



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Deisebau
The Petitions Committee**

**Dydd Mawrth, 29 Mawrth 2011
Tuesday, 29 March 2011**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Christine Chapman	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Veronica German	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Rhodri Glyn Thomas	Plaid Cymru (yn dirprwyo ar ran Bethan Jenkins) The Party of Wales (substitute for Bethan Jenkins)

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Dan Collier	Dirprwy Glerc Deputy Clerk
Joanest Jackson	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Naomi Stocks	Clerc Clerk

Dechreuodd y cyfarfod am 9.02 a.m.
The meeting began at 9.02 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Christine Chapman:** Bore da, and welcome, everyone, to the last Petitions Committee meeting of the current Assembly. First, I seek the committee's agreement that any actions that are not completed by 31 March can be undertaken by the clerk on the sanction of the current committee. Are you happy with that? I see that you are. As agreed at the last committee meeting, any correspondence received during dissolution will be shared with petitioners, but no actions will be taken on any petition. I remind you to switch off any mobile phones. We have received apologies from Bethan Jenkins, and I am pleased that Rhodri Glyn Thomas is substituting. Welcome, Rhodri Glyn.

9.03 a.m.

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol
Updates to Previous Petitions

[2] **Christine Chapman:** We have quite a number of updates. The first update is on P-03-136, Parking in Heath and Birchgrove. This calls for solutions to parking problems around Heath hospital in Cardiff. We have had correspondence from the Minister for Health and Social Services, but we have also received a late letter from the petitioner, although I do not know whether you have had a chance to look at that. As we have had this letter, I wish to provide an update on record on what has happened with this particular petition. As I said, you will have seen the correspondence from the Heath Residents Association, which sets out a number of concerns about the committee's consideration of this petition.

[3] While understanding and sympathising with the frustrations of people living in the Heath and Birchgrove area, we have been clear with the petitioners about the role, remit and functions of the Petitions Committee. We have made it clear that we are not in a position to

make any organisation take specific action, and the committee has not felt at any point that a specific recommendation should be made to the Welsh Government or the local health board in relation to this petition. As with any petition, it is for the committee to decide what actions we wish to take in relation to any specific petition.

[4] Our consideration of this petition—and, as you know, it has gone on for quite some time now—has helped clarify a number of issues, and we have endeavoured, throughout our consideration of this petition, to try to help seek a resolution for the petitioners, working within the context of our role, responsibilities and functions. We would not consider our considerations to be a waste of time, or to be without value. We have provided a summary of the actions that we have taken, all of which we feel have been useful. However, this list was not comprehensive. As well as providing answers on a range of issues, our consideration has, I believe, helped to raise the political profile of the issue and to ensure that the Welsh Government is aware of the concerns of local residents. Although the local health board has responsibility for parking at the UHW site, the council has responsibility for parking controls. We have raised concerns about illegal and dangerous parking directly with South Wales Police. As you know, we also invited the local health board to give evidence on the issue, to help draw our consideration of this petition to a close, and, in light of that not happening, we have sought this information through other means. I hope that that demonstrates our commitment to get the petitioners' concerns addressed.

[5] It would be fair to say that we were disappointed that the local health board would not come in and give oral evidence to the committee. We sought and received legal guidance on the use of the power to call, and, when we considered this issue, we felt as a committee that it would not have been a proportionate use of the power. That decision was taken and supported by all members of the committee. In relation to our recent consideration of the petition, we decided to seek the views of the Minister for Health and Social Services, because the Welsh Government is responsible for scrutinising the sustainable travel plans of each local health board annually. It was therefore appropriate for us to seek her views on the robustness of the plan, in light of the concerns of the petitioners and the Welsh Government's role in monitoring these plans. The letter that we have received from the Minister on the sustainable travel plans stated that she will come back to us in July, so there will be further information on this. I just want to say that we do not keep petitions open without purpose; we seek to close them as soon as we feel that we cannot take any further action on the petition, but, in this case, we have not yet come to that position. As I said, I wanted to put on record a summary of what has happened over the last months, but are there any thoughts on this particular petition in view of the letter that we received yesterday from the petitioners?

[6] **Andrew R.T. Davies:** Chair, you have given a very comprehensive briefing on what the committee has done to date. This petition has been with the committee for some three years now. Some of the issues around the delay or the time it has taken have not been within the scope of this committee, such as the sustainable travel plans being devised. We had to wait for them to be brought forward. Also, the lack of co-operation from the local health board was unfortunate to say the least. I was disappointed, but I agree entirely with the sentiments of the committee with regard to the proportionate use of the power. I would agree that this petition needs to go forward to the fourth Assembly. Indeed, it could well be that there is a new Minister, who may take a different view of hospital parking in general, and, in particular, about parking at the University Hospital of Wales. I hope that the evidence that we have gathered over the last few weeks and months has added some significant weight to the debate on parking around Wales's largest hospital. It has certainly given a great deal of insight into and information about the actions of the health board, the council and the Government and the concerns of residents. I would hope very much that the new Petitions Committee in the fourth Assembly will take this forward.

