives no guarantees as to meeting these conditions, and does not equip owners with the necessary knowledge for responsible fish ownership. It is therefore unsurprising that many of the animals will die before they make it to their new home. It is important that we recognise goldfish as deserving of a good quality of life as any other animal.

¹¹ [RSPCA Advice & Welfare - Fish](#)

Example of a Motion to Ban Animals Being Given as Prizes on Council Owned Land

Local authorities implementing local bans can help eliminate the giving of pets as prizes on Council-owned land across Wales. The below is an example of a motion that local authorities across Wales could adopt to support the banning of animals being given as prizes on Council land:

This Council:

- **is concerned about the number of cases reported to the RSPCA each year, regarding pets given as prizes via fairgrounds, social media and other channels in Wales**
- **is concerned for the welfare of those animals that are being given as prizes**
- **recognises that many cases of pets being as prizes may go unreported each year in Wales**
- **supports a move to ban the giving of live animals as prizes, in any form, on [Insert Council name].**

The Council agrees to:

- **ban outright the giving of live animals as prizes, in any form, on [insert Council name] land.**
- **write to the Welsh Government, urging an outright ban on the giving of live animals as prizes on both public and private land in Wales.**

RSPCA Cymru believe that the above Motion provides the necessary recommendations to implement an effective ban on animals being given as prizes on council land.

Conclusion

The practice of giving animals as prizes can be extremely detrimental to the welfare of those animals. Many will die before getting back to their new homes, or shortly after; and owners are actively encouraged to take on an animal in a spontaneous, ill-planned manner.

While the majority of cases are goldfish being given as prizes at fairgrounds and alike, RSPCA Cymru receives calls relating to dogs, cats, horses, ducklings and other animals being offered as prizes through a range of channels, particularly social media.

All animals, regardless of shape and size, can suffer, and the environments that fairground goldfish find themselves in are unlikely to be sufficient to provide for their welfare needs which could lead to suffering and even death.

Agenda Item 2.3

P-05-934 Public Transport in Blaenau Gwent

This petition was submitted by Ebbw Fawr Business Community having collected a total of 1,332 signatures on paper.

Text of Petition

The people below would like to raise their concern about the poor public transport within Blaenau Gwent. This has led to residents having difficulty travelling to their place of work. They also experience problems attending Hospitals and Doctors for medical attention. The cut backs have also made travelling at best time consuming and arduous and in some cases impossible.

Assembly Constituency and Region

- Blaenau Gwent
- South Wales East

Public Transport in Blaenau Gwent

Y Pwyllgor Deisebau | 4 Chwefror 2020

Petitions Committee | 4 February 2020

Petition Number: P-05-934

Petition title: Public Transport in Blaenau Gwent

Text of petition: The people below would like to raise their concern about the poor public transport within the Blaenau Gwent area. This has led to residents having difficulty travelling to their place of work. They also experience problems attending hospitals and doctors for medical attention. The cut backs have also made travelling at best time consuming and arduous and in some cases impossible.

1. Background

While primary legislative competence for rail services is reserved, the Welsh Government has executive responsibility for the procurement and operation of the Wales and Borders rail franchise, which is managed by Transport for Wales (TfW) and operated by KeolisAmey trading as TfWRail.

However, while the Welsh Government has powers to invest in rail infrastructure, executive responsibility for rail infrastructure policy and funding is not devolved



and is the responsibility of the UK Secretary of State for Transport. The Welsh Government receives no block grant allocation for rail infrastructure.

Bus services were deregulated in the 1980s and the majority of Welsh local bus services operate on a commercial basis. However, local authorities have a duty to secure the provision of such public transport services as they consider appropriate to meet any public transport requirements which would not otherwise be met. This includes the procurement of subsidised services. Taxi and private hire vehicles licensing and regulation are also handled at a local authority level.

The Assembly has extensive competence to legislate for bus, taxi and private hire services, although significant areas, such as Public Service Vehicle operator licensing, remain reserved.

2. Welsh Government action

The Welsh Government awarded the contract to operate the Wales and Borders Rail Franchise and rail aspects of the South Wales Metro to KeolisAmey, trading as TfWRail Services, in October 2018. While the Ebbw Vale line which serves Blaenau Gwent is not currently included within the Valleys electrification programme, the new contract includes a commitment to implement a new one train per hour Ebbw Vale to Newport service by 2021. The Welsh Government has introduced additional refurbished rolling stock for use on the line, and TfW has prepared an (as yet unpublished) outline business case for infrastructure investment to increase capacity to four trains per hour from Ebbw Vale to Cardiff and Newport.

The letter from the Minister for Economy and Transport to the Chair on the petition notes that brand new rolling stock will be introduced from 2022. He also states that the Welsh Government is funding Blaenau Gwent Council to produce a study on Abertillery:

... considering the key issues and opportunities in the valley and identifying potential transport interventions to address these and meet our wellbeing objectives.

In terms of bus services, the Welsh Government consulted on a White Paper: improving public transport, between December 2018 and March 2019. This included proposals for:

- local authority powers to enter into Enhanced Quality Bus Partnerships;
- local authority powers to establish bus franchises;

- local authority powers to establish their own bus operations; and
- improved public transport information and monitoring.

The Welsh Government intends to introduce a Bill to implement these measures during the current Assembly term.

In July 2019 the Minister issued a Written Statement: Update on the Public Transport (Wales) Bill and wider bus reform agenda. On the Bill, the statement says:

The changes proposed in the Bill will seek to address some of the negative impacts of de-regulation on users, operators and authorities, by creating a number of tools which would enable local authorities to intervene should they chose to do so. Using these tools alone however, will not halt or reverse the decline in bus patronage.

Our aim is to increase the number of people using public transport by encouraging travellers to switch from private car use, thereby reducing congestion, carbon emissions and improving air quality and economic performance. We want to see more people using public transport to get them where they need and want to be, quickly and on time.

The statement also outlined wider work on bus services, including pilots for Integrated Responsive Bus Travel which had been announced previously by the Welsh Government. One of these pilots, expected to commence mid-2020, is in Blaenau Gwent.

While the responsibility for provision of local bus services rests with local authorities, the Welsh Government supports services financially through a number of funding mechanisms. The Draft Regulatory Impact Assessment for the planned Public Transport (Wales) Bill indicates that in 2017-18 the Welsh Government made £116m available for public buses.

Additionally, the Welsh Government provides funding to local authorities to invest in transport infrastructure, including through the Local Transport Network Fund, Local Transport Fund, Active Travel Fund, Road Safety Fund and Safe Routes in Communities Fund. Referring to these grants, the letter from the Minister says:

We have awarded £850,000 to Blaenau Gwent Council in 2019-20 for active travel schemes, safe routes to schools and bus stop infrastructure enhancement.

The Bus Services Support Grant (BSSG) is paid through local authorities and funds a Live Kilometre Support Grant for operators (a payment to operators per kilometre), and a Local Support Element which can be used in a range of ways, including funding subsidised services. The BSSG and its predecessor have been frozen at £25 million since 2013-14. A [June 2019 Welsh Government press release](#) suggested that “a small but significant number of councils” had withdrawn bus funding from their own budgets and were relying on the BSSG only.

[StatsWales indicates that Blaenau Gwent council has not spent any revenue funding](#) on support for bus operators for more than ten years (since 2007-08). However, it has received approximately £150,000 each year from the BSSG between 2016-17 and 2018-19.

The [Minister’s paper to the Assembly’s Economy, Infrastructure and Skills Committee](#) for scrutiny of the 2020-21 draft budget said:

[The Welsh Government appreciates] the difficult decisions that local authorities face as a result of the UK Government’s austerity programme. Nevertheless [we] encourage local authorities to protect the indicative awards they receive through the [Revenue Support Grant] to support bus and community transport services in their areas.

Local authorities are required to confirm the allocations they have made from their RSG awards in support of the bus network in order to help inform my future decisions about allocating Welsh Government support for bus and community transport in Wales. [We] expect to make an announcement in due course.

3. National Assembly for Wales action

There has been extensive discussion of bus and rail services in the Assembly – both in general and specifically in relation to Blaenau Gwent. A short sample is included below.

On 27 November 2019 Mark Reckless AM [called a short debate on bus services in Wales](#). He commented:

I think the bus service frequency into Ebbw Vale town centre has halved and I've spoken to constituents who talk about the impact that's had on their social lives, in terms of them being able to get out and about, but it's had a very substantial impact also on the business community in

Ebbw Vale. I hope that the Minister may be able to update us on some of what he said previously in response to my colleague David Rowlands about what was happening in Ebbw Vale and a desire to run pilot schemes there of the demand-responsive bus service of which I've previously spoken about—the operation of that in Newport. I wonder: is this a service that can bring new users into using buses and provide a service where there was previously none, or is it, less positively, something that is a sticking plaster for areas where bus services are being cut, whether because of funding pressures or congestion issues, and it is an alternative to that, rather than an addition?

In response, the Minister commented:

Mark Reckless asked the question of whether such pilots—demand-responsive pilots—will likely lead to people who have previously relied on their car to actually leave the keys at home and use those new innovative services. Now, where we've seen similar schemes operating in the UK, we've been able to appreciate that there has been a significant modal shift. I recently attended the Economy, Infrastructure and Skills Committee and I pointed to one specific scheme in south Liverpool that has seen that around 52 to 53 per cent of users of that demand-responsive bus service actually were people who have never used the bus service in that area before; they are leaving their cars at home. So, it does offer great potential to increase patronage very significantly across the bus network.

On 25 September 2019, during a Finance Committee debate on the Government's spending priorities, Alun Davies AM commented:

Few weeks go by in my advice surgeries in Blaenau Gwent where people do not explain to me the difficulties that a lack of bus services, for example, mean for them in their daily lives—the impact it has on town centres, the impacts it has on people reaching public services, the impact it has on people being able to shop or socialise. If we are serious about cohesion and social justice in our communities, then access to an effective system of public transport has to be at the heart of that. It is clear to me that the bus services at the moment are simply collapsing in large parts of the country, and we need to identify that.

In relation to rail services, on 12 June 2019 David Rowlands AM asked the Minister for an update on progress being made on improving the rail link between Ebbw Vale and Newport. The Minister replied:

... we are committed to taking forward plans to introduce four trains per hour as soon as we possibly can do on the Ebbw Vale line. And it's something that I've been working very closely with the local Member, Alun Davies, on for some time. But I can tell the Member today that we are committed to introduce an hourly service between Ebbw Vale town and Newport from 2021. I'm also pleased to say that brand-new trains will be introduced on the services through Blaenau Gwent during 2022, and this will provide, obviously, increased capacity and level boarding. Those brand-new trains, Llywydd, will provide a massive increase in capacity for passengers, with a total capacity of 425. That compares to today's 292.

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.

Public Transport In Blaenau Gwent

We trade from Ebbw Vale Town Centre so below are the difficulties we are experiencing.
All Blaenau Gwent Town Centres are subject to be same problems.

Background Information.

Public Transport

We have been Campaigning about the Poor Public Transport System in Blaenau Gwent since March 2018

Economic Regeneration (Town Centres)

And have been trying to engage with Blaenau Gwent Council, Welsh Assembly Government and all the groups listed below concerning Regeneration (Town Centres) since 2016.

Below are the areas where the poor Public Transport Services have a impact on the residents of Blaenau Gwent:

Regeneration Town Centre

Since the cuts in Public Transport Services in March 2018 there has been a decline in footfall / customers of between 50% - 60%.

This has resulted in the subsequent drop in trade and retail takings.

This has exasperated the already difficult trading conditions that bricks and mortar are already experiencing.

There is now only 1 bus an hour entering Ebbw Vale Town Centre.

This has resulted in a number of Retail Outlets having to decide as to whether it is Economic to continue trading. A number of Retail Outlets will not be renewing their lease when they expire.

As a example Ebbw Vale has over 70+ retail and service businesses which employ 300+ people.

Economic Regeneration

There are a number of WAG government Departments, local government departments, Boards, Groups etc. involved in regeneration within Blaenau Gwent:

Blaenau Gwent Council Economic Regeneration Department

Tech Valley

Valleys Taskforce

Blaenau Gwent Enterprise Board

Town Centre Regeneration Taskforce

LDP (Local Development Plan)

RDP (Regional Development Plan)

Public Transport In Blaenau Gwent

Plus many other.....

All of the above identify in their policy documents Public Transport as a fundamental building block in the Economic Regeneration of Blaenau Gwent. None of the above have been able to supply a plan or strategy to improve Public Transport in Blaenau Gwent.

Public Health

Residents especially the ageing population need to regularly attend Hospital, Doctor, Dentist, Eye and other appointments. This is very difficult and in some cases impossible. This is going to be a real concern when the new hospital is completed in Llanfrechfa (Cwmbran).

Education

Students attending Schools and Colleges and who do not qualify for free transport are regularly late and miss lessons due to the poor and unreliable Public Transport System.

Other Services

The ability to access any public services via public transport examples below:

Probation Service clients are unable to make appointments resulting in problems.

Citizens Advice Service.

Blaenau Gwent Housing Departments.

Housing Associations.

Loneliness Isolation

Residents especially the older generation are now prisoners in their own home. This leads to loneliness, a feeling of isolation and depression.

<https://www.bbc.co.uk/news/uk-wales-42255234>

Jobs Employment

The poor public transport within Blaenau Gwent has resulted in residents who work within and out of the area and do not own their own car unable to get to their place of work with the subsequent loss of their job.

It also makes their chance of finding employment impossible as there is no way they can travel to their place of employment.

Green Agenda Global Warming

The Welsh Assembly Government have been promoting the use of Public Transport as a means of reducing carbon emissions by getting people / commuters to leave their cars at home and use Public Transport. I would say this is impossible as there is no Public Transport within Blaenau Gwent.

<https://www.bbc.co.uk/news/uk-wales-politics-50490158>

Public Transport In Blaenau Gwent

Reliability of Existing Public Transport

There is a problem with the reliability of services with Buses regularly not turning up and if they do turn up they regularly break down on route.

There is also the problem of Bus Capacity once buses become full the service leaves passengers at subsequent stops. In some cases the service skips remaining stops on the route.

The buses used in this area are buses that were deemed unfit for use in other parts of the country, but are suitable for the residents in Blaenau Gwent.

We have also raised concerns that the road worthiness of the buses could result in a serious accident.

Blaenau Gwent Council

We have raised our concerns with Blaenau Gwent Council and have managed to have 2 meetings.

We have tried to engage meet with the Council on a number of occasions and our requests have been ignored.

Welsh Assembly Government

We have also raised our Public Transport problems with WAG.

Our AM (Alun Davies) and MP (Nick Smith)

We have also raised the Public Transport problems with our MP (Nick Smith) and AM (Alun Davies) this has resulted in a couple of meetings, but as of yet no action or help.

Trains

There is no bus service links to the Train Stations and no alignment of timetables.

The link between Ebbw Vale Train Station is via a Cable Car (Funicular). This is often out of action and not available over the weekends.

<https://www.bbc.co.uk/news/uk-wales-south-east-wales-43983578>

The rolling stock is also old and was deemed unfit for use in other parts of the country but suitable for the residents in Blaenau Gwent.

The train service is also poor with limited carriages which results in commuters packed in like sardines.

Commuters also have the problem of not being able to board the train for their commute to work.

There is also the line duelling / upgrade which seems to have stopped.

Public Transport In Blaenau Gwent

Other Actions:

We have also contacted the following groups organisations on a number of occasions via telephone and email with no response or reply.

TFW (Transport for Wales)

<https://tfwrail.wales/homepage>

Bus Users Wales

<https://bususers.org/wales/>

Community Buses Wales

<https://ctauk.org>

<https://ctauk.org/connecting-communities-in-wales/>

Ken Skates AC/AM
Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport



Eich cyf/Your ref P-05-934
Ein cyf/Our ref KS/08713/19

Llywodraeth Cymru
Welsh Government

Janet Finch-Saunders AM
Chair
Petitions Committee

Government.Committee.Business@gov.wales

14th January 2020

Dear Janet,

Thank you for your letter of 6 December regarding the petition on Public Transport in Blaenau Gwent.

We are moving forward with our ambitious vision to reshape public transport infrastructure and services in Blaenau Gwent, including local bus services, the very popular Ebbw Vale rail line, active travel, and through the additional powers proposed under the Buses (Wales) Bill.

As of 15 December, passengers on the Ebbw Vale line are now travelling in more modern four-carriage modern Class 170 trains. These trains provide a better customer experience, including electronic passenger information, air conditioning, power sockets and increased capacity. From 2022 Transport for Wales (TfW) will be introducing brand new trains to Blaenau Gwent as part of an £800 million investment.

TfW have undertaken a study of the Ebbw Vale Line on behalf of the Welsh Government, focusing on increasing the frequency of services and delivering a new service between Ebbw Vale and Newport. The study is being undertaken in conjunction with Network Rail, who manage the infrastructure of the line. The study aims to understand the opportunities and barriers to running up to four trains per hour on this line, as well as what work is required to allow this. More details of future plans for the line will be announced soon.

Blaenau Gwent Council is currently undertaking a WelTAG Stage 1 study on the Abertillery area using Welsh Government funding from the Local Transport Fund. This study is considering the key issues and opportunities in the valley and identifying potential transport interventions to address these and meet our well-being objectives.

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

Bae Caerdydd • Cardiff Bay
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CF99 1NA

Gohebiaeth.Ken.Skates@llyw.cymru
Correspondence.Ken.Skates@gov.wales

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

Pack Page 102

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.

With regard to bus services since 2013 the Welsh Government has provided local authorities with £25m a year via our discretionary Bus Services Support Grant (BSSG) to help them subsidise bus and community transport services. A notable achievement given continuing challenging financial settlements from the UK Government. Each local authority determines which services to support, based upon its assessment of local circumstances and priorities.

We will also introduce the Buses (Wales) Bill in this Assembly term, building on the proposals in the 'Improving Public Transport' White Paper. The Bill includes provisions relating to improved partnership working arrangements between bus operators and local authorities; franchising; and local authority run bus services. The Bill will also put in place new information management and sharing arrangements, so that information to the public will be more accessible and reliable, and local authorities will be in a better position to make arrangements to address changes in service provision. The changes proposed in the Bill will seek to address some of the negative impacts of de-regulation on users, operators and authorities, by creating a number of tools which would enable local authorities to intervene should they chose to do so.

As part of this programme of bus reform, it is also our intention to initiate four live trials to shape development of the Integrated Responsive Travel (IRT) proposals which TfW are managing in collaboration with local authorities and operators. The funding is part of the £24m Local Transport Fund. One of these trials will be in the Blaenau Gwent area. The trials will test different models of demand for bus services and where appropriate, build on existing delivery models. The results of the trials will be analysed and will help inform the development of demand responsive travel over the next few years. Depending on their success, a decision will be taken on initiating a permanent arrangement.

We also support local authorities with Welsh Government Transport Grants. Applications can be submitted for support through the Local Transport Fund, Local Transport Network Fund, Active Travel Fund, Road Safety and Safe Routes in Communities Grants. We have awarded £850,000 to Blaenau Gwent Council in 2019-20 for active travel schemes, safe routes to schools and bus stop infrastructure enhancements

I trust this will help you with your consideration of the petition and I look forward to being informed of the outcome.

Yours ever,



Ken Skates AC/AM

Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport

P-05-934 Public Transport in Blaenau Gwent, Correspondence – Petitioner to Committee, 28.01.20

Our Situation

Due to the decline in footfall which was a direct result of the Public Transport cuts we have decided to cease trading in Ebbw Vale Town Centre on the 31st March 2020.

We are looking to setup Online and are also in discussion with another local authority who are supportive and helpful.

We are very disappointed with the response from our local council (Blaenau Gwent), the Welsh Assembly Government, Our local MP Nick Smith and AM Alun Davies.

Previous Information

I have attached my previous response “**Email response to request for more information Public Transport**” as a reference.

The past 40 Years (Nothing Has Changed) (Welsh Assembly Government Failure)

I have read previous Reports, Consultation documents and Strategies commissioned by the Welsh Assembly Government and the Local Authority dating back to the 1980s, 1990s, 2000 and 2010 all of which state that Infrastructure (Transport Links) are one of the fundamental building blocks for Economic Regeneration.

Some of these documents are now 40 years old but we are still in the same situation nothing has improved!

Please see below my response to Ken Skates AM Minister for Economy and Transport.

Our initial grievance is in respect of the poor Bus Public Transport System.

We are moving forward with our ambitious vision to reshape public transport infrastructure and services in Blaenau Gwent, including local bus services, the very popular Ebbw Vale rail line, active travel, and through the additional powers proposed under the Buses (Wales) Bill.

As highlighted above “The Past 40 Years” there have been a number of Strategies Visions Plans none of which have improved the public transport system in Blaenau Gwent.

I find Active Travel an amusing concept dreamed up by someone in the Bay who has no idea of the Geography of Blaenau Gwent. I would challenge anyone to use a bike to visit all the towns in Blaenau Gwent not only would it require them to be very fit it would also be dangerous given the poor road conditions.

As of 15 December, passengers on the Ebbw Vale line are now travelling in more modern four-carriage modern Class 170 trains. These trains provide a better customer experience, including electronic passenger information, air conditioning, power sockets and increased capacity. From 2022 Transport for Wales (TfW) will be introducing brand new trains to Blaenau Gwent as part of an £800 million investment.

The improvements to the Rail Service are most welcome the problem arises when trying to access the 3 Stations in Blaenau Gwent. If you do not have access to your own Transport there

are limited bus links and no synchronisation between Bus and Train timetables.

TfW have undertaken a study of the Ebbw Vale Line on behalf of the Welsh Government, focusing on increasing the frequency of services and delivering a new service between Ebbw Vale and Newport. The study is being undertaken in conjunction with Network Rail, who manage the infrastructure of the line. The study aims to understand the opportunities and barriers to running up to four trains per hour on this line, as well as what work is required to allow this. More details of future plans for the line will be announced soon.

There is a need for a Integrated Transport Policy to enable the Bus and Train Timetables to be Synchronised.

Blaenau Gwent Council is currently undertaking a WelTAG Stage 1 study on the Abertillery area using Welsh Government funding from the Local Transport Fund. This study is considering the key issues and opportunities in the valley and identifying potential transport interventions to address these and meet our well-being objectives.

Haven't there been enough of Consultations, Studies and Plans done in the past. It seems to be the standard delaying practice to call for a Consultation. As far as Blaenau Gwent goes a good starting point would be a Clockwise and anti Clockwise service visiting all the Towns and Train Stations.

With regard to bus services since 2013 the Welsh Government has provided local authorities with £25m a year via our discretionary Bus Services Support Grant (BSSG) to help them subsidise bus and community transport services. A notable achievement given continuing challenging financial settlements from the UK Government. Each local authority determines which services to support, based upon its assessment of local circumstances and priorities.

Are there any checks or monitoring on how this money is spent and are the residents of Blaenau Gwent receiving value for money. At present the policy seems to be give the money to Stagecoach and let them run the services they want. I have no confidence in Blaenau Gwent Council to be able to run or administer a Bus Public Transport System.

We will also introduce the Buses (Wales) Bill in this Assembly term, building on the proposals in the 'Improving Public Transport' White Paper. The Bill includes provisions relating to improved partnership working arrangements between bus operators and local authorities; franchising; and local authority run bus services. The Bill will also put in place new information management and sharing arrangements, so that information to the public will be more accessible and reliable, and local authorities will be in a better position to make arrangements to address changes in service provision. The changes proposed in the Bill will seek to address some of the negative impacts of de-regulation on users, operators and authorities, by creating a number of tools which would enable local authorities to intervene should they chose to do so.

As stated previously I have no faith in Blaenau Gwent Council they have not the skills and courage to take advantage of this new Bill if and when it becomes active. In the time it has taken for this white paper to be discussed and acted on the Towns in Blaenau Gwent are dying. Out of the 5 Towns: Abertillery, Blaina, Brynmawr, Tredegar and Ebbw Vale only Ebbw Vale has a resemblance of a retail infrastructure left all the others have in my opinion have past the point of being saved.

As part of this programme of bus reform, it is also our intention to initiate four live trials to shape development of the Integrated Responsive Travel (IRT) proposals which TfW are managing in collaboration with local authorities and operators. The funding is part of the £24m Local Transport Fund. One of these trials will be in the Blaenau Gwent area. The trials will test different models of demand for bus services and where appropriate, build on existing delivery models. The results of the trials will be analysed and will help inform the development of demand responsive travel over the next few years. Depending on their success, a decision will be taken on initiating a permanent arrangement.

This initiative was announced last year as of yet we have seen no action or movement. Is there an update on when IRT (Integrated Responsive Travel) will be active.

We also support local authorities with Welsh Government Transport Grants. Applications can be submitted for support through the Local Transport Fund, Local Transport Network Fund, Active Travel Fund, Road Safety and Safe Routes in Communities Grants. We have awarded £850,000 to Blaenau Gwent Council in 2019-20 for active travel schemes, safe routes to schools and bus stop infrastructure enhancements

As Blaenau Gwent have refused to meet to discuss Public Transport and Economic Regeneration (Town Centres) could you update me on how they have spent this money.

I find Active Travel an amusing concept dreamed up by someone in the Bay who has no idea of the Geography of Blaenau Gwent. I would challenge anyone to use a bike to visit all the towns in Blaenau Gwent not only would it require them to be very fit it would also be dangerous given the poor road conditions.

It is not Bus Stop Infrastructure Enhancements we require it is Bus Services we require!

Finally it would be interesting to know who is ultimately responsible for Public Transport in Blaenau Gwent?

As I have stated earlier I have no confidence in Blaenau Gwent's Members and Officers being able to deliver a Public Transport System for Blaenau Gwent.

Agenda Item 2.4

P-05-935 Ban Pavement Parking – Pavement Promise

This petition was submitted by Rhian Morris having collected a total of 801 signatures.

Text of Petition

I call for the National Assembly of Wales to urge the Welsh Government to impose a ban on pavement parking.

I am campaigning to end pavement parking. It is an increasing issue that impacts on myself and so many others in Wales daily risking their safety. It is a massive issue for those with a disability and those with pushchairs. This is especially difficult when vehicles park on the drop kerbs or tactile paving.

On many occasions the vehicle that is parked on the pavement causes the view of the road to become restricted. This causes the situation to become dangerous for anyone who has to enter the road to pass the vehicle. There is a much higher risk for those who have a visual impairment or wheelchair users to move into the unknown dangers.

Everyone should have the right to independence. However when vehicles park on the pavement this restricts those that are unable to drive and rely on the pavement to travel around their community. This can also lead to isolation and anxiety.

This should be dealt with now so that future generations have the equal chance of independence and safety for all in our communities.

Additional Information

Myself and my son are visually impaired. This issue makes it very difficult for us to access our community safely. I have spoken to many people who also struggle.

Myself and my son created a campaign called Pavement Promise. We want everyone to promise not to park on the pavement.

I feel there should be a specific team to work on this issue. Maybe an online / interactive way for people to pass on information.

I want my son to have as much independence as he can in his future safely.
Please help me to keep our communities safe.

Assembly Constituency and Region

- Bridgend
- South Wales West

P-05-935: Ban Pavement Parking – Pavement Promise

Y Pwyllgor Deisebau | 4 Chwefror 2020
Petitions Committee | 4 February 2020

Reference: RS19/11321/2

Petition Number: P-05-935

Petition title: Ban Pavement Parking – Pavement Promise

Text of petition: I call for the National Assembly of Wales to urge the Welsh Government to impose a ban on pavement parking.

I am campaigning to end pavement parking. It is an increasing issue that impacts on myself and so many others in Wales daily risking their safety. It is a massive issue for those with a disability and those with pushchairs. This is especially difficult when vehicles park on the drop kerbs or tactile paving.

On many occasions the vehicle that is parked on the pavement causes the view of the road to become restricted. This causes the situation to become dangerous for anyone who has to enter the road to pass the vehicle. There is a much higher risk for those who have a visual impairment or wheelchair users to move into the unknown dangers.

Everyone should have the right to independence. However when vehicles park on the pavement this restricts those that are unable to drive and rely on the pavement to travel around their community. This can also lead to isolation and anxiety.

This should be dealt with now so that future generations have the equal chance of independence and safety for all in our communities.

Myself and my son are visually impaired. This issue makes it very difficult for us to access our community safely. I have spoken to many people who also struggle.

Myself and my son created a campaign called Pavement Promise. We want everyone to promise not to park on the pavement.

I feel there should be a specific team to work on this issue. Maybe an online / interactive way for people to pass on information.

I want my son to have as much independence as he can in his future safely. Please help me to keep our communities safe.

BACKGROUND

Legislation

Parking on a pavement is not currently a specific offence in England and Wales outside London other than for heavy commercial vehicles. While there are a number of criminal offences which can be used to address pavement parking, the application of these offences depends on circumstances for example whether the vehicle is considered to be causing an obstruction.



The Minister for Economy and Transport, Ken Skates AM, outlined the legal position on parking in Wales, particularly pavement parking, in an April 2018 [letter to the Chair](#) of the Economy, Infrastructure and Skills (EIS) Committee. In particular he indicated that unlike Scotland and Northern Ireland, street parking control in Wales is reserved to the UK Government so the Assembly does not have competence to enact primary legislation in these areas. This is as a consequence of the fact that, under the [Government of Wales Act 2006](#), road traffic offences and the regulation of motor vehicles on roads are reserved matters.

However, in setting out the relevant law the Minister highlighted that “the Welsh Ministers do have powers to designate certain road traffic offences as civil contraventions that may be enforced by a local authority”. He also noted that local authorities have powers under section 1 of the [Road Traffic Regulation Act 1984](#) to make Traffic Regulation Orders (TROs) which can be used to prohibit, restrict or regulate the use of specific roads, which include pavements. He said:

The restrictions can be applied for various reasons and could cover particular hotspots or larger areas. They can have effect at all times or during specific periods, and certain classes of traffic may be exempt from the TRO.

Transport (Scotland) Act 2019

Part 6 of the [Transport \(Scotland\) Act 2019](#) provides for the prohibition of pavement parking, defined as where the vehicle is stationary and one or more of its wheels (or any part of them) is on any part of the pavement. A stationary vehicle is parked whether or not the driver is in attendance and the engine is running.

The local authorities in Scotland may make an exemption order to provide that the pavement parking prohibition does not apply to a certain pavement within its area. The exemption must apply at all times of the day and to all vehicles and there must be traffic signs in place to notify of the exemption order. There are also a number of exceptions to the pavement parking prohibition. This includes, for example, emergency vehicles and the collection of waste or postal services.

The House of Commons Transport Committee

In September 2019 the House of Commons Transport Committee published its report following an [inquiry into pavement parking](#). The [Committee criticised the Department for Transport](#) “for failing to take action on pavement parking, which MPs were told has a detrimental effect on people’s lives and can lead to social isolation”. The Committee called for a ban on pavement parking across England and also set out recommendations on how it can be tackled while legislation is being prepared. The recommendations included a national awareness campaign to highlight the negative consequences of pavement parking, and reform of the TRO process to make it easier for local authorities to use. At the time of writing the UK Government has not responded to the Committee’s report.

WELSH GOVERNMENT ACTION

At an Active Travel conference in July 2019, the Deputy Minister for Economy and Transport, [Lee Waters AM](#), [announced](#) that the Welsh Government would be “putting together an expert group to explore ways of clamping down more widely on illegal parking, as well as pavement parkers, across Wales”.

The “everyday walking” charity [Living Streets](#) published a report ‘[A step towards a pavement parking ban in Wales](#)’ (PDF 8,940KB) in October 2019. In the foreword the Deputy Minister said that:

Cars that block pavements stop many people from leaving the house because they feel it can be too dangerous to navigate the streets. We know that this especially affects those with mobility and sight impairments, as well as families with young children.

Later that month [the Deputy Minister said](#) that the “special taskforce group has been set up...its remit also includes reviewing the use of current legislation available, which is a complex mix of criminal and civil sanctions”. He also said that the group will report on its findings in June 2020.

Later in November the Deputy Minister wrote [to Adam Price AM](#) (PDF 476KB) providing the Project Initiation Document for the taskforce group. The document says that “for the purpose of the project ‘pavement parking’ is defined as when one or more wheels of a vehicle are on the footpath”. The taskforce group also:

...assumes that it is the intention to have a national ban on pavement parking throughout Wales, without introducing primary legislation...[and] there is political will to support the implementation of the proposed outcomes across the Country. s

NATIONAL ASSEMBLY FOR WALES ACTION

In 2018 the Assembly’s EIS Committee completed [an inquiry into post-legislative scrutiny of the Active Travel \(Wales\) Act 2013](#). Its report recommended that:

The Welsh Government should work regionally with police and local authorities to agree innovative ways to tackle pavement parking, including raising awareness of its impact to change driver behaviour.

The Committee heard from the Minister for Economy and Transport that:

There is no doubt that parking on pavements inhibits the ability, particularly of disabled people, to be able to travel safely, but also in terms of cycling, it can be incredibly dangerous to have cars and lorries parked in inappropriate areas.

The issue has been discussed in the Assembly. In Plenary on 22 January 2020, in response to a question from Hefin David AM, the Deputy Minister said that Phil Jones is leading the taskforce groups on both pavement parking and 20mph speed limits. He went on to say that:

...we need to see this as part of a broader suite of measures we have, alongside 20mph speed limits, to start bringing about modal shift and addressing the dominance the car has in our society, but that'll only work if we give people alternatives as well.

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.

Lee Waters AC/AM
Dirprwy Weinidog yr Economi a Thrafnidiaeth
Deputy Minister for Economy and Transport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-935
Ein cyf/Our ref LW/05985/19

Janet Finch-Saunders AM
Chair – Petitions Committee

Government.Committee.Business@gov.wales

11 December 2019

Dear Janet,

Thank you for your letter of 6 December on behalf of the Petitions Committee regarding Petition P-05-935 Ban Pavement Parking - Pavement Promise.

I appreciate the frustration pavement parking is causing, hence why I have set up a special Taskforce Group to investigate the issues around pavement parking and to decide how best to implement a solution to this problem. Its remit includes reviewing the use of current legislation available, which is a complex mix of criminal and civil sanctions, and to recommend the best way forward. The Taskforce Group is due to report on its findings in June 2020.

Yours sincerely,

Lee Waters AC/AM
Dirprwy Weinidog yr Economi a Thrafnidiaeth
Deputy Minister for Economy and Transport

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Gohebiaeth.Lee.Waters@llyw.cymru
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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-05-935 Ban Pavement Parking - Pavement Promise, Correspondence –
Petitioner to Committee, 28.01.20**

Firstly for many people this is not just a frustration but a hinderance to their independence.

The task force is a good idea.

I feel that it is important that it is made up of participants of whom have to deal with the issue on a daily basis aswel as working alongside councils/ police.

I also feel it would be beneficial to have the input of organisations such as RNIB Cymru, guide dogs and Bridgend coalition for the disabled involved.

Legislation does need to be looked at and changed.

It is very confusing and contradicting in parts.

Legislation needs to be clear and important that it is enforced.

This is an important area the task force will need to focus on.

I propose that a dedicated task force be formed to deal with the enforcement alongside an online reporting app/ website.

The issue is not adequately addressed.

This is discussing researching the issue.

It is not focusing on the issue people are currently facing.

This is a long time frame prolonging the difficulty for those in Wales,

Some of who are loosing their independence.

Some questions I have are:

* who is involved in the task force and are they suitable to the understanding of the issue?.

* what will be done to support those struggling with the issue while the task for researches over the long period and discusses findings?

*will there be opportunities for communities to be involved with the research? .

*Do you feel following in the footsteps of a ban alongside Scotland and central London would benefit our communities?.

Rhian Morris.

Agenda Item 2.5

P-05-936 Offer Bowel Cancer Screening After the Age of 74

This petition was submitted by Andrew Lye having collected a total of 69 signatures.

Text of Petition

The NHS in England, Scotland and Wales all offer Bowel Cancer screening every 2 years between the ages of 60 and 74.

In England and Scotland, you can request a screening kit every 2 years after 74. This is NOT available to those over 74 in Wales.

This petition asks the Welsh Government to make bowel cancer screening available as it is in England and Scotland.

Ending the screening at 74 in Wales suggests that we do not value our seniors in the same way as they do in England and Scotland.