[7] **Rhodri Glyn Thomas:** Fel rhywun **Rhodri Glyn Thomas:** As someone who is

sy'n dirprwyo ar y pwyllgor hwn, ac, yn amlwg, heb fod yn ymwybodol o'r cefndir, holaf ynglŷn â'r diffyg ymateb wrth y bwrdd iechyd lleol. Mae hynny'n fy mhoeni. Os oes bwrdd iechyd lleol yn gwrthod cydweithredu â'r pwyllgor hwn, a chyda Cynulliad Cenedlaethol Cymru, onid mater i'r Gweinidog siarad â'r bwrdd iechyd yn ei gylch yw hynny ac i'w annog neu, yn y pen draw, hyd yn oed i'w orfodi i gydweithredu? Os yw wedi gwrthod, hoffwn i'r pwyllgor gysylltu â'r Gweinidog a gofyn i'r Gweinidog gysylltu â'r bwrdd iechyd lleol ar y mater hwn.

substituting on this committee, and, obviously, does not know the background, I ask about the lack of response from the local health board. That concerns me. If a local health board refuses to co-operate with this committee, and with the National Assembly for Wales, is it not a matter for the Minister to talk with the health board about and to encourage it to co-operate or, ultimately, even to force it to do so? If it has refused, I would like the committee to contact the Minister and ask the Minister to contact the local health board on this matter.

[8] **Ms Stocks:** We contacted the health board at the end of last year, asking it to come to give oral evidence to the committee. Initially, it said that it was an operational issue and that it did not wish to do so. The committee wrote back and repeated its request, explaining why it felt that the health board's evidence to the committee would aid its considerations. It still refused. The committee took legal guidance in relation to this issue and considered whether it would be a proportionate use of the power to call it in, which the committee did not feel that it would be. The committee then sought the information from the health board in writing, which we received and, following that, the committee decided to write to the Minister about the issues around the sustainable travel plan, and the committee is considering the response to that today.

[9] **Rhodri Glyn Thomas:** Os deallaf yn iawn, nid yw'r pwyllgor wedi cysylltu gyda'r Gweinidog ynglŷn â methiant y bwrdd iechyd i gydweithredu â'r pwyllgor.

Rhodri Glyn Thomas: If I understand it correctly, the committee has not contacted the Minister regarding the failure of the health board to co-operate with the committee.

[10] **Ms Stocks:** That has not been specifically raised with the Minister.

[11] **Rhodri Glyn Thomas:** Credaf y byddai'n fuddiol i'r pwyllgor wneud hynny, oherwydd byddai rhywun yn disgwyl i fwrdd iechyd gydweithredu â phwyllgor y Cynulliad Cenedlaethol.

Rhodri Glyn Thomas: I think that it would be beneficial for the committee to do that, because one would expect a health board to co-operate with a committee of the National Assembly.

[12] **Christine Chapman:** What do other Members feel about writing to the Minister again on this particular issue about the fact that the health board has not—

[13] **Veronica German:** It is worth highlighting the fact. We had the legal advice that the health board was not obliged to give evidence, but morally, ethically or whatever else, we think that it should. It would not hurt. I presume, Rhodri Glyn, that you are talking about writing to the Minister for health, because we have been dealing with a different Minister over this, to say how disappointed that we are that it did not co-operate.

[14] **Rhodri Glyn Thomas:** Yes.

[15] **Andrew R.T. Davies:** We have established that there is obligation on a public body to engage with the National Assembly, the issue is whether we choose as a committee, in relation to the issue that is before us, to exercise the power, which I think, based on the legal advice that we received, could lead to an application to the high court. Am I right in saying

that?

[16] **Christine Chapman:** We had quite a lot of legal advice on this and we talked about whether it would be disproportionate to use this power, which is the issue, but we have now moved on to the principle of public bodies such as the local health boards not coming before us. We were all disappointed in that regard. Regardless of whether the issue under discussion was right or not, this is about the principle. So, I would be keen to raise that issue, at least—

[17] **Veronica German:** Not the parking, but the fact that the board did not—

[18] **Christine Chapman:** Yes, and to raise the whole issue with the Minister for health, anyway.

[19] **Veronica German:** If the committee still works in the same way in future, there could be other issues with health boards.

[20] **Christine Chapman:** Are you happy for us to write to the Minister for health? Okay, I see that you are. It will come back for the fourth Assembly anyway.

[21] The next update is on P-03-143, Ysgol Penmaes, which calls for improvements to rural transport, especially in Powys. We have had correspondence from the Deputy First Minister. Do you have any views on this?

[22] **Andrew R.T. Davies:** This is another petition that needs to be left open for the fourth Assembly to consider the responses that the Deputy First Minister or the successor Minister puts before the committee on this issue.

[23] **Christine Chapman:** Okay, thank you.

[24] The next one is P-03-150, National Cancer Standards. This calls for an investigation into whether local health boards will have the tools in place to meet the national cancer standards. As you know, we have had correspondence from Macmillan Cancer Support. After the last meeting, we wrote to the Minister for Health and Social Services to highlight concerns about the number of cancer nurse specialists. Do you have any views on this?

[25] **Veronica German:** We have had this report from Macmillan and it would be useful to get the Minister's view on the proposals that it has put forward. It is a comprehensive report.

[26] **Christine Chapman:** Are you happy with that? I see that you are.

[27] The next one is P-03-162, Road Safety in Llanspyddid, which calls for improvements to road safety in Llanspyddid. Correspondence has been received from the Deputy First Minister. Do you have any thoughts on this?

9.15 a.m.

[28] **Andrew R.T. Davies:** I am led to believe that some of the actions have been undertaken, so I think that we need to engage with the petitioners to find out which have been completed, and whether they are satisfied with the outcomes.