Assembly Constituency and Region

- Preseli Pembrokeshire
- Mid Wales

Bowel cancer screening

Y Pwyllgor Deisebau | 4 Chwefror 2020
Petitions Committee | 4 February 2020

Reference: RS19/11321-3

Petition number: P-05-936

Petition title: Offer bowel cancer screening after the age of 74

Text of petition: The NHS in England, Scotland and Wales all offer Bowel Cancer screening every 2 years between the ages of 60 and 74.

In England and Scotland, you can request a screening kit every 2 years after 74. This is NOT available to those over 74 in Wales.

This petition asks the Welsh Government to make bowel cancer screening available as it is in England and Scotland.

Ending the screening at 74 in Wales suggests that we do not value our seniors in the same way as they do in England and Scotland.

BACKGROUND

The Bowel Cancer UK [website](#) states that bowel cancer is the fourth most common cancer in Wales. Every year more than 2,200 people are diagnosed with bowel cancer in Wales and over 900 people die from the disease. However bowel cancer is treatable and curable especially if diagnosed early.

Screening is one of the best ways to diagnose bowel cancer early. The bowel screening programme began in Wales in 2008 and invited men and women aged **60 to 69** years to send a stool sample for guaiac faecal occult blood (gFOBT) testing every two years. In November 2012, the programme was expanded to include people aged **60 to 74**.



In November 2015, the [UK National Screening Committee](#)¹ (UKNSC) recommended introducing the Faecal Immunochemical Test (FIT) into the bowel screening programme. Since January 2019, [Bowel Screening Wales](#) has been providing FIT as part of the routine screening programme. As well as being more accurate, the new test is easier for people to use and the Welsh Government intends to gradually increase the sensitivity of this new test so that more cancers can be detected.

In August 2018, the UKNSC reviewed the optimisation of bowel screening and recommended that FIT should be available to people aged **50-74**. The Welsh Government has committed to expand the programme to include men and women aged 50-59 by 2023. Correspondence from the Minister for Health and Social Services to the Committee on 15 January 2020 states that the risk of bowel cancer increases sharply from the age of 50 and the evidence shows that screening people in this age group would enable more bowel cancers to be picked up at an earlier stage, when treatment is likely to be more effective and survival chances improved.

Further information on screening in Wales is available on the [Bowel Screening Wales website](#).

In **England**, people who are aged 75 or over can ask for a home testing kit every 2 years. In **Scotland**, people aged over 74 can request a screening kit by contacting the bowel cancer screening programme.

Bowel screening uptake

Public Health Wales publishes figures on [bowel screening uptake](#) in Wales for eligible men and women aged 60-74 who are resident in Wales (available by Unitary Authority and Health Board). Figures for the financial year 2018-19 were published in January 2020 and show that the uptake total for Wales in 2018-19 was 57.3 per cent.

WELSH GOVERNMENT INFORMATION

In correspondence from the Minister for Health and Social Services to the Committee on 15 January 2020, the Minister states that the policy in Wales is to only implement screening that is evidence based and has been recommended by the UKNSC and on the balance of the available evidence, the UKNSC does not recommend bowel screening beyond 74 years of age.

In answer to a [Written Assembly Question](#) in May 2019, the Minister states that the upper age limit of bowel screening is based on the consideration of the risk of bowel cancer in people aged over 74 with no symptoms of the disease, and the risk to these individuals associated with carrying out screening, particularly from follow-up diagnostic procedures such as colonoscopy. Although serious complications from colonoscopy in the general population are uncommon, perforation of the bowel is one of the potential serious complications of further investigation. This occurs in around 1 in 1,500 procedures. The removal of polyps or tissue samples can cause heavy bleeding which in the general population occurs in about 1 in every 150 colonoscopies. The risk of these complications increases beyond the age of 74.

As population screening is not without risks, the Minister notes in his correspondence that there needs to be a balance between the benefits and harms of the screening test being offered. For asymptomatic bowel screening above the recommended age group, the additional risks from false positive results and any follow-up investigations outweigh the potential benefits in an older population. He goes on to say that going beyond the advice of the UKNSC by implementing something that has not been recommended, and for which there is no evidence of more benefit than harm, is not a safe or prudent way to deliver health services.

The Wales Screening Committee (WSC) is said to have considered the Welsh Government's policy position not to offer bowel screening self-referral to those over 74 years of age in November 2019. The Committee agreed that clarification on the UKNSC position was needed before further considering self-referral for those over 74. The Chair of WSC has written to the Chair of the UKNSC requesting this clarity. Should the UKNSC recommend self-referral for people over 74 or a change to the upper age limit, the Minister highlights in his correspondence that the Welsh Government will consider how this can be delivered in Wales.

Anyone over the age of 74 in Wales can discuss their concerns with their GP who will decide whether further investigation is needed. Anyone with symptoms of bowel cancer should be referred for rapid investigation under the urgent suspect cancer referral process.

Screening in other countries

The Minister refers in his correspondence to the fact that self-referral into the bowel screening programme over the age of 74 is allowed in England and Scotland and recognises there is inequity of service provision. He goes on to say that bowel screening programmes in the majority of countries only provide bowel screening up to the age of 74 and do not

¹The UK National Screening Committee advises ministers and the NHS in the 4 UK countries about all aspects of population screening and supports implementation of screening programmes.

allow self-referral beyond this age for the same reasons that the Welsh programme does not. Northern Ireland, New Zealand and Australia do not allow self-referral over 74.

NATIONAL ASSEMBLY FOR WALES ACTION

The Health, Social Care and Sport Committee undertook a one day inquiry into endoscopy services in Wales and published its report in April 2019. Section 6 discusses efforts being taken to increase the uptake of the bowel screening programme. The Welsh Government published its response to the report and accepted the Committee's recommendation. As a result of the Committee's recommendation, the Welsh Government published a National Endoscopy Programme Action Plan 2019-2023 in October 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.

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/08790/19

Janet Finch-Saunders AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff
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15 January 2019

Dear Janet,

Thank you for your letter of 6 December on behalf of the Petitions Committee about petition P-05-936 Offer Bowel Cancer Screening After the age of 74.

In terms of population screening, the UK National Screening Committee (UKNSC) advises Ministers in the four UK countries about how to deliver these programmes. It brings academic rigour and authority to what is an extremely complex area and is a world leader in its field. On the balance of the available evidence, the UKNSC does not recommend bowel screening beyond 74 years of age. Population screening is not without risks so there needs to be a balance between the benefits and harms of the screening test being offered. For asymptomatic bowel screening above the recommended age group, the additional risks from false positive results and any follow-up investigations outweigh the potential benefits in an older population.

Our policy in Wales is to only implement screening that is evidence based and has been recommended by the UKNSC. The UKNSC recommends bowel screening between the ages of 50 and 74 and has not provided a recommendation on screening for people over 74. Going beyond the advice of the Committee by implementing something that has not been recommended, and for which there is no evidence of more benefit than harm, is not a safe or prudent way to deliver health 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.

I am aware that self-referral into the bowel screening programme over the age of 74 is allowed in England and Scotland. However, bowel screening programmes in the majority of countries only provide bowel screening up to the age of 74 and do not allow self-referral beyond this age for the same reasons that the Welsh programme does not. Northern Ireland, New Zealand and Australia do not allow self-referral over 74. In the USA and Canada, self-referral is not permitted beyond 75 but people can be assessed by their GP on an individual basis and offered a one-off screen if considered appropriate but only up to the age of 85, after which screening is not permitted. This position is not dissimilar to the current position in Wales as anyone over the age of 74 can discuss their concerns with their GP who will decide whether further investigation is needed. Anyone with symptoms of bowel cancer should be referred for rapid investigation under the urgent suspect cancer referral process.

The Welsh Government has recently committed to expand the programme to include men and women aged 50-59 by 2023. The risk of bowel cancer increases sharply from the age of 50 and the evidence shows that screening people in this age group would enable more bowel cancers to be picked up at an earlier stage, when treatment is likely to be more effective and survival chances improved.

Additionally, since January 2019, Bowel Screening Wales has been providing new faecal immunochemical testing (FIT) as part of the routine screening programme. As well as being more accurate, the new test is easier for people to use and evidence shows it will improve uptake in the screening programme. We also intend to gradually increase the sensitivity of this new test over the next four years so that more cancers can be detected.

I recognise that there is inequity of service provision between the UK countries and that some people would like to continue to participate in the screening programme beyond the age of 74. However, all screening programmes have the potential to do harm. The benefit to patients and their safety should be paramount in any decision to provide screening.

The Wales Screening Committee (WSC) considered the Welsh Government's policy position not to offer bowel screening self-referral to those over 74 years of age in November 2019. The Committee agreed that clarification on the UKNSC position was needed before further considering self-referral for those over 74. The Chair of WSC has written to the Chair of the UKNSC requesting this clarity. In the meantime the focus should be on rolling out screening to those aged 50 to 59 for which there is evidence of benefit and increasing the sensitivity of the screening test. Should the UKNSC recommend self-referral for people over 74 or a change to the upper age limit, we will consider how this can be delivered in Wales.

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-05-936 Offer Bowel Cancer Screening After the Age of 74, Correspondence –
Petitioner to Committee, 26.01.20**

The reason I lodged the petition was solely because of the perceived view that those over the age of 74 could be seen as disadvantaged, compared to those in England and Scotland. It was getting my first kit to do my own sample, that pre-empted me to pursue this as a petition on the Senedd website. My dad died of bowel cancer in 1995 on his 63rd birthday, just 7 weeks after diagnosis. He failed to act on symptoms. His own fault. I have had 3 colonoscopies myself, since he died and on one occasion, polyps were removed. So I am very aware of the cancer. I had prostate cancer in 2018 and the cancer is gone, though I am still on hormone treatment and tablets because of the after effects of the radiotherapy. If a male screening programme for prostate cancer can be created in the next few years, I would be pleased, as the PSA test is not 100% accurate.

Going back to my petition, I must thank the Minister for his explanation and the fact that it mentions that the aim is to reduce the age to 50 on bowel cancer screening by 2023. But why the delay? People will die as a result of any delay. I welcome the proposal to reduce it from 60 to 50, but ask the Petitions Committee to ask the Minister to bring the date forward.

The letter advises that the UKNSC does not recommend bowel cancer screening beyond 74. Can I please ask why as no explanation is given. You can still get bowel cancer as 76.

The Minister also writes "...all screening programmes have the potential to do harm". I would equally contend that you could say the opposite and be equally valid. All screening programmes also could have the potential to do good". There, I said it. So why does the Minister make his comment and make me believe that he is 100% correct with his assertion.

As the UKNSC does not recommend screening beyond 74, are England and Scotland looking at reversing their policy to fall in line with Wales? And other nations in the world. If not, maybe they see there IS a benefit with their policy.

Nothing is mentioned in the Minister's letter with regards to potential costs of falling into line with England and Scotland. It must be possible to get the information and work out a projected cost for Wales. My petition is not proposing anything radical as I am aware that every decision has a cost implication. The Minister has given NO mention of costs.

My final question is that if the Older People's Commissioner for Wales was to say that the current policy discriminates against those aged over 74, will the Petitions Committee ask the Minister to rethink. I presume the Commissioner has been consulted and provided her comments as part of your committee meeting on 4th February, when you discuss my petition.

I look forward to (hopefully) watching the debate on my PC, and thank you for time in keeping me informed

Agenda Item 2.6

P-05-937 STOP BOILING CRUSTACEANS ALIVE (lobsters, crabs, crayfish, prawns etc)

This petition was submitted by Cardiff Animal Rights having collected 1,253 signatures online and 505 on paper, a total of 2,008 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to implement greater protection for crustaceans and to ban the cruel practice of boiling lobsters, crabs crayfish, prawns etc alive.

Zoologists have found that, unlike humans, lobsters and other crustaceans DON'T have the ability to go into 'shock,' so when they are plunged into a pot of BOILING water, their suffering is prolonged. When other animals, including humans, experience extreme pain, their nervous system shuts down as a coping mechanism. Scientists have found that it takes lobsters & crabs up to 45 seconds to die when plunged into a pot of BOILING water (something which would be considered completely unacceptable in a vertebrate animal like a cow or a pig). To give this perspective, if they are dismembered their nervous system can still function for up to an hour.

The Animal Welfare Act is designed to protect animals on the understanding that sentient creatures can feel pain and we have a moral duty NOT to cause suffering. The Act makes it an offence to cause unnecessary suffering to any animal, both in their keeping and at the time of slaughter. It means that people or organisations who neglect or abuse 'protected' animals can be prosecuted. 'Farmed animals', fish and reptiles are all protected under this Act. However, invertebrates such as crabs and lobsters, crayfish & prawns are not.

Moreover, live crustaceans have been found for sale awaiting their fate on ice trays, packaged and bound tightly in tanks or plastic to be slaughtered at home by the customer. It is considered an act of animal cruelty to boil a lobster alive in Switzerland. The Swiss now need to stun or kill animals before boiling them and lobsters can't be kept alive on ice.

Extend the Animal Welfare Act 2006 to include crustaceans including Lobsters, crabs, prawns & crayfish etc.

Assembly Constituency and Region

- Cardiff North
- South Wales Central

Stop boiling crustaceans alive

Y Pwyllgor Deisebau | 4 Chwefror 2020
Petitions Committee | 4 February 2020

Reference: RS19/11321-4

Petition Number: P-05-937

Petition title: Stop boiling crustaceans alive (lobsters, crabs, crayfish, prawns etc.)

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to implement greater protection for crustaceans and to ban the cruel practice of boiling lobsters, crabs crayfish, prawns etc alive.

Zoologists have found that, unlike humans, lobsters and other crustaceans DON'T have the ability to go into 'shock,' so when they are plunged into a pot of BOILING water, their suffering is prolonged. When other animals, including humans, experience extreme pain, their nervous system shuts down as a coping mechanism. Scientists have found that it takes lobsters & crabs up to 45 seconds to die when plunged into a pot of BOILING water (something which would be considered completely unacceptable in a vertebrate animal like a cow or a pig). To give this perspective, if they are dismembered their nervous system can still function for up to an hour.

The Animal Welfare Act is designed to protect animals on the understanding that sentient creatures can feel pain and we have a moral duty NOT to cause suffering.



The Act makes it an offence to cause unnecessary suffering to any animal, both in their keeping and at the time of slaughter. It means that people or organisations who neglect or abuse 'protected' animals can be prosecuted. 'Farmed animals', fish and reptiles are all protected under this Act. However, invertebrates such as crabs and lobsters, crayfish & prawns are not.

Moreover, live crustaceans have been found for sale awaiting their fate on ice trays, packaged and bound tightly in tanks or plastic to be slaughtered at home by the customer. It is considered an act of animal cruelty to boil a lobster alive in Switzerland. The Swiss now need to stun or kill animals before boiling them and lobsters can't be kept alive on ice.

Extend the Animal Welfare Act 2006 to include crustaceans including Lobsters, crabs, prawns & crayfish etc.

1. Background

“Decapod crustacean” is a term for species of crustacean including lobsters, crabs, crayfish and prawns. In the UK there are no guidelines or legislation on the humane slaughter of decapods. Decapods can be sold live for killing at home or in food establishments. Killing can include a range of methods including live boiling, chilling in a freezer (before live boiling), freshwater drowning, dismemberment, electrocution to stun (before cooking), or by mechanical methods to sever nerves.

In October 2015, UK [news outlets](#) reported that a supermarket in the UK was selling live crabs immobilised in shrink wrap.

A number of welfare issues have been identified for decapod crustaceans in the food industry - including certain killing methods. Live boiling, chilling in a freezer before boiling, freshwater drowning and live carving/dismemberment are cited by campaign group [Crustacean Compassion](#) as inhumane slaughter methods. In reference to live boiling, it cites evidence from [Roth and Øines](#) (2010) which estimates that an edible crab boiled alive may remain conscious for at least three minutes.

A [Change.org petition](#) calling for crustaceans to be included in animal welfare legislation has collected around 50 000 signatures.

1.1. Animal Welfare Legislation

The Animal Welfare Act 2006 defines an animal as a “vertebrate other than man”. This means that invertebrates such as crabs and lobsters are not covered by the legislation. However, the Act contains a provision under section 1 (3)(4) that appropriate national authorities may “extend the definition of ‘animal’ so as to include invertebrates of any description...if the authorities are satisfied, on the basis of scientific evidence, that animals of the kind concerned are capable of experiencing pain and suffering”.

At the time the Animal Welfare Act came into force, the UK Parliament’s Environment, Food and Rural Affairs Select Committee recommended the inclusion of crustaceans, but the UK Government at the time declined – citing the need for more evidence.

However, in 2005 the European Food Safety Authority classified decapods as Category 1 animals “where the scientific evidence clearly indicates that... animals in those groups are able to experience pain and distress”.

Decapods are also not protected by the Welfare of Animals at the Time of Killing (WATOK) legislation in the UK.

In December 2017, when the UK Government announced that a consultation would be held on a proposed Animal Welfare (Sentencing and Recognition of Sentience) Bill, lobbying groups made the case for decapod crustaceans to be included within the legislation. At the time of writing the Bill has not progressed, and the UK Government has said it will bring forward legislation “as soon as parliamentary time permits”.

1.2. Research

Crustacean Compassion is an organisation that campaigns for the humane treatment of decapod crustaceans. It produced a briefing outlining its position and supporting evidence. The briefing includes reference to the work of Professor Robert Elwood at Queen’s University Belfast. His team’s research focused primarily on distinguishing between nociception (a simple reflex response to a harmful stimulus) and an aversive, felt experience of pain. The research looked at physiological responses, protective reflexes, biological structures and behaviour in crustaceans. The briefing says that the results of the research showed that decapods displayed behaviour that indicated they were experiencing a painful

stimulus, rather than displaying a reflex response ([Elwood and Appel 2009](#); [Elwood 2012](#); Appel and Elwood 2009a, [2009b](#); [Magee and Elwood 2013](#); [Magee and Elwood 2016](#)).

Crustacean Compassion also produced a [technical briefing on crustacean sentience and welfare](#) for the UK Government.

1.3. Where are decapods protected?

There are a number of countries around the world where decapods are protected:

- Austria: the *Austrian Animal Welfare Act (2004)* protects crustaceans under national husbandry guidelines. Crustaceans must be stunned before killing;
- New Zealand: an Animal Welfare Act in 1999 changed the definition of animals in New Zealand's *Animal Protection Act (1960)* to cover crabs, lobsters and crayfish;
- Norway: the *Norwegian Animal Welfare Act (2010)* provides legal protection for decapods, including their killing, confining and transport;
- Switzerland: decapods are protected by the *Animal Welfare Ordinance (2008)*. As of March 2018, decapod crustaceans must be stunned prior to slaughter. They also receive protection during transport, with a requirement that they be kept in a natural environment;
- Australia: in Australia, animal welfare is legislated at a state level. Decapod crustaceans have been included in animal welfare legislation in Victoria since 1997, New South Wales since 1998, the Northern Territory since 1999, Queensland since 2001, and the Australian Capital Territory since 2000; and
- Italy: in 2007 Italy's highest court ruled that lobsters must not be kept on ice in restaurant kitchens because it causes them unacceptable suffering. The province of Reggio Emilia has banned the practice of boiling lobsters alive.

1.4. Humane killing

Crustacean Compassion say that it is both practically possible and commercially viable to kill decapod crustaceans humanely. It also believes that the slaughter of decapod crustaceans should only be carried out by trained and licensed professionals and in accordance with statutory guidelines. It says live animals should not be sold to consumers for home killing, as their welfare can be severely compromised during transport, storage and slaughter. [In its report](#), Crustacean Compassion outlines a number of methods of humane killing:

- Electrical stunning: evidence suggests that this method renders edible crabs unconscious within one second and causes them no additional measurable stress above that caused by handling. Several machines (such as the Crustastun and Stansas) are currently in use by companies including Waitrose, Tesco and Whole Foods; and
- Mechanical methods: this method involves chilling, followed by the mechanical destruction of the nerve centre (ganglia) with sharp knife in accordance with the unique biology of each species. These methods may take longer to render a crustacean unconscious, particularly if inexpertly or hurriedly carried out.

2. Welsh Government action

The Minister for Environment, Energy and Rural Affairs, Lesley Griffiths AM, wrote to the Committee on 6 January in respect of this petition. She says:

I understand the scientific evidence indicates crustaceans may feel something akin to pain. However, the definition of pain is yet to be resolved and the evidence to date is sparse.

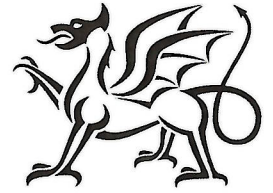
She goes on to say that the UK Government is considering such practices which may cause unnecessary pain or suffering in marine invertebrates which are not within the scope of the *Animal Welfare Act (2006)*. She says that more scientific efforts should be expended on exploring the issue of pain in invertebrates and that she has asked her officials to stay abreast of scientific developments, and work closely with the other UK Administrations to consider this further.

3. National Assembly for Wales action

There has been no consideration of this issue in the National Assembly for Wales.

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

Lesley Griffiths AC/AM
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-937
Ein cyf/Our ref LG/07594/19

Janet Finch-Saunders AM
Chair of the Petitions Committee

SeneddPetitions@assembly.wales

6 January 2020

Dear Janet

Thank you for your letter of 6 December, regarding the Petition from Cardiff Animal Rights to stop boiling crustaceans alive.

I am aware of the Animal Welfare Act 2006 and the public interest surrounding this issue. I understand the scientific evidence indicates crustaceans may feel something akin to pain. However, the definition of pain is yet to be resolved and the evidence to date is sparse.

The UK Government is considering such practices which may cause unnecessary pain or suffering in marine invertebrates such as lobsters, crayfish and crabs, which are not within the scope of the Animal Welfare Act 2006.

In the light of the revision of the current EU legislation expected, more scientific efforts should be expended on exploring the issue of pain experience in invertebrates. To reflect this in February, the Royal Society held an unprecedented meeting to identify key knowledge gaps, including how pain should be defined in animals (including crustaceans).

There is current ongoing research on protecting the welfare of Lobsters, Crayfish and Crabs at the time of killing. I have asked my Officials to stay abreast of scientific developments and work closely with the other UK Administrations to consider this further.

Regards
Lesley

Lesley Griffiths AC/AM
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

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

Pack Page 131

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

Agenda Item 3.1

P-04-522 Asbestos in Schools

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

Petition Text

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

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

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

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-522
Ein cyf/Our ref KW/07724/19

Janet Finch-Saunders AM
Assembly Member
National Assembly for Wales
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23 December 2019

Dear Janet

Thank you for your letter of 16 December in which you asked for an update in relation to the publication of high level information about asbestos management in schools.

My officials are currently finalising this information, with a view to making it available online early next year. This timescale will mean that they will be able to take account of any building works that have been completed during 2019 which have resulted in the removal of asbestos from school buildings.

In the meantime, I would also like to make you aware that we have published a revised Asbestos Management in Schools guidance document for Wales; this is available online at <https://gov.wales/asbestos-management-schools>. The guidance has been fully reviewed by key stakeholders in the asbestos field and by the Health and Safety Executive to ensure that advice and information provided about all aspects of asbestos management in schools is compliant with regulations.

I have also instructed my officials to review this guidance on a regular basis with key stakeholders so that it remains current and relevant.

Yours sincerely

Kirsty Williams AM
Minister for Education

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 3.2

P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time

This petition was submitted by Bethany Walpole-Wroe and was first considered in July 2014, having collected 1008 signatures (an associated e-petition has collected over 10,300 signatures)

Petition Text

We call on the National Assembly for Wales to urge the Welsh Government to review the guidance to Local Authorities on head teachers being able to authorise absence for family holidays during term time. Many families from poor backgrounds can only afford to go on holiday during term time, as holidays are about 60% more expensive during the holiday period. Also, many families where parents work are unable to take time off during the school holidays. Holidays can be extremely educational, giving the children awareness of the world in which we live.

Assembly Constituency and Region

- Ceredigion
- Mid and West Wales

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-576
Ein cyf/Our ref KW/07723/19

Janet Finch-Saunders AM
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23 December 2019

Dear Janet

Thank you for your letter dated 16th December concerning school attendance and related petitions: P-04-576; P-04-606 and; P-05-807 and the ancillary questions, namely:

- “request an update on the review of school attendance policy and an indication of timings for the next steps, including a public consultation; and
- seek the Welsh Government’s latest view in relation to whether Headteachers should have discretion to authorise absences for holidays during term time, when they consider this to be appropriate.”

The Welsh government is pleased to be able to respond to both questions which are inextricably linked.

As far as the first question is concerned, Welsh Government is now in the preliminary stages of a comprehensive review of compulsory aged school-attendance guidance in Wales. There are a number of separate pieces of extant guidance relating to school attendance, some of which are a number of years old and require updating. These include;

- School attendance Codes (2010) plus subsequent ad hoc clarification advice;
- The All Wales Attendance Framework (2011) which includes consideration of Fixed Penalty Notices;
- Holiday in term time advice (2015 and 2016).

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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.

This is a voluminous piece of work which requires an expansive yet intricate approach.

It is our intention to create a clear and holistic guidance that places the wellbeing of the pupil at its core. The new guidance will be simple, concise and accessible to all who are affected by it, in particular the pupils, parents, teachers and local authorities. The Welsh Government aspires to advance modern, empathetic and equitable guidance facilitating pupil growth and happiness which will aim to generate uniformity throughout our education system, safeguarding parity and equity within our schools.

Discussions with external stakeholders commenced in December 2019. Cross-stakeholder scoping workshops will occur in across Wales in the New Year and smaller key/expert stakeholder groups will be charged with examining some of the more complex issues thereafter. We are hopeful that we will be in a position to publish a consultation document by no later than the autumn of 2020.

In relation to your second question, the Welsh Government remains committed to the tenets laid out in *Our National Mission* action plan. It aims to ensure optimal pupil attendance and well-being which will perpetuate maximum personal and educational success.

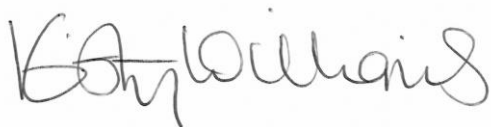
As it stands in law, Section 7(3) and 7(4) The Education (Pupil Registration) (Wales) Regulations 2010 stipulates that “a pupil may be granted leave of absence from the school to enable the pupil to go away on holiday”, provided that the application is made by a parent with whom the pupil normally resides and the pupil is not granted more than 10 days leave of absence in any school year, save for “exceptional circumstances”.

Parents should therefore not take their children out of school for a holiday without first obtaining the permission of the head teacher ‘in advance’ of the said holiday. Under the 2010 Regulations, schools have a discretionary power to authorise up to 10 days absence during a school year for the purpose of family holidays. If a head teacher refuses a request for absence to holiday in term time and the parent takes the child on holiday anyway, it would be marked as an ‘*unauthorised absence*’. Only schools, not parents, can authorise absence.

Welsh Government remains firmly of the belief that Head teachers are best equipped to make the determination regarding term-time holidays; they have access to all the necessary current information to make an informed decision and they are able to consider individual circumstances on a case-by-case basis. A number of things will be taken into account before reaching a decision, including the time of year, length of the holiday, the reason for the holiday, impact on learning, timing of exams or tests, family circumstances and the wishes of parents, as well as the overall attendance and attainment of the pupil.

We hope that this assists with your deliberations.

Yours sincerely



Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

P-05-576 Allow Children in Wales to Have a Family Holiday During Term Time, Correspondence – Petitioner to Committee, 23.01.20

so more of the same old waffle, as I have pointed out on so many occasions that I've lost count now, the Education consortia, that the Welsh Assembly has decided to hand all it's educational powers over to, have in most cases removed the 'H' code that used to enable head teachers to authorise term time holidays. We want the 'H' code to be reinstated although how the Welsh Assembly will manage to do this when they've already asked for this to be done several years ago in response to this very petition and the consortia refused I am really not sure. I assume that the reason the Welsh health service is so poor is because they have also handed over their powers to health boards, I wonder whether the Assembly has kept any of it's powers and find it hard to believe that they are constantly asking for more. This is such a simple matter and yet this is now the second term that this is being fought, I repeat, ALL WE WANT IS FOR THE 'H' CODE TO BE REINSTATED SO THAT HEAD TEACHERS CAN DO THEIR JOBS UNIMPEDED BY THE CONSORTIA! PREFERABLY BEFORE THE NEXT ROUND OF ELECTIONS BECAUSE I REALLY DO NOT WANT TO BE GOING THROUGH THIS WITH ANOTHER PETITIONS COMMITTEE! For God's sake show some back bone

Bethany Walpole-Wroe

Agenda Item 3.4

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

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

Text of Petition

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

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

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

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

Assembly Constituency and Region

- Gower
- South Wales West

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-576
Ein cyf/Our ref KW/07723/19

Janet Finch-Saunders AM
Assembly Member
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23 December 2019

Dear Janet

Thank you for your letter dated 16th December concerning school attendance and related petitions: P-04-576; P-04-606 and; P-05-807 and the ancillary questions, namely:

- “request an update on the review of school attendance policy and an indication of timings for the next steps, including a public consultation; and
- seek the Welsh Government’s latest view in relation to whether Headteachers should have discretion to authorise absences for holidays during term time, when they consider this to be appropriate.”

The Welsh government is pleased to be able to respond to both questions which are inextricably linked.

As far as the first question is concerned, Welsh Government is now in the preliminary stages of a comprehensive review of compulsory aged school-attendance guidance in Wales. There are a number of separate pieces of extant guidance relating to school attendance, some of which are a number of years old and require updating. These include;

- School attendance Codes (2010) plus subsequent ad hoc clarification advice;
- The All Wales Attendance Framework (2011) which includes consideration of Fixed Penalty Notices;
- Holiday in term time advice (2015 and 2016).

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

This is a voluminous piece of work which requires an expansive yet intricate approach.

It is our intention to create a clear and holistic guidance that places the wellbeing of the pupil at its core. The new guidance will be simple, concise and accessible to all who are affected by it, in particular the pupils, parents, teachers and local authorities. The Welsh Government aspires to advance modern, empathetic and equitable guidance facilitating pupil growth and happiness which will aim to generate uniformity throughout our education system, safeguarding parity and equity within our schools.

Discussions with external stakeholders commenced in December 2019. Cross-stakeholder scoping workshops will occur in across Wales in the New Year and smaller key/expert stakeholder groups will be charged with examining some of the more complex issues thereafter. We are hopeful that we will be in a position to publish a consultation document by no later than the autumn of 2020.

In relation to your second question, the Welsh Government remains committed to the tenets laid out in *Our National Mission* action plan. It aims to ensure optimal pupil attendance and well-being which will perpetuate maximum personal and educational success.

As it stands in law, Section 7(3) and 7(4) The Education (Pupil Registration) (Wales) Regulations 2010 stipulates that “a pupil may be granted leave of absence from the school to enable the pupil to go away on holiday”, provided that the application is made by a parent with whom the pupil normally resides and the pupil is not granted more than 10 days leave of absence in any school year, save for “exceptional circumstances”.

Parents should therefore not take their children out of school for a holiday without first obtaining the permission of the head teacher ‘in advance’ of the said holiday. Under the 2010 Regulations, schools have a discretionary power to authorise up to 10 days absence during a school year for the purpose of family holidays. If a head teacher refuses a request for absence to holiday in term time and the parent takes the child on holiday anyway, it would be marked as an ‘*unauthorised absence*’. Only schools, not parents, can authorise absence.

Welsh Government remains firmly of the belief that Head teachers are best equipped to make the determination regarding term-time holidays; they have access to all the necessary current information to make an informed decision and they are able to consider individual circumstances on a case-by-case basis. A number of things will be taken into account before reaching a decision, including the time of year, length of the holiday, the reason for the holiday, impact on learning, timing of exams or tests, family circumstances and the wishes of parents, as well as the overall attendance and attainment of the pupil.

We hope that this assists with your deliberations.

Yours sincerely



Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

Agenda Item 3.5

P-05-880 Wales is Rapidly Losing its Musical Reputation and Heritage

This petition was submitted by Active Music Services having collected 1,745 signatures online and 481 on paper, a total of 2,226 signatures.

Text of Petition

* We call on the National Assembly for Wales to urge the Welsh Government to produce an urgent National Plan for Music Education with dedicated central funding in line with the rest of the UK. This will ensure that affordable musical instrument and vocal tuition is available as a right for all children in Wales.

* The Music Services in Wales are integral to the development of Music Education as part of the creative curriculum across all domains.

* The contribution made by the Music Industry and Music Services to the economy and the well-being of the people of Wales is too important to ignore.

* Young people in Wales studying music at A-level has halved in 10 years while GCSE entries have fallen by 40%.

* Austerity is not an excuse for the Welsh Government to allow the decline of Music Services. Austerity should be the reason to invest in the equality of access for all and the sustainability of our communities.

Please sign this petition to support the campaign to stop the decline of Music Education in Wales.

Assembly Constituency and Region

- Cynon Valley
- South Wales Central



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

20 November 2019

Music Education Council response to Petition: P-05-880 'Wales is rapidly losing its musical reputation and heritage' submitted by Active Music Services

Dear Chair,

As Chair-Elect and now Chair of the Music Education Council, I have attended a range of music education meetings in Cardiff over the last few years and am disconcerted that I have seen very little movement on promises made and timeframes agreed.

I was aware over a year ago that a feasibility study was to take place – the original date for this has long past, I have not yet seen the report and meanwhile more young people are missing out on crucial musical experiences.

My colleagues in Wales work tirelessly to move this forward and yet so much energy seems to be taken up with arguing the case for music education when we already have much evidence nationally and internationally, for example 'Hitting the Right Note'.

Could I urge you, as Chair of the Petitions Committee, to call for an urgent debate in the Senedd to discuss the reasons for the delay and to push for a decision that will allow local authorities, music services and all affected to plan for the Spring term 2020.

Yours sincerely

A handwritten signature in black ink, appearing to read "Fiona Pendreigh".

Fiona Pendreigh
Chair – Music Education Council 2019 - 2021

Music Education Council
27 Osborne Road, Dagenham RM9 5BB
e-mail: admin@mec.org.uk
Phone: [020 3514 5338](tel:02035145338)
Website: www.mec.org.uk

Reg. Charity 270004

Working together makes us stronger.

Dyddiad /Date:
Gofynnwch am/Please ask for:
Llinell uniongyrchol/Direct line:
Ebost/Email:

27 November 2019
D Hopkins



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

Dear Ms Finch-Saunders,

Petition P-05-880 Wales is Rapidly Losing its Musical Reputation and Heritage

You wrote to the Welsh Local Government Association (WLGA) in June 2019, on this matter, and I apologise sincerely on behalf of the WLGA for the delay in responding in good time.

The WLGA agrees that the music industry, through live performances and recording, by individual artists and national and local organisations is important to the economy of Wales.

A healthy and thriving music sector which enables all children and young people to have access to tuition on instruments is an important contributor to learning and the development of an interest in music and can have long term benefits for the individual and communities. Making such opportunities widely available is important.

However, the WLGA's position on dedicated funding for any service is well documented: Local democratic accountability needs to be accompanied by the principle that decisions on how best to spend resources should be taken locally, so the concept of dedicated central funding is not in line with the WLGA view on how decisions on funding are best taken.

That said, the WLGA has in the past agreed that specific grants as a means of enabling the introduction of new national policies is acceptable, provided that those grants are eventually placed within the Revenue Support Grant once a policy is embedded.

In summary, the WLGA sees great value in the work that music services can do but does not support dedicated national funding as a way forward.

Yn gywir / Yours sincerely

**Pennaeth Addysg dros dro
Interim Head of Education**

Dr Chris Llewelyn
Prif Weithredwr
Chief Executive

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Leol Cymru
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wlga.cymru
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@WelshLGA

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.

Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

We welcome correspondence in Welsh and English and will respond to correspondence in the same language.
Use of either language will not lead to a delay.

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-880
Ein cyf/Our ref KW/07641/19

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

SeneddPetitions@assembly.wales

12 December 2019

Dear Janet Finch-Saunders AM,

Thank you for your correspondence of the 2nd December further to my response to your letter of 29 October regarding the music education feasibility study.

As I have said in my previous correspondence on this matter, following the recommendations of the Culture, Welsh Language and Communications Committee, my officials worked with key stakeholders to consider the proposed feasibility study and the remit of the study. Following this work, I decided to proceed with commissioning an independent contractor to carry out a feasibility study to consider the future delivery of music services in Wales.