[29] **Christine Chapman:** The next one is P-03-170, from Mencap Cymru, calling for increased opportunities for people with learning disabilities to access employment within the National Assembly, the Welsh Assembly Government and the wider public sector. We have had correspondence from the petitioners. I understand that they have not, as yet, heard from

the head of additional learning support, so that is something that we need to chase up.

[30] **The next one is P-03-187, on abolishing the Severn bridge tolls. The Welsh Affairs Committee has published its report on the Severn bridge tolls, and the UK Government has also published its response.**

[31] **Andrew R.T. Davies:** Considerable work has been done on this petition, including by various committees of another legislature. It is now well understood that there is a timeframe to be completed and an amount of money to be raised before the removal of the tolls can be considered. I am in favour of a closure report on what the committee has done, and for us to close the petition.

[32] **Veronica German:** If I could put a fly in the ointment there, an economic impact assessment is being done here, which is due to be reported on, about the impact of tolls on businesses. I think that that needs to be part of how we close this. I know that it is awkward at this point. Normally, I would say that we should wait until that comes through, but it is the end of this Assembly. I would just like to note that that is relevant to this as well. I think that that is also in the report from the Welsh Affairs Committee.

[33] **Andrew R.T. Davies:** It might be helpful for us to know when that impact assessment is likely to be completed.

[34] **Veronica German:** It was supposed to be now, but it has been put back. It was going to be early spring, and then it was late spring, and now it is early summer. It should have been done by now.

[35] **Christine Chapman:** We will do that.

[36] **Andrew R.T. Davies:** Perhaps we should ascertain whether work has actually started, given that the end date is moving forward.

[37] **Veronica German:** There was a delay in getting the terms of reference, and then there was a further delay in appointing the people to do the report. It should have been started last November, but in January they still had not appointed the people. They have only just been appointed. The timeframe is supposed to be early summer, but as I say, it should have been done by now. I think that that is relevant to this petition.

[38] **Christine Chapman:** The next one is P-03-204, calling for greater public accountability and consultation in higher education. We have had correspondence from the Minister for Children, Education and Lifelong Learning. As you know, a statement was made by the Minister on 29 March indicating that a fundamental change is needed in higher education governance.

[39] **Andrew R.T. Davies:** Have you not indicated that we are unlikely to get a response until today?

[40] **Christine Chapman:** Sorry—yes, that is right.

[41] **Andrew R.T. Davies:** As we have not had that response, it will be challenging for us to consider it. It would be worth writing to the petitioners with details of the McCormick report into higher education governance, on which I think the Minister brought a statement forward, did he not? That is relevant to this petition. If the petitioners have not had sight of that report, they need to have a look at it.

[42] **Christine Chapman:** Are you happy to do that, then? That is fine.

[43] The next one is P-03-221, on improved NHS chiropody treatment, and calls for changes to the diagnosis, treatment and monitoring of pernicious anaemia. We have had correspondence from Cwm Taf Local Health Board and the Minister for Health and Social Services. Are there any views on this one?

[44] **Andrew R.T. Davies:** Again, I think that this is a petition that will go forward into the next Assembly. Our desire was that the petitioners be included in the scoping exercise or the work of the working group that the Minister has set up. Is it possible for us to find out whether they have been included in that, and if they have not, could we try to facilitate their inclusion?

[45] **Christine Chapman:** Okay. The next one is P-03-238, calling for an independent inquiry on the pollution of Burry inlet. We have had correspondence from the petitioners.

[46] **Veronica German:** If the petitioners think that the Environment Agency is not meeting its statutory duties, we need to know exactly where they think that that is the case. So, we should write to the petitioners to ask them for more details about that.

[47] **Christine Chapman:** Are you all happy with that action?

[48] **Rhodri Glyn Thomas:** Mae'n broblem barhaol ym Mhorth Tywyn, ac yr wyf yn ymwybodol o'r mater, er nad yw Porth Tywyn o fewn fy etholaeth. Mae'n fater sy'n peri cryn bryder i drigolion Porth Tywyn, felly byddai'n fanteisiol cadw'r ddeiseb hon ar agor er mwyn gweld beth yw'r sefyllfa. Nid wyf yn ymwybodol bod datrysiad i'r sefyllfa hyd yma.

Rhodri Glyn Thomas: It is a continuous problem in Burry Port, and I am aware of this issue, although Burry Port is not in my constituency. It is an issue that causes quite some concern for the residents of Burry Port, so it would be beneficial to keep this petition open to see what the situation is. I am not aware of any resolution having been found for this situation so far.

[49] **Christine Chapman:** Okay, so we will recommend that this petition continues and that further information should be sought.

[50] The next petition is P-03-240 on the call for safety improvements to the A40 in Llanddewi Velfrey. As you know, in previous correspondence from the Deputy First Minister, it was stated that the work on setting the speed limit was due to be completed within the next six months. We have been told informally that this is due to be completed during the dissolution period, and work on the A40 in Llanddewi Velfrey was announced as part of the capital funding programme. So, would you be happy to write to the Deputy First Minister asking for further information on the planned works? I see that you are content with that.

[51] The next petition is P-03-241, on *Llanelli Star's* Save our Sewers campaign, which calls for the sewage system in Llanelli to be improved. We have tried to chase up the petitioners, but we have not received a response to our request for views. So, under the circumstances, it is probably an idea to close this petition and to produce a summary closure report.