The contract was advertised on Sell 2 Wales. The procurement process takes some time but ensures a suitable supplier was secured in a fair, open and transparent process. The contract was awarded on 08 April and work began immediately.

The contractor worked with a variety of stakeholders across Wales to gather evidence and feedback. I am sure you appreciate such engagement takes time.

On conclusion of the study, an extension was provided to allow the contractor to consider the evidence collated and fully assess options for music education services.

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Gohebiaeth.Kirsty.Williams@llyw.cymru
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.

I am aware that the final report is expected in the coming days and I look forward to reading the findings. I will then be in a position to provide further information and to consider the future delivery of music education in Wales.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kirsty Williams'. The signature is written in a cursive style with a large initial 'K'.

Kirsty Williams AC/AM

Y Gweinidog Addysg

Minister for Education

Innovative
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MAIL ORDER**
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Ladies, Mixed
& Youth Choirs

ACTIVE MUSIC SERVICES

Music Consultancy & Choral Music Centre

**Senior Consultant: Dinah Pye AGSM, Dip. Ed, CFPS
Welsh Woman of the Year Winner**

28.1.20

Dear Petitions Committee

Petition:P-05-880

Firstly, can I thank the Panel for their patience regarding the above petition and for revisiting the application on Tuesday 4th February.

After much scrutiny of the Welsh Government's delayed Feasibility Study I can confirm that there is a great deal of discontent at the consultants lack of solutions, incorrect facts and inaccurate reporting of the current situation. These issues are to be revealed and discussed at the Stakeholders meeting on Wednesday 29th January in order to find a way forward.

I have looked again at the current situation and have attached my updated comments in a pdf titled Music Petition Update 27.1.20 along with my current CV.

The need to establish a National Plan with secure funding in line with the rest of the UK with a suitable inclusive model for all children is now even more urgent if the Welsh Government and local councils are going to maintain their legal and statutory obligations.

I look forward to your above meeting with the hope that your decision will help to bring the urgent situation to the fore to assist a way forward.

Yours sincerely

Dinah Pye

HEAD OFFICE

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MUSIC PETITION P-05-880 UPDATE 27.1.20

- * In 1999 I worked alongside my late colleague Helena Braithwaite MBE to secure ring fenced funding for music services which allowed music to flourish across Wales. Unfortunately in 2004 the funding was subsumed into the Revenue Grant with a negative effect that has gradually led to the present funding crisis.
- * In 2004 the UK Labour Government via David Miliband and Estelle Morris launched a Music Manifesto. As a signatory to this important manifesto and as the Welsh Consultant for the Arts Council of England's Youth Music Scheme I made every effort to get the manifesto adopted in Wales. The Welsh Government listened and attended an event at the Wales Millennium Centre along with Welsh stakeholders. The presentation by young people from Anglesey to Cardiff highlighted the need for sustainability and appropriate funding. The Welsh Government made promises to improve both the delivery and funding for music education but nothing happened.
- * I still have flashbacks of the late Rhodri Morgan (former First Minister) giving a speech in a plenary session and admitting that, "We took our eye off education". This quote may be out of context but it is now obvious that with regard to music education and the plight of the music services there has been little, if any, leadership, vision, support, development or consideration for appropriate funding.
- * It has been noted that England has had a National Plan for music with substantial funding since 2011. Other devolved nations also have a funded policy/strategy that are regularly reviewed and are funded in order to improve, strengthen and benefit youth music.
- * It is now five years since colleagues in Wales began to attempt to clarify ownership and the direction for music services in order to stem the severe decline to access and delivery. The Feasibility Report (page 13) clearly states the work of the Task & Finish Group and the Wales Culture, Welsh Language and Communications Committee consultation was sufficient evidence without the cost of another report.
- * The Welsh Culture Committee's report "Hitting the Right Note" and many other reports hit the nail on the head and gave us all the information we required to take urgent action. Hence my petition to get a debate in order to implement a National Plan to improve access to music education in Wales. There was no need for a Feasibility Study with a further ten month delay.
- * When I first met the Education Secretary (KW) in November 2017 to suggest that removing the National Youth Ensembles from the Welsh Government pyramid for music education and the launch of an Endowment Fund (Anthem) were not solutions that would stop the decline in access to music. Her response was that the music services were not in her portfolio and suggested that I speak to the newly appointed Lord Elis Thomas as it was in his brief. Unfortunately, although I gave him time to settle into his new position, he has, up to the present day, taken no interest in the ongoing crisis.
- * KW's first comment at the meeting with the Cultural Committee on 16 January and I quote, "The Feasibility Study enforces all other reports" is evidence that the report was not required and has led to time wasted in dealing with what is now an extremely critical situation.

- * At the same meeting Mick Antoniw, AM asked if there was a crisis. KW replied, “No but the music services are under pressure”. She later admitted that the Denbighshire Co-operative was set up because of a crisis. So YES there was and still is a crisis. Leadership and clarity, especially regarding funding, is absolutely imperative NOW or there will be no music teachers or music services left to rescue.
- * While the Feasibility Report endorses everything we already knew there are some facts that have been omitted as well as numerous incorrect statements. (These will be revealed at the Stakeholders meeting on 29.1.20). My investigations during the last two and a half years across Wales has highlighted that although there has been no political leadership and inadequate funding directors and music teachers have engaged in innovative survival strategies and even extended their scope to maintain access. There are several pockets of excellent and encouraging good practices that have not been included in the report. To highlight the Denbighshire Co-operative as the only good practice is an insult to all those struggling to ride the storm. KW has not visited any other service and the report and the Education Minister have failed to notice the outstanding achievements of Gwent Music Service, the free service delivered in Merthyr Tydfil, as well as the unacceptable situation in her own area of Powys delivered by committed volunteers. Music has become an out-of-reach, highly priced extra activity even though academics constantly say that it is an holistic and essential part of everyones, especially young peoples, life and well-being.
- * At present, apart from the Cultural Committee Consultation for “Hitting the Right Note” my petition is the only public response to the present crisis and so it is now time to insist that an urgent Plenary debate takes place to secure either legislation or a long term policy for a National Plan for Music that will deliver equity, access for all and appropriate funding.
- * At present Music is a core subject in the National Curriculum until the new Curriculum takes over. It is therefore noted that over the last 5 years or longer that the following current Act in Wales has not been adhered to. This has been a failure by Welsh Government ministers to monitor that councils have resorted to allowing Co-operatives and other models to replace what should still be the current situation of statutory access.

QUOTE

“A local education authority in Wales must ensure that their relevant education functions and their relevant training functions are exercised by the authority with a view to—

- a) promoting high standards, and
- (b) promoting the **fulfilment of learning potential by every person**”

- * There are daily reports of parents withdrawing from existing services because of the increasing fees as well as parents who are attending food banks as well as struggling with debts and hoping their children can continue to attend music sessions. Totally unacceptable.
- * The questions that need to be asked are:-
 - a) Why do young people have to pay to obtain music skills between the ages of 5-16/18 and are not charged for any other subject? Do young people have to pay for e.g. language or mathematical skills up to A level status?
 - b) Why do young people who cannot afford the increasing fees for music or have additional learning needs or qualify for free meals have to obtain financial support from outside the normal education funding system when it is all tax payers money? This exclusion, discrimination and alternative approach has to stop and replaced with a more inclusive financial policy. **All children** have **children's** rights, no matter who they are, where they come from, what they look like, what language they speak, whatever their background or what their culture is.

Further criteria to support this petition

- * If a National Plan (NP) is adopted then the content MUST be developed by all Welsh music and education stakeholders.
- * There must be an important debate across all domains regarding who and how the NP will be delivered. There are numerous agencies and organisations already in place so there is no call for any new organisations or a central quango. One of the most obvious ways forward from endless discussions, reports and partnerships is via four regional hubs (partnerships) possibly supported by local councils working together. There is a strong consensus that a NP and regional access is urgently required.
- * The new Welsh Curriculum expressive arts MUST have free statutory entitlement from age 5 to at least 16 for instrumental/vocal tuition but music MUST remain a stand alone subject. As I have been involved in pioneering Expressive Arts Faculties in London and the Midlands I can assure you that they do not work unless the skills for each subject are developed independently. Please note that learning about Joseph Parry's inspiring life, as suggested by the Education Minister, does not lead to students developing the skills to sing or play his music. However, developing the skills to sing or play his music can lead to his inspirational life story. It is not suggested however that Joseph Parry is a good starting point.
- * The NP requires a long term sustainable structure in order to produce equal opportunity, high standards, staff retention and staff development with suitable Terms & Conditions as well as the opportunity of reforming teacher training.
- * The Welsh Government needs to look urgently at how funding to the music services is delivered. Councils have to rely on Welsh Government funding via WLGA and then schools have to depend on the WLGA. This system needs to be simplified as the time taken to download funding to the services takes far too long. Unfortunately there is also the barrier of Head Teachers who because of cuts in budgets fail to offer adequate access. Barriers have to be reduced to ensure that a NP is effective for all with adequate funding and sensible outcomes.
- * Stakeholders in Wales have had to fight to get £3 million over two years whereas England have received £300 million since 2016 and recently received another £80 million. There are over 400,000 children in Welsh education with only approximately one-third being offered access to music. If a NP is adopted then the Welsh Government needs to cost the funding for more access with appropriate transitional funding while a NP is developed.
- * The Welsh Government and the United Nations have the following policy. "**Children and young people aged 18 and under, have the right to be safe, to play, to have an education, to be healthy and be happy**". Unfortunately there is grim evidence that this policy is being abused and not operational across Wales. It is disappointing that the Welsh Government has still not got its eye on all aspects of education.

Conclusion

In conclusion there has been a national crisis in delivering access to music for far too long. To maintain the contribution of music to the music industry, music community, Welsh GDP, well being, creativity, transitional skills and equality of opportunity the Welsh Government must now show that pontifications and more reports have to stop and that it is now time for action via clear leadership and realistic sustainable funding.

This petition is calling for an urgent full plenary debate with responsible timing in order to expose the existing crisis and demands that a decision to adopt a National Plan with sensible timetabling for its implementation is agreed as soon as possible so that stakeholders can begin to prepare a way forward with immediate effect.

Dinah Pye (Active Music Services)



**P-05-880 Wales is Rapidly Losing its Musical Reputation and Heritage,
Correspondence – Welsh Association of Male Choirs to Committee, 28.01.20**

I am writing on behalf of the Welsh Association of Male Choirs to indicate our support for the petition proposal which the Petitions Committee will be considering on Tuesday 4th February 2020. Our 100+ member choirs recognise that a personal commitment to the great tradition of choral singing in Wales is often triggered at an early stage in life, often through active participation in school based music activity. We are committed to maintain this great tradition to honour those who have gone before us and to benefit future generations; we hope and expect our legislators to do the same.

Chris Evans
Secretary
WAMC

Agenda Item 3.6

P-05-922 Withdraw the proposed home education guidance

This petition was submitted by Wendy Charles-Warner having collected a total of 5,447 signatures.

Text of Petition

We call upon the National Assembly for Wales to urge the Welsh Government to withdraw the proposed guidance for home education.

Additional Information

The Welsh Assembly Government has issued prospective guidance for home education. This mandates that home educating parents must meet with their local authority and allow their children to be interviewed by the local authority. We have received specialist legal advice which claims that the guidance is unlawful and petitioners ask that the guidance be withdrawn to be reconsidered in light of that advice.

Assembly Constituency and Region

- Vale of Clwyd
- North Wales

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-922 & 923
Ein cyf/Our ref KW/07725/19

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

Government.Committee.Business@gov.wales

23 December 2019

Dear Janet

Thank you for your letter of 16 December regarding home education and correspondence received by committee members about the recent consultation on statutory guidance for local authorities on home education.

In relation to the clarification you request in your letter, my officials are currently considering and analysing over 400 consultation responses, including those that raise matters regarding points of legal interpretation and clarification. My [ministerial statement](#) of the 11 December outlines the intended timescales for the publication of the guidance and coming into force date for the regulations.

Yours sincerely

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

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

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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-05-922 Withdraw the proposed home education guidance, Correspondence – Petitioner to Committee, 27.01.20

1. The Minister's letter does not adequately address the issues that were raised in the Petition, namely, that the Guidance should be withdrawn for the reasons set out in our previous communications. I have now had time to consider the Welsh Government summary report on the consultation responses (the Report) and it strikes me that the minister has not specifically addressed the issues raised in the legal opinion from David Wolfe QC. Mr Wolfe is a renowned expert in education and public law, consequently, his advice is weighty. I appreciate that such report probably would not be the right document to respond to the legal advice, but given the relevance and serious issues mentioned in it I would expect that the WG would have responded to it by now. On the contrary, I have been told by Protecting Home Education Wales that no response has been received from the Minister, other than that the legal opinion was going to be considered jointly with the other responses. Now that the Report has been issued I require that the Minister explains how she proposes to address the concerns raised in the legal opinion. It should be noted that there are other legal concerns regarding the Guidance, some of which are mentioned in the Report. The Report shows that the majority of respondents strongly disagree with the draft guidance. It is also clear, that the local authorities and other interested parties who responded in favour of the Guidance do not appear to have provided any evidence to support their arguments, whereas the contrary can be said in relation to the responses from individuals and home education organisations, such as PHEW. Their responses have provided sufficient information and detail supporting their views. The legal opinion being just one example.

2. As stated previously the Guidance should be withdrawn. The issues raised by the legal opinion go to the root of the Guidance to such extent that the current Guidance cannot be saved. The Welsh Government cannot go ahead with the Guidance without rewriting it almost in its entirety which would require a new consultation from scratch. On that basis, the current Guidance should be withdrawn. It is disappointing that the Minister has not even initiated discussions with PHEW or any other stakeholders on how it proposes to address the concerns set out in the legal opinion, but that cannot be used to prejudice the result of my petition.

3. In relation to your meeting on 4 February, I would urge you to provide the opportunity for me and representatives from PHEW to attend the committee meeting to answer questions and provide further insight into this issue.

Best wishes

Agenda Item 3.7

P-05-923 Are you listening to us? Home Education Rights and Respect!

This petition was submitted by Mountain Movers Education Charity having collected a total of 512 signatures.

Text of Petition

The draft statutory guidance on home education is not fit for purpose. It sets to continue the hostilities between local authorities & home educators both through the language used in the document & the aims it sets to empower LAs to achieve.

There is a failure to provide any credible support to home educators. There is a failure to protect, respect & value home educators. This document does not recognise or support them in any credible or effective means.

We ask the National Assembly to investigate the role and pressure the Welsh Government have been put under from the children's commissioner's office with regards to home education & the extent this has shaped this guidance against the input from stakeholders in the home education community.

We ask the assembly to investigate the level of engagement the children's commissioner has with home educated children & why from what engagement she has had, she has failed to listen to their views about home education & is still continuing her campaign against home educators.

We ask the assembly to investigate why there are no safeguards throughout this guidance to protect home educators & hold LAs to account in their conduct with home educators?

We ask the assembly to investigate why there is no mention or recommending of signposting to the Welsh home education charities in the guidance despite these being best placed for support & advocacy for Welsh home educators.

We ask the assembly to investigate the feedback Welsh Government has received from primary stakeholders & if Welsh Government has fairly represented their views & needs to the same extent as the Children's Commissioner and LAs objectives.

Assembly Constituency and Region

- Neath
- South Wales West



Mountain Movers Education

C/O, 31 Gough Road, Ystalyfera, Neath Port Talbot, SA9 2NB

☎ 01639 413274

✉ contact@mountainmoverseducation.uk

Registered Charity Number: 1176708

Dear Committee Members,

Thank you for your email giving Mountain Movers the opportunity to respond to the Minister's recent update on the draft statutory guidance for elective home education in relation to our petition.

With regards to the attached document it appears to relate back to a statement the Minister for Education made on the 11th of December. Therefore the trustees response is primarily based on this statement.

In its wording, the 11th of December statement reads that although they have received substantial objections from the primary stakeholders to this policy, the Minister is planning on forging ahead with forming this policy to meet the Children's Commissioner for Wales three test demand:

***“ all children in Wales can be accounted for and that none are invisible.
Second, that every child receives a suitable education and their other human rights,
including health, care and safety.
And crucially, that every child is seen and their views and experiences are listened to.”***

In keeping with the petition request, we ask the Petition Committee to investigate if the threat of legal action by the Children's Commissioner for Wales has unfairly pressurised the Education Minister into creating a policy based on meeting the Commissioner's demands against the input of the primary stakeholders (home educating families)?¹

These three tests are founded on the presumption that the state knows that is best for all children above their own parents.

In the UK, parental authority is a protected right. The aim of meeting these three tests seeks to give state regulation to an area that it has no duty or right to interfere in.

***“Protocol 1, Article 2: Right to education
No person shall be denied a right to an education. In the exercise of any functions
which it assumes in relation to education and to teaching, the State shall respect the
right of parents to ensure such education and teaching is in conformity with their own
religious and philosophical convictions.”***

¹ Papers To Note: Letters from the Children's Commissioner for Wales - 12th December 2018, 19th January 2019, 5th July 2019 to the CYPE Committee.

It is a parent's legal right to raise and educate their child as they see fit so long as that education is full-time, suitable to a child's needs and abilities and does not foreclose their future options. Local authorities are to operate on the presumption that a full and efficient education is being provided unless they have evidence to the contrary. There is no duty, implied or otherwise on local authorities to go looking for evidence. If local authorities have valid concerns about the education of a child beyond their own personal opinions or beliefs, there already exists sufficient powers and avenues for them to address these concerns i.e social services referral, application for an Education Supervision Order, followed by a School Attendance Order if necessary.

“Article 8: Right to privacy

Everyone has the right to respect for his private and family life, his home and his correspondence.

There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”

Families have the protected right to raise their children free from unjust state interference. This new guidance appears to be based on a philosophy that the state and local authorities know what is best for a child above their parents and is founded on the myth that home education poses a safeguarding risk to children despite all investigations repeating showing that this is untrue.

“Under article 14 of the human rights, governments and organisations are strictly prohibited from discriminating minority groups for a lifestyle choice that is different from the majority. “

The summary of responses has now been published. Of the 437 responses received, 386 of those responses have come directly from the primary stakeholders (home educators). The responses have also clearly shown that in its current format this document is reinforcing set prejudices, practises and bias against home educators both in the language used, the powers, duties and objectives it seeks to bestow on local authority officers far beyond what is reasonable or legally entitled to do. The Minister's statement on the 11th of December seems to suggest that the Minister is intent on continuing with this policy's direction despite this clear divide between local authorities and Children's Commissioner's goals and the primary stakeholders (home educators).

We would like to request that the Petition Committee investigate this further to ensure the rights of the primary stakeholders (home educators) are appropriately upheld with sufficient safeguards put into place and to seek clarity regarding the insinuated possibility that the Minister will need to seek secondary legislation change in order to legally force this policy position.

“sought my own legal advice as to the capability of secondary legislation to enable the change that is needed” Children's Commissioner for Wales 5th July 2019²

Why is there a failure to mention any Welsh based home education charities in this document who, given that they are working with home educators week in week out, understand the needs of the community and are successful in engaging with this hard to reach community, are not given the acknowledgment of being

² Letter from Children's Commissioner for Wales - 5th July 2019 to CYPE Committee

the best place for LEA'S to signpost home educators to, or for the LEAS to seek support and training regarding home education for themselves?

With regards to our petition, the children in our membership who have previously engaged with the Children's Commissioner for Wales request us to ask again for the Assembly to investigate why an office that is primarily funded by government with the duty to listen to and stand up for children, is ignoring what they have been told directly from the, limited engagement, they have had with home educated children (even those who sit on their own panels) and continue to form policies that go against these children's wishes?

In Conclusion

As a whole, the community of home educators, are exhausted by the constant cycle of consultations into home education regulations by the Welsh Assembly. It appears that LEAS and the Children's Commissioner for Wales are continuing to push policy agendas based on their own bias and prejudices (in their misguided conviction that home education is a safeguarding risk, despite every report to the contrary) against home educators and forcing this cycle until they achieve the goal, that the state decides what constitutes an education for all children and erodes this next piece of parental authority. This is unfair and morally wrong to keep this sustained amount of pressure, investigation and discrimination upon a minority group who are simply exercising their right to educate their children in an individualised manner, in order to reach their children's full potential according to the own philosophical believes.

We ask the Petitions Committee to investigate if the consultation and new guidance were produced in a manner that was legally fair given the substantial evidence that leads us to believe that the outcome was already predetermined between the Education Minister and the Children's Commissioner for Wales? ³

Since this current cycle of investigation into home education, as a charity we have evidenced policies and practices that are not only resulting in increased disengagement and fear amongst home educators (such as door-stopping practise which has dramatically increased in the last 12 months) but also excluding home educated children, from minor issues like accessing resources such as HWB thus contravening the law which says that home education is given equal status with schools. As well as more serious exclusions from services which should be universally available. For example, Mountain Movers are currently correlating case studies to show the difficulties home educators face in accessing what should be universal health services including but not limited to CAMHS and the Neurodevelopment Team in a selection of South Wales counties. There are also new policies being implemented by a number of local authorities with regards to accessing an educational psychologist assessment. Some local authorities are now stating they will only allow a home educated child to be seen/assessed by an educational psychologist if the parent agrees to a statement of SEN for the child. In Mountain Movers' opinion there is a clear advantage to local authorities in taking this action. Should parents not agree to this stipulation, the local authority saves money and time, if they do agree, then local authorities are legally empowered to hold annual reviews and have oversight of the home education provision. We feel this policy though is discriminatory against home educated children by subjecting them to a barrier rule to which state schooled children are not subjected.

We ask the petition's committee to investigate why the previous non-statutory guidance that was only recently published after extensive consultation has not been further utilised and the best practise methods highlighted in there pursued by local authorities? The failure of local authorities to even tolerate the idea of building a positive relationship with local home educating communities through effective and meaningful

³ Gunning Principle (i) consultation must take place when the proposal is still at a formative stage

support and interactions based on trust and respect is the crux of this continuing situation.

In addition, the duties and obligations that the Minister is seeking to achieve with this policy will require significant financial investment per local authority as well as additional legislation in order to make them legal. Considering the substantial amount that has already been spent on home education consultations in the past 8 years, is the Minister able to provide the Assembly with an outline of the costs involved in implementing these proposed policy changes? Mountain Movers would argue that given that the powers and duties the Minister is trying to achieve are already in existence but belong to the role and duty of a social worker (not LEA officers or teachers), it is hard to see how this policy would be an efficient and effective use of public funds.⁴

We thank you for your continued work with regards to our petition and look forward to receiving your response in due course.

Yours faithfully,

Erika Lye
Trustee and Chair on behalf of:
Mountain Movers Education
Registered Charity 1176708

⁴ Letter and QC Advice From Protecting Home Education Wales - 20th October 2019.
Email from Wendy Charles-Warner, Education Otherwise to CYPE Committee CYPE(5) - 31-19) Paper to note 2

Agenda Item 3.8

P-04-408 Child and Adolescent Eating Disorder Service

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to fund the Child and Adolescent Eating Disorder Service in Wales to the same degree as the Adult Eating Disorder Service in Wales.

It has come to my attention that there is a disparity in funding between Adult Services and Child and Adolescent Services as regards funding for Eating Disorder Treatment. At the present time Adult Eating Disorder Services receive £1 million per year from the Welsh Assembly, as well as 4 specialist trained provider groups.

Sadly research points to the fact that Eating Disorders, especially Anorexia Nervosa, are predominantly first experienced around puberty. Historically puberty was around 12-15, however, puberty is becoming younger and therefore statistics are beginning to show the prevalence of Anorexia Nervosa starting at younger ages is apparent. Bulimia Nervosa is generally a disease with an onset age of 18-25, however as with Anorexia this may differ from person to person. The fact that in both disorders, and indeed all diagnosable Eating Disorders, early intervention is the key to a quick recovery, therefore preventing long term financial implications for the WAG, makes this plea more pertinent.

I therefore implore the Assembly to consider this a priority for debate and to mend this disparity by giving equal finances and services to the Child and Adolescent Eating Disorder service in Wales as already given to Adult EDS.'

Petition raised by: Helen Missen

Date petition first considered by Committee: 17 July 2012

Number of signatures: 246

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/08817/19

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

Government.Committee.Business@gov.wales

17 January 2020

Dear Janet,

Thank you for your letter of 10 December asking for an update on the actions being taken in relation to Petition P-04-408 Child and Adolescent Eating Disorder Service and P-04-505 Eating Disorder Unit in Wales.

As you are aware, I commissioned Dr Jacinta Tan of Swansea University to review eating disorder services in Wales and to determine what changes need to be made to improve services and outcomes for patients. I published a written statement relating to the review on 26 September and wrote to health boards setting out the actions I expect to be taken in response to the review. The actions include:

- Considering how key incremental changes could be made to ensure that longer term planning aligns with the ambition of the review;
- Reconfiguring services towards earlier intervention;
- Working towards achieving NICE standards for eating disorders within two years; and
- Developing plans to achieve a four week waiting time across adult and child services within two years

I have now received responses from all health boards setting out their views on the review and the actions they propose for meeting the ambitious recommendations contained within it. My officials are considering these responses to determine the next steps to be taken at a national level.

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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.

P-04-408 called for Child and Adolescent Eating Disorder Services to receive the same level of funding as Adult Eating Disorder Services. It is difficult to make a like-for-like comparison of spending as child and adolescent eating disorder services are largely provided through wider CAMHS structures. Equalising funding was not a recommendation of the review into eating disorder services in Wales, though the review did highlight the need for additional funding for child and transitional services. The review did recommend a more integrated Child and Adult Service, a recommendation which has been taken into consideration by health boards.

P-04-505 called for the provision of a specialist eating disorder unit in Wales. Whilst Dr Tan's review into eating disorder services spoke about a hub and spoke model, and recommended that there be a National Eating Disorder Service, this was one of many recommendations requiring detailed consideration. This ongoing analysis includes impact assessments and prioritisation exercises. As part of this process, I wrote to health boards in September asking them to consider and provide feedback on the recommendations within the review, including the recommendation for a National Eating Disorder Service. I have received a range of responses to this which are now being considered by my officials.

In my written statement I also confirmed I would provide funding for a central resource to assist health boards in developing their plans. This national resource will have a role in identifying where regional provision can best respond to patient needs and where there is a need for a national role.

I hope this reassures you that actions are being taken in response to the review.

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-04-408 Child and Adolescent Eating Disorder Service– Petitioner to Committee, 27.01.20

Dear Petitions Chair

Thank you so much for once again including me in the correspondence from the Minister for Health, Vaughan Gething.

As a member of the core group for the review of the Eating Disorder Service review conducted by Professor Tan, commissioned by Mr Gething, I have been encouraged by his response, and the expectation of actions he has put in place to the Health Boards.

My hope is that within these Health Board proposals, the early intervention actions will be implemented as a priority. That the health boards, and government, will not now sit on their laurels, but that there will be a robust follow up, with potentially a lead clinician, with an in depth knowledge of the service review, to implement across Wales all that has been highlighted in the review.

The public were given visibility and a voice for both the good and bad treatment in Wales, and I will advocate for those voices to be upheld.

I still believe that Wales can lead the UK and international eating disorder community with this review, if all points are implemented.

May I take this opportunity to thank you, as a committee, and all your predecessors over the past years, who have listened to my petition, believed in the need for change, and have pushed barriers for me. You've listened, and read many of my letters over the years, in all their forms of saying the same thing!

It has paid off, and I hope that families who encounter an eating disorder will be seen quickly, and treated effectively. Thank you for allowing me to play a part in the change for good here in Wales.

Helen Missen

Agenda Item 3.10

P-05-804 We need Welsh Government funding for play!!

This petition was submitted by RAY Ceredigion and was first considered in March 2018, having collected 328 signatures online.

Text of Petition

We call on the National Assembly for Wales to provide annual designated funding to provide financial support to all Local Authorities in fulfilling their duty in line with their Play Sufficiency Assessments in order to avoid further closure of open access play provision such as RAY Ceredigion

Assembly Constituency and Region

- Ceredigion
- Mid and West Wales

To: Janet Finch-
Saunders AM

Chair, Petitions
Committee

Via email only

12 July 2019

Dear Chair,

Re; Petition P-05-804 We need Welsh Government funding for play!!

A unique aspect of the human rights specifically given to children under the United Nations Convention on the Rights of the Child (UNCRC) and what makes it so special is that it values no individual right over another and that they are all linked.

Article 31 states:

"1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity."¹

In 2013 the United Nations Committee was concerned by the poor recognition given by States to the rights contained in Article 31² including investment.

"Poor recognition of their significance in the lives of children results in lack of investment in appropriate provisions, weak or non-existent protective legislation and the invisibility of children in national and local-level planning. In general, where investment is made, it is in the provision of structured and organized activities, but equally important is the need to create time and space for children to engage in spontaneous play, recreation and creativity, and to promote societal attitudes that support and encourage such activity."³

As a result the Committee created General Comment 17 which seeks to enhance the understanding of the importance of article 31 for children's well-being and development; to ensure respect for and strengthen the application

¹ Committee on the Rights of the Child, [United Nations Convention on the Rights of the Child](#), 1989.

² Committee on the Rights of the Child, [General Comment 17](#), 2013

³ Et al.



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Page 165

Croesawn ohebiaeth yn y Gymraeg yn ogystal â'r Saesneg ac mewn amryw o fformatau
We welcome correspondence in the medium of Welsh and English as well as alternative formats

of the rights under article 31. The Committee may wish to familiarise themselves with this document.

I am pleased that Wales introduced and fully implemented its play sufficiency duties in 2014 under the Child and Families (Wales) Measure 2010, providing a signal of the value of play and incorporating a specific requirement, through regulation, to consult with children and young people about play opportunities in their area. As a reminder this duty includes play and recreational activities for children of all ages.

In 2016 the UN Committee on the Rights of the Child published its Concluding Observations following its periodical examination of the UK and devolved government's adherence to the UNCRC. The Committee recognised and welcomed "the initiative of the government of Wales to adopt a play policy and integrate children's right to play systematically in relevant legislation and other relevant policies."⁴

In my discussions, even with younger children, about their right to be supported to grow up happy, healthy and safe, they raise that play makes them happy. Five to seven year olds told me as part of my [Beth Nesa](#) consultation 2015, which involved over 7000 children and young people in Wales, that play was important to them - their biggest priority was "more places to play." "Better places for young people to spend time in their local area" was ranked 6th priority for 7-11 year olds and 3rd for 11-18 year olds. My [Spot Light Report: Article 31 - the right for all children to have rest and leisure, to engage in play and recreational activities and to participate in cultural life and the arts \(Article 31 Report\)](#), published in 2018 also shone a spotlight on children's experiences here in Wales in terms of play, sport, leisure, cultural and heritage activities, particularly those whose voice are often less likely to be heard for example children with disabilities, whose families are on a low income and care experienced children. There was an overwhelming sense that children and young people want to play and spend free time in their own communities feeling safe, and having opportunities to take part with friends or other children

I strongly recognise the roles of all stakeholders in providing open access and targeted play provision including the voluntary sector and it is prudent of the Committee to have asked for further details to inform their view of the availability of different types of play provision available in Wales whilst deliberating this petition. I also understand that a small scale research project has been commissioned by Play Wales into perceptions of change since the commencement of the Play Sufficiency Duty.

Whilst the experiences shared in my [Article 31 report](#) cannot be considered representative they are valuable and suggest that children and young people, especially those with disabilities, those living in families with little money, and

⁴ Committee on the Rights of the Child, [Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland](#),* July 2016



other marginalised groups, experience some fundamental barriers to play, and children's other rights under Article 31. Barriers included sufficiency and locality of open-access free provision, costs of paid-for provision and transport, particularly in rural areas. Some children also faced cultural barriers.

The UN Committee's Concluding Observations in 2016 recommended the State party, **including the governments of the devolved administrations** (emphasis added):

" (a) Strengthen its efforts to guarantee the right of the child to rest and leisure and to engage in play and recreational activities appropriate to the age of the child, including by adopting and implementing play and leisure policies **with sufficient and sustainable resources**; (emphasis added)."⁵

I would ask the Petitions Committee to keep this and the guiding principles provided by General Comment 17 in mind when considering this matter. The UN Committee will of course be assessing progress against these recommendations.

During my time as Commissioner and in my [Article 31 report](#) I have championed children's right to play and called for Local Authorities not to see play 'as a nice thing to have' whilst acknowledging the balancing act that Local Authorities have to make with their budgets, and due to the annual spend for play falling largely within local authorities core unhypothecated funding. I have also and will always remain adamant that the best use of resources for provision to children and young people will be achieved where they and their families are involved in their design and delivery. In relation to play this should not only be as part of the three year play sufficiency planning process but on individual works and programmes, an example of which can be found towards the end of my report.

I have of course welcomed Welsh Government play funding when it has been made available, as outlined to the Committee by the former Minister for Children, Social Care and Older People and the current Deputy Minister for Health and Social Care.

However as recently as March of this year and as result of conversations with over 500 children and young people and 300 parents/carers my report [A Charter for Change: Protecting Welsh Children from the impact of poverty](#) recommended "further investment from Welsh Government should be made in youth services and play opportunities in Wales, to ensure that these services are available to as many children and young people as possible."

The Welsh Government's All Wales Play Opportunities Grant (AWPOG) should be recognised as a positive source of funding but it is important to note that it comes with short timescales and uncertainty in terms of when and if it is to be

⁵ Committee on the Rights of the Child, [Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland](#),* July 2016.

made available. I note Play Wales suggest in their submission to the Committee that this grant has been largely responsible for assisting local authorities with their delivery of their sufficiency plans in the last 2 years. In examining a random small selection of Local Authority's recent play sufficiency assessments the AWPOG can be seen to have been highlighted as a positive resource for supporting play, however uncertainty of funding was highlighted as a barrier. One Local Authority described how they prepare 'off the shelf' projects for discussion with stakeholders should grant funds become available, to ensure it is utilised.

The uncertainty of funding arrangements has been highlighted by the Deputy Minister for Health and Social Services letter to committee with the phrase "at times when funding has become available."⁶

The importance of the right to play should not be overlooked and as a minimum I would expect the following:

- Government should:
 - Continuously be working to assess, review and evidence how and what resources it makes available or could make available to help local authorities to secure sustainable as well as sufficient arrangements. In doing so it should consider whether this is done in the most effective way possible, considering feedback from those concerned. This should be the case irrespective of whether at the time the policy and legislation was introduced there was designated funding committed from Welsh Government.
 - Ensure that guidance to Local Authorities is clear around stakeholder involvement, including the voluntary sector.
- Local Authorities:
 - Must recognise the right to play under Article 31, not see it as a 'nice to have' and evidence that they have taken this into consideration in respect of spending decisions, maximising opportunities wherever possible.
 - Involve children and young people in the play sufficiency process but also in individual projects and provision. Views from children and young people in my Article 31 Spotlight Report suggest that this is far from being a widespread experience.
 - Have arrangements in place which help maximise opportunities for funding that become available throughout the year.

⁶ Deputy Minister Health and Social Services, [Letter to petitions committee 09/05/2019](#).



- Have accountability arrangements in place, including for children and young people, regarding decisions about play.

I would not want the current, valuable grant arrangements that are in place, particularly the All Wales Play Opportunities Grant, to be jeopardised in the short or medium term through any review of arrangements or policy arising from this discussion or wider Welsh Government reviews without assessing the impact this will have.

On a final note regarding decisions in relation to play policy, including funding, I would remind all concerned of the following from General Comment 17.

"While the International Covenant on Economic, Social and Cultural Rights provides for the progressive realization of economic, social and cultural rights and recognizes the problems arising from limited resources, it imposes on States parties the specific and continuing obligation, even where resources are inadequate, to "strive to ensure the widest possible enjoyment of the relevant rights under the prevailing circumstances"⁷. As such, no regressive measures in relation to the rights under article 31 are permitted. Should any such deliberate measure be taken, the State would have to prove that it has carefully considered all the alternatives, including giving due weight to children's expressed views on the issue, and that the decision was justified, bearing in mind all other rights provided for in the Convention."⁸

Yours sincerely,



Sally

Sally Holland
Comisiynydd Plant Cymru
Children's Commissioner for Wales

⁷Committee on Economic, Social and Cultural Rights, general comment No. 3 (1990) on the nature of States parties obligations, para. 11.