[52] The next petition is P-03-256 on additional trains to Fishguard. Correspondence has been received from the petitioners. As you know, in the last correspondence from the Deputy First Minister, it was stated that work was under way in refreshing the business case and that that was expected to be completed by the end of autumn 2010. In written evidence to the Enterprise and Learning Committee, the Deputy First Minister stated that the desktop evaluation has been completed, and that work is now taking place with Arriva Trains Wales on timetable options and subsidy costs, after which a decision will be made. Would you be

happy to write to the Deputy First Minister to ask for some news on progress on this petition?

[53] **Andrew R.T. Davies:** Is Arriva Trains Wales directly accountable to the Deputy First Minister? Would it be worth us making contact with Arriva Trains Wales to see what part of the work that it is expected to undertake is progressing and to ask for its argument for not progressing any work? Given that a business case must be made and that Arriva is the franchise operator, that needs to be considered. However, it may solely be subject to ministerial direction and, therefore, lie with the Deputy First Minister. I do not think that we have made any contact with Arriva Trains Wales on this one.

[54] **Christine Chapman:** I do not think that we have.

[55] **Ms Stocks:** No, we have not.

[56] **Andrew R.T. Davies:** So, it might be worth us trying to raise this with Arriva Trains, because, ultimately, it would be responsible for running the service.

[57] **Christine Chapman:** Okay, there is no harm in us doing that.

[58] The next petition is P-03-260, from the Campaign for Dark Skies, which calls for light pollution to be tackled. We have received correspondence from the Minister for Environment, Sustainability and Housing, the Welsh Local Government Association and the Deputy First Minister. Are there any thoughts on this petition?

[59] **Veronica German:** I suggest that we pass on the correspondence to the petitioners to get their views on them.

[60] **Andrew R.T. Davies:** Powys County Council has been used as an example of good practice, so it may be able to provide us with specific examples of excessive lighting on the trunk road network. Those examples could then be provided to the new Minister, after the election, for his or her consideration.

[61] **Christine Chapman:** Yes, okay. Is everyone happy with that? I see that you are.

[62] The next petition is P-03-261 on local solutions to Newtown traffic congestion. This petition calls for a deferral on the decision about a bypass in Newtown until sustainable measures have been trialled to address traffic congestion. We have received correspondence from the Deputy First Minister on this petition.

[63] **Andrew R.T. Davies:** This petition is separate to the one that we received last week, is it not?

[64] **Christine Chapman:** Yes.

[65] **Andrew R.T. Davies:** I thought that it had gone up the rankings quite quickly. [*Laughter.*] There is local interest and concern, and there is also national interest, because that road is part of the main north-south link. So, we should find out from the Deputy First Minister what efforts his staff are making to engage with the petitioners on the real concerns that they have. I do not know whether we can do this, but it might well be worth telling those who sent in last week's petition about this, because it is very much on the same issue. I am not sure whether that procedure is allowed.

[66] **Christine Chapman:** Are the other petitioners aware of this petition?

[67] **Ms Stocks:** I did say that we had another one. This petition comes from a slightly

different angle, but the information in the letter from the Deputy First Minister about dates would be of interest to those petitioners. So, we can share that; that is not a problem.

[68] **Rhodri Glyn Thomas:** Mae'r deisebau hyn yn codi cwestiwn ynglŷn â'r broses o ymgynghori â phobl leol pan fo cynllun i greu ffordd osgoi. Gwelais sefyllfa debyg yn Llandeilo; cafwyd proses o ymgynghori yno, ond, yn y pen draw, yr oedd y cyfeiriad a ddewiswyd ar gyfer y ffordd osgoi yn gwbl groes i'r hyn yr oedd pawb yn lleol am ei gael. Aethpwyd o sefyllfa lle nad oedd fawr o wrthwynebiad, i sefyllfa lle yr oedd grwpiau'n dod ataf yn gwrthwynebu. Felly, mae cwestiwn yn codi ynglŷn â'r broses o ymgynghori a sut y mae'r penderfyniad ynglŷn â chyfeiriad ffordd osgoi yn cael ei wneud yn y pen draw. Bydd hyn yn codi dro ar ôl tro. Felly, bydd yn werth edrych ar hynny yn y Cynulliad nesaf, wedi'r etholiad.

Rhodri Glyn Thomas: These petitions raise questions about the process of consulting local people when there are plans to build a bypass. I saw a similar situation in Llandeilo; there was a consultation process there, but, ultimately, the route that was chosen for the bypass was the complete opposite of what local people wanted. Therefore, the situation changed from being one where there was almost no opposition to one where groups were coming to me to voice their opposition. Therefore, questions arise regarding the consultation process and how the ultimate decision about the route that a bypass takes is made. This issue will arise time and again. It will be worth looking at that in the next Assembly, after the election.

[69] **Christine Chapman:** If we are going to ask the Deputy First Minister to clarify with regard to the petition on engagement, we could pursue those aspects as well, if you are happy, Rhodri Glyn. We will include that in the letter, then.

[70] The next update is on petition P-03-262, Academi Heddwch Cymru—Wales Peace Institute, and I declare an interest as one of the original signatories on the petition. The petition calls for further investigation into the establishment of a Welsh peace institute. We have received correspondence from the Flemish Peace Institute, and you will remember that we took evidence from the Flemish Peace Institute and received written evidence from Peace Research Institute Frankfurt, as well as from the petitioners. Following the last meeting, it was clarified that the committee cannot commission any research from an external body into the scope, remit or role of the establishment of a peace institute. The Flemish Peace Institute was very supportive in its correspondence, but it would have to receive permission from Parliament to do such a piece of work. I do not know what Members would like to do with this petition. One option is to seek the Presiding Officer's views on whether he would like to put in a request for further work.

[71] **Rhodri Glyn Thomas:** Byddwn yn cefnogi hynny. Dylwn innau ddatgan diddordeb, gan i mi arwyddo'r ddeiseb hefyd. Swyddfa'r Llywydd yw'r lle cywir i fynd gyda hyn, er mwyn gweld a yw'n bosibl symud ymlaen.

Rhodri Glyn Thomas: I would support that. I should also declare an interest, as I also signed the petition. The Presiding Office is the best place to go with this, to see whether it is possible to progress this matter.

[72] **Andrew R.T. Davies:** Of all the petitions that we have considered, this has been the one for which we have received the most input—I think that we have had three or four evidence sessions on it. So, we are almost at the stage now where we have to collate everything and see what the Presiding Office says. We have tried the Welsh Assembly Government, and, from its perspective, there are no resources to have such a facility. However, we need to pull the strands together and either get a definitive answer or close the petition.

[73] **Christine Chapman:** As you said, Andrew, there has been a lot of evidence, which is

very useful in pursuing this; there are a number of angles that could be looked at by the cross-party group in the next Assembly. However, I think that it would be worth asking the Presiding Officer to consider this and see where we go from there.

9.30 a.m.

[74] **Veronica German:** If he does not want to do that, alternatives can be looked at. Using the cross-party group is a good idea.

[75] **Christine Chapman:** That might offer a way forward. The evidence that we have received has been useful, and it will be helpful however it is taken forward.

[76] **Andrew R.T. Davies:** On a point of procedure, I presume that the Presiding Officer will be acting in a caretaker capacity for the election period and would therefore not be likely to give our successor committee an indication on this until the new Presiding Officer had been appointed.

[77] **Christine Chapman:** I imagine so. Is that the case with the Presiding Officer?

[78] **Ms Stocks:** Clearly, he will remain in post until after the elections, when a new Presiding Officer will be elected.

[79] **Andrew R.T. Davies:** That is quite a corporate decision, I would have thought. I just wondered where it goes after the elections.

[80] **Ms Stocks:** I would have thought that that is something that the Business Committee would want to discuss. It is therefore most probably something that we would get after the elections.

[81] **Christine Chapman:** Thank you. The next petition is P-03-265, which seeks to have leaving home information and education included in the national curriculum. We have had correspondence from the Minister for Children, Education and Lifelong Learning. Would Members be happy initially to seek the petitioner's views on this response? I see that you would be.

[82] The next petition is P-03-271 on business rates in Narberth, and linked to that is P-03-286 on Ceredigion's business rates. We are considering these two petitions together because of the related nature of the issues raised by the petitions. They call for an impact assessment to be undertaken in Narberth and Ceredigion to understand the impact of business rates on local communities and businesses. We have correspondence from the Minister for Social Justice and Local Government and from Pembrokeshire and Ceredigion councils. For your information, the Minister for Social Justice and Local Government has announced a year's extension of the current small business rate relief scheme, which means that it will now run until 30 September 2012. He has stated that he does not anticipate that the announcement in the budget will make a material difference to the current arrangement. Do you have any thoughts on this one?

[83] **Andrew R.T. Davies:** I think that we should write to the Valuation Office Agency to ask whether the impact assessment that the petitioners ask for has been undertaken. I note the concerns expressed by Pembrokeshire County Council, particularly with regard to whether the rural rate relief scheme might be reintroduced. That issue could also be raised with the Minister for social justice. We could also ensure that the petitioners are aware of some of the actions to date with regard to valuation.

[84] **Christine Chapman:** Okay. I see that Members are content with that. The next

petition is P-03-273 on the transportation of wind turbines in mid Wales, and it calls for guidance to be issued to ensure that communities are consulted on wind farm developments and that the impact of transportation of components is assessed fully. We have had correspondence from the Deputy First Minister. Are there any thoughts on this one?

[85] **Veronica German:** He says that they are still waiting for the report from the trials, so I think that this is something that would need to be shared with a future committee to take it forward. Clearly, the issue is ongoing, so I think that we should leave it open for now.

[86] **Rhodri Glyn Thomas:** Yr wyf yn cytuno â Veronica, gan fy mod innau wedi cael y profiad hwn yn fy etholaeth i. Hyd y gwelaf, nid oes rheidrydd ar gwmnïau i gyd-gysylltu â'r Llywodraeth na'r awdurdodau lleol, na'r heddlu, na neb arall. Cefais enghraifft o gwmni'n penderfynu symud tyrbinau heb rybudd o unrhyw fath i unrhyw un. Mae hynny'n sefyllfa gwbl annerbyniol, a gall greu problemau trafnidiaeth mawr. Mae lle inni ystyried protocol yn hyn o beth, a chynigiad ein bod yn awgrymu y gall y pwyllgor fydd yn ein dilyn yn y Cynulliad nesaf edrych arno.

Rhodri Glyn Thomas: I agree with Veronica, as I have had this experience in my constituency. As far as I can see, the companies are not under any obligation to co-ordinate with the Government, local authorities, the police or anyone else. I had an example of a company that decided to move turbines without giving notice of any kind to anyone. That is a completely unacceptable situation, and it is one that can create major transport problems. There is a place for us to consider a protocol on this matter, and I propose that we suggest that our successor committee in the next Assembly should look at it.