⁸ Committee on the Rights of the Child, [General Comment 17](#), 2013.



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Update on the Ministerial Play Review**

DATE **09 January 2020**

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

The Welsh Government places great value on play and its importance in the lives of children in our society. Children have a fundamental right to be able to play and it is central to their enjoyment of life and contributes to their health, well-being and development.

In November, we marked the 30th anniversary of the UN Convention on the Rights of the Child, which first set out the right to play in Article 31. Wales is rightly proud that it is the first country in the World to have enshrined that right into law. On this anniversary, it is important we continue to recognise both that unique right, and the contribution it can make to many of our wider services. That is why I have decided to take forward a Ministerial Play Review.

There have been a number of key legislative changes since we last reviewed play policy in 2014 with the publication of *Wales: A Play Friendly Country*. We are also all aware how the pace of life is increasing for children as well as adults. Pressures around education and formal activities mean children are busier than ever. The draw of digital recreation is high with the availability of laptops, tablets and smart phones. It is therefore more important than ever that we make sure children have the time and space to be children – to create, imagine, and to play.

The aim of the review is therefore to assess where we are now with respect to play policy and to inform how we develop and progress the play agenda in future years. The review will consider the progress made in achieving our vision for play and whether our vision remains relevant. It will set out the steps that need to be taken to progress the play agenda in order to achieve the vision.

A Steering Group has been set up to support the review involving key organisations from across the playwork sector and policy officials from across the Welsh Government. The Steering Group met in October 2019 to start setting out the issues relating to play and initial options.

We have also identified the following areas we need to consider further:

Settings Registration / Regulation / Exceptions

We need to look at the registration and regulation of playwork settings, including the exceptions. We will look at models from across the UK and further afield to see what we can learn.

Play Sufficiency Duty, Funding and Cross Policy Working

The 2019 Local Authority Play Sufficiency Assessments show good progress is being made despite funding and staff capacity issues. There continues to be partnership working and collaboration across departments and policy areas, but there is more to do at a local and central level. That is why we have representatives from health, planning, education, transport, housing, sports and recreation involved in this work.

I have also agreed to look again at funding arrangements as a part of this review, though given the wider financial position, I am not able to make commitments or promises ahead of the review's findings.

The Workforce

With time for impromptu play decreasing, staffed play provision is becoming even more important. We need to support this valuable workforce to meet its full potential. We will look at options around training and qualifications, as well as professionalising the workforce.

Spatial Justice and Societal Involvement

We need to make sure our environment and our society encourages and welcomes play. We need to look at how we can build on the wonderful play campaigns already running in Wales, like Playful Childhoods, to make sure all adults understand and value the importance of play.

While these are all very important areas to achieving a national approach to play, we cannot forget the views of children and young people themselves. We are working with Young Wales to involve children and young people in the review, and their role will be vital in ensuring our future vision, aims and actions truly deliver play opportunities for all.

I plan to consult on any changes to play policy recommended by the review in 2020.

Agenda Item 3.11

P-05-831 End the unfairness and discrimination in the financial support for victims of the contaminated blood scandals who were infected in Wales

This petition was submitted by the Contaminated Whole Blood UK Group, having collected 159 signatures.

Text of Petition

This petition calls on the Welsh Assembly to end the unfairness and discrimination in financial support for all victims of the infected blood scandal for those infected in Wales, by changing the scheme to at least mirror the provisions for those infected in England.

Many categories of victim infected in Wales are potentially worse off under the scheme by £20,000 or more. Thousands of people were infected as result of receiving infected blood or infected blood products given to them by the NHS until at least September 1991. Over two thousand people have already died.

Following devolving of powers, the responsibility for support of victims and their families, for those infected in Wales, sits under the Welsh Assembly. The schemes for support are operated by the Welsh Infected Blood Support service (WIBSS) which is administered by Velindre NHS Trust and NHS Wales Shared Services Partnership (NWSSP) who are ultimately accountable to the Welsh Assembly.

For those infected in England, the comparable scheme is run by EIBSS, ultimately accountable to parliament in London. Even though the victims were all infected by the NHS pre - devolution, the EIBSS and WIBSS have vastly different provisions in financial support. The determining factor as to which scheme you fall under is where the victim was infected not where they live. There are two schemes that those under the WIBSS cannot access. They are called the 'Special Category Mechanism' and 'The discretionary top up scheme'. The net effect of all this is that many categories victim infected in Wales are potentially worse of under the scheme by £20,000, more if they have children, irrespective where of where they live. Two people living in say Cardiff, both infected by the NHS, both with the same impact might receive £20,000 difference in support simply because one of the two had the 'good fortune' to be infected in England.

We call on the Welsh Assembly to intervene end this injustice now.

Additional Information

Who are we: we are an self organised peer support group that has victims of the infected blood scandal right across the uk

<https://www.facebook.com/groups/ContaminatedWholeBloodUK/> Where can details of the comparative schemes for those infected in England and those infected in Wales be found: For Wales infected people it is here <https://wibss.wales.nhs.uk/> For those infected in England the comparable scheme is found here <https://www.nhsbsa.nhs.uk/england-infected-blood-support-scheme>

What has happened so far:

A number of attempts from various organisations have tried to raise the issue through the inquiry being led by Sir Brian Langstaff and by making the press aware such as this piece which is focussed on the differentials between Welsh and Scottish schemes <https://www.bbc.co.uk/news/uk-wales-politics-43898899>

Assembly Constituency and Region

- Clwyd West
- North Wales



Ein cyf/Our ref VG/08753/19

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

Government.Committee.Business@gov.wales

18 December 2019

Dear Janet,

Thank you for your letter of 02 December on behalf of the Petitions Committee regarding the financial support available for victims of the contaminated blood scandal.

Each of the four UK countries has adopted different arrangements for provision of benefits and other support for their infected blood scheme beneficiaries. Regrettably, it has been difficult as a consequence to establish a consistent and equitable UK approach and model for payments.

The Deputy Minister for Health and Social Services, Julie Morgan AM, attended a meeting for the UK Health Ministers and a senior representative from Northern Ireland on 10 July to discuss the provision of support for those infected and/or affected by infected blood.

At the meeting, as an interim step in advance of any recommendations in the Infected Blood Inquiry's final report, the governments of the four nations agreed to work towards greater parity in financial and non-financial support across the UK schemes, taking account of local circumstances and beneficiaries' needs.

Discussions have been ongoing both at Ministerial and official level to seek the additional funding necessary to match the English payments announced earlier this year. Unfortunately, due to the UK election, the work on financial parity has been halted and will be picked up again once a new Government at Westminster has been formed.

Before any decision is made on the way forward in relation to any future scheme those affected will be kept informed as plans are developed.

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

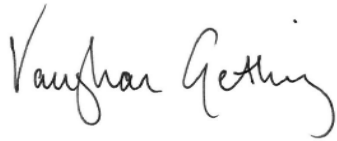
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

I remain committed to working across the UK to ensure parity of the schemes and officials will continue to work with their counterparts to achieve this.

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

Document is Restricted

Agenda Item 3.12

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](#)

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/08857/19

Janet Finch-Saunders AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff
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Government.Committee.Business@gov.wales

15 January 2020

Dear Janet,

Thank you for your further letter of 16 December on behalf of the Petitions Committee regarding the provision of pre-biopsy mpMRI scans for men with suspected prostate cancer.

As I described in my earlier correspondence, while Health Boards are transitioning to this new service model, people with suspected prostate cancer will continue to be investigated in line with the health board's existing clinical pathways. We must not lose sight of the fact that all men in Wales with suspected prostate cancer will continue to be offered expert NHS diagnostic care as we transition to the new standard.

My officials will be meeting with the health boards later this month to ensure that the relevant equipment, training and capacity will be in place from April 2020. I will write to the Petitions Committee with a further update then.

I hope this is helpful.

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.

Back Page 182
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-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer, Correspondence – Petitioner to Committee, 28.01.20

Please see the email trail below. In my opinion the Betsi is playing games! When asked about the rollout of Mp MRI scanning they talk about MRI scanning as a whole. Mp MRI scans are a different ball game and as such should be reported separately. Typical corporate spin and again, in my opinion, gives the impression that they are trying to cover up the facts!

Could we ask them to separate the figures and report them to us as is?

A second issue is raising its head. We now have in place a diagnostic tool but the action to address the illness is being compromised. The surgeons in North Wales want a Da Vinci robot to operate on patients. Allegedly doctors are being deterred from coming to North Wales because we dont have the cutting edge tack here (emails to follow) The Welsh Government is allegedly dragging its heels. The only one I can find in Wales is guess where? Cardiff! Hohum, the North South divide rearing its ugly head again? Why is this so? Is it a coincidence, similar to the Mp MRI scanner issue, that the Cab Secs patch is provided with these facilities and yet we have had to fight for scans in the rest of Wales and now need to fight for a Da Vinci robot for the rest of Wales?

Stu Davies
PBO Ask the Experts (Engines)

██████████

Begin forwarded message:

From: ██████████ (BCUHB - Planning)
Sent: 09 January 2020 14:42
To: ██████████ (CHC - NWCHC); ██████████ (CHC - NWCHC)
Cc: ██████████ (CHC - NWCHC); ██████████ (BCUHB - Corporate Office); ██████████ (BCUHB - Planning)
Subject: mp-MRI activity data

Dear both

Apologies for the lateness of sending these data, received this week due to annual leave of the Head of Systems & Information Management for radiology.

The table below shows the number of prostate MRI scans undertaken on each site for the last 4 calendar years. For 2019, monthly totals are shown. There was a bit of a quirk in YGC in November because there were no/few referrals in the first week and then a flurry in the last part of the month that didn't get scanned in November, so the number of attendances is unusually low.

In terms of total referrals we'd estimated that we'd see approx. 1200 referrals per year across the three sites. The change in criteria was made last year; looking at the figures for November/December it looks like it could be closer to 1600 referrals overall. There is some suggestion that there are increasing numbers particularly in YGC but we are investigating as there may be coding issues.

I hope this is helpful – please let me know if you need anything else.

Regards

██████████

	2016	2017	2018	2019												
Site				Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2019 Total
Bangor																
Referrals	156	170	342	47	39	23	36	15	36	49	26	31	18	49	41	410
Attendances	147	171	316	36	31	32	32	35	21	36	38	36	22	35	41	395
Glan Clwyd																
Referrals	232	186	241	24	26	30	25	42	20	14	30	14	15	25	21	286
Attendances	221	170	224	26	23	19	30	26	26	24	18	24	20	7	22	265
Wrexham																
Referrals	239	250	340	26	30	26	24	23	27	23	30	20	32	70	56	387
Attendances	237	233	342	26	23	40	13	22	32	25	25	24	23	23	41	317

Agenda Item 3.13

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



Ein cyf/Our ref VG/08759/19

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

Government.Committee.Business@gov.wales

6 January 2019

Dear Janet,

Thank you for your letter of 03 December 2019 regarding Petition P-05-859: Provide Child Houses in Wales for victims of child sexual abuse.

The Welsh Government has previously agreed to consider the evaluation of the pilot Child House in London once it is completed. I understand that the Mayor of London Office of Policing and Crime (MOPAC) is undertaking the evaluation but that the final evaluation report is not due until mid-2021. Work being taken forward by NHS Wales under Phase 2 of the work of the Sexual Assault Referral Centre Board includes consideration of a range of child-centred practice models including this particular model. The lead paediatrician for this work has personally visited the London project.

Welsh Government officials have considered the initial evaluation report, published by MOPAC in December 2018. The initial evaluation report concludes, "From an evaluation perspective, there is recognition the design of the Lighthouse has remained consistent from the initial vision and model – again this is positive given what is known around the importance of programme integrity. However, there are some changes and although the Lighthouse is the first opportunity to test the model in a UK setting, it will be important to monitor these. Evaluation reports released across the next two years will enable learning both internally, as a catalyst for improvement, and externally to advance the evidence base." (L.Conroy, et al. MOPAC Evidence and Insight; December 2018)

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0300 0604400

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Gohebiaeth.Vaughan.Gething@llyw.cymru
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.

Taking this advice into account, I consider it prudent to await learning from the final evaluation report. At that time, we will also need to consider how best to transfer any learning in the context of differences in the population and geography of Wales. The Lighthouse provides services to children and young people from five densely populated neighbouring London boroughs with good public transport links. In developing therapeutic support services for children who are sexually abused, we must also consider the evidence on the efficacy of other child-centred approaches.

(https://www.london.gov.uk/sites/default/files/childhouse_jan19_report.pdf)

Yours sincerely,

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

Vaughan Gething AC/AM

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

MAYOR OF LONDON

Janet Finch-Saunders AM
Chair
Petitions Committee
National Assembly for Wales
SeneddPetitions@assembly.wales

Our ref: MGLA031219-8298

Date: 09 JAN 2020

Dear Ms Finch-Saunders,

Thank you for your letter of 3 December 2019 about the petition to provide Child Houses in Wales for victims of child sexual abuse. The Lighthouse is the UK's first Child House, which opened in October 2018 as a two-year pilot.

The commissioning of the Lighthouse to provide investigative, medical and emotional support in one place to young victims of sexual violence, is one of my Police and Crime Plan commitments. It has brought innovation and a truly integrated multi-agency service that has been designed to provide the best possible support for this vulnerable group of children and young people. It offers a joined-up approach where, if required, you can get access to all medical, practical, social care, police, and therapeutic support under one roof.

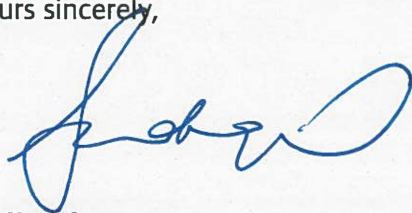
The service is delivered by University College London Hospitals NHS Foundation Trust in partnership with The Tavistock and Portman NHS Foundation Trust and the NSPCC. You can find more information about the service on The Lighthouse website at: www.thelighthouse-london.org.uk.

An evaluation of The Lighthouse is underway and is being undertaken by my Office for Policing And Crime (MOPAC). The final evaluation will not report until 2021, however, a number of interim evaluation reports are planned. To date, MOPAC has published an evaluation report covering the mobilisation of the service and will be publishing a further report shortly covering the first six months of the service. The current report and all future reports will be published on the City Hall website at: www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/data-and-statistics/academic-research.

If you need any further information you can contact the Programme lead, [REDACTED] by email at [REDACTED].

I hope that this information is useful, and I wish you well with the Assembly's programme of work.

Yours sincerely,



Sadiq Khan
Mayor of London

Agenda Item 3.14

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.

Assembly Constituency and Region

- Merthyr Tydfil and Rhymney
- 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/08791/19

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

Government.Committee.Business@gov.wales

17 January 2020

Dear Janet,

Thank you for your letter of 6 December requesting the number of elderly and care beds lost from hospitals in recent years on behalf of the Petitions Committee in relation to Petition P-05-896 concerning ward 35 at Prince Charles Hospital.

The number of specialty beds within NHS Wales are reported in the following StatsWales release:

<https://statswales.gov.wales/Catalogue/Health-and-Social-Care/NHS-Hospital-Activity/NHS-Beds/nhsbeds-by-specialty>

Unfortunately the number of beds available for the elderly and for those with dementia is a complex question, as elderly patients may be legitimately cared for in specialty beds other than Geriatric Medicine, such as General Medicine. Further, it is not possible to distinguish those beds specific to dementia as dementia is often a secondary factor in a patient's admission to a hospital bed.

I hope you find this information useful

Yours sincerely,

Vaughan Gething AC/AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
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.



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Cwm Taf Morgannwg
University Health Board

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

SH/ALTLT
16 January 2020

Chair and Chief Executive

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

Dear Ms Finch-Saunders

Petition P-05-896 Prevent Closure of Ward 35 at Prince Charles Hospital

Thank you for your letter dated 6 December 2019 in relation to the reduction of older people's mental health beds over recent years within the former Cwm Taf region. Ward 35 to which the original petition referred to, a 12 bed older adult mental health ward in Prince Charles Hospital closed at the end of July 2019 as part of a long term programme of enhancing community services under a strategic programme entitled Valley LIFE.

The programme was fully consulted upon by the Health Board in 2014 with good support from key stakeholders. The strategic direction agreed by the Cwm Taf Health Board involved a significant increase in the community resources, joint working with both Local Authorities across a range of settings. As new community services begin to embed and take effect, we look to then reduce longer stay assessment beds. The bed numbers at the start of the programme amounted to 131 across eight wards.

In each stage of the Valley LIFE programme community investment was made totalling £1 million. The beds were reduced only as demand for them lessened. The same process was followed for Ward 35.

Phase 1 of Valley LIFE completed in December 2014 and involved the closure of Ward 1 in Dewi Sant Hospital (18 beds) and the commissioning of a Single Site Assessment and Enhanced Care Unit at Royal Glamorgan Hospital (RGH – Seren & St David's wards) and the investment in 7 day Crisis Mental Health Teams. This was successfully implemented with no adverse impact on occupancy in other similar wards.

Cyfeiriad Dychwelyd/ Return Address:

Bwrdd Iechyd Prifysgol Cwm Taf Morgannwg, Pencadlys, Parc Navigation, Abercynon, CF45 4SN
Cwm Taf Morgannwg University Health Board, Headquarters, Navigation Park, Abercynon, CF45 4SN

Cadeirydd/Chair: Professor Marcus Longley Prif Weithredwr/Chief Executive : Dr Sharon Hopkins

Bwrdd Iechyd Prifysgol Cwm Taf Morgannwg ym enw gweithredol Bwrdd Iechyd Lleol Prifysgol Cwm Taf Morgannwg
Cwm Taf Morgannwg University Health Board ym enw gweithredol Cwm Taf Morgannwg University Local Health Board

Phase 2 completed in Autumn 2016 with the closure of Dinas Ward in Ysbyty George Thomas (YGT) (19 beds). The bed reduction was enabled through further investment to increase the Psychiatric Liaison Service from 5 to 7 days per week and significant change to the function of older adult mental health wards in RGH.

Phase 3 took the approach of reducing demand on beds in YGT through investment in community services and providing a focal point for these through the development of a new Health and Wellbeing Centre on site. This phase completed in May 2018 with Fernhill Ward (19 beds) closed in December 2017 and Cambrian Ward (19 beds) closed May 2018.

To date there has been a reduction of 87 beds over a 5 year period. After each ward reduction the mental health team reviewed progress, patient & family experience and demand before commencing the next phase. Throughout the programme bed occupancy levels remained as predicted in safe range and better than the national average. The Health Board takes part in a national NHS benchmarking for mental health services and the remaining bed profile falls in well within the national average of beds per 100,000 population.

I would like to take the opportunity to assure you that this type of service change is not unique. The Health Board initially showed as having a very high number of beds in this area when benchmarking across the UK which was one of the triggers for the change. Other factors included the development of community care and alternatives to hospital as knowledge and evidence has grown about what helps people and their families.

If it would be helpful some of the team would be happy to attend the Committee to further discuss this work.

Yours sincerely

A handwritten signature in black ink that reads "Sharon Hopkins". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Dr Sharon Hopkins
Prif Weithredwr/Chief Executive

Agenda Item 3.15

P-05-905 Call for an Independent judicial Inquiry into the reorganisation of services within Cwm Taf Health Board

This petition was submitted by Mark Adams and Robert Bevan having collected a total of 387 signatures.

Text of Petition

This petition calls on the Welsh Government to undertake a fully independent judicial inquiry into the management and implementation of the NHS South Wales programme at Cwm Taf Health Board and its impact on the services provided to the public of Rhondda Cynon Taff at the Royal Glamorgan Hospital.

Additional Information

There is great public concern regarding the transfer of services from Royal Glamorgan Hospital to both the Prince Charles Hospital and the Princess of Wales Hospital. These service transfers have had a major effect on residents of Rhondda Cynon Taf. Residents want to see the return of these services.

Rhondda Cynon Taf has a population of 235,000 with major housing developments taking place in the south of the borough and in the neighbouring authority of Cardiff which are close to the Royal Glamorgan Hospital. These developments will have additional impact on public services and in particular the Health Service and Social Care. Residents are continually raising concerns about access to these services since some of the changes have taken place. Issues such as journey times in the case of emergency treatment, ongoing attendances at clinics and the poor transport links for family and friends to visit – these are just some of the comments.

The service areas residents have major concerns about are;-

- Maternity –already subject to investigation
- Paediatrics
- Special Baby Care Unit

- Accident and Emergency Department
- Trips and falls by the elderly resulting in fatality whilst hospitalised
- Out of Hours services
- Cardiac Services
- Impact on GP / Primary Care services where practices are primarily run by locums, this is a chronic situation in the Rhondda in particular – failure to recruit GPs

Assembly Constituency and Region

- Pontypridd
- South Wales Central

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/08858/19

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

Government.Committee.Business@gov.wales

17 January 2020

Dear Janet,

Thank you for your letter of 16 December on behalf of the Petitions Committee about petition P-05-905 on an Independent Judicial Inquiry into the reorganisation of services within Cwm Taf Morgannwg University Health Board.

I have noted the further comments provided by the petitioner, whilst I appreciate their concerns I do not feel it would be appropriate at this stage for an independent inquiry into reorganisation of services within Cwm Taf Morgannwg University Health Board.

The Health Board are still implementing changes which were publically consulted on in 2014 and agreed as part of the South Wales Programme.

Separately there are a number of interventions in place as part of the escalated status of the organisation to address the governance concerns that have come to light. This includes responding to the recommendations made by Healthcare Inspectorate Wales and the Wales Audit Office in their recent joint review of the quality governance arrangements which will be subject to regular review.

I do not believe there is a need for further action at this stage, but my officials will continue to monitor the situation closely.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Gohebiaeth.Vaughan.Gething@llyw.cymru
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.

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-05-905 Call for an Independent judicial Inquiry into the reorganisation of services within Cwm Taf Health Board – Petitioner to Committee, 28.01.20

Thank you for the opportunity to reply to ministers correspondence to the committee chair.

Having read the letter the first point we wish to make is how disappointed we are that the minister does not feel it is appropriate to hold an independent judicial inquiry. We feel that the concerns of the community are being dismissed out of hand and that is undermining confidence in the ability to deliver comprehensive health services to the growing population of Rhondda Cynon Taff. The health service is going from crisis to crisis and this can be classically exemplified by the recent disclosure about plans to downgrade A&E facilities at Royal Glamorgan at a time when A&E waiting times are an all time high, you can hardly call that strategic and forward thinking planning. We have repeatedly been conditioned to accept that a winter A&E crisis is to be an annual event, hospitals cancelling routine surgery, up to 40 hour waits from transfer from A&E to wards at Royal Glamorgan. This weekend we have been made aware of further problems in delays of transfers from A&E to wards have resulted in the patients being discharged to their own homes and into the care of the families or local authorities. The failure to address these matters is only stacking up problems for the future.

For many years we have been advised of staffing problems, we have heard from the very people who run Cwm Taff previously, who constantly drip fed the mantra “it’s not a money issue”. If that is the case there has been plenty of opportunity to recruit and to train in those areas where staff shortages have been identified. Systemic failure is rife within Cwm Taff Morgannwg and it starts and ends at the top. Those dedicated frontline staff some of whom are unable to speak out due to bullying and intimidation are giving their all to deliver for the public.

Simply adopting and continuing the South Wales Programme is akin to rearranging the deck chairs on the Titanic. The inquiry should and must happen to prevent further crisis in this much loved public service.

In closing, can we also point out that the minister is correct on one count at least. There was public consultation on the South Wales Programme and we attended every meeting. What the minister does not disclose is that there were 65,00 objections to the proposals, which would be hard to dismiss or ignore whatever opinion you may hold

Agenda Item 3.16

P-05-912 Supporting Sudden and Unexpected Death in Children and Young Adults

This petition was submitted by Rhian Mannings having collected a total of 5,682 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to provide support for a service here in Wales to ensure families who unexpectedly lose their child or young adult aged 25 years and under get the support they require.

In February 2012 my son George died suddenly in an Emergency Unit in Wales. We walked out into the night with nothing, alone and frightened. Nobody came, nobody reached out to support us and it was left to devastated friends and family to support my husband Paul and I. Five days after we lost our son my surviving two young children and I faced more heartache when Paul took his own life. Once again nobody came.

Families require support immediately after such loss. They need to have a point of contact if they have questions and a friendly ear to listen. You never get over the loss of your child and families need to know there is long term support in place for to help them through the grieving process.

There is no planning or preparation prior to a sudden death and the effect of traumatic loss can have a huge impact on the mental health of parents, siblings and other family members. We believe this support is essential and will prevent families walking out into the night with no hope, no support and most importantly without their child.

Additional Information

Since 2012 I have been determined to ensure families get the same support when they say goodbye to their child as they do when they welcome it into the world at birth. 2 Wish Upon A Star was established to support families and staff through the unexpected loss of a child or young adult aged 25 years and under. This support includes memory boxes, counselling and an immediate support pathway working with health boards and police forces here in Wales. We have had more than 465 referrals since we started

supporting families in 2015. The causes of death include SIDS, accidents, illness and more recently many young suicides. The feedback we get from both families and staff has been extremely positive, but we know many families are not being referred to us and many still need our support.

2 Wish Upon A Star already works with every health board in Wales and are supported by every police force. We have immediate support pathways in place in every Emergency Unit and Critical Care Unit and our pathway is clearly outlined in the Public Health Wales PRUDiC document. We also work with every Coroner, Mortuary, Organ Donation Team and Wales Air Ambulance to make sure no family is missed. However, many families still go without support. Staff have been known to 'forget' to give memory boxes, decided that the family of a 18 year old does not require support as 'he had stubble' and that the offer of support at time of death is 'not appropriate'. It is not for the professional involved to decide if a family require support.

We know by speaking to staff and families that our service is changing lives for everyone involved in the sudden death of a child or young adult and we want the Welsh Government to ensure all families get the offer of support when needed most.

Assembly Constituency and Region

- Pontypridd
- South Wales Central



2 Wish Upon A Star

Letters of support from Chief Constables of each Welsh Police Force.

.....

Rhian,

We are a huge fan of your Charity and support your work...thanks for all that you do...please find below a short statement in support of your work and challenge..

“One of the greatest traumas imaginable is when parents have to deal with the death of a child. Gwent Police work in partnership with a number of agencies to support parents and families through these times. In Wales we have the Procedural Response to Unexpected Deaths in Childhood (PRUDiC). The aim of the PRUDiC is to ensure that the response is safe, consistent and sensitive to those concerned. We are very reliant on the contribution of 2 Wish Upon A Star who have assisted us in improving the response to child death in Wales. They have worked with Health colleagues around the improvement of family rooms and ensuring all parents are provided with a memory box. They provide immediate support but also longer-term counselling. I am also very thankful to them for the support they offer to front line professionals including Police officers who respond to this very sensitive and difficult subject. They are a key part of the response within Gwent.”

Chief Constable Pam Kelly
Prif Gwnstabl / Chief Constable
Heddlu Gwent Police

.....

Good afternoon Rhian

Sincere apologies for our late response to your request sent to Chief Constable Matt Jukes on the 11th November, and passed onto me to prepare some words in support of your organisation. I hope it is not too late for your talks with Welsh Government.

2 Wish Upon a Star is a provider of a service to ensure that bereaved families and friends, witnesses and professionals affected by the trauma of the sudden death of a child or young person receive support. South Wales Police serves nearly half of the Welsh population, and sadly experience the largest number of sudden deaths of children and young people, with 85

**P-05-912 Supporting Sudden and Unexpected Death in Children and Young Adults,
Correspondence – Petitioner to Committee Annex: Letters of support, 24.01.20**

child and young adult deaths in 2018 alone. 2 Wish Upon a Star are one of the support sources named in the 2018 Procedural Response to Unexpected Deaths in Childhood (PRUDiC) prepared the NHS Wales and Public Health Wales. Since 2016, South Wales Police has in place a referral process whereby this organisation is detailed on our sudden death documentation and our officers and staff offer the bereaved a referral to the charity. In this context 2 Wish Upon a Star offer immediate support, counselling and support groups for families and wider groups affected by tragic deaths that can cause vulnerability, immeasurable psychological trauma and harm.

Kind regards



Mark



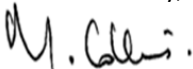
Mark Stevenson MA (Hons), Msc, LL.M, Chartered Fellow CIPD
Cyfarwyddr Pobl a Datblygu Sefydliadol | Director of People and Organisational Development

To Whom It May Concern

Dyfed-Powys Police has been working closely with 2 Wish Upon A Star to support suddenly bereaved families of children and young adults since 2016. We have established a close working relationship and protocols where officers can refer families, with their consent, for support following the unexpected death of a child. We regularly receive feedback from the families that this support is invaluable at such a difficult time. My officers tell me how grateful they are to be able to call on the charity for assistance following attendance at these tragic events.

My officers and I are also extremely grateful to Rhian Mannings as she attends Family Liaison Officer Training and Continuous Professional Development events sharing her own heart-breaking experience of a family struggling to cope with the sudden death of a child. We have used the learning from her experience to make sure that Dyfed-Powys Police makes sure that parents and families are not missed or forgotten, when they need specialist help and support the most.

Yours sincerely,



Mark Collins, Chief Constable



Ein Cyf/Our Ref: CC/19//LW
Eich Cyf/Your Ref:

03.12.2019

**Carl Foulkes
Prif Gwnstabl / Chief Constable**

Rhian Mannings
Founder and Chief Executive
Unit 7, Ground Floor
Magden Park
Llantrisant
CF72 8XL

Dear *Rhian*

Following your correspondence, I am writing to show my support for 2 Wish Upon a Star regarding the immediate support pathway.

As an organisation, we have been working with "2Wish" for a number of years now. Rhian and the team have been provided support, advice and guidance on how to deal with the tragedy of sudden death in children and young adults. This has undoubtedly enabled us to professionalise and streamline the police response such a tragic event.


For North Wales Police specifically, "2 Wish" have not only supported the bereaved families, but also they are there to support my colleagues who may have been adversely affected by these tragic events. Often, wellbeing amongst officers can be overlooked and it has been my priority since being appointed as Chief Constable to ensure every employee of North Wales Police has access to wellbeing services.

"2Wish" have also contributed to a significant amount of training which has provided education to officers at all levels of the organisation on how best to deal with bereaved parents and their families.

On the 4th of August this year myself and colleagues DCI's Sion Williams and Tim Evans, completed the Prudential 100 mile route to raise funds for "2Wish"

I have seen where services and support mechanisms are really lacking in supporting those effected by these sad events, therefore North Wales Police are proud to be supporting this worthy charity.

Yours sincerely,


Carl Foulkes
Prif Gwnstabl
Chief Constable

www.heddlu-gogledd-cymru.police.uk

www.north-wales.police.uk

SWYDDFA'R PRIF GWNSTABL
Pencadlys yr Heddlu, Glan-y-Don,
Bae Colwyn LL29 8AW
Ffôn (Cymraeg): 0300 330 0101

CHIEF CONSTABLE'S OFFICE
Police Headquarters, Glan-y-Don,
Colwyn Bay LL29 8AW
Tel (English): 0300 330 0101

P-05-912 Supporting Sudden and Unexpected Death in Children and Young Adults, Correspondence – Petitioner to Committee, 28.01.20

Supporting Sudden and Unexpected Death in Children and Young Adults

“We call on the National Assembly for Wales to urge the Welsh Government to provide support for a service here in Wales to ensure families who unexpectedly lose their child or young adult aged 25 years and under get the support they require.”

We are extremely grateful to the Welsh Government for publishing the Bereavement Survey of Bereavement Services in Wales. We appreciate the time and effort such a document takes to collate, are very interested in its content and are keen to ensure that the next steps ensure that comprehensive support is available to all that require bereavement support.

2 Wish Upon a Star supports anyone affected by the sudden and unexpected death of a child or young person in Wales. We provide immediate and ongoing support to families, extended family, friends, witnesses and professionals, as well as supporting any historic death. 2 Wish Upon A Star offer support in several ways including memory boxes, immediate support during the initial aftermath of the death, free and confidential counselling, complementary therapy, play therapy, as well as focussed support groups, residential weekends and monthly events.

In November 2019, we submitted a petition to the Welsh Assembly which called for a uniformed approach to bereavement support in Wales to ensure that no family is forgotten and unsupported. We work with every health board in Wales, are supported by every police force in Wales, our pathway is clearly outlined in the Public Health Wales PRUDiC document and, since service delivery began in 2014, have supported over 640 families. Yet, we know that families are still not being referred into our services, are being missed and expected to cope, alone and vulnerable at the worst time in their lives.

Our petition was delayed from being spoken about in the Assembly due to the upcoming publication of the bereavement survey. We were delighted that a comprehensive overview of bereavement services across Wales was being conducted. However, upon reading the finalised document, we believe it raises more questions than it answers. The content tells us very little about who provides existing services and what services they deliver. We have listed below some of our main comments/concerns with the survey and have concluded with further questions, recommendations and final comments.

1. The survey states that there are **25 services in Wales who support paediatric death**. That, across Wales, in **every local authority, there are 6-11 services for paediatric death**. That there are **25 services supporting sudden death and 26 supporting suicide**. That, across Wales, in **every local authority there are 5-10 services supporting sudden death and 5-9 supporting suicide**. Yet, it provides little information as to where these services are, who they are and what support services they are delivering. In 2012, our Founder and CEO, Rhian Mannings, lost her one-year old son, George, and, five days later her husband, Paul. 2 Wish Upon A Star was founded because there were no support services in place for either of their untimely deaths. If there are 25 services in Wales for paediatric death and 26 for suicide, then presumably services should have been available at the time of their deaths. The survey states that, in **Rhondda Cynon Taf specifically, there are 8 services for paediatric death and 10 for suicide**. It also states that, across all respondents, 75% have existed for nine years or more. Yet, the policeman who sat with Rhian following the death of her boys, researching support services on the internet, came up with no available services in her area.

2. Bereavement support has been described by NICE as encompassing three components and the survey collated data in guidance with these components. There is no information on organisations who provide all three components, or all three components as well as ‘other’ services. Comprehensive support that avoids a postcode lottery approach is paramount and the survey does not identify who is able to provide all-three NICE components across the whole of Wales. As far as we are aware, we are the only existing charity to provide services for all sudden and unexpected child death in line with all three NICE guidelines across the whole of Wales. Yet the survey does not acknowledge or, is not able to, dispute this.
3. The survey states that there are **23 services providing support for neo-natal deaths**. In April 2019, 2 Wish reached out to all neo-natal units across Wales to ensure partnership working similar to the pathways in place with A&E, Critical Care and Organ Donation. **2 Wish received 28 referrals for neo-natal deaths** in the remaining eight-month period of 2019, which is our second highest cause of death for the year, second only to suicide for which we received 49 referrals. If, as it states in the survey, there are **23 services for neo-natal bereavement** support being delivered across Wales then uptake on our service would not be so great. The same applies to our referral rate for suicide, which is the highest it has ever been despite the 26 services providing services across Wales.
4. The survey states that there are **26 services in Wales supporting suicide and 5-9 services in every local authority which support suicide**. From 2016-19 alone, our referrals for suicide have more than quadrupled; in 2016, we received 10 referrals, in 2019, we received 49 referrals. Our numbers continue to increase because there are so few organisations able to offer immediate and ongoing support, yet this is not demonstrated within the survey results. The ‘Talk to me 2: Suicide and Self Harm Prevention Action Plan for Wales 2015-20’ contains sixteen priority actions, ordered according to six principal objectives. Objective 3 is “information and support for those bereaved or affected by suicide or self-harm” and the priority action is the ‘further dissemination of Help is at Hand Cymru’. As far as we are aware, of the organisations listed within the resource, none provide immediate and ongoing support for bereavement by suicide in line with all three NICE components across the whole of Wales. 2 Wish Upon A Star do.
5. The survey states that 45.6% of organisations are “unable to meet the demand for service”. However, it also states that 62.2% of provider respondents “do not have a waiting list for their service”. This contradictory information does not allow for a clear understanding, but only increases confusion. 2 Wish Upon a Star has seen an increase for demand year upon year since service delivery began. Yet we remain able to meet the demand without a waiting list for our services. That said, the continual increase in demands causes other challenges such as the need for funding to ensure the delivery of services continues to be able to meet its demand.
6. The survey states that a “number of respondents, from different types of organisations, stated that clear referral pathways to bereavement support were lacking”. 2 Wish Upon A Star are trying to address this through our petition; to ensure that a mandatory approach to bereavement support is implemented across Wales and with training, increased awareness and a strategic approach, support will be available to every individual. However, until we fully understand what already exists, how can a strategic plan be constructed that includes support for all.

Further questions about the Bereavement Survey

1. What is the bereavement support being provided? A flyer, a phone call, a group? What is the definition of bereavement support? Does an information leaflet and/or signposting count as bereavement support?
2. Who is providing the bereavement support? Who are the organisations, what are their services and where are they delivered?
3. When is this support offered and for what duration? It states that 42% of services provide 'immediate support'. Which services do that? We provide support within 48 hours of a referral into our services. In most cases, the referral is made the same day as the death occurred.
4. How are quality of service and outcomes measured across all bereavement services?

Following on from the bereavement study, we strongly believe our petition still requires discussion and for our recommendations to be considered.

Recommendations

1. **Early intervention to support families who lose a child or young adult aged 25-years-old and under.** This will help avoid long-term intensive support through other services such as mental health pathways. Every single bereaved family needs to understand, accept and be reassured about their feelings.
2. **To ensure professionals in hospitals, as well as all other professional environments, follow an immediate support pathway.** The pathway relieves pressure from the bereaved individual and the emphasis is placed upon the organisation to contact the individual. At the time of death, families should be offered a memory box and, with consent, family details should be passed onto the relevant organisations. This needs to be a mandatory offer of support enforced by Welsh Government. The impact of this pathway not only supports families in a proactive and immediate manner; but allows professionals to feel they have provided all the care and support they are able. The consequential impact this has on staff too must not be underestimated.
3. **An All-Wales, immediate support pathway to ensure all families who lose a child and young adult are offered the same support no matter where they live in Wales.**
4. **Adherence to the 'Talk to me 2: Suicide and Self Harm Prevention Action Plan for Wales 2015-20'** Objective 3 is "information and support for those bereaved or affected by suicide or self-harm
5. **To provide training to professionals working with suddenly bereaved families.** To initiate conversations around the support families can access, using memory boxes and ensuring referrals are made during what is a difficult time for everyone involved.
6. **Professionals involved in the sudden death of a child or young person can also require support.** There needs to be immediate support pathways to ensure that all professionals have an offer of support when they are involved in the traumatic and sudden death of a child or young person.

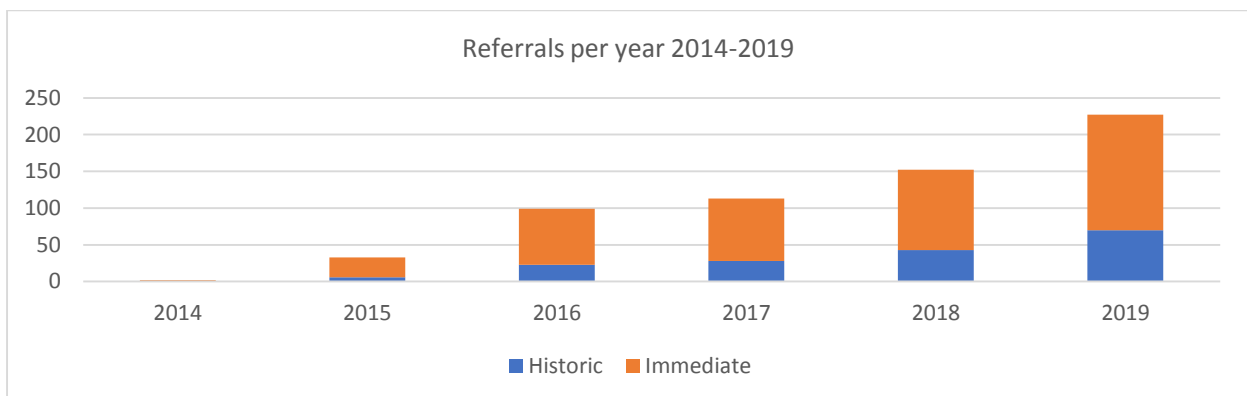
Summary

2 Wish Upon A star are delivering every single recommendation as listed above. Our petition is to call on the National Assembly for Wales to urge Welsh Government to make the offer of support mandatory and ensure that no family, professional or individual is missed or left to cope on their own.

2 Wish Upon A Star

2 Wish Upon A Star strives to be a service whereby the sudden and unexpected deaths of **all** children and young people aged 25 and under are referred into our organisation. We have worked tirelessly to develop and maintain strong professional relationships with the hospitals, police forces, GPs and mental health services across Wales to ensure referrals are made, and we have made significant progress; however we are still not receiving some of the referrals and this results in those families not receiving the support they deserve.

2 Wish Upon A Star remain a predominantly self-funded charity and, despite our ever loyal and passionate community of fundraisers, this model cannot continue to support the inevitable growth of the charity. We welcome discussion around bereavement support in Wales with inclusive content of sudden and unexpected death, which historically has been underpinned by organisations providing End of Life, Palliative and Cancer Care. The sudden and unexpected death, particularly of a child or young person, can be the most traumatic experience of an individual's life. The services provided and the time scope available to ensure immediate support in the aftermath is extremely limited due to its unpredictable nature. Therefore, services need to be funded and a multi-agency approach undertaken to ensure support can be delivered Wales-wide and severe, long-term consequences can be reduced. As the following table demonstrates, the demand for our services continues to increase with each year and we cannot continue to meet the demand within our current financial parameters.



The survey states that the “results of the survey have been used to identify parts of Wales that may be experiencing gaps in structured bereavement care services, as well as gaps and challenges in the provision of comprehensive bereavement support in Wales” However, it does not give a clear indication of whether the services that do exist, are fulfilling the need of those who use them. Before gaps can be identified for areas which may be lacking, it is imperative to better understand the services that do exist; is their model suitable to bereaved individuals and are their services more comprehensive than a flyer and/or signposting. 2 Wish Upon A Star advocate for a mandatory and uniformed approach to

bereavement support across Wales. We feel we are an example of best practice with regards to child and young person death; however we acknowledge we cannot provide support for all types of death and hope to be part of a multi-disciplinary, strategic approach that allows for any bereaved individual to receive the offer of immediate and long-term support for the death they are grieving for.

Agenda Item 3.17

P-05-898 Stop Developers netting hedgerows and trees

This petition was submitted by Angharad Paget-Jones having collected a total of 80 signatures.

Text of Petition

A petition to ban the use of A board advertising in Wales. A boards not only clutter our pavements but pose a huge risk to disabled people as getting past them in a wheelchair or if you're visually impaired often means you're forced onto the road to by-pass them.

This is especially an issue on shared spaces such as city centres as well as coastal towns where the pavements are narrower.

Assembly Constituency and Region

- Aberavon
- South Wales West

P-05-898 Ban the use of A boards in Wales, Correspondence – RNIB Cymru to Chair, 14.11.19

R N I B

Cymru

**Golwg gwahanol
See differently**

RNIB Cymru

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Petitions Committee,
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Date: 14 November 2019

Dear Janet,

Many thanks for the opportunity to feed in to the Petitions Committee's discussion on Petition P-05-898 Ban the use of A-boards in Wales.

1. About RNIB Cymru

1.1 RNIB Cymru is Wales' largest sight loss charity. We provide support, advice and information to people living with sight loss across Wales. We also campaign for improvements to services and raise awareness of the issues facing blind and partially sighted people. We support, empower and involve thousands of people affected by sight loss to improve lives and challenge inequalities.

We want to lead the creation of a **Wales where there are no barriers for people with sight loss.**

1.2 We welcome the opportunity to provide evidence to the Committee's consideration of this petition. There are currently 111,000 people in Wales living with sight loss.

From difficulty accessing treatment and services, to a lack of emotional and practical support, blind and partially sighted people each face their own set of challenges every day. Feelings of isolation are unacceptably high, and only one in four blind or partially sighted people of working age has a job.

We know the numbers will increase dramatically. By 2050, the number of people with sight loss is expected to double. 13 people a day are losing their sight in Wales.¹

1.3 This submission emphasises the experiences of blind and partially sighted people of navigating streets littered with A-boards and also draws attention to developments in Scotland which will be of relevance to this committee's discussions.

2. About A-boards

2.1 "A-boards" are defined as a frame supporting an advertising hoarding for the purposes of displaying information to passing sighted pedestrians at pavement level.

2.2 All pavement obstructions have adverse effects on blind and partially sighted people because they make getting around harder. The more difficult it is to get around, the less freedom and opportunity people have to participate in their local community.

Advertising boards are in general use across the country. They physically obstruct the pavement and prevent pedestrians from being able to use the entire pavement. They present a trip hazard, especially to people who cannot see them and who use mobility aids.

The temporary and mobile nature of these boards means that blind and partially sighted people cannot learn where they are, so struggle to avoid walking into them. We know that collisions with advertising boards often result in injuries such as cuts and grazes. The "homemade" nature

¹ *Every day 250 people in the UK start to lose their sight [Reference: Deloitte Access Economics (2018), Incidence and risk of sight loss and blindness in the UK. RNIB]

of some of the boards and their height make them particularly likely to injure pedestrians.

They may also force people to step into the road in order to pass them, and this places blind and partially sighted people at greater risk from on-coming traffic.

Street design which is not inclusive can result in blind and partially sighted people being unable to get out and about with confidence and independence.

2.2 RNIB's 2015 report "Who put that there!" found that 95 per cent of blind and partially sighted people had collided with an obstacle in their local neighbourhood over a three month period.²

3. Temporary A-board ban in Edinburgh

3.1 The Committee will also be aware that the City of Edinburgh Council's Transport and Environment Committee voted for a ban on temporary on-street advertising including A-boards, flag adverts and city tour boards. The ban came into force on 5 November 2018 and is currently in its probation year at the end of which it will be reviewed by the Transport and Environment Committee (TEC). The ban is a blanket ban across the city. There was a relaxation of the ban for advertising related to the Edinburgh Festival. There are no other exemptions or exceptions to the ban.

3.2 Praise for the ban from blind and partially sighted people has been universally positive. As a whole, people felt the ban had made streets safer and that there had been a significant and noticeable decrease in street clutter. In September 2019 focus group attendees told RNIB Scotland:

"A-boards were a problem because in narrow streets they block off a big chunk of the pavement, in wider streets their position was unpredictable so you didn't know where you were going to come across them. Getting rid of them completely in all circumstances made for a much clearer path."

² "Who put that there!" – The barriers to blind and partially sighted people getting out and about [February 2015 report]
<https://www.rnib.org.uk/sites/default/files/Who%20put%20that%20there%21%20Report%20February%202015.pdf>

“Edinburgh Council do need commended on the way they’ve enforced it and the way they launched it with consultation and notification. It seems to have, in my experience, made it universally adopted by retailers and businesses. It has been effective as well as helpful.”

“You don’t have to worry about A-boards being an obstruction and them being in one place one day and another place the next and you don’t have to worry about struggling to get down the pavement. It makes it a lot safer and easier to get about.”

3.3 We also attach FSB Scotland’s recommendations in light of the proposed changes in Edinburgh

4. RNIB Recommendations

4.1 RNIB is fully supportive of the aims of this proposed Ban.

4.2 A postcode lottery approach to policy and decision making by those who have an impact on the local design and enforcement of the street environment is having a negative impact on blind and partially sighted people. Local authority staff, residents and businesses would all benefit from more clarity, and policy statements would help inform decision making at a local level. It would also help to address some of the inequality due to local authorities taking differing approaches to some of the most common problems.

4.3 All local authorities in Wales should explore the following options, working with blind and partially sighted people:

- Conduct audits and introduce a zero tolerance policy to A-boards.
- Produce clear guidelines for businesses.
- Work with local blind and partially sighted people to monitor and mitigate the impact of any temporary obstructions that appear on the highway.
- Work with local business owners to make them realise how advertising-boards cause real difficulties for blind and partially sighted people and to consider alternative forms of advertising.

In summary, RNIB Cymru is fully supportive of the aims of this Ban and of the Petition’s submitter Angharad Paget-Jones.

For further information, please contact Elin Edwards, External Affairs Manager. *Ysgrifennwch ataf yn Gymraeg neu Saesneg.*

Yours sincerely,
Elin Edwards
External Affairs Manager, RNIB Cymru



Experts in Business

Proposed Advertising Board Ban

FSB briefing to the City of Edinburgh Council

Federation of Small Businesses Scotland
April 2018

Overview

FSB is Scotland's leading business organisation. As experts in business, we offer our members a wide range of vital business services including advice, financial expertise, support and a powerful voice in government. Our mission is to help smaller businesses achieve their ambitions. These micro and small businesses comprise the majority of all enterprises in Scotland (98%), employ around one million people and contribute £68bn to the economy.

Summary

How has FSB engaged with members on the proposed advertising board ban?

FSB has encouraged our Edinburgh members to participate in the City of Edinburgh Council's consultation on advertising boards (A boards) in the city and to contribute their views on the Council's proposals.

We have been contacted by a number of members who have expressed their views on the proposed A board ban and we have also discussed the proposal with RNIB Scotland to better understand the wider perspective.

What have businesses told us?

It is clear that many local businesses are sympathetic to the goal of decluttering Edinburgh's streets in order to help make the city a more attractive and accessible place to live, to visit, and to run a business. The nature of street clutter is varied and includes street furniture, moveable waste and recycling bins, irresponsibly and illegally parked vehicles, as well as commercial related activities such as on-street eating and drinking areas, merchandise and advertising boards. Any serious attempt to reduce street clutter must seek to address as wide a range as possible of these potential obstructions. In addition, if part of the purpose of reducing street clutter is to lower the potential for injury to pedestrians, then solutions must also take account of other hazards such as defects to pavements and roadways. Local businesses feel strongly that the Council's approach to the issue of street clutter must be holistic and must not focus on just a single aspect of the problem.



A photograph of the pavement area outside an FSB member's premises in the Leith Walk area

"I am against unnecessary A boards on the street as I agree that streets are too cluttered... I do however, feel that some businesses do need and benefit from an A board – namely those situated off the main road, or upstairs, where there is no opportunity to show clearly that the business is there or what the business offers." – FSB Member

"The use of A boards should not inconvenience free movement by pedestrians but should be proportionate to pavement width. Therefore a blanket ban would have a detrimental effect but some compromise on maximum size would seem reasonable." – FSB Member

"One of the few ways we can advertise our products and services to passers by, is via our small A-board... We always ensure that our signage is placed with our guests' (and potential guests') ease, safety and accessibility in mind." – FSB Member

A boards represent a business investment. They are bought to draw attention to a business and its goods or services and can serve a variety of distinct purposes. For example, to attract potential customers to a business that passers-by might not otherwise be aware of, such as a business located on an upper floor of a building, in a basement location or off-street in a close or side-street; or the A board may be used to advertise an 'offer of the day' or seasonal highlights. Consequently the importance of an A board to a business will vary depending upon the nature of the business and its location. For example, a retail business in a basement location will be far more highly dependent upon its A board to attract customers than would a business with a large street frontage. As a result, A boards tend to be far more valued by small business than by large chains, though both make use of them. Indeed more than one small business has told us that if A boards are banned altogether, it may be a catalyst for the demise of some businesses.

"[A] ban could prove a significant blow to many struggling small businesses throughout Edinburgh." – FSB Member

"This will have a detrimental effect on small shops, cafes and galleries." – FSB Member

"The ban on A-boards would I am sure be the final nail in many small business's coffin." – FSB Member

"It is tough as hell having a business in a basement - customers can't find you, don't notice you and don't look down at your shop when they are walking along the road.

My A-board brings me ALL the footfall that I get. Customers constantly tell me they only noticed us because they saw our sign.” – FSB Member

Important as the reduction in street clutter is, many businesses find it hard to understand why the Council has prioritised a ban on A boards, particularly when such action could threaten the livelihoods of some local businesses. In addition, it is a source of frustration for responsible businesses faced with a new burden when there are unscrupulous businesses operating with scant regard to existing rules. Other businesses feel that this is an unfair burden at a time when they may also be facing further sources of business disruption, such as the proposed extension of the tram line to Newhaven.

“When rules are put in place, it is essential that they are then enforced.” – FSB Member

What should the Council do?

The Council must take full account of the views of the city’s small businesses when taking a decision that will directly affect them. Many businesses understand that action to improve Edinburgh’s streetscape is both necessary and desirable and, of course, businesses must play a role in that. Businesses have also told us that they are aware of the hazard that A boards can present to blind and partially sighted people and do their best to mitigate this risk.

Irresponsible use of A boards can add to street clutter and constitute a hazard, but responsible use of these boards provides a vital service to the businesses that use them, with obstruction being kept to a minimum.

Many of RNIB Scotland’s concerns about A boards relate to the fact that the boards are, by their nature, mobile and thus can constitute a hazard due to being placed in different positions from day to day or through being blown to a different position by the wind. Consistent and secure positioning of A boards should allay some of these concerns.

The Council must therefore take practical decisions that meet the needs of all parties concerned.

FSB Recommendations

The City of Edinburgh Council must:

- **Engage with local businesses to understand why they use advertising boards in order to ensure that any change in policy takes account of business needs**
- **Conduct an audit of advertising boards in the city**
- **Produce clear guidance for business use of advertising boards throughout the city**
- **Ensure fair and consistent enforcement of guidance regarding the use of advertising boards across all businesses in the city**

The FSB and its members are willing to continue to engage with the City of Edinburgh Council to help find a solution that works for business, for residents and visitors, and for the Council.

Further Information

For further information please contact Garry Clark, Development Manager – East of Scotland, at garry.clark@fsb.org.uk



Experts in Business

The FSB is Scotland's largest direct-membership organisation. It campaigns for a better social, political and economic environment in which to work and do business. With a strong grassroots structure and dedicated Scottish staff to deal with Scottish institutions, media and politicians, the FSB makes its members' voices heard at the heart of the decision-making process. It is therefore recognised as one of Scotland's most influential business organisations. The FSB also provides a suite of services to help our members reduce the cost and risk of doing good business – from legal and tax protection to business banking.

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Arbenigwyr mewn Busnes
Experts in Business

15 November 2019
Janet Finch-Saunders AM
Chair
Petitions Committee
National Assembly for Wales
CF99 1NA

Dear Janet Finch-Saunders AM,

RE: Petition on Advertising Boards

FSB Wales welcomes the opportunity to contribute to the Petitions Committee's review of the petition regarding a potential ban on advertising boards.

FSB Wales is the authoritative voice of businesses in Wales, with around 10,000 members. It campaigns for a better social, political and economic environment in which to work and do business. With a strong grassroots structure, a Wales Policy Unit and dedicated Welsh staff to deal with Welsh institutions, media and politicians, FSB Wales makes its members' voices heard at the heart of the decision-making process.

Work FSB has done on banning Advertising Boards:

FSB Wales have not engaged in depth with members in Wales on this issue. However, our colleagues in Scotland responded to the City of Edinburgh Council's consultation on such a ban. As such, in this document we draw on our FSB Scotland colleagues' work on this issue. There is no reason to think that the issues raised in that consultation by SMEs and our members would be dramatically different to those that pertain in Wales, so we believe this to be useful evidence for the Petitions Committee.

Summary

The consultation in Edinburgh found that many local businesses are sympathetic to the goal of decluttering streets in order to make their areas more attractive and accessible, which is a goal that would have benefits for the businesses on a street as well as for the community.

However, the nature of street clutter is varied. Examples cited by Edinburgh SMEs include:

- Street furniture
- Moveable waste and recycling bins
- Irresponsibly parked vehicles

If the main aim of this ban would be to lower the risk of injury, then any solutions must also take into account hazards such as defects on pavements and on roads.

Any serious policy to address these risks must take into account the general obstructions and risks, as well as the wider role of pedestrianisation of spaces. Ongoing work by Welsh Government on Active Travel and making accessible shared spaces, including the issues listed above seems a good holistic agenda within which to explore the issue of A boards within a wider strategic analysis.

In terms of how accessibility and connectivity fit into a general strategy for making attractive places and helping town centres become community hubs, our recent work on the future towns gives an overarching strategic view, which can be found here: <https://www.fsb.org.uk/docs/default-source/fsb-org-uk/tm-the-future-of-welsh-towns-report.pdf?sfvrsn=0>

Impact of a ban on Advertising Boards

In general, A boards are an investment by a business to serve a purpose, whether to attract customers to a location that is not immediately apparent; or in order to advertise a particular promotion.

The impact of A boards will therefore vary according to the nature of a business and its location. For example, a business for whom a ban would have a particularly impact may need advertising boards to attract customers to the upper floor of a building, a basement, or on a side street. Therefore, a retail business sited in such an area is more dependent on A Boards than would be a business with a substantial on street frontage. As such, A boards will tend to be valued by smaller businesses than large chains, although both make use of them.

In the FSB Scotland consultation on a ban in Edinburgh, many businesses stated that if there were a blanket ban on A Boards, it could lead to significant difficulty:



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So a narrow focus on A Boards not only does not take into account the other issues cited above of other obstructions and defective paving etc., but would also have an uneven impact with the more vulnerable SME sector being impacted the most.

Evidence and Text of Petition

The following paragraph requires evidence to justify a blanket ban.

'This is especially an issue on shared spaces such as city centres as well as coastal towns where the pavements are narrower.'

The different effects on areas due to (for example) the level of pedestrianisation, needs to be understood before a blanket ban that would have a particular effect on smaller businesses be enacted, and may have uneven impact in different types of places. As such, engagement with SMEs in local areas, to provide evidence and understanding of different places and the impact this issue has is important.

What can be done

It is important to note that small businesses are often aware of the issues of obstructions, and use A boards responsibly. As such, businesses in general in the Edinburgh survey had a balanced approach.



Arbenigwyr mewn Busnes
Experts in Business

"I am against unnecessary A boards on the street as I agree that streets are too cluttered... I do however, feel that some businesses do need and benefit from an A board – namely those situated off the main road, or upstairs, where there is no opportunity to show clearly that the business is there or what the business offers." – FSB Member

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"One of the few ways we can advertise our products and services to passers-by, is via our small A-board... We always ensure that our signage is placed with our guests' (and potential guests') ease, safety and accessibility in mind." – FSB Member

It would be a shame to penalise responsible businesses who are aware of the issues, and do not create obstructions with their A boards, which are necessary to their business. A better approach than a blanket ban would be engagement with businesses on how they use A boards, and what can be done to ensure they are used in a more considerate manner.

Our understanding that one of the problems for RNIB is that A boards are by their nature mobile and can be placed in different positions every day, or through being blown into different positions by the wind. As such, consistent and secure positioning would allay some problems. Such an approach would require engagement with businesses.

Moreover, were there to be a ban there is a question of enforcement– for many responsible SMEs, facing greater regulatory burden is more frustrating when unscrupulous businesses operate without regard to the rules.

Our Recommendations:

- Place the A boards issue within a wider strategic understanding of access, connectivity, particularly in relation to town and city centres as linked to town planning and active travel. This should include the wider issues of obstruction and quality of pedestrianised spaces, and how A boards can fit within such an agenda.

- Engage with business in local areas, to gain understanding of how, where and why A boards are used.
- Consider providing clear guidance for business use of A boards in different types of areas, based on evidence from the above.
- Explore alternatives to a blanket ban through the engagement process – for example, a maximum size, a set space required on pavements, and so on.
- Ensure fair and consistent enforcement on any proposals.
- An audit on the uses of A boards by businesses in different settings, and the impact of A boards on pedestrians, and particularly on disabled people, taking into account other issues such as quality of paving, other obstructions, behaviours and risks.

I hope this perspective is of interest to the committee as it looks into the potential impact of a ban on advertising boards in Wales.

Yours sincerely,



Ben Francis
Wales Policy Chair
Federation of Small Businesses Wales

P-05-898 Ban the use of A boards in Wales, Correspondence – Guide Dogs Cymru to Chair, 22.11.19



Guide Dogs Cymru
Building 3
Eastern Business Park
St Mellons
Cardiff
CF3 5EA

Petition P-05-898. Ban the use of A boards in Wales

Dear Mr Lewis,

Thank you for seeking our views on this Petition. Our policy is that the needs of pedestrians, and especially those with a vision impairment or limited mobility, must take precedent, and A-boards should be appropriately licensed by local authorities. They do present a danger to vulnerable pedestrians as there is no consistent approach to their location. They are moved around so that an individual with sight loss can encounter a clear walkway one day, only to find it obstructed by an A board on their next trip. Any unexpected hazards increase the risk of collision, dealing with obstacles can make getting out and about much more challenging, and, particularly if there is an injury, can impact on an individual's confidence.

In terms of tackling the problem, enforcement of licensing conditions is inconsistent, so that A boards pop up in random locations overnight, or are moved around to achieve maximum visibility. They can block footways and obstruct access to dropped kerbs, but reporting such issues is difficult and the process not well understood. We would recommend that A boards are only permitted where they do not present a danger to pedestrians, and that there is a cap on the number permitted for each retailer. We would also wish to see more stringent conditions and higher penalties for infringement, and an easier means for the public to report A boards which are causing an obstruction.

A Wales wide set of recommendations on the licensing and location of A boards, developed in partnership with local authorities and other interested parties, would contribute to the Active Travel agenda, making our streets a more inclusive and safer environment. These could specify the size and positioning of A boards, and ensure that they did not block the footway or put pedestrians at risk by having to step into the road to avoid them.

We would be very interested to discuss this matter further with the Committee as the design of our street scape is particularly relevant to blind and partially sighted people.

With kind regards,

Jonathan Mudd

Pennaeth Gweithrediadau/Head of Operations
Guide Dogs Cymru
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Eastern Business Park
St Mellons
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CF3 5EA

Swyddfa/Office 0345 143 0195
Gwefan/ Website: www.guidedogs.org.uk

Guide Dogs, Eastern Business Park, St Mellons, CARDIFF, CF3 5EA, Guide Dogs, Adeilad 3, Parc Busnes Dwyreiniol Llaneirwg, CAERDYDD, CF3 5EA

email: guidedogs@guidedogs.org.uk **Tel:** 0118 983 8746 **Fax:** 0118 983 8795

P-05-898 Ban the use of A boards in Wales, Correspondence – Living Streets to Chair, 27.11.19

This petition was submitted by Angharad Paget-Jones having collected a total of 80 signatures.

Text of Petition

A petition to ban the use of A board advertising in Wales. A boards not only clutter our pavements but pose a huge risk to disabled people as getting past them in a wheelchair or if you're visually impaired often means you're forced onto the road to by-pass them.

This is especially an issue on shared spaces such as city centres as well as coastal towns where the pavements are narrower.

The Welsh Government released its latest statistical analysis on active travel this month (13th November 2019). This shows that the number of people walking for active travel in Wales at least once or twice a week has seen a consistent decline over the past six years despite having an Active Travel (Wales) Act in force since 2013.

We already have an obesity epidemic in Wales, an alarming dependency on private car use and the Welsh Government has declared a climate emergency. These are all inter-related trends to which moving to become an active nation could make a significant contribution towards their reversal. Something which must be achieved as a matter of urgency.

At Living Streets, we advocate for walkable neighbourhoods. This means creating an environment that is safe, attractive and convenient for getting around on foot, achieved through a combination of actions. If we are to begin to address the reasons why fewer and fewer people are choosing to walk for their everyday journeys, we must take note when people raise these specific and particularly problematic barriers to their mobility, and we must take appropriate action.

Street clutter, which includes things like A-boards, poorly-placed or redundant street furniture, or excessive poles for road signs may seem harmless but they can create unnecessary obstructions which are inconvenient for everyone and particularly problematic for people with wheelchairs, buggies, or those living with sight loss.

By getting rid of redundant street clutter, our streets can be made safer, tidier and less confusing. Reducing street clutter and making attractive, interesting and beautiful public spaces is a major part of how we can create vibrant areas for walking.

We agree that A-boards can cause an obstruction and support their removal from the highway, recognising that if on private land within curtilage of the building it's not applicable.

Unnecessary street clutter is something which can and should be addressed under existing legislation, however, it evidently continues to present a problem on our high streets in towns and cities across Wales. We recommend the Welsh amend and adopt national Outdoor advertisements and signs guidance for advertisers (the Welsh Planning Portal links to English guidance https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/11499/326679.pdf) - in particular the 'standard conditions' (page 5) so that outdoor advertisements do not otherwise obstruct or endanger the passage of pedestrians.

Currently we show members of the public how to ask their local authorities for area wide bans :

- a) Area-wide bans are one option and, on our website, we now give people the tools to write to their local council to ban A-boards at the local level. Our toolkits can be found here: <https://www.livingstreets.org.uk/get-involved/campaign-with-us/pavements-for-people>
We have a case study from Edinburgh where the local Living Streets group successfully campaigned for a city-wide ban. Edinburgh previously had a voluntary approach, with guidance, but this was found to be ineffective. Now, Street Environment staff manage the ban, the same team that looks after trade waste etc. (separate from parking controls). The case study can be found here: <http://www.livingstreetsedinburgh.org.uk/actionareas/a-boards-placed-on-pavement-edinburgh-council-policy/>

As a matter of best practice:

- b) We would recommend that lamppost hangers, advertising on the premises' own railings or other similar solutions should be explored in the first instance, with A-boards only considered as a last resort and only where it would seriously impact on the economic viability of a local business. For example, where appropriate, specific businesses such as those operating from basements or back lanes might be able to apply for permits.
- c) We would recommend that where/if A-boards are permitted that these are controlled under license. Where this is already happening in the UK, license fees help pay for monitoring of numbers and placement of A-boards. In these instances, a case should be made for each specific location for sufficient space on the footway to allow wheelchair users, parents with buggies and people with sight-loss to pass easily and safely and for the A-boards to be placed so as to allow a free movement of pedestrians in a straight line.
- d) We would recommend that where/if A-boards are permitted, national guidance is provided (see above) to ensure that appropriate steps be taken to prevent A-boards from being able to blow over or fall across the footway, something which poses a serious safety risk to people with sight-loss.
- e) We would recommend that where/if A-boards are permitted, national guidance is provided (see above) to ensure that that their size be kept to a minimum to allow the maximum space to pass on the footway.

P-05-898 Ban the use of A boards in Wales, Correspondence – Wales Council of the Blind to Committee, 29.11.19

To whom it may concerns,

The long-standing problem of A-board posing a risk to pedestrians with sight difficulties is frequently raised by our members and others with sight loss. Therefore we welcome any move towards solving the issue such as this petition.

The problem is a complex one. The positioning of A boards in locations that have narrow pavements is notoriously troublesome and these locations are plentiful in rural towns and villages, often forcing pedestrians – including people with wheelchairs or prams - onto the roads. In larger towns and cities, they can be found in locations such as shopping centres along with other hazards such as benches and bollards. Locations such as train stations often have notice boards blocking exits and entrances in a way that has little regard for blind and partially sighted people. There is nothing new in this. We have been hearing of these problems for the past 25 years.

It would not be enough, in our view, to deal solely with the matter as it stands within the purview of Local Authorities as they, presumably, have no jurisdiction over privately owned land such as shopping centres or certain open public spaces.

We would recommend that Welsh Government assemble a group of stakeholders to deal with the matter in depth and to explore all options with the guidance of a legal expert.

Yours sincerely

Owen

Owen Williams
Director
Wales Council of the Blind

R N I B

Cymru

Golwg gwahanol

See differently

Support for the petition to ban Advertising-Boards (A-Boards) in Wales – lived experiences

Contents

The following are a collection of case studies from six blind and partially sighted individuals regarding the presence of Advertising Boards (A-boards) on the streets of Wales.

In this report, these individuals give their own thoughts and opinions on the petition to ban A-Boards in Wales. This document was created to show the Petitions Committee the perspective from those in the Visually- impaired community and consequently the benefit of restricting Advertising-Boards in Wales.

Overview of the responses:

- All the responders reported that they had collided with and/or hurt themselves with an A-board in the street.
 - All responses expressed a desire to see them banned in Wales or at least for A-boards to be more strictly regulated.
 - When asked about the difference an A-Board ban or limitation would make, all responses were overwhelmingly positive citing freedom of movement, reduced stress and increase in sense of safety and wellbeing.
-

The order in which the case studies are presented:

1. [REDACTED] (Abertillery)
2. [REDACTED] (Ammanford)
3. [REDACTED] (Cardiff)
4. [REDACTED]
5. [REDACTED] (Bridgend)
6. [REDACTED] (Talbot Green)

Case Study 1

Name: [REDACTED]

Age: 54

Town: Abertillery

Consent to share story: Yes Blind or Partially

Sighted: Blind Welsh Speaker: No

Questions and answers

1. **Do you think A-Boards should be banned in Wales?** No
2. **Do you have A-Boards in your local area?** Yes
3. **Have you hurt or collided with any?** Yes
4. **Would you like to see A-Boards banned in Wales?** No
5. **If A-Boards were banned what difference would this make to your life?**
It would make a limited difference generally
6. **Any Comments?** The reason why I say no to an outright ban in Wales is because I know how difficult

it is for small businesses in Wales to keep going. I have no objection to them advertising their products and services, etc. What I do object to is the way such A-boards are situated, causing unnecessary hinderance and obstructions to pedestrians in general, not just to blind and visually impaired pedestrians. Thoughtless positioning of A-boards also impacts on mums with pushchairs, the disabled in wheelchairs and on mobility scooters, and the elderly, all of whom are often forced off pavements into the road. As I know that most shop keepers who use A-boards don't give a second thought to these members of the community and the impact their thoughtless actions cause them, then the obvious way forward is to ban them outright. However, I'm conscious of the negative impact such a ban could have on small businesses who are struggling to make ends meet. So, if an educational programme could be instigated, whereby shopkeepers are taught to look at the available space outside their premises, so that they can make a sensible and caring decision as to whether an A- board would impact on pedestrians or not, and if it does, to find an alternative form of advertising their businesses. I would like to keep continuous offenders fined for causing obstructions, as I feel most owners of small businesses would be conscious of the effect a fine would have on their pocket. I'm not suggesting immediate fines, but a fine

should be issued on the third notification. If these avenues have already been pursued, with little or no improvement in the situation, then I would change my mind and say that an outright ban on A- boards in Wales would be the only way forward.

Case Study 2

Name: [REDACTED]
Age: 54
Town: Ammanford
Consent to share: Yes
Blind or Partially Sighted: Blind Welsh
Speaker: No

Questions and answers

1. **Do you think A-Boards should be banned in Wales?** Yes
2. **Do you have A-Boards in your local area?** Yes.
3. **Have you hurt or collided with any?** Yes, I have trip or hurt my knee. Also, I have slipped on edge of kerb stepping sideways trying to avoid boards in the middle of the pavement.
4. **Would you like to see A-Boards banned in Wales?** Yes
5. **If A-Boards were banned what difference would this make to your life?** It would reduce the risk of tripping and potentially falling. It would also give more confidence when visiting locations where you know there to be a lot of boards and other obstacles
6. **Any Comments?** I find them a particular problem when a A-board arms race has broken out and you have to negotiate a slalom course. If a shop must have more than one you question their effectiveness to the owner. Also, it is made much worst if the other obstacles such as delivery vehicles or customer cars half parked on the pavement forcing you into the path of the A board.

Case Study 3

Name: [REDACTED]
Age: 26
Town: Cardiff
Consent to share: Yes
Blind or Partially Sighted: Registered Blind – Some vision
Welsh Speaker: No

Questions and answers

1. **Do you think A-Boards should be banned in Wales?** I'm not sure; on one hand I can see that A boards are a real and present danger to visually impaired people, but I believe that street furniture is a problem, and one that is difficult to resolve.
2. **Do you have A-Boards in your local area?** No
3. **Have you hurt or collided with any?** Yes, I have collided with several.

Usually I just sort of fly over or around them and with some flapping of arms and legs usually stay on my feet. Neither me or the A board is hurt in this process, but with the crashing and occasional profanity involved it does draw attention and is rather embarrassing.