[87] **Andrew R.T. Davies:** As I am quite familiar with the planning system, what surprises me is that it is not one of the conditions attached to the planning permission when it is granted—I presume that the power exists—given that it is known that the components are rather big.

[88] **Christine Chapman:** It is normal in other planning applications.

[89] **Andrew R.T. Davies:** If you want to build a house, they want an impact assessment for X, Y and Z.

[90] **Veronica German:** Some of the companies do co-operate. In my area, there is a big company that manufactures the columns and it co-operates closely with the police and local communities before it moves them out. So, there is some good practice, but it is clearly patchy.

[91] **Christine Chapman:** It is strange; I suppose that the technology is relatively new and therefore perhaps it has been overlooked, but it does seem strange.

[92] **Andrew R.T. Davies:** Is it worth our approaching the Welsh Local Government Association to ask whether it believes that its members have sufficient powers through the planning system at the moment to attach conditions to an application to mitigate the problems that this petition highlights, or whether its members feel that the Welsh Assembly Government should bring forward regulations to allow them to attach conditions to planning permissions? Obviously, there is the TAN 8 guidance, which is presumed acceptance, but that does not stretch to what conditions could or could not be attached to the planning permission.

[93] **Christine Chapman:** I think that it is worth doing that.

[94] **Rhodri Glyn Thomas:** Byddai'n **Rhodri Glyn Thomas:** It would be a good syniad da i ni gysylltu â RenewableUK idea to contact RenewableUK Cymru, which

Cymru, sy'n gorff ymbarel y mae ei is an umbrella body whose membership aelodaeth yn cynnwys y mwyafrif o'r includes the majority of these companies, in cwmnïau hyn, i ganfod beth yw safbwynt y order to get their perspective on this matter. cwmnïau ar y mater hwn.

[95] **Christine Chapman:** We will do that. The next update is on P-03-280 on Cardiff Royal Infirmary. It seeks the reopening and refurbishment of Cardiff Royal Infirmary, to include an accident and emergency department and an intensive care department. We have received correspondence from the petitioners. I think that they have been invited to meet the health board today. So, they are going to meet to look at the plans. I do not think that we can do any more at the moment, but perhaps we will need to seek an update from them afterwards to find out what happened when they looked at the plans.

[96] The next update is on petition P-03-281, which calls for more staff in accident and emergency departments. It calls for guidelines to be published on staffing levels for accident and emergency departments. We have had quite a lot of correspondence from each local health board. Unfortunately, despite the fact that we have chased the petitioners repeatedly, we have not received a response from them, so all we can do is close it and produce a summary report.

[97] **Veronica German:** We got some very useful information from that correspondence.

[98] **Christine Chapman:** Yes, there was a lot of information there. It will come in useful.

[99] The next update is on petition P-03-285 opposing the badger cull. This petition calls for the decision on the badger cull to be reconsidered. As you know, the new Badger (Control Area) (Wales) Order 2011 was laid on 9 March 2011, with the intention of it coming into force on 31 March. A motion calling for the Order to be annulled was debated in Plenary on 23 March, but was not passed. Are there any thoughts on this one?

[100] **Andrew R.T. Davies:** We have to close the petition because the actions of last week are there for all to see.

[101] **Christine Chapman:** Okay, thank you.

[102] The next update is on petition P-03-292, which is on public toilet provision. It calls for an investigation into the closure of public toilets and for guidance to be issued to local authorities to ensure adequate provision. We have had correspondence from the Minister for Social Justice and Local Government, the Minister for Environment, Sustainability and Housing and the British Toilet Association. Are there any thoughts on this one?

[103] **Andrew R.T. Davies:** I think that this is a petition that we should be passing to our successor committee, because it is a very real concern to people and I would hope that more work will be done on this in the next Assembly.

[104] **Christine Chapman:** Yes, it was useful information that we received.

[105] The next update is on petition P-03-294, which calls for plans to be put in place to replace the work of the Wales Women's National Coalition. We wrote to the Minister for Social Justice and Local Government in October 2010 to ask for further details on how he planned to take forward this issue and for details of the time frame and who would be involved. We have not received a response, but we have been told informally that, while policy was being made all the time, the Government was waiting until it had more definitive information to respond. The Minister gave evidence to the Committee on Equality of

Opportunity on gender budgeting in October last year. Again, there were some indications that this is being progressed. However, the timescale is still a bit open on this. Are there any thoughts on this one?

[106] **Andrew R.T. Davies:** I think that it is disappointing that we have not yet had a response. It is all well and good that an informal representation has been made, but I question the reference to definitive information or guidance. How long is a piece of string? So, we should try to extract a definitive response from the Minister, particularly with regard to the discussions the Government has had with the Wales Council for Voluntary Action and the Women's Institute.

[107] **Christine Chapman:** Okay, thank you. The next update is on P-03-301, on equality for the transgender community. We have had correspondence from the First Minister and the petitioner. Again, we probably need to pass this on to the next Assembly because the work on it has not been completed.

[108] The next petition, P-03-302, calls for operations to be suspended at Bryn Composting until the odour pollution is dealt with. We have had correspondence from the petitioner and I know that he is grateful that we have raised and highlighted this issue. However, there is still a lot of concern about this matter. We could write to Environment Agency Wales to ask whether breaches in the odour management plan would result in a suspension of activities and to highlight the petitioner's concerns about communication as to what is happening. Are you happy with that?