4. **Would you like to see A-Boards banned in Wales?** I'd like to see tighter restrictions in the short term and long term possibly a ban.
5. **If A-Boards were banned what difference would this make to your life?** I would no longer be surprised, when on a casual stroll through the city centre, to receive a cuddle from an A board outside Ladbrokes telling me of their excellent odds, or a flying lesson from a national lottery A board with a finger helpfully indicating the direction of travel over said board. It would be a quiet world, but much easier to navigate and a lot more risk free as there is always the danger of falling in the road if the afore mentioned flapping fails to work.
6. **Any Comments?** I actually think A boards are reducing overall in City Centres (Cardiff resident) but are being replaced with interior advertising screens which for me a problematic too.

Case Study 4

Name: [REDACTED]

Age: N/A

Town: Cardiff

Consent to share: Yes

Blind or Partially Sighted: Blind Welsh

Speaker: No

Questions and answers

1. **Do you think A-Boards should be banned in Wales?** Yes
2. **Do you have A-Boards in your local area?** Yes
3. **Have you hurt or collided with any?** Yes
4. **Would you like to see A-Boards banned in Wales?** Yes
5. **If A-Boards were banned what difference would this make to your life?** I could walk without fear of accident. It improves my sense of wellbeing and safety.
6. **Any Comments?** N/A

Case Study 5

Name: [REDACTED]

Age: 33

Town: Bridgend Consent to share: yes.

Blind or Partially Sighted: yes Welsh

Speaker: no

Questions and answers

1. Do you think A-Boards should be banned in Wales?

I do think that A boards should be banned. I struggle to see them as they often do not stand out. I do not see them until it is too late. Also, my seven year old son has the same difficulty. On busy days it is difficult enough to focus on all the people moving around without the extra issue of A boards and street furniture.

2. Do you have A-Boards in your local area?

Yes, many shops have them.

3. **Have you hurt or collided with any?** Yes, numerous times

4. **Would you like to see A-Boards banned in Wales?** Yes, I feel that they just cause clutter, danger and obstruction.

5. **If A-Boards were banned what difference would this make to your life?** It would make going out easier and a little less stressful not having an extra obstacle to deal with.

Any Comments? n/a.

Case Study 6

Name: [REDACTED]

Age: 61

Town: Talbot Green Consent to

share: Yes

Blind or Partially Sighted: Blind Welsh

Speaker: No

Questions and answers

1. **Do you think A-Boards should be banned in Wales?** Yes, or at least controlled where and how they are placed.

2. **Do you have A-Boards in your local area?** Yes.

3. **Have you hurt or collided with any?** Yes, I have collided with A-Boards most times that I make my way around my area, have had an A-Board collapse on my leg causing a cut and bruising on more than one occasion.

4. **Would you like to see A-Boards banned in Wales?** Yes or at least controlled where and how they are placed.

5. **If A-Boards were banned what difference would this make to your life?**

I would not have to worry about colliding or trying to avoid them every time I venture out & about my area or towns around Wales.

6. **Any Comments?** I would love to be able to travel about without the worry of A-Boards etc obstructing pavements and pathways, I can travel the same way every day and each time the same A-Board can be in a different place I don't think sighted people understand the problem a simple A-Board can cause being in a slightly different place each day, I understand business need to advertise but A- Boards need to be controlled to reduce problems to all pedestrians.

Ends.

Contact: [REDACTED]

Dyddiad /Date:
Gofynnwch am/Please ask for:
Llinell uniongyrchol/Direct line:
E-bost/Email:

22nd January 2020
Tim Peppin



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

Dear Ms Finch-Saunders,

Petition P-05-898 Ban the use of A boards in Wales

Thank-you for your letter dated 30th October 2019, addressed to Cllr Wilcox. I apologise on behalf of WLGA for the considerable delay in responding.

The issue of 'A' boards (and other potential obstructions such as street furniture) on the pavements has been a contentious one in most local authority areas for many years. There are two differing sets of views on their use which local authorities have to try and balance.

On the one hand, many traders see them as vital in terms of advertising their businesses and bringing a sense of vibrancy back to town centres. Many of these centres are struggling to retain businesses in the face of out of town and online competition.

On the other hand, a range of interest groups are keen to see pavements kept clear of obstructions in order to provide safe passage for people with visual impairments, wheelchair users, those with children in prams and so on.

Under the Highways Act 1980 traders are required to apply to their council for a licence or permit to use A-boards. Approval is required from both the planning and highways departments and an indemnity can be required. The permits allow traders to use boards so long as they do not create an obstruction. Guidance exists on council websites. A selection with typical examples is included below. In some cases, councils do not licence the use of the pavement for signs but require a minimum footway width to be kept clear – see Powys example below:

Dr Chris Llewelyn
Prif Weithredwr
Chief Executive

Cymdeithas Llywodraeth
Leol Cymru
Tŷ Llywodraeth Leol
Rhodfa Drake
CAERDYDD CF10 4LG
Ffôn: 029 2046 8600

Welsh Local Government
Association
Local Government House
Drake Walk
CARDIFF CF10 4LG
Tel: 029 2046 8600

wlga.cymru
wlga.wales

@WelshLGA

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.

Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

We welcome correspondence in Welsh and English and will respond to correspondence in the same language.
Use of either language will not lead to a delay.

Caerphilly:

<https://www.caerphilly.gov.uk/CaerphillyDocs/Licensing/Conditions-of-Licence-Pavement.aspx>

Cardiff

<https://www.cardiff.gov.uk/ENG/Business/Licences-and-permits/Roads-and-highways-licences/A-Board-Permits/Documents/A%20Board%20Policy.pdf>

Swansea:

[Swansea - Permission to deposit A-frames / advertising boards / signs on the highway](#)

Wrexham:

[Local Planning Guidance Note No 1 - Advertisements - WCBC](#)

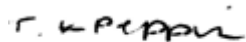
Powys:

[Using the pavement, road, verge or highway - Powys County Council](#)

Where advertising signs do create an obstruction on the pavement then local authorities can indeed take action, including removal. A fine of up to £1,000 can also be imposed. Wherever possible, though, councils will try and resolve such cases by agreement without the need to remove the advertisements or issue fines. If there is continued non-compliance and a flagrant disregard for warnings then signs can be removed, permits rescinded and fines issued.

I hope this response helps to explain the current position and the need to work with all interested parties to achieve compromise solutions.

Yours sincerely,



Tim Peppin

WLGA Director of Regeneration and Sustainable Development

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.

Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

We welcome correspondence in Welsh and English and will respond to correspondence in the same language.

Use of either language will not lead to a delay.

Agenda Item 3.18

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.

Assembly Constituency and Region

- Pontypridd
- South Wales Central

**P-05-894 Fairer business rates for Welsh businesses, Correspondence –
Petitioner to Committee, 22.01.20**

Please can you close the petition for now, we are happy with the High Streets Relief Scheme which has been introduced and has helped lots of businesses in Pontypridd, I shall have a word with my directors and gather feedback from our businesses to see if they still wish to pursue a new petition or have any ideas they wish us to act on.

Thank you to the Assembly for considering our petition and we will be in touch soon.

Agenda Item 3.19

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.

Assembly Constituency and Region

- Gower
- South Wales West

Agenda Item 3.20

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

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

Petition text:

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

Additional information:

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

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

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

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

Assembly Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Agenda Item 3.21

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

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

Text of Petition

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

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

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

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

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

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

Additional Information

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

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

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

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

All this and more is possible thanks to Cross Bordering.

Assembly Constituency and Region

- Cardiff North
- South Wales Central



Ein cyf/Our ref KS/08778/19

Janet Finch-Saunders AM
Chair of the Petitions Committee

SeneddPetitions@assembly.Wales

14 January 2020

Dear Janet,

Thank you for your letter of 16 December requesting an update on our future plans to reform taxi licensing.

Through our White Paper consultation we sought views on proposals for reforming the licensing of taxis and private hire vehicles. In response, we received a wide range of views about how the legislative framework underpinning the taxi and private hire vehicle industry should be improved.

The consultation responses indicated that there was strong support for national standards, improved enforcement powers and information sharing, but there was some opposition to the Joint Transport Authority (JTA) proposals. There was also consistent feedback that the proposals did not go far enough to address the current challenges faced by the taxi and Private Hire Vehicle (PHV) industry and regulators.

As a result we are working in conjunction with the Welsh Local Government Association (WLGA) to develop these proposals further. This will include production of a plan recommending a number of 'quick fixes' in the short term before any possible legislative change.

We aim to update Wales's taxi and PHV licensing system to make it fit for modern Wales as a whole. It is envisaged that this will involve creation of a consistent standard to be applied across Wales that promotes safety, contributes to a cleaner environment, improves the customer experience and promotes equality. Areas of work being considered during this policy development include:

- The provision of driver training including areas such a child and vulnerable adult safeguarding, disability awareness and customer service
- National standards for drivers, vehicles and operators that are focused on safety

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

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CF99 1NA

Gohebiaeth.Ken.Skates@llyw.cymru
Correspondence.Ken.Skates@gov.wales

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

Pack Page 246

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.

- Improved enforcement powers and consistent procedures
- Improved information sharing between local authorities and the development of a national register
- The impact of licensed vehicles on the environment
- Problems of cross border hire
- Promoting equality by ensuring that all customers have access to suitable vehicles and all customers feel safe.
- Improving the customer experience

It is envisaged that the development of consistent standards across the country will assist in reducing some of the problems of cross border hire by creating a level playing field for drivers and applicants.

In October 2019, a Policy Officer was appointed by the WLGA to assist in the delivery of these proposals. Work has already started on the development of short term measures to try to tackle some of the issues that were raised by local authorities and the taxi and PHV trade in the consultation.

There will be engagement with relevant stakeholders including representatives of the taxi and PHV industry throughout this process. In addition, discussions have started with the Department for Transport (DfT) to ensure that Wales is taken into consideration in the event that national standards are created for England. This is to ensure that consideration is given to consistency and to make certain that there is no adverse impact as a result of their developments and vice versa.

I trust that the Petitions Committee will find this update helpful.

*Yours ever,
Ken*

Ken Skates AC/AM

Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport

Agenda Item 3.22

P-05-886 Stop the Red Route (A55/A494 corridor)

This petition was submitted by Linda Scott having collected a total of 1,275 signatures online and 134 on paper, a total of 1,409 signatures.

Text of Petition

We call on the National Assembly of Wales to urge the Welsh Government to withdraw its support for the "Red Route" (A55/A494/A548 Deeside Corridor Improvement) on the grounds that:

1) The construction of the new road through ancient woodland, and across agricultural land, contradicts Planning Policy Wales and the Well-being of Future Generations Act.

2) The recently published plans for a new A494 Dee Bridge, widening of the A494 and other improvements will deliver the Deeside traffic improvements without the need for the 'Red Route'.

3) The costs used to justify the choice of the "Red Route" failed to account for necessary upgrade of the Flintshire Bridge. It also does not include the addition of crawler lane at a major congestion point on the A55, the hill out of Northop towards Holywell. Congestion at these points will be made worse by the construction of the Red Route. The underestimate of the costs used imply that the proposed road cannot be considered value for money. Furthermore, the costs do not include the proposed A494 improvements (outlined in 2).

4) The choice of the Red Route was based on unrepresentative traffic surveys.

5) In considering the Red Route the Welsh Government failed to adequately consult residents of the Flint and Northop areas despite the major potential impact on their communities. Despite costing over a quarter of a billion pounds, the new road would be likely to lead to more traffic congestion in these communities.

6) The International Panel on Climate Change has called for urgent action to reduce CO2 emissions, saying we have only 12 years left to save the world's climate. We need to be investing our limited resources in sustainable transport like rail.

Assembly Constituency and Region

- Delyn
- North Wales

Document is Restricted



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

5 November 2017

Dear Ms Finch-Saunders,

Petition P-05-886 Stop the Red Route (A55/A494 corridor)

Thank you for seeking the views of the Trust on the above petition and allowing us the opportunity to provide comment on this matter.

As the UK's leading woodland conservation charity, the Woodland Trust (Coed Cadw) aims to protect native woods, trees and their wildlife for the future. Through the restoration and improvement of woodland biodiversity and increased awareness and understanding of important woodland, these aims can be achieved. We own over 1,000 sites across the UK, covering around 29,000 hectares (72,000 acres) and we have over 500,000 members and supporters.

You may be aware that the Trust previously responded to Welsh Government in relation to the **A55/A494/A548 Deeside Corridor improvement study** that took place in June 2017. Since that time Welsh Government has chosen the 'Red Route' as the preferred option for this scheme.

General views on the petition and project

The Trust has been asked to provide its general views on the petition in question and the project. Firstly, we consider that it would be pertinent for the Trust to outline its position on road schemes. The Trust always encourages the exploration of alternative sustainable solutions to traffic and congestion issues, such as increased public transport facilities and changes to travel behaviour. However, the Trust is not against road schemes in principle. We typically see that where avoidance is possible, it is not pursued as it would often incur additional costs to the project. It is concerning that Government and its agencies are contributing to biodiversity decline and rejecting the costs necessary to conserve irreplaceable habitats.

Earlier this year we did communicate our concerns about road schemes to the Welsh Government via Lee Waters AM. We pointed out that since 2001 our records suggest that a total of 34 ancient woods in Wales have come under threat from road schemes, of which 7 have been lost or damaged, 13 are on-going and 14 have been saved.

In relation to the project at hand, the Trust's position on the A55/A494 corridor is that we would object to any route that we consider would impact on ancient woodland. In the 2017 Deeside Corridor improvement study the Trust objected to both the 'Blue Route' and 'Red Route' options proposed, on account of both options being likely to result in damage and loss to areas of ancient woodland or ancient/veteran trees.

Since the selection of the 'Red Route' by Welsh Government, the Trust's position of objection has not changed and we will continue to object to this scheme while we consider that ancient woodland is under threat of adverse impacts. As such, the Trust supports the first point of the petition, which states: "*1) The construction of the new road through ancient woodland, and across agricultural land, contradicts Planning Policy Wales and the Well-being of Future Generations Act.*" In relation to the other elements of the petition (points 2 to 6), the Trust has no particular view or position on these matters.

Ancient woodland impact of 'Red Route'

The Trust has been asked to provide its specific views on the proposal's impact on ancient woodland. Ancient woodland is defined as an irreplaceable natural resource that has remained constantly wooded since 1600AD. All ancient woodlands are priority habitats of "principal importance" as defined in the Environment Act (Wales). Public bodies have an obligation to maintain and enhance their biodiversity.

The length at which ancient woodland takes to develop and evolve (centuries, even millennia), and the complex community of plants, animals and soils accentuate its irreplaceable status. Ancient woodland is the UK's richest habitat for wildlife, supporting 256 priority species.¹ The varied and unique habitats ancient woodland sites provide for many of the UK's most important and threatened fauna and flora species cannot be re-created and cannot afford to be lost. Ancient woods also provide a substantial carbon store and conservation of natural forests is increasingly recognised as one of the best ways to remove atmospheric carbon.² It is therefore essential that this habitat is protected from development.

The Trust is of the understanding that the preferred 'Red Route' option would result in the construction of a new road between the A55 and A458, and this would include the road potentially being routed directly through two sections of the ancient woodland of Leadbrook Wood at grid references: SJ2555669808 and SJ2575769892. Further to the direct loss of these sections of ancient woodland, it is apparent that the road would skirt alongside another area of ancient woodland connected to Leadbrook Wood, called Oakenholt Wood (grid ref: SJ2591170138). These woods are largely designated as Restored Ancient Woodland Sites (RAWS), and partially as Ancient Semi-Natural Woodland (ASNW).

These ancient woodland categories are defined via Natural Resources Wales' Ancient Woodland Inventory as such:

¹ <http://publications.naturalengland.org.uk/publication/30025>

² Lewis et al. (2019), 'Restoring natural forests is the best way to remove atmospheric carbon', Nature vol 568, 4 April 2019 [https://www.nature.com/articles/d41586-019-01026-8]

- **Ancient Semi-Natural Woodland (ASNW):** broadleaf woodlands comprising mainly native tree and shrub species which are believed to have been in existence for over 400 years
- **Restored Ancient Woodland Sites (RAWS):** woodlands which are predominately broadleaves now and are believed to have been continually wooded for over 400 years. These woodlands will have gone through a phase when canopy cover was more than 50% non-native conifer tree species and now have a canopy cover of more than 50 percent broadleaf.

Where roads are sited through ancient woodland there will inevitably be direct loss and fragmentation of both the ancient woodland and other semi-natural habitats (watercourses, hedgerows, individual trees, etc.) unless alternative engineering solutions are sought to avoid such impacts. The direct loss and fragmentation resulting from the siting of a road through an ancient woodland will likely lead to a loss of local biodiversity and long-term changes in species composition with losses to resident and migrant wildlife (particularly sensitive fauna), and loss of site endemic soils and associated flora.

However, direct loss isn't the only issue in this case. The increased intensity of the change in land use, the creation of separate woodland fragments and new woodland edges, and overall fragmentation of habitats will expose populations of fauna and flora to significant changes in environmental conditions. The creation of the road would result in the severance of wildlife corridors and foraging and commuting routes, inevitable affecting local wildlife. For example, bats will be badly affected as a result of the physical gap in the habitat features they would typically follow – likely further exacerbated by artificial lighting along the road – meaning that bats attempting to cross where they have previously done (despite the gap and any lighting) are consequently at risk of collision. Many species inhabiting ancient woodland are adapted to the relatively unchanging conditions of such a habitat and will be slow to react to change and the new enforced conditions, allowing more generalist species to dominate the specialist woodland species.

Both construction activity and the operational use of a road will have long-term indirect impacts on the ancient woodland of both Leadbrook Wood and Oakenholt Wood, and will inevitably lead to the gradual deterioration of these habitats over a longer timescale. Construction activity near to ancient woodland has impacts such as noise pollution, vibration, production of dust, increased hard-standing resulting in run off of pollutants and other hydrological impacts on ground and surface water in the local area. During the operational use of the road, impacts such as noise and light pollution, increased traffic emissions, vibration and wildlife collisions with vehicles can be expected.

Noise pollution can occur during both construction activity and operational use of a road and will likely be elevated but vary spatially and over time. Noise associated with roads will likely limit the distributions of animal species that are intolerant of noise and negatively affect their reproductive success near to woodland edges.³ This may be beneficial at some sites if, as a result, deer pressure is reduced but bird diversity has been found to be lower in noisier sites.

³ Warren, P. S., Katti, M., Ermann, M. & Brazel, A. (2006) Urban bioacoustics: it's not just noise. *Animal Behaviour*, 71, pp. 491-502

Light pollution may be generated from both vehicles and streetlights and can include chronic or periodically increased illumination, unexpected changes in illumination, and direct glare. Artificial illumination can affect species orientation differentially and may serve to attract or repulse particular species, thereby affecting foraging, reproduction, communication, and other behaviours. It consequently disrupts natural interactions between species, particularly crepuscular and nocturnal species, such as moths, bats, and certain species of birds, often resulting in the decline of some species.^{4 5}

In the UK, nitrogen oxides are produced primarily by vehicle emissions. Increasing nitrogen can alter the outcome of competitive interactions, changing the character of woodland vegetation mainly in terms of species composition.⁶ There is evidence from woods across Britain that species increasing in cover are more likely to be associated with high nutrient status conditions, i.e. nitrogen-loving nettle (*Urtica dioica*) is shown to increase in abundance when correlated with modelled nitrogen changes.⁷

Dust is an inevitable part of construction and traffic activity; however dust pollution is shown to have major deleterious impacts on woodland flora and epiphytic lichen with many species dying at high concentrations⁸, as well as impacts on soil chemistry and consequences for tree growth, with reductions in height growth as well as shoot and root growth.⁹

Potential mitigation of impacts on ancient woodland

The Trust has also been asked to provide its views on whether the impact on ancient woodland could be adequately mitigated by design options, such as a viaduct referred to by Flintshire County Council and in previous correspondence from the Minister.

In these circumstances it can be difficult for the Trust to provide a comprehensive position on potential engineering solutions for the mitigation of impacts on ancient woodland. We do not claim engineering expertise but can reasonably say that, in this case, the construction of a viaduct over the woodland is highly unlikely to result in no direct loss and would still very likely result in indirect impacts on the ancient woodland. If an engineering solution can be drawn up that does not result in direct loss then the Trust would be interested in seeing how that would work in respect to the ancient woodland, though as stated above we do not expect that a viaduct, and the construction work associated with it, would completely avoid impacts on the woodland along the 'Red Route'.

⁴ Longcore, T. & Rich, C. (2004) Ecological light pollution. *Frontiers in Ecology and the Environment*, 2, pp.191-198

⁵ Conrad, K. F., Warren, M. S., Fox, R., Parsons, M. S. & Woiwood, I. P. (2005) Rapid declines of common, widespread British moths provide evidence of an insect biodiversity crisis. *Biological Conservation*, 132, pp. 279-291

⁶ Ryan, L. (2012) Impacts of nearby development on ancient woodland – addendum, Woodland Trust

⁷ Kirby, K., Smart, S. M., Black, H. I., Bunce, R. G. H., Corney, P. M. & Smithers, R. J. (2005) Long-term ecological change in British woodlands (1971 - 2001). *English Nature Research Report (ENRR) No. 653*, pp. 1-139. English Nature, Peterborough

⁸ Loppi, S. and Pirintsos, S.A. (2000) Effect of dust on epiphytic lichen vegetation in the Mediterranean area (Italy and Greece), *Israel Journal of Plant Sciences*, 48, pp 91-95

⁹ Mandre, M and Ots, K. (1999) Growth and biomass partitioning of 6 year old spruces under alkaline dust impact. *Water, Air and Soil Pollution*, 114, 13-25

In terms of an alternative engineering solution to avoid impacts on ancient woodland, the Trust's preference would likely be an option such as tunnelling under the ancient wood. By tunnelling under the wood, both direct and indirect impacts to the ancient woodland would likely be avoided – a viaduct simply wouldn't be able to achieve this. However, we are also aware that alternative engineering solutions can impact on other elements of the natural environment that the Trust does not hold expertise on. For this reason the Trust would not advocate for any particular engineering solution and instead would simply ask that the developer of the scheme looks to avoid both direct and indirect impacts on ancient woodland through re-routing of the scheme.

Summary

Ancient woodland is irreplaceable; once lost it is gone for good. The Trust believes that any damage or loss to ancient woodland is entirely unacceptable and that every possible measure should be taken to avoid damage or loss.

As such, the Woodland Trust will maintain an objection to any form of this scheme if it is likely to result in direct or indirect impacts on ancient woodland. At present, we remain concerned that the 'Red Route' option for this scheme will result in unacceptable damage, loss and long-term deterioration of ancient woodland and as such hold a position of objection to the scheme. We consider that adverse impacts to ancient woodland are contrary to national planning policy designed to protect ancient woodland and conserve/protect biodiversity.

We hope you find our comments to be of use to you. Please do not hesitate to contact the Trust via campaigning@woodlandtrust.org.uk if you have any questions about the comments provided.

Yours sincerely,

Jack Taylor
Lead Campaigner – Woods Under Threat



Eich cyf/Your ref P-05-886
Ein cyf/Our ref KS/08081/19

Janet Finch-Saunders AM

Government.Committee.Business@gov.wales

6 November 2019

Dear Janet,

Thank you for your letter of 14 October on behalf of the petitions committee regarding petition P-05-886 – Stop the Red Route. I will answer each of questions individually below.

1. An outline of the remaining stages of the process for developing this scheme and likely timings.

We have appointed CordCorderoy supported by Capita, as technical advisors to assist the Welsh Government in managing the delivery of the scheme which will forms an integral element of the North Wales Metro . My recent written statement on the North Wales Metro can be found at <https://gov.wales/written-statement-north-wales-metro-update>. They are currently developing a procurement strategy to deliver the next phase of the scheme. This will be the procurement of a designer/contractor to prepare a preliminary design developed in consultation with stakeholders, considering the environmental and engineering issues in more detail. The procurement of suppliers commenced in autumn 2019. Development of the preliminary design, preparation of the environmental statement and publication of draft orders for the scheme is scheduled for completion in late 2020/early 2021.

Publication of the draft Orders forms part of a statutory consenting process ,which is likely to include a public local inquiry before any land acquisition and construction can take place. This process is programmed to be completed in late 2022/early 2023, with detailed design and construction commencing in 2023. The construction period is likely to take 3 years.

2. Specifically, details of when environmental assessments will be undertaken and published

A full environmental impact assessment will be undertaken in consultation with Natural Resources Wales, Environment Agency and other environmental stakeholders. The assessment will consider both the benefits and adverse environmental impacts. The findings, including any mitigation measures, will be reported in an Environment Statement. The assessment will commence once a designer is appointed, and is likely to take 18 months to complete. The Environment Statement will be published for all stakeholders to comment and will be scrutinised at the Public Local Inquiry.

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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.

3. Your response to the suggestion made by the traffic modelling is flawed and has underestimated traffic flows, and that the current scheme will, for example, exacerbate congestion on the A55 at Halkyn Hill

The scheme assessment followed the WelTAG (Welsh Transport Appraisal Guidance - 2008), which refers to WebTAG (UK Government's Department for Transport - Transport Appraisal Guidance) for transport modelling and economic appraisal, and ensures a consistent approach to scheme appraisals nationally. WebTAG defines when traffic surveys should be undertaken - TAG Unit M1.2 Section 3.3 states surveys should be carried out during a 'neutral', or representative, month avoiding main and local holiday periods, local school holidays and half terms, and other abnormal traffic periods. Therefore the options have been appraised using a neutral month transport model which has been developed and validated in line with guidance and allows for periods where traffic flows are both below and above the average. The model performance was carefully reviewed with independent scrutiny and assessed to be suitable to appraise the relative merits between the red and blue options required for WelTAG Stage 2. If a decision is made to progress the scheme further, the transport modelling and economic appraisal for the preferred option will be updated to take account of current guidance and traffic growth forecasts (which will include latest assumptions on the economic impact of Brexit).

The transport modelling and economic appraisal does incorporate the effects of increased traffic flows in the A55 at Halkyn Hill, in the neutral period assessed.

- 4. How the two highway options consulted on were arrived at, including:**
- a. Whether a wider range of road and non-road schemes was considered at the development stage?**
 - b. What consideration was given to non-highway interventions as an alternative to the two road schemes?**

The scheme assessment followed WelTAG, which included a Planning Stage and Stage 1 Appraisal, prior to the Stage 2 Appraisal. During the Planning Stage a wide range of options including highway, walking & cycling, bus, rail, freight and demand management were considered. These were grouped into the following categories, as defined in Section 7 of the A55 A494 WelTAG Study: WelTAG Planning Stage Report (2010):

- Managing Demand
- Making Best Use
- Capacity Enhancements

The A55 A494 WelTAG Study – Stage 1 Appraisal Report (2012) assessed the identified packages of options against the assessment criteria (defined by WelTAG) to produce the options that were assessed at Stage 2. Section 4 of the Stage 1 Report defines all the options assessed. These were categorised as:

- Managing Demand
- Making Best Use: Non-highway and highway measures
- Capacity Enhancements: A55-A494 Corridor; A548 Corridor and local highway scheme

- 5. Your response to the points raised that the scheme does not currently include works at Ewloe interchange and Halkyn Hill, and the suggestion that these are essential but will make the scheme unaffordable (both panels the Committee heard from agreed that these works are desirable)**

The proposals do not currently include plans on the A494 along Aston Hill to realign and rationalise the existing junctions or to remodel the Ewloe interchange. Traffic along the A494

will reduce as a result of constructing the Red Route which will improve road safety along the A494 as well as deliver the aforementioned environmental and health benefits.

The request for a crawler lane as the Red Route rises up Halkyn Hill was received following the Public Consultation and I gave a commitment to consider this during the development of the preliminary design. From the traffic modelling undertaken as part of the route selection study, traffic is forecast to increase on the A55 to the west of Northop as a consequence of the Red Route. Further detailed assessments will be undertaken to determine if additional capacity is required. This will include an economic assessment to confirm if any additional lanes do provide value for money and offer demonstrable benefits to health and the environment.

6. The evidence received that a wider range of non-highway interventions are needed in the area of this scheme (for example in relation to rail, bus and active travel), what consideration has been given to delivering these, and how are any being taken forward?

The Metro Vision was published in March 2017, which partly focuses on creating integrated transport hubs at key employment sites across North Wales and the wider Mersey Dee area. These hubs are centred in Bangor/Menai, Colwyn Bay/Llandudno/Conwy, Abergale/Rhyl/St Asaph, Wrexham, and Deeside areas. It is about better connectivity within, to and from, and between these hubs. The initial scope of the work has focused on developing the integrated hub concept in Deeside, encompassing rail, bus, active travel, and road enhancements. The integration of the North Wales Metro and the Red Route will therefore deliver connectivity improvements by bus, rail, active travel and road across the region and across border, working with partners in North West England which will lead to delivering economic growth across North Wales.

In the last three financial years, funding of over £12.3m has been awarded to Flintshire CC for schemes the support the delivery of the NE Wales Metro. The funding supports schemes to improve Active Travel and bus infrastructure in Deeside Industrial Park, bus priority and other bus infrastructure on A548/B5129 corridor between the Denbighshire border and Queensferry and also active travel infrastructure in Holywell and the Greenfield Valley. These schemes will improve access to and within Deeside Industrial Park and the wider Enterprise Zone, linking communities with job and services.

Officials are working with Flintshire CC and Transport for Wales (TfW) to support the introduction of a Quality Bus Partnership on core bus routes connecting Flintshire to Denbighshire and Chester. The aim is to secure a high quality, more stable bus network with multi-operator ticketing availability. TfW have been commissioned to develop schemes for an integrated Shotton station and a new Deeside Parkway station working in partnership with Network Rail and Flintshire CC. Work to identify a preferred option for Deeside Parkway is planned to be completed by Christmas and for Shotton Station by spring 2020. Consultation with the local stakeholders is planned as part of this work and further details will be available in due course.

Crucially, developing the Flintshire corridor as the principal artery of the Metro offers an opportunity to align significant investment with the vision that has popular support and to accelerate the delivery of the outcomes of the Metro.

7. How the scheme complies with Planning Policy Wales 10, particularly in relation to ancient woodland.

Background: The primary document setting out the findings of the WelTAG Stage 2 study that relate to environment and biodiversity is the Environmental Appraisal Report, specifically Chapter 8 Biodiversity. This was completed and issued in February 2017, before the publication of PPW 10 in December 2018. The study report identifies one area of ancient woodland, at Lead Brook Wood which is also a Local Wildlife Site (LWS), a number of other woodlands and a wide range of sites of biodiversity interest across the study area for both options.

The report states ‘The Red Option crosses Leadbrook Wood LWS approximately through the centre of the LWS. The road would cross the LWS on a viaduct approximately at the level of the adjacent fields, thereby minimising the loss of ground-level habitat in the steep-sided ravine. At this preliminary stage the assessment assumes the potential impacts would be a gap of approximately 30 m wide in the woodland canopy, the permanent loss of habitat where any bridge supports are to be placed, as well as temporary loss of habitat to facilitate works. The LWS is also likely to support bats, and so the gap in the canopy may result in severance of commuting routes both during construction and when the road is in use. Increases in noise, light and air pollution may also have a significant impact on the woodland and the species it supports, including potentially bats, during the operational phase of the Red Option. ‘..if this option is taken forward then detailed surveys of this area of woodland should be undertaken to understand the potential impacts of the proposed scheme fully. Specifically, surveys should look at the plant species present within areas of proposed works, and detailed species surveys should be undertaken to establish how the woodland is used by mobile species... Impacts on the Lead Brook watercourse and associated species should also be considered and avoided or mitigated.’

In December 2017 the report on a programme of survey for dormice in this woodland was issued. No evidence of dormice in Lead Brook Wood was found.

PPW10 and Ancient Woodland. PPW is the principal and authoritative source of national planning policy, under which local planning authorities prepare their Local Development Plans. PPW 10 (December 2018) is the latest edition of Planning Policy Wales, and takes account of the Well-being of Future Generations (Wales) Act 2015. It outlines policies on all the key land use topics, and is supplemented by Technical Advice Notes, Circulars and Policy Clarification Letters. PPW edition 10 is produced to guide development by setting out the national planning policy framework to be followed by the development planning system. PPW10 makes no attempt to guide the provision or design of new or improved trunk roads directly; it guides the local development plans for land use which the road network serves, and confirms that the WelTAG process is to be used to assess transport projects.

12. The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. (Extract from PPW10)

PPW 10 paragraph 6.4.26 states that ancient woodland and semi-natural woodlands ‘should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly-defined public benefits;’ and so in considering this project there is a need to weigh up the balance between loss or deterioration of ancient and semi-natural woodland and the public benefits of the project. There is also a need to weigh up the balance between the environmental impacts of the Red Route and the Blue Route, in reaching a Preferred Option.

8. The suggestion that the location of the consultation events favoured residents of Deeside, who are less directly affected by the potential negative impacts of the Red Route.

The Public Consultation ran for 12 weeks. During this time, all information available at the public exhibitions could be viewed on the Consultation Pages of the Welsh Government's website; this information was available to anybody. Paper copies of the display material were also available at local council offices, and libraries. A study telephone number and email address were provided for people to engage with the study team and 100 people made use of these facilities. Five Public Consultation exhibitions were held during the consultation period and these events were publicised by letter drops, posters and press releases in the study area. The local press also ran articles for the duration of the consultation period and BBC North East Wales provided television or online coverage at the outset. 1,842 people attended the events and 2,536 responses were received from the public and statutory consultees; the highest consultation response received by the Welsh Government.

Initially, four days of public exhibitions were held at two venues in March 2017; two days each at Ewloe Social Club and Coleg Cambria, Connah's Quay, Kelsterton. Each day the events were open from 10am until 8pm. The Connah's Quay venue was also used during the Public Information Exhibition (PIE) and was close to residential areas towards the middle of the Red Route. The Social Club was a new venue selected as the Leisure Centre that has been used in the PIE was unavailable and previously, negative comments were received about how far the exhibition room was from the venue entrance. The Social Club had good parking facilities and was close to residential areas close to the middle of the Blue Route. Following a request from the Welsh Government, a fifth exhibition was held in Northop on 10 May 2017 (Northop Campus, Wrexham Glyndwr University) again being open from 10am until 8pm. This venue was close to the end of the Red Route. A letter outlining the options inviting recipients to attend the March exhibitions was sent to 4,980 properties in the study area. The properties identified were approximately 500m from the centre line of either the Red or Blue Route. A further 793 properties were sent letters advising them of the Northop exhibition. Both letters provided a link to the study website. Three of the five public exhibitions held were close to the Red Route.

The questionnaire available during the consultation asked respondents to provide their postcode and showed responses were received from across the region. In the Consultation Report, respondent postcodes were plotted against Route preference and mapped and views on each Route were set out clearly.

I hope this addresses each of the points the committee has raised.

Yours sincerely,



Ken Skates AC/AM

Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport



Our ref: CX19-199

Your ref:

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Ebost/Email:

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Petitions Committee
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For the attention of: Janet Finch-Saunders AC/AM

28 October 2019

Dear Mrs Finch-Saunders,

RE: PETITION P-05-886 STOP THE RED ROUTE (A55/A494 CORRIDOR)

Thank you for your letter of 16 October 2019 regarding the above petition.

You have written to us in respect of the above scheme proposals and petition, specifically:

1. For our views on the scheme;
2. The environmental concerns raised by the petitioners, including impact on emissions and local environmentally protected areas, particularly ancient woodland; and,
3. How NRW has/will engage with, or be involved in, the development of the project.

We have previously provided advice on the scheme, in response to consultation, in 2017 (copies of letters 13 July and 15 August 2017 attached). This advice was focused on the following reports:

- A55/A494/A548 Deeside Corridor Improvement: WeITAG Key Stage 2 Report;
- Environmental Impacts Assessment Screening – Blue and Red Option;
- Assessment of Implications on European Sites.

The above reports, as well as our responses, focused on both the red and blue routes that were under consideration at that time. We note that the red route is the only route now under consideration. We commented on the potential effects on relevant matters, including ecological receptors, that are included on our consultation topic list, *Development Planning Advisory Service: Consultation Topics*, which is published on our [website](#).

This scheme would be expected to be subject of both a detailed Environmental Impact Assessment and a Habitats Regulation Assessment in order to understand the nature and significance of effects. To date we have been involved in providing the applicant with information to support their initial assessment work. Significantly more detail will be required to be submitted to support a formal application for consent. As a result, we are not able to provide you with a reasoned view of the scheme at this time. We understand that the latest timetable for the project, as indicated on Welsh Government's website¹, is that the preliminary scheme design, the Environment Statement and draft Orders will be prepared by 2020/21. We also note that the 'statutory process' is due to take place in 2022/2023, which we understand to be under the Highways Act. As a consultee in the consenting process, we will provide formal comments on the application as part of the statutory process referred to on the Welsh Government website.

Environmentally Protected Areas

The red route has the potential to affect the following European/Nationally protected ecological sites:

- Dee Estuary Site of Special Scientific Interest (SSSI)
- Dee Estuary Ramsar Site
- Dee Estuary Special Protection Area (SPA)
- Dee Estuary Special Area of Conservation (SAC)
- River Dee and Bala Lake SAC
- Afon Dyfrdwy (River Dee) SSSI
- Deeside and Buckley Newt Sites SAC
- Buckley Claypits and Commons SSSI

The special features of these protected sites can be found on our [website](#).

SACs, SPAs and Ramsar sites are European sites which are protected under the provisions of the Conservation of Habitats and Species Regulations (2017). These Regulations require the developer to provide information to the competent authority (the consenting body) who would be required to undertake a Habitats Regulations Assessment (HRA) to support the decision-making process.

On 21 July 2019 the developer provided its Assessment of Implications on European Sites (AIES) which presented its screening assessment of likely significant effects on European sites (i.e. Stage 1 of the HRA). In our response on 15 August 2019, we advised that significant effects could not be ruled out for the above named European sites.

As required under the Conservation of Habitats and Species Regulations 2017, where significant effects cannot be ruled out then an Appropriate Assessment (i.e. Stage 2 of the HRA) will need to be undertaken. We have yet to be consulted on the applicant's Statement

¹ <https://gov.wales/a55-a494-a548-flintshire-corridor-overview>

to Inform the Appropriate Assessment which presents the developer's conclusion with respect to adverse effects on the integrity of European Sites.

In order to assist the applicant in preparation of its assessments we also provided the following specific advice:

- That the cumulative /indirect impacts associated with maintenance of the Dee Bridge would need to be assessed in the Statement to Inform the Appropriate Assessment.
- The assessment would need to consider indirect impacts on the Deeside & Buckley Newt Sites SAC owing to the required upgrade of the A55/A494 interchange.
- We also provided specific air quality advice – see *Emissions* section below.

In summary, we consider that effects of the development on the above named SSSIs, SACs, SPA and Ramsar sites will need to be fully assessed in the Environmental Statement and (in the case of the European sites) within the Statement to Inform the Appropriate Assessment.

Ancient woodland

The features of the Deeside and Buckley Newt Sites SAC include Habitats Directive Annex 1 woodland (Old Sessile oak woods with *Ilex* and *Blechnum*). We note that ancient semi-natural woodland could be affected by the proposal. This habitat could be Annex 1 woodland, however we note that there has not been a comprehensive assessment of Annex 1 woodland in this area of Flintshire.

We consider that impacts on Annex 1 habitat should be assessed in the Environmental Statement.

Emissions

Our advice in relation to emissions and air quality is focused specifically on effects on ecological protected sites.

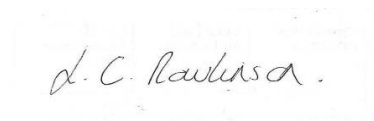
In relation to protected sites, the Assessment of Implications on European Sites (AIES) concluded that likely significant effect could not be ruled out. In our response, on 13 August 2017, we advised that, prior to undertaking detailed modelling with respect to air quality, that features of sites within the relevant traffic air pollution screening distance (200m) should be assessed. Sensitive features are habitats or species that could be affected by traffic pollutants such as NO_x, SO₂ and the conversion of NO_x to nitrogen deposition. We identified that the saltmarsh feature of the Dee Estuary SAC should be considered in the applicant's Statement to Inform the Appropriate Assessment.

We expect air quality effects on all protected sites (including SSSIs and European sites) to be fully assessed in the Environmental Statement and the Statement to Inform the Appropriate Assessment.

We have highlighted above our engagement with the developer in terms of initial advice given and would expect to provide formal comments on the application as part of the statutory process referred to on the Welsh Government website, as mentioned earlier, including advice on the Environmental Statement and the Statement to Inform the Appropriate Assessment as the project is developed.

If you have any queries on the above, please do not hesitate to contact us.

Yours sincerely

A handwritten signature in black ink, appearing to read "L. C. Rawlinson". The signature is written in a cursive style and is positioned above a faint, light-colored rectangular stamp or watermark.

Lyndsey Rawlinson
Head of North East Wales Operations



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-36666-W6N1
Eich cyf/Your ref: A55A494A548 ESSR

Ebost/Email: north.planning@cyfoethnaturiol.cymru
Ffôn/Phone: 03000 65 5240

15/08/2017

By Email Only: [REDACTED]

Er Sylw / For the attention of: [REDACTED]

Annwyl / Dear Mr [REDACTED],

Road improvements to A55/A494/A548 Environmental Screening and Scoping Report (ESSR): Key Stage 2

Thank you for consulting NRW about the above, which was received on the 21st of July 2017. We received the following documents for review:

- Environmental Impacts Assessment Screening- Blue and Red Option
- Assessment of Implications on European Sites

For clarity, the letter has been set into topics relevant to NRW's remit and within those topics, comments on the specific documents submitted are set out.

Protected Sites and Species

Assessment of Implications on European Sites (AIES)

For clarity NRW believe that a statement confirming that works are required in respect of Dee Bridge replacement and A55/A494, whichever option is progressed, is needed as part any plan to improve the existing infrastructure. Regarding Table 5.1, we believe that there is a typographical error, in respect of Deeside & Buckley Newt Sites and for the red option this should be amended to: "Significant effects cannot be ruled out".

For the purposes of Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended), it is considered that there are likely to be significant effects on the following European Sites, considered within this report, either alone or in combination with other plans and projects:

- The Dee Estuary SAC, SPA, Ramsar – Blue and Red Route.
- River Dee and Bala Lake SAC – Blue and Red Route.

- Deeside & Buckley Newt Site SAC – Blue and Red Route.

Blue Route

We have no comment about the AIES in respect of protected sites and species for the blue route.

Red route

- River Dee Special Area of Conservation (SAC).

Cumulative /indirect impacts associated with maintenance of Dee Bridge need to be listed and assessed.

- Deeside & Buckley Newt Sites Special Area of Conservation (SAC).

Cumulative /indirect impacts associated with the upgrade of the A55/A494 need to be listed and assessed.

EIA Screening

The screening for both routes does not confirm the full range of species/habitats to be subject to assessment. No reference has been made to long term management and surveillance. Neither has reference to incidental capture and killing as set out within the Habitats Directive, Article 15 (Council Directive 92/43/EEC) been made.

There is a need to consider the indirect impacts on the River Dee SAC owing to the required replacement of the River Dee Bridge and a need to consider indirect impacts on the Deeside & Buckley Newt Sites SAC owing to required upgrade of the A55/A494 interchange. There is also a need to consider cumulative impacts and in-combination effects of the Dee Bridge renewal as an indirect effect for the red route A949/A55.

Air Quality

We note that an appropriate assessment will be conducted as part of the proposal as the screening for Likely Significant Effects on European Protected Sites cannot be ruled out.

NRW would recommend that prior to undertaking modelling with respect to air quality, that features of the sites are within the relevant traffic air pollution screening distance (200m) and if those features are sensitive to the traffic pollutants (NO_x, SO₂ etc and the conversion of NO_x to nitrogen deposition). This is relevant to both potential routes and in particular, the Red route and the Dee Estuary SAC as there is potential for the salt marsh feature to be within the screening distance.

Landscape

Blue Route

The screening report identifies potential for different elements of the landscape and townscape, from substantial adverse effects, to slight beneficial effects. This route option

would affect local landscape and townscape character and visual amenity either side of an existing road corridor.

From this, we infer the scale of the proposal would result in significant effects which warrant assessment under the EIA Regulations.

In relation to our landscape planning remit, there are no statutory designated landscapes within the vicinity of this option, so we will have no further comments to make on the landscape effects of any subsequent preferred route option.

This route option (should it become a preferred option) should look to realise the cultural benefits gained from the experience of landscape. The scheme's landscape design objectives should look to support landscape perceptions through views, sense of place, and scenic interest that can help to create a positive experience of North East Wales. This is alongside traditional highway scheme considerations about mitigation - reconnecting the disturbed landscape, screening and reflecting local character.

Some examples include:

- Views of the Dee Estuary and the Wirral Peninsular
- Views of the wooded valley, fieldscapes and intricate landforms next to the Afon Conwy Valley
- Extensive areas of Wild flowers along some cuttings

Red Route

The screening report identifies potential for different elements for the landscape and townscape, from substantial adverse effects, to neutral effects. This route option would affect local landscape and townscape character and visual amenity either side of sections of new/ existing road corridor.

From this, we infer the scale of the proposal would result in significant effects which warrant assessment under the EIA Regulations.

In relation to our landscape planning remit, there are no statutory designated landscapes within the vicinity of this option, so we will have no further comments to make on the landscape effects of any subsequent preferred route option.

This route option (should it become a preferred option) should look to realise the cultural benefits gained from the experience of landscape. The scheme's landscape design objectives should look to support landscape perceptions through views, sense of place, and scenic interest that can help to create a positive experience of North East Wales. This is alongside traditional highway scheme considerations about mitigation - reconnecting the disturbed landscape, screening and reflecting local character.

Geoscience

Our previous comments, as set out in NRW's letter to AECOM, dated 13 July 2017 (and copied at the end of this memo), remain valid. In addition to those comments we make the following points:

Section 3.68 (blue option) and Section 3.73 (red option) highlights that “Disturbance of potentially contaminated soils, sediments, and waters posing a potential risk to construction workers, groundwater, soils and geology”. Disturbance of potentially contaminated soils could cause a risk to surface waters as well as groundwater. The Scoping Report should be amended to ensure that all controlled waters are included in the Environmental Impact Assessment.

Table 3.1 (both options): ‘The Airfields’ is highlighted as an area that would potentially be affected by the development, with Air Quality being identified as a specific receptor. Given the historical use of the Airfields, there is potential for contaminated soils and/or groundwater to exist in this part of the development area. Therefore, we would expect the EIA to include an assessment of the likely effects from disturbance of the potentially contaminated soils and/or groundwater.

Where any infiltration of water is proposed, it will be necessary to assess the potential impacts on the quality and quantity of the underlying groundwater and propose appropriate mitigation measures where necessary.

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency’s [‘Guiding Principles for Land Contamination’](#) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to our [groundwater protection](#) advice on www.gov.uk

Flood Risk

Blue Route – Water Environment

We have considered this section of the EIA Screening report and advise that further consideration of how the on-line improvements to the A494 and A55 could impact water bodies in vicinity of the project, is required. For example, it may be necessary to realign Queensferry Drain Pumping Station to allow for widening of the A494. It would be beneficial to have some discussion within the screening report to show how the water features in this location could be modified as part of the scheme, taking into account NRW’s general opposition to the culverting of watercourses.

This section of the EIA screening recognises the need for a Flood Consequences Assessment (FCA) to be produced. This is welcomed. It is for the FCA to identify the key flood risks to, and arising from, the proposed development and also to establish appropriate mitigation measures to ensure that the flooding consequences can be acceptably managed over the development lifetime in accordance with TAN15: Development & Flood Risk. We recommend that discussion is included within the EIA screening report on how the effects of climate change could affect the scheme over its development lifetime. Further guidance is available on Welsh Government’s website at:

<http://gov.wales/topics/planning/policy/policyclarificationletters/2016/cl-03-16-climate-change-allowances-for-planning-purposes/?lang=en>

NRW has numerous sources of flood risk information, including hydraulic and hydrological modelling, which could be obtained for use in assessing tidal and fluvial flood risks affecting the project area. This information can be requested directly from NRW. Further guidance is available on our website:

<http://www.naturalresources.wales/evidence-and-data/access-our-data/?lang=en>

Flood Risk Activity Permit

The parts of the bridge between left and right bank MHWS (Mean High Water Springs) are likely to need a Marine Licence (this may include some of the riverside parts of the flood defence embankments but is not likely to include the entire structures). Note any new bridge piers in the river channel would be subject to Marine Licensing requirements. Please direct any queries about Marine Licensing to the team at marinelicensing@cyfoethnaturiolcymru.gov.uk.

Any work on the Dee *floodplain* could need a Flood Risk Activity Permit under the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016, along with all works affecting the main rivers Daisy Bank Farm Drain, Queensferry Drain and Queensferry Drain pumping station. We will be able to clarify which elements of the work will need a Permit once more detailed plans/designs are available.

Any works to the A494 *bridge* would not need a Flood Risk Activity Permit (government works in relation to a bridge are excluded under paragraph 10, Part I of Schedule 23ZA of the Regulations), but we are very keen to work closely with you on the design plans for the bridge because they have potential to adversely affect the flood defence embankments which protect the community of Queensferry.

Red Route – Water Environment

The red route affects greenfield and undeveloped land, and introduces large areas of new impermeable areas. In order to ensure that the rates of surface water runoff and surface water volumes are sustainably managed, we would recommend that the reference is made to the Lead Local Flood Authority's (Flintshire County Council) surface water drainage guidance, which is available on their website at:

<http://www.flintshire.gov.uk/en/PDFFiles/Planning/Adopted-SPGNs/SPGN-No-29.-Management-of-Surface-Water-for-New-Development.pdf>

We would advise that this section of the EIA Screening confirms that a detailed Flood Consequences Assessment will also be produced to support and inform development proposals. It is for the FCA to identify the key flood risks to, and arising from the proposed development, and also to establish appropriate mitigation measures to ensure that the flooding consequences can be acceptably managed over the development lifetime in accordance with TAN15: Development & Flood Risk. We recommend that discussion is

included within the EIA screening report on how the effects of climate change could affect the scheme over its development lifetime. Further guidance is available on Welsh Government's website at:

<http://gov.wales/topics/planning/policy/policyclarificationletters/2016/cl-03-16-climate-change-allowances-for-planning-purposes/?lang=en>

NRW has numerous sources of flood risk information, including hydraulic and hydrological modelling, which could be obtained for use in assessing tidal and fluvial flood risks affecting the project area. This information can be requested directly from NRW. Further guidance is available on our website:

<http://www.naturalresources.wales/evidence-and-data/access-our-data/?lang=en>

This route also has the potential to affect numerous "ordinary" and "main river" watercourses and their flood plains, and bespoke Flood Risk Activity Permits may be required from Natural Resources Wales for works and/or structures affecting "main river", their floodplains, and flood defence infrastructure.

For both, or either option we would be pleased to discuss the scope of the FCA as the project progresses. When considering the impact of proposed highway infrastructure on flooding both to the highway and elsewhere, the FCA should include (but not necessarily be limited to) assessment of:

- * the effect of any change to existing bridges/new bridge design
- * appropriate sizing for new culverts
- * assessment of any changes to flood risk resulting from changes (e.g. upsizing) to existing culverts
- * assessment of flooding in the event bridges and culverts become blocked
- * assessment of any proposed river realignment(s)
- * any impacts on overland flow routes
- * proposed mitigation measures if adverse impacts are identified

These assessments should consider the flood risks up to the 0.1% AEP fluvial and 0.1% AEP *plus climate change* tidal events (including with a breach of the tidal defences).

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>) We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Yours Sincerely,

Charlotte Hawksworth

**Development Planning Adviser/ Cynghorydd Cynllunio Datblygu
DPAS/GCCD**



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-34643-H9M9
Eich cyf/Your ref: A55A494A548 ESSR
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13/07/2017

I sylw / For the attention of: [REDACTED]

Dear Sir,

PROPOSAL: Road Improvements o A55/A494/A548 Environmental Screening and Scoping Report (ESSR) : WeITAG Key Stage 2

LOCATION: A55/A494/A548

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which was received on the 9th of June 2017.

Natural Resources Wales has been consulted on the document titled: "A55/A494/A548 Deeside Corridor Improvement: Key Stage 2 WeITAG Key Stage 2 Report" which assess the identified options for this proposal under Economic, Environment and Social Factors, for comment. We note that many of our comments provided within our previous response dated 4th of December 2015, are still applicable at this stage of the WeITAG process and have been included here for reference.

We note that later we will be consulted on an Environmental Impact Assessment Screening Report and Stage 1 Screening Assessment of the Implications of the scheme on European Sites.

Route options

From the information provided to date NRW understands that the proposal at present considers two potential options/routes for road improvements/ developments namely the 'Red Package' and the 'Blue Package'.

Red Package

The red package would entail road improvements to the A548 and the construction of a new road with two lanes in each direction, between the A55 and A548. This route would have an approximate length of 13km that would include some online improvement.

Blue Package

The blue package would entail the widening of the A55/A494 route, replacement road bridge crossing the River Dee, junction improvements including the Ewloe interchange, removal and modification of junctions, 3 lanes in each direction and is an approximate length of 9.8km.

In response to the information provided to date Natural Resources Wales have the following comments:

Costings

With regard to costing of the proposal in the context of nature conservation, we have the following comments:

NRW note that costings have been submitted for red and blue routes however we consider that the following should also be included as material issues associated with project costings:

Costings for both options should include the acquisition and long term operational costs (operational costs in this case include management, surveillance and wardening). The red route is likely to require substantive acquisition of land for compensation and this requirement does not appear to have been critically or effectively considered. If the red route is progressed, the identified cost should include costs relating to the replacement of the Dee Bridge and the A55/A494 interchange- clarification of the whether this has been included is required.

Geoscience

Based on the information submitted to date we have the following comments:

Section 7.9 states that the effect on groundwater has been assessed in a qualitative manner via a desk based study. We support this approach at early stages of a project, and agree that it should be followed up by an intrusive investigation at a later stage. We have not seen the desk top study so cannot comment further.

Within Section 9 the risk to soils (including the underlying principal aquifer) are briefly considered which is appropriate for this stage. However, it is not known how this conclusion was reached and we will require further clarification on this and we look forward to reviewing further information at a later stage.

As part of any road improvements Environmental Impact Assessment and Environmental Statement should include the following investigations and assessments to determine the potential impacts to controlled waters.

a) **Water Feature Survey** – see “requirements for water features survey” below.

- b) **Preliminary Risk Assessment (PRA)** – the proposed route may pass through potential areas of land contamination from previous and historical use. The requirements for a PRA are outlined in CLR11 and “Guiding Principles for Land Contamination (EA, 2010 and adopted by Natural Resources Wales).
- c) **Method Statements** – to include pollution prevention measures and drainage management plans for surface waters and groundwaters.

The developer must undertake a preliminary site assessment, which should include the following:

1. Identification of all water features both surface and groundwater (ponds, springs, ditches, culverts etc.) within a 500 metres radius of the site.
2. Use made of any of these water features. This should include the construction details of wells and boreholes and details of the lithology into which they are installed;
3. An indication of the flow regime in the spring or surface water feature, for example whether or not the water feature flows throughout the year or dries up during summer months;
4. Accessibility to the spring/well;
5. This information should be identified on a suitably scaled map (i.e. 1:10,000), tabulated and submitted to Natural Resources Wales. It would be useful for the developer to photograph each of the identified water features during the survey.

Based on the results of the survey the applicant must assess the likely impacts from the development on both quantity and quality of the surface water and groundwater. This should take into consideration both the preferred methods of construction and the assumed hydrogeology in the vicinity of the development.

Natural Resources Wales may require identified groundwater features to be monitored during the proposed workings. We would therefore recommend that the survey be undertaken as soon as possible to enable the developer to carry out suitable baseline monitoring prior to the commencement of workings at the site.

Flood Risk

Blue Route

Paragraph 7.11.7 indicates that the proposed A494 widening at Queensferry may require a diversion of Queensferry Drain and Daisy Bank Farm Drain, which are both designated as a “main river”. We have previously advised that the Queensferry Drain Pumping station may also require realignment to allow for the widening of this section of the A494 within the relatively narrow corridor available in this section. There is no discussion of this within the report, and we are unsure as to whether this is an oversight, or whether the project team do not consider that the scheme will require the relocation of the pumping station. Further clarification of this is recommended within the report. In addition, we had anticipated that there would be some “high level” options presented within the report to show how the water features in this location could be modified as part of the scheme, taking into account our opposition to the culverting of watercourses.

We have also previously advised that the Stage 2 Study should identify those areas where the stability and serviceability of existing flood defence embankments could be affected by the proposed works, so that potential issues could be considered at an early stage. It appears that the current Stage 2 Study has not considered this.

Section 9 “Water Environment” makes a commitment to undertake a detailed Flood Consequences Assessment (FCA), although there is little clarification about when this will be completed. We do not necessarily agree that it is appropriate, at this stage, to state that “all other flood risks are considered to be slight/neutral”. It is for the FCA to identify the key flood risks to, and arising from the proposed development, and to establish appropriate mitigation measures to ensure that the flooding consequences can be acceptably managed over the development lifetime in accordance with TAN15: Development & Flood Risk. If flood risk issues are identified at a later stage, we will respond accordingly. We have previously indicated that the carriageway widening in vicinity of the River Dee and its floodplain, has the potential to displace flood waters, which could adversely affect flood risk elsewhere. This requires detailed assessment at the appropriate stage. We had anticipated that there would be detailed and quantitative assessments carried out at this stage of the project, so that there was an understanding of the potential flood risk implications associated with this option.

Marine Licencing

The parts of the bridge between left and right bank MHWS (Mean High Water Springs) are likely to need a Marine Licence (this may include some of the riverside parts of the flood defence embankments but isn't likely to include the entire structures). Note any new bridge piers in the river channel would be subject to Marine Licensing requirements. Please direct any queries about Marine Licensing to the team at marinelicensing@cyfoethnaturiolcymru.gov.uk.

Flood Risk Activity Permit

Any work on the Dee *floodplain* could need a Flood Risk Activity Permit under the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016, along with all works affecting the main rivers Daisy Bank Farm Drain, Queensferry Drain and Queensferry Drain pumping station. We'll be able to clarify which elements of the work will need a Permit once more detailed plans/designs are available.

Any works to the A494 *bridge* would not need a Flood Risk Activity Permit (government works in relation to a bridge are excluded under paragraph 10, Part I of Schedule 23ZA of the Regulations), but we welcome the opportunity to work closely with you on the design plans for the bridge because they have potential to adversely affect the flood defence embankments which protect the community of Queensferry.

Red Route

We welcome the commitment to undertake a detailed Flood Consequences Assessment (FCA) to support and inform the proposals although there is little clarification about when this will be completed. We do not necessarily agree that it is appropriate, at this stage, to state that “all other flood risks are considered to be slight/neutral”. It is for the FCA to identify the key flood risks to, and arising from the proposed development, and also to

establish appropriate mitigation measures to ensure that the flooding consequences can be acceptably managed over the development lifetime in accordance with TAN15: Development & Flood Risk. If flood risk issues are identified at a later stage, we will respond accordingly. It is also important to note that due to the limitations of our Flood Map information, which does not include catchments less than 3km², there may be unquantified flood risk associated with watercourses along the route which will also need to be addressed with site specific hydraulic assessment as part of any FCA.

This route also has the potential to affect numerous “ordinary” and “main river” watercourses and their flood plains, and bespoke Flood Risk Activity Permits may be required from Natural Resources Wales for works and/or structures affecting “main river”, their floodplains, and flood defence infrastructure.

For both the red and blue options, we would be pleased to discuss the scope of the FCA as the project progresses. When considering the impact of proposed highway infrastructure on flooding both to the highway and elsewhere, the FCA should include (but not necessarily be limited to) assessment of:

- the effect of any change to existing bridges/new bridge design
- appropriate sizing for new culverts
- assessment of any changes to flood risk resulting from changes (e.g. upsizing) to existing culverts
- assessment of flooding in the event bridges and culverts become blocked
- assessment of any proposed river realignment(s)
- any impacts on overland flow routes
- proposed mitigation measures if adverse impacts are identified

These assessments should consider the flood risks up to the 0.1% AEP fluvial and 0.1% AEP *plus climate change* tidal events (including with a breach of the tidal defences).

Protected Sites

SACs are European sites, protected under the provisions of the Conservation of Habitats and Species Regulations (2010) and the Countryside and Rights of Way Act 2000.

Proposals with potential to affect a Special Area of Conservation must be subject to special scrutiny under Regulation 61 of the Conservation of Habitats and Species Regulation 2010 (as amended) (hereafter referred to as the Habitats Regulations). Regulation 61(2) requires the developer to provide the information the competent authority may reasonably require for the Habitats Regulations Assessment (HRA).

The application site is located within the environs of the following statutory sites:

- *Dee Estuary Site of Special Scientific Interest (SSSI)*
- *Dee Estuary Ramsar Site*
- *Dee Estuary Special Protection Area (SPA)*
- *Dee Estuary Special Area of Conservation (SAC)*

- *River Dee and Bala Lake Sites Special Area of Conservation (SAC)*
- *River Dee Site of Special Scientific Interest (SSSI)*
- *Deeside & Buckley Newt Sites Special Area of Conservation and Special Site of Scientific Interest (SAC/SSSI)*
- *Buckley Claypits and Commons Site of Special Scientific Interest (SSSI)*

Assessments

We note that features of the Deeside & Buckley Newt Sites SAC include Annex 1 woodland. NRW are of the view that ancient semi-natural woodland could be affected by the proposal. This woodland could be Habitats Directive 1 Annex 1 woodland though we note that there has not been a comprehensive assessment of Annex 1 woodland in this area of Flintshire. Studies undertaken to inform the earlier road improvement schemes identified Annex 1 woodland along Alltami Brook. Therefore, NRW consider that the presence of Annex 1 Woodland should be included as a material component part of habitat assessments.

In addition to SPA features, NRW recommend bird assessments should include all Birds Directive Annex 1 species.

European Protected Species

We consider that several European protected species, such as bats, otter or great crested newt, have the potential to be adversely affected by each of the proposed schemes during construction and operational phases of the scheme. These species are subject to protection under the provisions of Section 9 of the Wildlife and Countryside Act 1981 (as amended) and Regulation 41 of The Conservation of Habitats and Species Regulations 2010 (as amended)

Based on the report submitted we have the following comments:

NRW are of the view that the proposals are likely to cause significant implications on European sites. Impacts associated with the A494/A55 interchange upgrade and new Dee bridge will occur whichever route is progressed as there will be a requirement to upgrade these features irrespective of whichever option is progressed.

NRW are of the view that the red route is likely to cause much more significant ecological damage; this view considers required upgrades to the Dee Bridge and A55/A494 junction.

- Great Crested Newts

NRW understand that Great Crested Newt (GCN) surveys have been carried out in 2017. Results suggest the presence of low and medium sized populations. Given the dry winter and spring, we consider that not all individuals within a given population will have returned this year. Consequently, caution needs to be applied when assessing population sizes this year.

Landscape

The proposed A55/ A494/A548 Deeside corridor improvement options are at their closest some 6km to the east of the Clwydian Range and Dee Valley AONB and some 3km to the south east of Holywell Common & Halkyn Mountain Landscape of Outstanding Historic Interest. We consider the blue route located within an area of established development including urban and road infrastructure is unlikely to have significant effect upon views from landscapes within our remit.

The red route option to the northeast of Northop could however introduce noticeable change within views from the edge of the Holywell Common & Halkyn Mountain Landscape of Outstanding Historic Interest, as a result of introducing new linear feature within an area currently perceived to comprise farmland with relatively minor rural development. Road traffic movement and lighting (depending on extent and design) could also have a bearing upon visibility.

Assessment of Landscape and Townscape

We accept the use of DMRB Vol 11 which is the definitive methodology for the assessment of road schemes and use of GLVIA3 for the assessment of Landscape and Townscape effects.

GLVIA3 section 2.10 sets out how Green Infrastructure (GI) can be considered within LVIA. Confirmation of how the Landscape and Townscape assessment and scheme design will specifically address GI will be required.

We note that Welsh Transport Planning and Appraisal Guidance WeTAG June 2008 recommends at 7.7.21 “the qualitative impacts will be summarised using a seven-point scale for determining their significance”. This differs to the 3 point scale proposed within Environmental Screening and Scoping report.

We have the following concerns with the use of a 3 point assessment of effects scale:

- Of the 3 point scale - Substantial, Moderate and Slight, only Substantial is presently described as being significant
- Significant effects under the EIA regulations are a material consideration
- Significant effects are given weight and factored into scheme design iteration and mitigation proposals
- Other effects are given less or no weight

We therefore consider the very high threshold at which ‘significant’ effects would be identified has the potential to allow considerable impacts upon the local environment and visual amenity of local communities to take place.

Clarification of the thresholds at which effects would be significant in EIA terms will be required. We recommend the use of either a 5 or 7 point assessment scale to allow a finer grain in the assessment of effects; or a reworded 3 point scale and statement in the assessment report noting that Moderate assessed effects could also be significant. It is our view that where a number or cluster of Moderate effects are identified, it suggests a proposed development is at odds with its landscape/visual context.

Environment Management Considerations

Rivers, Watercourses and Sensitive Receptors and Water Framework Directive

All river and stream crossings should be designed to minimise disruption to the watercourse and maintain a natural bed to the watercourse. Where culverts are required to accommodate other wildlife e.g. otters, bats etc. these should not compromise other requirements.

Under the Water Framework Directive all waterbodies must meet good states or good ecological potential by 2027. The planned red route crosses through/passes near three waterbodies (Leadbrook, Kelsterton Brook and the River Dee). The proposed blue route also goes through/passes near three waterbodies (Leadbrook, Sandycroft drain and the River Dee). Initial monitoring by NRW has already recorded failures for invertebrates in Leadbrook. You must ensure that your scheme does not cause any deterioration to any of the waterbodies it passes through. Pollution prevention measures must be in place before construction begins and the scheme must be designed so that surface water runoff from the scheme does not pose any long-term issue.

Navigation

In respect of the blue option concerning the A494 bridge crossing at Queensferry, the project should at an early stage demonstrate to NRW as the Conservancy Authority for the Dee Estuary that the existing passage conditions for vessels navigating the Estuary will be maintained, both during:

- (I) All construction phases;
- (II) Post construction; and
- (III) Maintenance.

If the northern (Red route) is selected, we suggest any remediation works to the existing bridge will need to be identified.

Drainage and Pollution Prevention

A full pollution prevention and mitigation plan must be produced, agreed with NRW and implemented prior to commencement of the main construction works for Corridor Improvements scheme.

Responsibility for preventing pollution during the construction works rests with those in control of the site. Please see Pollution Prevention Guidance 6 which covers best practices for preventing pollution at Construction & Demolition sites, link given below.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/290139/pmh_o0412bwfe-e-e.pdf

The drainage system for the Deeside Corridor Improvements should utilise the management and treatment of run-off as close to source as possible. To achieve this soft Sustainable Drainage Systems (SuDS) should be utilised wherever possible. This could

be using filter strips, swales, over the edge drainage, retention ponds and detention basins these will also assist with balancing of run-off from the drainage.

The drainage system must include pollution containment as part of the primary design. Envirodrain or similar continuous kerb drainage systems provide a practical solution in some situations. Whilst these function well as drainage conduits, if they are utilised then the system must have suitable pollution control measures incorporated into the design as sealing the system in the event of an incident is not feasible.

When designing the drainage system for the road it must be designed to maintain catchment separation i.e. not take run-off from one catchment and drain it to another.

Material management

The scheme design should endeavour to achieve a balanced use of materials over the whole scheme to minimise any waste generation. If excess material is generated then management could be thorough identifying other developments where these may be utilised, this being done prior commencement of works on site. This will allow the consideration of other materials management options such as the CL:AIRE or aggregates protocols.

Storage of materials during the construction period must be planned and properly managed to ensure that any silt laden runoff does not enter any watercourse.

A comprehensive materials management plan should be produced for the scheme including waste management.

Water and environment monitoring plan

A water and environment monitoring plan should be produced and agreed with NRW with appropriate implementation commencing prior to commencement of works on site.

Incident reporting

Any incident that may result in pollution of a watercourse must be reported immediately to Natural Resources Wales on the incident hotline 0800 807060 providing, date, time, location, description of incident, impact or potential impact, any mitigation already implemented along with a contact name and phone number

Please do not hesitate to contact us if you wish to discuss our comments further or if we can be of any further assistance to you.

Yn gywir / yours faithfully.

Charlotte Hawksworth

**Development Planning Adviser/ Cynghorydd Cynllunio Datblygu
DPAS/GCCD**

P-05-886 Stop the Red Route (A55/A494 corridor), Correspondence – Iceland (at Deeside Industrial Park) to Committee, 11.11.19

The General Importance of the Scheme

It has long been regarded that congestion of the existing A494/A55 route is intolerable. It has also been noted that congestion reaches its peak during the summer, particularly on bank holiday weekends reducing valuable income to the whole North Wales area.

It is a fundamental necessity that additional capacity is provided through the Deeside area. It is also a fundamental requirement to improve access to Deeside Industrial Park and widen the catchment area for the workforce required to support the businesses within the Deeside Industrial Park.

The single route from the M56 to the A55 corridor has all too frequently become impassable due to accidents or breakdowns. An alternative to the existing which could be used in such an event is the obvious solution.

Issues raised by the Petition

- (1) The alternative (Blue) Route is through a heavily populated area of housing. It cannot be right to increase traffic flow through such an area whereas the Red Route has a very limited number of houses along the whole route. The Blue Route is already subject to speed limitations to improve air quality which would only be made worse by increased traffic flow.
- (2) This is incorrect. The existing bridge on the A494 needs to be replaced as it has reached the end of its serviceable life.
- (3) As already stated the replacement of the existing bridge is not conditional on either the Red or Blue Route. I fundamentally disagree with the point regarding increased congestion on the hill out of Northop towards Holywell. The Red Route clearly shows increased numbers of lanes and capacity. The reference to the cost related to the A494 improvement is incorrect as explained previously.
- (4) Congestion at its worst is when traffic joins the A494 before Deeside Industrial Park and continues through to the proposed Northop junction. I do not understand how the survey can be under-represented.
- (5) I fundamentally disagree with this comment.
- (6) The best way to reduce CO₂ emissions is to reduce congestion and standing traffic. The additional route as provided by the Red Route option will achieve that aim.



By email.

12th November 2019.

Dear Janet,

Thank you for your letter dated 16 October 2019 in relation to the Petition P-05-886 to Stop the Red Route (A55/A494 corridor).

I have received several letters from members of the public in the last two years and I have tried to help them use the Well-being of Future Generations Act directly in conversations with public bodies by referring them to:

- My report, [Transport fit for future generations](#);
- My frameworks that provide prompts for carrying out sustainable development; and
- The relevant well-being objectives and steps of the Welsh Government and the Flintshire Public Service Boards.

I would like to begin by clarifying that the Well-being of Future Generations Act does not give me the ability or the resources to intervene in specific decisions. However I have identified both transport and decarbonisation as being key areas of focus for my office and the work I have undertaken to date in this area has wide applicability to transport decisions being taken across Wales

Considering the case that has been made around significant road building schemes I was concerned that the previous Welsh Transport Appraisal Guidance was not aligned with the requirements of the Well-being of Future Generations Act. I, therefore, provided advice to and worked directly with the Welsh Government to amend this guidance, which has now been published as [WelTAG 2017](#). Unfortunately, since the launch of the new guidance, we have received a number of letters about different road proposals where people feel that WelTAG and the Act were not fully considered or the consideration they were given was only a formality and retro-fitted to a pre-determined solution.

As a follow up on my work with the Welsh Government in the rewriting of WelTAG, I have chosen a few examples to verify implementation. While this scheme was not one of the examples I have looked at, my conclusions should be equally relevant to the Red Route (A55/A494 corridor) proposal. My findings from the schemes that I did look at are that I need to see more elements and much clearer evidence of how projects:

- apply of the five ways of working to consideration of possible solutions to ensure the needs of future generations are considered;
- maximise contribution to the well-being goals;
- evidence that Transport is the best solution;
- align project objectives and options to the relevant well-being objectives and steps;
- re-assurance at Stage 1 that the project will not damage any of the objectives or goals;
- clear statement that the work done at Stage 1 enables the Public Body to be sure that they will not compromise the ability of future generations to meet their needs

I have said the building of new roads is a solution of the past that often creates more traffic and pollution in the long-term and that the current approach to transport is no longer fit for our future generations. We need a modal shift towards more sustainable alternative if we want to achieve the national well-being goals, as well as the carbon reduction targets set out in [A Low Carbon Wales](#) and the Committee on Climate Change's [Net Zero](#) report.