[109] **Veronica German:** I know that the Environment Agency has been involved with this, but it will be good to get that in hard copy.

[110] **Christine Chapman:** Okay, we will do that.

[111] The next one, P-03-303, calls for the Welsh Government to introduce compulsory guidance on homophobic bullying urgently for all schools. We have had correspondence from the Minister for Children, Education and Lifelong Learning and Stonewall Cymru. We were not sure last time whether fee-paying schools are covered by Welsh Government guidance, but we have a legal brief on that, which you will have seen. What would you like to do with this petition?

[112] **Andrew R.T. Davies:** A new strategy is being brought forward on bullying that I hope will encapsulate this. The Proposed Education (Wales) Measure on the role of governing bodies is going through this afternoon and that will contain certain caveats. It would be good to know when the new guidance will be brought forward, but it may be worth doing a piece of work to see whether there is specific mention in the proposed Measure of the responsibility of governing bodies. While I have not been avidly following the progress of proposed Measure, I know that the Minister has raised various aspects of governance and the role of school governing bodies. I would suggest that school governing bodies are proactive in addressing bullying in their schools.

[113] **Veronica German:** He also says that he will be issuing specific guidance on homophobic bullying. This has been ongoing for a long time, has it not? This petition has not, but the petition was brought forward because the guidance had never arrived. So, it will be useful to know whether the guidance on homophobic bullying will be separate or a part of the whole.

[114] **Christine Chapman:** It may potentially get lost.

[115] **Veronica German:** It is important that it is separate because one sentence in a

guidance document is not good enough.

[116] **Christine Chapman:** So, we need to pursue that.

[117] We will now consider a number of petitions together, namely P-03-308, P-03-311 and P-03-314, which call for funding to be continued for Gwent Theatre, Spectacle Theatre and Theatr Powys. As you know, we have had another letter from the Minister for Heritage and each of the petitioners. There will be a Plenary debate tomorrow on the Communities and Culture Committee report on the accessibility of arts and cultural activity. We have taken evidence on this and you will have seen the correspondence from the Minister. There is a lot of disagreement on the approach. The Minister states that he does not seek to intervene in decisions that properly must be taken by the council of the Arts Council of Wales. What are your views on these petitions?

[118] **Andrew R.T. Davies:** I know that the funding letters did not go out until quite late and it is sad that these petitions have come in so late, because, as a committee, we are up against it. So, first, we do not want this petition to be closed, but to continue in the fourth Assembly. I take with a pinch of salt what the Minister is saying about direct involvement and that the arts council did this, because, at the end of the day, some very serious issues were raised in the evidence that we took, especially about the bidding process and how the criteria were almost like a moveable feast. Anyone on a playing field would say that they do not mind playing a game as long as the rules stay the same for the full 80 minutes, which was not the case for everyone according to the evidence that we received on this. However, we are where we are on this.

9.45 a.m.

[119] I would like to find out from the arts council about the outcomes and the consultation on its new education strategy, because obviously it has set great store by that filling some of the void. We should send these petitions forward to the new committee with a strong recommendation that it makes it a priority to find out what is going on here.

[120] **Rhodri Glyn Thomas:** Mae deiseb wedi dod i'r pwyllgor hwn oddi wrth Theatr Gwent, ac y mae un hefyd oddi wrth Hijinx. Fel y bu i Andrew ddweud, credaf fod cwestiynau sylfaenol yn codi ynglŷn â'r broses. Nid wyf yn credu y byddai unrhyw un am ymyrryd yn y berthynas hyd fraich rhwng Llywodraeth Cymru—hynny yw, y Gweinidog dros Dreftadaeth—a'r cyngor celfyddydau. Mae'n rhaid inni ddiogelu'r egwyddor hynny. Os oes cwestiynau'n codi ynglŷn â'r broses a'r ffordd y mae'r penderfyniadau hyn yn cael eu gwneud gan y cyngor celfyddydau, yr wyf yn cytuno gydag Andrew bod yn rhaid inni drosglwyddo'r deisebau hyn i'r sesiwn nesaf o'r Cynulliad ac unrhyw bwyllgor sy'n dilyn.

Rhodri Glyn Thomas: A petition has come to this committee from Gwent Theatre, and another has been received from Hijinx. As Andrew has said, some fundamental questions arise with regard to the process. I do not think that anyone would want to interfere with the arm's-length process between the Welsh Government—that is, the Minister for Heritage—and the arts council. We have to protect that principle. However, if a question arises about the process and the way in which these decisions are made by the arts council, I agree with Andrew that we have to transfer these petitions to the next session of the Assembly and to this committee's successor.

[121] **Christine Chapman:** We will do that. The next petition is P-03-310, on policies to protect pupils' needs and rights. It calls for improved consultation processes relating to proposed closures of sixth forms. We have had correspondence from the Minister for Children, Education and Lifelong Learning. What are your views on this one?

[122] **Andrew R.T. Davies:** We could ask the successor Minister to inform the successor committee. It sounds like *Yes, Minister*, but obviously this is work in progress. It might be the current Minister or a new Minister coming in, but whoever holds that office needs to be aware that this work is of interest to the successor committee, and that the committee needs to be kept informed.

[123] **Christine Chapman:** The next one, P-03-313, calls for further consultation to be undertaken on the draft Animal Welfare (Breeding of Dogs) (Wales) Regulations prior to implementation. We have had correspondence from the Minister for Rural Affairs, and as you know, there has been a ministerial statement on this. Are you happy to seek petitioners' views on this one?

[124] **Andrew R.T. Davies:** I believe that the Minister sought a deferral, if I remember rightly.

[125] **Christine Chapman:** Yes.

[126] **Rhodri Glyn Thomas:** Gadeirydd, y mae'n glir o'r hyn y mae'r Gweinidog wedi ei ddweud na fydd hi'n gwneud penderfyniad cyn diwedd y Cynulliad hwn. Felly, caiff y ddeddfwriaeth ei thrafod yn y sesiwn nesaf, ac yr wyf yn credu ei bod yn bwysig cadw hwn ar agor. Mae cwestiynau sylfaenol yn codi ynglŷn â'r ddeddfwriaeth a'r broses ymgynghorol o ran y grŵp cylch gorchwyl a sefydlwyd i ystyried hwn. Felly, dylem gadw hwn ar agor ar gyfer y pwyllgor nesaf.

Rhodri Glyn Thomas: Chair, it is clear from what the Minister has said that she will not make a decision before the end of this Assembly. Therefore, this legislation will be discussed in the next session, and I believe that it is important to keep this petition open. Some fundamental questions arise with regard to the legislation and the consultation process with regard to the terms of reference group that was established to look at this. Therefore, we should certainly keep this open for the successor committee.

[127] **Christine Chapman:** The next petition, P-03-315, is on the new Dyfi river crossing, and calls for the re-routing of the A487 over the Dyfi river. We have had correspondence from the Deputy First Minister, and, if you remember, some of us accepted that petition some weeks back. Are there any thoughts on this one?

[128] **Veronica German:** Again, they are still in the process of finalising the options report, so that report needs to come to any successor committee for further consideration.

[129] **Christine Chapman:** Okay; thank you. The next petition—the final one—is P-03-316 on school crossing patrols. It calls on the Welsh Government to make the acceptance of a transport plan conditional on the relevant council continuing to employ school crossing patrols. Correspondence has been received from the Deputy First Minister. The letter suggests that this is something for local authorities to look at. We have also had another response from the petitioner. Naomi, do you want to remind us of that?

[130] **Ms Stocks:** The petitioner has stated that he is aware that the transport grant is for capital works, but he is trying to highlight is the contradiction between the Welsh Government funding Safe Routes in Communities on the one hand, while councils act to make the routes less safe by removing school crossing patrols. The purpose of the petition was to try to highlight that, and get it addressed.

[131] **Veronica German:** Councils have had money for Safe Routes in Communities, but that is just capital funding. Do they ever take patrols into consideration? I just wondered if they were being looked at as part of the plan for the safer routes. I am not sure whether having a person there is taken into consideration. The idea is that you can have a safe route. I

understand the sentiment, but it is up to local—

[132] **Rhodri Glyn Thomas:** A fyddai'n werth cysylltu â Chymdeithas Llywodraeth Leol Cymru i ofyn am ei barn am ymarferoldeb hynny? Ni chredaf y gellid ariannu hynny drwy grant gyfalaf. Felly, byddai'n rhaid i'r awdurdod lleol ganfod arian refeniw, hyd y gwelaf. Byddai'n werth gweld beth yw barn Cymdeithas Llywodraeth Leol Cymru ynglŷn ag ymarferoldeb sicrhau'r math hwn o wasanaeth.

Rhodri Glyn Thomas: Would it be worth contacting the Welsh Local Government Association to ask for its opinion about the practicality of that? I do not think that it could be funded by a capital grant. The local authority would therefore have to find revenue funding, as far as I can see. It would be worth hearing what the Welsh Local Government Association thinks about the practicality of providing such as service.

[133] **Christine Chapman:** Okay. Are Members happy to do that? I see that you are.

[134] As this is the last meeting of the Petitions Committee of the third Assembly, I want to put on record what will happen to any petition that remains open—I briefly touched on that earlier. All petitions that are still open will remain open for consideration by the responsible committee or committees in the fourth Assembly. There will continue to be a petitions process in the fourth Assembly, but it will be for the new Assembly to decide which committee or committees will be responsible for it. In the interim, during the dissolution, any queries should be directed to the clerking team.

[135] I want to highlight a few things about the process, which has been in place since 2007. The committee has considered 215 petitions, taken evidence from 38 petitioners, undertaken two inquiries, and produced three reports. As Chair of the committee, I thank all the committee members. I thank Bethan Jenkins, who has sent apologies today; Mike German, who sat on the committee prior to his elevation to the House of Lords; and Val Lloyd, who was the first Chair of the committee. Thank you all for your work over the past few years. I also thank Naomi and the clerking team for all the wonderful work that they have done, because it is a busy committee.

[136] Finally, I thank all the petitioners and all those who signed a petition or who provided information or evidence to the committee. As I have said, it has been a busy committee, and I am sure that we have all enjoyed serving on it. As you know, the committee has published a booklet today that looks at our work over the past four years. It will be launched at 10 a.m., and it will be available on the Assembly's website or through the clerking team.

[137] Thank you all for your time today. I am sure the petitions process will go on successfully in the next Assembly.

Daeth y cyfarfod i ben am 9.53 a.m.

The meeting ended at 9.53 a.m.