This issue is particularly relevant in Wales where emissions from transport have increased rather than reduced in recent years. This has happened in a context in which the average CO2 emissions per km travelled by new vehicles has been reducing by around 3% per year. The reason for the net rise in emissions is that the total number of kilometers travelled by all motor vehicles in Wales reached a record high in 2018, and rose 9% over the 2012-2017 period. Wales has the lowest rate of uptake of ultra-low emissions vehicles in the UK, at 0.2% against an average of 0.5%.¹ Given these issues the surface transport sector should be a key focus area for the WG in its drive towards rapid decarbonisation.

My report, [Transport fit for future generations](#) explored alternative methods, such as improved public transport systems, which could unlock multiple benefits for current and future generations. The report is designed to show how the Well-being of Future Generations Act should be applied to solve congestion using the M4 Relief Road as an example. The underlying research and conclusions can and should be applied to other proposals, including the Red Route (A55/A494 corridor) scheme.

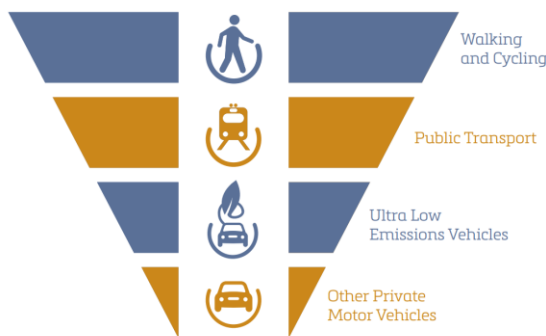
Because of the numerous application issues that were raised with me, I have recently written to the Minister for Economy and Transport, Ken Skates, to inform him of the issues raised with me and to advise that Welsh Government does not release funding for schemes that have not correctly

implemented WelTAG in Stage One. I attach this letter for your consideration. I have received a response from the minister, which is also attached. I strongly believe the Welsh Government must require comprehensive and demonstrable application of WelTAG before releasing any funds and I am currently concerned that this is not the case. I am due to meet with the Minister this week where I will follow this up.

You might also like to know that in response to the climate emergency declared by Welsh Government, I have also produced a [10-point plan](#) to fund the climate emergency. This includes a separate section on Transport and calls for Welsh Government to increase investment in active travel and the funding of public transport.

Finally, I would also point you to the latest edition of [Planning Policy Wales](#) which included a sustainable transport hierarchy, which placed private motor vehicles at the bottom:

Figure 8: The Sustainable Transport Hierarchy for Planning



Thank you again for seeking my views on this matter. I hope that you will find the above information useful.

Yours Sincerely



Sophie Howe

23 July 2019

FAO: Minister for Economy & Transport Ken Skates
cc: Deputy Minister for Economy & Transport Lee Waters

Dear Ken

Welsh Transport Appraisal Guidance (WelTAG) 2017

We were pleased to work with you and your officials to update the Welsh Transport Appraisal Guidance (WelTAG) which was published in December 2017. The Guidance ensures that the Well-being of Future Generations Act is considered throughout the WelTAG process, for example:

*“The purpose of Stage One is to understand the issues of concern, explore the context and to present a wide list of possible solutions, sufficient to be able to decide whether there are any solutions within the transport sector that are worth pursuing and to select a short list of options for more detailed consideration. The key feature of this step is the **application of the five ways of working** to the consideration of possible solutions, to ensure the **needs of future generations are considered**, and understand how well they help public bodies to **meet the well-being objectives and maximise their contribution to each of the seven goals**. It provides the opportunity to review whether there are non-transport or cross-cutting solutions”.*

Following publication, we agreed to work with your officials to support the implementation of the new Guidance, as updating the Guidance alone will not ensure the new ways of thinking and working are applied. We agreed that we would provide support to a small number of WelTAG schemes and provide constructive feedback on how the Guidance was being applied. To date my team has

- Contributed to the review group for Llandeilo WelTAG scheme (Stage 1);
- Provided advice on other WelTAG Stage 1 reports (Haverfordwest);
- Had discussions with Welsh Government officials, Vale of Glamorgan council and members of the local community about the M4-A48 scheme.

We wrote to WelTAG users including Welsh Government, local authorities and all the main consultants in April 2019 to ask for feedback on how the new Guidance is being used and I am very disappointed to say that we only received one response (from Mott McDonald). We supported two Welsh Government workshops that took place in May 2019 of this year to outline the expectations of the Guidance and to discuss any good practice and barriers around implementation.

During these workshops we also highlighted how Planning Policy Wales (PPW 10) has been updated to show how the planning system should facilitate the delivery, decarbonisation and improvement of transport infrastructure in a way which reduces the need to travel, particularly by private vehicles, and supports and increases the use of active and sustainable transport. And also the recent Welsh Government Plan [Prosperity for All: A Low Carbon Wales](#), which outlines how the Welsh Government has committed to decarbonise transport through reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. As you know delivering this

objective will not only make an important contribution to decarbonisation, but will also improve air quality, increase physical activity, improve the health of the nation and realise many of the goals of the Well-being of Future Generations Act. We also know this modal shift is essential if Welsh Government are to deliver their statutory targets on reducing carbon emissions in the transport Sector as set out in *Low Carbon Wales: a 79% decrease in the next 30 years* will require everyone to play their part, and as an area of focus for my office, I will be looking closely at what progress is being made.

We receive regular correspondence from members of the public about transport and the application of WelTAG, particularly on specific schemes (e.g. within the Vale of Glamorgan, but also in Caerphilly and north Wales).

During the last 12 months, based on feedback from a range of stakeholders and practitioners, it has become apparent that the Guidance is not being applied as intended and also there appears to be a significant lack of capacity within Welsh Government to support implementation and the capacity buildings that's required. The key issues for me are:

- The system in which WelTAG is being used is flawed: it is often used when specific schemes or solutions (e.g. roads or bypasses) have already been identified; when a WelTAG study is commissioned the Guidance is retrofitted, rather than allowing people to take a more holistic and integrated approach to seeking solutions to transport issues;
- Because the current Transport strategy has not been updated since 2008 those working in the transport profession are relying on documents such as the National Transport Finance Plan and the Wales Infrastructure Investment Plan which commit funding to specific schemes (e.g. WIIP project pipeline of infrastructure projects was updated in June 2018 and commits funding for approximately 15 road-based projects). This reinforces the view that the starting point for the WelTAG assessment is already defined and is usually road based which leads people to focus on road-based solution but also means that the Guidance cannot be applied properly;
- The Act and new Guidance requires a different way of thinking and way of working and I don't feel there has been sufficient support or capacity building for Public bodies and consultants to help them understand the new requirements;
- To this end, I have not seen sufficient evidence that Stage 1 is being applied properly
 - I have seen insufficient evidence that users are applying (which is different to just considering) the five ways of working when considering possible solutions and understand how well these solutions help public bodies to meet the well-being objectives and maximise their contribution to each of the seven goals.
 - Consultants are publishing separate "WFG reports" as part of the WelTAG process and these indicate that they are considering the impact of solutions on the ways of working and relevant well-being objectives, which is the wrong way round as the ways of working and objectives should be used to *generate* the solutions.

- Finally there doesn't seem to be a mechanism to share learning or best practice on implementing the new Guidance.

My advice on this particular point is that if WelTAG is not used properly and particularly at Stage 1 the Welsh Government should withhold funding for further stages.

As you know the Assembly Economy, Infrastructure and skills committee report (State of Roads, October 2018) included several recommendations on WelTAG which were accepted by Welsh Government. They highlighted the fact that ensuring the Guidance is understood and followed by public bodies, and their contractors, will be key to its success and recommended Welsh Government should ensure support is available for this.

In your response you mention that Welsh Government is already working with the Future Generation's office to develop a programme of support sessions to ensure the toolkit is understood and where necessary, is refined. We supported the design and delivery of two workshops for practitioners in May but my view is that this will not be sufficient to embed the cultural change required both within the public sector clients and private sector consultants. Ongoing capacity building is needed and whilst I am keen to support the ongoing roll out of this work due to the large remit and limited resources of my office we do not have capacity to continue to deliver this work on an ongoing basis without additional resources.

The second recommendation was to ensure that every new road project should be subject to challenge to ensure the Well-being of Future Generations Act has been rigorously applied in the scheme, and that Welsh Government should audit a small selection of projects to assess the extent to which is this happening. My office is not involved in this work and would be keen to receive further details of this audit. As I mentioned above I am keen to see the Government taking a systematic approach to auditing how WelTAG has been applied and refusing to allocate funding where it has not been applied effectively.

The new WelTAG guidance, if applied properly, can support Welsh Government and Public Bodies to achieve a whole range of outcomes that would improve the well-being of people and communities across Wales. I am concerned that as it currently stands the lack of understanding and robust monitoring of its application means that this is not happening. I would be keen to hear your views and discuss options you are putting forward to ensure the new Guidance is understood and applied correctly.

Yours sincerely,



*Future Generations Commissioner for Wales
Comisiynydd Cenedlaethau'r Dyfodol Cymru*

Ken Skates AC/AM
Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport



Llywodraeth Cymru
Welsh Government

Sophie Howe
Future Generations Commissioner for Wales
Market Chambers
5-7 St Mary Street
Cardiff
CF10 1AT

Commissioner@futuregenerations.wales

15 August 2019

Dear Sophie

Thank you for your letter of 25 July regarding the implementation of the Welsh Transport Appraisal Guidance (WelTAG) 2017.

We were pleased to work with you and your team to lead the way in Wales in embedding the Well-Being of Future Generations Act and the five case model for better business cases, with best practice in transport appraisal. This approach ensures that our transport interventions give us the best value for money in maximising our contribution to the well-being goals.

I agree that the success of the guidance will be in the way that it is applied. The Well-being of Future Generations Act and WelTAG 2017 represent a step change in the way we work and make decisions for the people of Wales now and in the future. We are taking forward the recommendations of the Assembly Economy, Infrastructure and Skills Committee Report (State of the Roads, October 2018). We recently hosted two well attended WelTAG workshops, which we were pleased your team was able to support. These workshops brought WelTAG users together to discuss their experiences and examples of best practice. It is our intention to set up a WelTAG Community of Practice and hold more workshops and training sessions to provide ongoing support to WelTAG users and enable the sharing of learning and best practice.

My officials have identified key themes where WelTAG users require further support and guidance. Supplementary guidance is being drafted on engagement and consultation and also how to apply the Well-being of Future Generations Act at each stage of the process. My officials are currently considering the schemes that will be subject to a WelTAG audit and the nature of the audit. I am happy for my officials to meet with your team to discuss the proposals.

My officials have been working with WeITAG users on several studies to assist with the implementation of WeITAG 2017. Your team has provided input on some of these, which has been welcomed. My officials identified high risk studies where closer scrutiny would be required. These were a study in Chepstow and the air quality improvement plans being undertaken by Caerphilly and Cardiff Councils. My officials invited your team to provide input but unfortunately the offer was declined.

We have embedded the WeITAG process in our local transport grants application process to ensure that the schemes receiving Welsh Government grant funding have demonstrated how they are delivering the well-being goals and objectives and are developed using the five ways of working.

Since the publication of WeITAG 2017 we have started shifting towards a corridor / area based approach to the early stages of WeITAG. For example our emerging Metro Enhancement Framework, which takes a corridor based approach to considering future transport interventions in the south Wales Metro area. I will be providing further detail on this in the autumn.

In recognition that there were ongoing studies and schemes being developed when WeITAG 2017 was published, we issued supplementary guidance on transitional arrangements alongside the main WeITAG 2017 toolkit. The transitional guidelines require that schemes that were already being taken forward through WeITAG 2008 move over to WeITAG 2017 at an appropriate stage in their development. This includes reflecting on whether stages that have already been undertaken need updating to take account of the latest legislation and policy including the Well-being of Future Generations Act.

I recognise the importance of the Wales Transport Strategy in setting the strategic direction for transport in Wales. I am committed to updating the Wales Transport Strategy.

Yours sincerely



Ken Skates AC/AM
Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport

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

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

P-05-886 Stop the Red Route (A55/A494 corridor), Correspondence – North Wales Mersey Dee Business Council to Committee, 04.12.19

In relation to Janet's recent request for our views on the Red Route (A55/A494 corridor), please see below our feedback/response:

The existing road infrastructure on the A55 / A494 is one of the main arterial access points into North Wales and is very frequently congested for a variety of reasons e.g. volume of traffic, broken down vehicles or accidents blocking one or both lanes of the carriageway .

This congestion then has negative knock on effects for the local commuter traffic (originating in both England and Wales), through Tourism traffic (North Wales has around 30 million tourism visits a year) and HGV traffic heading to and from our International Port of Holyhead. These negative knock on effects damage our regional economy and result in lost productivity and growth in both the immediate, medium and longer term, especially for the numerous businesses operating in the immediate vicinity e.g. Deeside Industrial Zone.

We are therefore, with the detail we currently have available, broadly supportive of the Red Route, as this major road improvement scheme would increase substantially the resilience of transport infrastructure in our current road network. The lack of resilience currently in our major transport infrastructure is a significant issue for the North Wales economy and our local businesses, especially for the pivotal cross-border connectivity between North Wales and North West England.

Before we can be 100% supportive of this particular road improvement scheme though, we would need to understand some of the detail from the Business Case for the investment, including:

1. The current and forecasted traffic usage and congestion in the area.
2. The negative impacts economically and from a health perspective e.g. air pollution, of the current and forecasted congestion.
3. The options appraisal (differing options for solving the issues in points 1 & 2) that resulted in opting for the red route. Options appraisals for solving the issues on capacity and resilience, should also include looking at investment options in public transport as part of the solution.
4. Detail that the red route option will offer the capacity/resilience we need, based on the traffic forecasts.
5. If the red route would not cover all the capacity/resilience we need for the foreseeable future, how does this investment coupled with other planned investments e.g. in Public Transport, work together to provide the capacity and increased resilience we need.

6. The overall carbon emissions impact of the scheme – so the balance between the additional carbon expended in its construction and the loss of carbon sinks VS. the carbon saved from congestion reduction and improvements in air quality.

If the overall carbon emissions for the scheme mean net additional carbon/Greenhouse Gases (GHG's), then what are the carbon/GHG mitigation schemes that would commence before construction starts (e.g. afforestation / tree planting) and continue during and after its construction, to offset these additional net GHG emissions. We have a UK wide legally binding target of net zero carbon emissions by 2050, so major infrastructure investments moving forward have to take this into account

7. As the finer details on the exact design of the red route are not available, we are not able to comment on the negative or positive impacts on the biodiversity of the area.

Should you have any questions at all, please do not hesitate to contact us.

Many thanks.

P-05-886 Stop the Red Route (A55/A494 corridor), Correspondence – Petitioner to Committee, 29.01.20

Petitioners Response: P-05-886 - Pwyllgor Deisebau 21.01.20 / Petitions Committee 21.01.20

We thank the committee for the opportunity to respond to correspondence arising from our evidence session in front of the committee in October 2019. We apologise in advance for the rushed nature of this response and that we have not been able to cover all aspects of the discussion.

In considering the correspondence provided we would like to make the following comments:

- A) In his response to the committee, the minister makes the admission that the WelTAG process was carried out pursuant to WelTAG 2008 i.e. before the 2017 revision. Furthermore, there is no indication that the advent of WelTAG 2017 has had any demonstrable impact on the evolution of the scheme.

This point is also raised in the correspondence between the minister and the Future Generations Commissioner, Sophie Howe. She highlights that the way in which WelTAG has been carried out by the Welsh Government in this case (and in a number of others) means that it has effectively retro-fitted the process to an already-made decision to go ahead with one of two highway options. In his response the minister hints that old schemes will move over to WelTAG 2017 “*at an appropriate stage*”. However, he provides no indication of (a) when this will happen, (b) what the definition of an ‘old scheme’ is, and (c) which stage is deemed “*appropriate*”?

We note that the overarching “plan” stage of the evolution of this project, the Wales Transport Plan (WTP), is somewhat out of date, having being published in 2008. We welcome the fact that the minister commits himself to “updating” the WTP. We are, however, disappointed to note that again he fails to set out a timetable as to when this update will take place.

We argue that it is timely for the Welsh Transport Plan to be fully updated in the light of new thinking in transport over the past 12 years and *inter alia* the Well-being of Future Generations (Wales) Act 2015. **We call for this to take place before any further work is done on the Red Route scheme.**

We also note that Sophie Howe raises concerns that the new provisions of the Well-being of Future Generations Act, in terms of “ways of working”, have not been adhered to in generating highway-only options such as this one. We are disappointed that the minister has failed to answer this criticism in his response, instead choosing to name-check various workshops and training days which the Welsh Government has funded. We also note that Sophie Howe recommends that no proposed transport schemes should be funded unless they have gone through a fit for purpose WelTAG (which by definition would have to be Well-being Future Generations Act-compliant). **On the basis of this information we argue that the scheme has not gone through a ‘fit for purpose’ WelTAG, and so cannot be funded within present day Welsh Government legislation.**

B) With regard to traffic modelling the minister provides no further evidence to build confidence that the abnormalities of traffic flow (in particular the seasonality of the flow) have been accurately forecast by the traffic model on which the route selection was based. To the contrary the minister acknowledges the flaws in the traffic modelling by conceding that: “If a decision is made to progress with the scheme further, the traffic modelling and economic appraisal for the preferred option will be updated to take account of current guidance and traffic growth”. **Given this admission we are concerned that the original consultation and consequent decision was based on poor information and so should be revisited.**

C) Further, an issue the minister often raises in his support of the Red Route is air quality on the A494. We note from recent press coverage that this issue appears to have been solved by the minister. In quoting interim data on the 5th October 2019 the minister stated that the first 12 months of the 50 mph speed limit on the A494 in Deeside has shown a significant reduction in NO₂ levels. He also stated that “we believe that as a result of putting the average speed cameras in, we will see further reduction in nitrogen dioxide.” [BBC and Deeside.com].

He then goes on to state “and so for the shorter term, at least, whilst we undergo the transition to ultralow emission vehicles we need to do something”. **This is clear indication of the pace of technological change and underlines the need for an up to date review the Red Route decision in which the impacts of rapidly emerging technological developments are considered.**

D) In point (4) of his response to the committee, the minister states that non-car alternatives to the two highway options were examined primarily at the "Planning Stage". However this was in 2010. Given the £300 million price tag attached to this project, and the major advances in traffic management, such as the development of smart technology in the 10 year period since the non-car alternatives were considered **a serious question is raised regarding value for money of this project.**

E) With regard to the additional works requested by both panels at the October evidence session, i.e. a Halkyn Hill crawler lane and safety work on the Ewloe Interchange, we note the minister’s states there are no plans to “realign and rationalise the existing junctions or to remodel the Ewloe interchange”. **Given a key objective (4) of the Dee corridor plan is to improve safety at this junction this omission suggests that the project as it currently stands is highly unlikely to meet its stated objectives.**

F) The minister responded to statements from both parties at the evidence session regarding the general state of public transport in North Wales with a reiteration on his “North Wales Metro”, which by definition is an integrated public transport system. He states that small amounts of money are so far committed to the scheme (approx. 4% of the estimated Red Route cost) and outlines the limited progress made. Furthermore, in our view he fails to show the contribution of the Red Route to the North Wales Metro.

As local residents, we should like to draw the attention of the committee to the reality of public transport in North East Wales: over the past 3 year we have lost a number of valued local bus services, including the X28 in 2019, which linked Flint, Northop, Mold and

Wrexham. The frustration of Flintshire residents at the decline of local services has very recently been highlighted in a petition to your committee (P05-899: Buses for people not profit) which calls for bus services to be run to meet the needs for local people.

The situation on the railways is not much better, with the systematic cutting of North Wales Coast commuter time train services stopping at Flint and Shotton stations. The frustration of local commuters is currently highlighted by a further petition to your committee (P04-627: Improve commuter train services for North East Wales residents). The minister talks of improvements to Shotton Station, however he fails to point out that at peak times less than one train an hour stops at Shotton on the Holyhead-Chester line!

- G) The minister in his response to the committee once again repeats his previous correspondence regarding the geographic spread of the consultation responses. However he continues to fail to actually provide quantitative evidence to counter our concern that the consultation events favoured residents of Deeside, despite respondents' postcodes being collected as part of the consultation questionnaire. He clearly has the information at hand so we wonder why he hasn't made it available.
- H) We note the escalating costs of the Red Route proposal recently quoted in the media (Deeside.com 16/11/2019), based on the Wales Infrastructure Investment Plan. This put the new figure at £300 million (an increase of £44.6 million over the 2017 consultation figure) due to "inflation" and the omission of VAT in the original estimate. As this figure is now larger than the estimated cost of the Blue Route we wonder how this may have impacted the consultation outcome.

We are concerned to read in the correspondence from Natural Resources Wales (13/07/17) which states that: "The Red Route is likely to require substantive acquisition of land for compensation and this requirement does not appear to have been critically or effectively considered. If the Red Route is progressed, the identified costs should include costs relating to the replacement of the Dee Bridge and the A55/A494 interchange – clarification of whether this has been included is required." **These concerns re-missing costs was raised in 2017. We expect that these costs have now been added to the estimate and request an updated figure for the cost of the Red Route.**

- I) We note that of all of the Deeside companies approached for their views on the Red Route only one response has been received, from Iceland. This lack of response suggests that support of the Red Route is weak amongst those companies, and provides no evidence to support the claim made by the North Wales Ambitions Board Representative, at the evidence session, that Deeside traffic congestion creates difficulties in workforce recruitment. The Iceland response provided little more than a personal opinion with no quantitative evidence in support.

With Best Wishes,

Tom Rippeth on behalf of the petitioners.

Agenda Item 3.23

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

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

Text of Petition

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

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

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

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

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

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

Additional information

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

Assembly Constituency and Region

- Aberconwy
- North Wales

Lesley Griffiths AC/AM
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs




Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-778
Ein cyf/Our ref LG/00021/20

Janet Finch-Saunders AM
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

 January 2020



Thank you for your letter of 6 January, regarding the extension of the razor clam fishery closure on Llanfairfechan Beach and any work relating to the species.

As you may be aware, the Llanfairfechan razor clam bed was subject to heavy gathering between 2013 and 2017 which lead to concerns the bed was being fished unsustainably. Existing fisheries legislation sets a minimum capture size of 100mm but no limit on the amount an individual may gather.

At the time, advice was also received from Bangor University stating the unregulated overexploitation of adult razor clams, which make up the vast majority of catches and act as the brood-stock for future generations, could lead to stock collapse. In the absence of any evidence of recruitment or any contrary evidence from a quantitative survey, it was deemed prudent to close the Llanfairfechan bed to allow stock recovery.

Officials are awaiting the results of a genetic profiling study commissioned by the Welsh Government which is being carried out by Aberystwyth University. The work will describe the genetic structure and habitat preferences of razor clam populations in Welsh waters, including those at Llanfairfechan. A map illustrating sample areas and any areas of connectivity will also be produced.

Further work is planned for 2020 to improve our understanding of sustainable levels of harvesting the intertidal bed, the presence of a subtidal bed and its ability to support the intertidal fishery. The results from these studies will inform future management decisions relating to razor clam exploitation 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.

Pack Page 306

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 studies will also improve our understanding of the vulnerability of particular razor clam stocks to gathering activities, such as at Llanfairfechan, and which management measures may be most appropriate to help ensure sustainable fishing practices. The fishery closure will therefore need to continue until the status of the stock is better understood and confidence is such it can support a sustainable fishery.

Regards
Lesley

Lesley Griffiths AC/AM

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

**P-05-778 Protect the Razor Clams on Llanfairfechan Beach, Correspondence –
Petitioner to Committee, 23.01.20**

Dear Petition Committee Members

Re: Protect the razor clams on Llanfairfechan Beach

Thank you for the opportunity to comment on the letter from Lesley Griffiths AC/AM. The Minister for Environment, Energy and Rural Affairs makes a significant point when it is noted that:

“Existing fisheries legislation sets a minimum capture size of 100mm but no limit on the amount an individual may gather”. This point clearly highlights a deficit in current legislation protecting the razor clams and leads me to reiterate for the Committee members the key reasons for the petition being raised ie.that the Welsh Government:

- ratify a ‘closed’ season for the harvesting of razor clams aligned to the spawning season i.e. May to September;
- draw up regulations in addition to the minimum landing size of 10cm to include set quotas that individuals are allowed to take; and
- bring forward legislation and regulations to protect the razor clams on Llanfairfechan beach.

It is pleasing to report that judging by the comments made on the local Facebook page that the residents of Llanfairfechan are encouraged by the continuing closure of the razor beds. Hopefully this action will provide additional time for the razor clam beds to recover and allow time for the extensive study of the tidal environment and razor clam population to take place.

I hope these comments may be included/raised at the February Meeting of the Petition Committee.

Once again thank you for your ongoing interest and actions on resolving this important local issue.

Yours sincerely

Vanessa L Dye(Mrs)

Agenda Item 3.24

P-05-876 Protection of Red & Amber listed species in Wales

This petition was submitted by Chris Evans having collected a total of 173 signatures.

Text of Petition

It has recently come to light that Natural Resources Wales have been issuing licences to allow the killing of species that appear on the RSPB's Red and Amber lists in Wales for sometimes rather spurious reasons such as "protecting cattle feed" and "air safety".

Other methods are available to disperse birds that do not involve killing. All Red listed species are under severe threat of extinction in Wales and thus the level of protection needs to improve to prevent further loss to our natural biodiversity.

The management of Natural Resources Wales have an anthropocentric viewpoint of the natural environment and thus are simply not fit for purpose when it comes to environmental and biodiversity protection.

We, the undersigned, contend that Natural Resources Wales is failing to protect the natural environment and biodiversity in Wales.

We demand that the ability of Natural Resources Wales (or any other body) to issue licences to kill any Red or Amber listed species should be removed with immediate effect and a less anthropocentric viewpoint be taken by management in all issues relating to the environment and biodiversity.

Additional Information

Assembly Constituency and Region

- Gower
- South Wales West

**P-05-876 Protection of Amber and Red Listed species in Wales, Correspondence –
Natural Resources Wales to Chair, 04.12.19**



Ein cyf/Our ref:
Eich cyf/Your ref:P-05-876

Government Buildings
Arran Road,
Dolgellau,
Gwynedd,
LL40 1LW

Ebost/Email:
Ffôn/Phone:

4th December 2019

Dear Janet Finch-Saunders

Petition P-05-876 Protection of Red & Amber listed species in Wales

Thank you for your letter of 20th November 2019, relating to the above petition.

You will be aware on the 7th October 2019 NRW revoked five General Licence (GL001-004 and 016) and issued four new General Licences (GL001, 002, 004 and 016). They have been developed as a proportional way of regulating frequent and common activities where there is a clear need, based on evidence, to control certain species of wild birds.

In preparation of the 2020 Wild Bird Licensing Review NRW are currently undertaking scoping to determine timing, structure, evidence gaps and method of evidence gathering required to support the review. Once the scope of the licensing review has been formalised and agreed I will send you our proposed delivery plan.

In addressing your second point on how the importance of biodiversity will be considered, you may have noted:

- all red and amber-listed Birds of Conservation Concern that were referenced on the revoked General Licences as listed above were removed when the new GL001, 002 and 004 were issued, this included Herring Gull, Great black-backed Gull, Black headed Gull, Lesser Black-backed Gull and Lapwing;
- all wild bird species that showed evidence of a long-term marked decline in range and/or abundance in Wales, that is, a decrease of more than 25% between 1994-2017 were removed when the new GL001, 002 and 004 were issued, this included rook;
- where an individual application is made for a specific licence circumstance NRW will continue to assess the evidence base of that application and the conservation

status of the species concerned before consent is issued for lethal control as regulated through the individual licensing process.

The 2020 NRW bird licensing review will continue to assess the proportional safeguarding of all wild birds and especially red and amber-listed Birds of Conservation Concern in Wales. To fully understand the views of the Petitions Committee we would welcome the opportunity to meet and discuss.

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

Yours sincerely

A handwritten signature in purple ink that reads "R. Jenkins". The signature is written in a cursive style with a large initial "R".

Ruth Jenkins

**P-05-876 Protection of Amber and Red Listed species in Wales, Correspondence
– Petitioner to Committee, 23.01.20**

Good morning,

Many thanks for the reply.

I thank NRW for the response and am pleased that the species mention have been removed from the list.

I would however wish to have sight of the new general licences issued (including the species that are included) and sight of the decision making process that NRW use in individual licencing, to make a full judgement on whether the issues that I have raised have been adequately addressed.

The letter does nothing to allay my concerns regarding the anthropocentric nature of thinking at NRW.

Kind regards
Chris Evans

Agenda Item 3.25

P-05-873 Free Welsh Lessons for the People of Wales

This petition was submitted by Sheryl Callard having collected a total of 95 signatures.

Text of Petition

When I was younger I was deprived of the right to study my native language in school, and because of that I am not speaking my native tongue today. I, and so many others of my generation, and even the younger generation are deprived of the means to speak Welsh because the teaching of Welsh in schools wasn't successful with them in the past. This is why I am asking the Welsh Government to right the wrongs of the past, and to show true leadership to fight for my right to learn my own language by providing Welsh classes and resources for free. We are asking for the Minister for Welsh to support this motion and fund the classes so I, and many others who were deprived of the Language get the chance to speak once more. This would work perfectly with the Welsh Government's plan to reach a Million Welsh Speakers by 2050, and would provide a spark for people to re-grasp their culture and their mother tongue once again. We ask the government to work with different agencies to provide these lessons to people in different areas, and by making learning services available on the web for people. Also to provide booklets and paper to different people from different background in Wales to have a chance in learning the Language.

Please secure this for the people of Wales who are passionate to regain their culture and native tongue.

Assembly Constituency and Region

- Cardiff North
- South Wales Central



Eich cyf/Your ref P-05-873
Ein cyf/Our ref EM/05797/19

Janet Finch-Saunders AM
Assembly Member for Aberconwy
Chair - Petitions Committee
National Assembly for Wales
Tŷ Hywel
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seneddpetitions@assembly.wales

14 January 2020

Dear Janet,

Thank you for your letter regarding petition P-05-873 - 'Free Welsh Lessons for the People of Wales'.

The establishment of the National Centre for Learning Welsh has provided an opportunity to harmonize many aspects of the Learn Welsh programme, including tuition fees. The new arrangements of £90 per mainstream course are already in place and are achieving consistency and fairness for all learners across Wales.

Although offering free Welsh language courses for adults is not one of the 10 transformational changes noted in 'Cymraeg 2050', the National Centre for Learning Welsh has worked very closely with providers to create a Welsh for Everyone scheme. The scheme offers adult learners the same opportunities to enable them to learn; whether they have lost the language they had since leaving school, need a refresher to gain confidence, or are new learners.

A consistent tuition fee discount structure is in place, including a 40% discount for students and individuals on benefits, and a discount of up to 100% (i.e. offering free courses) for some courses.

The Centre also has a Financial Contingency Fund which offers financial assistance to Welsh learners. It offers help towards a range of costs, including childcare and travel costs,

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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.

to reduce barriers to learning. The Centre has also invested in developing provision that suits more people, including offering more blended learning and on-line courses which allows people to learn Welsh at a time which suits them with less need to travel.

As Welsh is now a compulsory subject for school aged children, every learner will have some knowledge of Welsh by the time they leave the education system at 16, giving them a good foundation to build on should they wish to do so.

I trust that the above information explains the steps that are in place to ensure that learning Welsh is made affordable and for as many people as is possible.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'M. E. Morgan'.

Eluned Morgan AC/AM

Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol
Minister for International Relations and the Welsh Language

Agenda Item 3.26

P-05-883 National Welsh History Week

This petition was submitted by Phil Rowe having collected a total of 86 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to establish a National Welsh History Week.

The aim is to create and promote a celebratory and historically accurate week of learning and educational opportunities about the history of Wales that is more honest than the sanitised British history that many of us took from school and does not seek to bias the information to offer a favourable view of any party.

To challenge the stereotypical and inaccurate historical fantasies of Wales and how it came to be within the hierarchy of modern day Britain.

Through understanding our actual history, promote the importance of Welsh language and culture, its place within modern Britain, and bring about discussion on how we should seek for it to be perceived not only within Wales, but within the other countries of the British isles and the wider world.

Additional Information

Many people in Wales (myself included) grow up with inaccurate assumptions and ideas of how Wales came to be, and of 'races' within the British Isles.

A more complete understanding of who we are and how we arrived where we are today can better place us as a population to consider where we want to be in the future.

Assembly Constituency and Region

- Neath
- South Wales West



Eich cyf/Your ref P-05-883
Ein cyf/Our ref DET/06172/19

Janet Finch-Saunders AM
Chair, Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
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14 January 2020

Dear Janet Finch-Saunders AM,

P-05-883 National Welsh History Week

Thank you for your letter of 16 December 2019 enclosing comments from the Petitioner about the comments I made in response to the above Petition originally.

I read the petitioner's letter with interest and as I outlined in my previous letter, Welsh Government is delivering a number of initiatives to support this work. However I do acknowledge that there may be an opportunity to promote this work more widely ensuring a wider narrative on existing and potential activity or initiatives on Welsh history.

I shall be attending a meeting of the Historic Environment Group during the first half of 2020 and will discuss the petition and the promotion of the history of Wales with the group. The group has been established as a high-level forum to take a strategic overview of issues and opportunities in the historic environment and to promote common approaches. The group is made up of representatives from the major organisations in Wales with historic environment interests.

In addition, there are sector specific campaigns, in particular Explore your Archive each November and the Welsh Museums Festival, which takes place over the last week of October. Archives and Museums across Wales take part in these campaigns, which seek to raise awareness of our history and promote it to new audiences.

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

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

I believe that I have stated previously that it is essential that all learners in Wales have the opportunity to learn about our nation's history. Welsh history is a prominent part of the current Programme of Study for History at Key Stages 2 and 3. Learners are able to consider the local, national and global perspective of historical events, and develop their historical skills, knowledge and understanding through learning about a range of historical contexts.

Our national mission in Wales is to raise standards, raise the attainment of all children and ensure we have an education system that is a source of national pride and public confidence. The biggest change is a new curriculum for schools and funded non-maintained nursery settings in Wales from September 2022 in primary schools and for year 7 pupils in secondary schools. The curriculum will then be rolled out on a year by year basis in secondary schools.

The new curriculum is being designed with four key purposes at its heart. One of these key purposes is that all children and young people will be ethical, and informed citizens of Wales and the world, ensuring they are knowledgeable about the culture, community, and history of Wales and its place in the wider world.

The new curriculum will move away from specifying lists of 'topics / content' to be taught. However, we will be working with practitioners to commission new resources, which will refer to key events and topics in the histories of Wales and the world. The flexibility of the new Curriculum will allow teachers to deliver lessons in more creative ways better suited to the learners they teach.

You might also be aware that the Education Minister has asked Estyn to undertake a thematic review of the teaching of Welsh history in schools. Education officials are presently working with Estyn to agree the remit of the review and its findings will be published once completed by Estyn.

Furthermore, Education officials have recently undertaken a review of all presently available resources to support the teaching of Welsh history in schools. The commission of further resources to support the teaching of the new curriculum will be informed by the outcome of the Estyn review and by our work with practitioners.

Finally, you might also be aware that the National Assembly for Wales's Culture, Welsh Language and Communications Committee undertook an inquiry into the teaching of Welsh history, culture and heritage and on 14 November 2019 – I have attached the link to the published report *Teaching of Welsh History, Culture & Heritage which included eight recommendations*.

<https://www.assembly.wales/laid%20documents/cr-ld12870/cr-ld12870%20-e.pdf>

The Government responded on 23 December and I understand that the matter is to be debated in Plenary on 15 January.

Yours sincerely,



Yr Arglwydd Elis-Thomas AC/AM

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism

Pack Page 319

Agenda Item 3.27

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

This petition was submitted by Centre for Welsh Studies – Think Tank, having collected 55 signatures.

Text of Petition

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

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

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

Assembly Constituency and Region

- Neath
- South Wales West