

## Agenda – Petitions Committee

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Meeting Venue:

Video Conference – Via Zoom

Meeting date: 9 February 2021

Meeting time: 09.00

For further information contact:

Graeme Francis – Committee Clerk

Kayleigh Imperato – Deputy Clerk

0300 200 6373

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In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on [www.senedd.tv](http://www.senedd.tv)

- 1 Introduction, apologies, substitutions and declarations of interest  
(Pages 1 – 48)
- 2 New Covid-19 petitions
  - 2.1 P-05-1092 Do not delay the May 2021 elections  
(Pages 49 – 52)
  - 2.2 P-05-1108 Issue guidance and voucher scheme to save baby & toddler activity sector in Wales  
(Pages 53 – 55)
  - 2.3 P-05-1114 Allow traditional acupuncturists in Wales to practice during lockdowns  
(Pages 56 – 71)
  - 2.4 P-05-1116 Prioritise people with a learning disability to be vaccinated against COVID-19 in Wales  
(Pages 72 – 77)
  - 2.5 P-05-1121 Only open schools for children of key workers over the January 2021 lockdown  
(Pages 78 – 80)



## **Other new petitions**

- 2.6 P-05-1085 Make anti racism training compulsory for all elected Councillors and Members of the Senedd in Wales  
(Pages 81 – 82)
- 2.7 P-05-1090 Road Safety: Reduce the speed on the A487 trunk road to 20mph through Penparcau, Aberystwyth  
(Pages 83 – 87)
- 2.8 P-05-1094 Stop the erosion of Pontypridd’s heritage – save the White Bridge  
(Pages 88 – 93)
- 2.9 P-05-1105 Make Cardiopulmonary Resuscitation (CPR) Compulsory in Schools  
(Pages 94 – 103)
- 2.10 P-05-1109 Supply dedicated and free onsite parking to all hospital staff in Wales during their shift  
(Pages 104 – 110)
- 2.11 P-05-1112 Help Welsh Communities Buy Community Assets: Implement Part 5 Chapter 3 of the Localism Act 2011  
(Pages 111 – 121)
- 2.12 P-05-1113 Introduce road safety measures on the A44 in Llanbadarn Fawr, Ceredigion  
(Pages 122 – 125)
- 2.13 P-05-1137 Call for fair funding for the National Library of Wales by the Welsh Government  
(Pages 126 – 137)

## **3 Updates to previous petitions**

### **Health and Social Services**

- 3.1 P-05-795 Causing Nuisance or Disturbance on NHS Premises  
(Pages 138 – 139)

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

- 3.2 P-05-1001 Hold an independent inquiry into the choice of site for the proposed new Velindre Cancer Centre  
(Pages 140 – 161)
- 3.3 P-05-1018 Support for the current proposed plans to build a new Velindre Cancer Centre, Cardiff, in any future inquiry  
(Pages 162 – 164)
- 3.4 P-05-1045 To make shared-decision making and monthly mental health care-plan reviews a legal requirement  
(Pages 165 – 172)
- 3.5 P-05-1068 Allow socially distanced meets in private gardens to follow science and avoid isolation  
(Pages 173 – 179)
- 3.6 P-05-1070 Advise all people who are extremely vulnerable or previously shielding in Wales to stay home, not work, during periods of high covid 19 community infection  
(Pages 180 – 182)

## **Housing and Local Government**

- 3.7 P-05-1056 Give Local Authorities powers to control the housing market in rural and tourist areas of Wales  
(Pages 183 – 193)
- 3.8 P-05-903 Filming and Recording of Council Meetings  
(Page 194)

## **Education**

- 3.9 P-05-1025 Ensure fairness for students taking exams in 2021  
(Pages 195 – 200)

## **Environment, Energy and Rural Affairs**

3.10 P-05-1026 Petition to ban the snaring of wildlife for use in the fur trade  
(Pages 201 – 203)

3.11 P-05-1040 Introduce a moratorium on the approval any new large scale  
waste incinerators in Wales  
(Pages 204 – 208)

## **Culture, Sport and Tourism**

3.12 P-05-1051 Allow Welsh junior athletes to train with the same covid  
regulations as equivalent English juniors  
(Pages 209 – 211)

## **Economy, Transport and North Wales**

3.13 P-05-1061 Give financial support to Pet Boarding businesses  
(Pages 212 – 217)

## **Finance**

3.14 P-05-1069 Save the farmland and green fields at Cosmeston  
(Pages 218 – 230)

## **Equality**

3.15 P-05-1072 Investigate what powers the Welsh Parliament has in relation to  
banning conversion therapy  
(Pages 231 – 233)

**4 Motion under Standing Order 17.42 to resolve to exclude the  
public from the meeting for the following business:**

Item 5.

**5 Consideration of draft report – P-05-886 Stop the Red Route  
(A55/A494 corridor)**

(Pages 234 – 250)

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# Agenda Item 2.1

## **P-05-1092 Do not delay the May 2021 elections**

This petition was submitted by David Hopkins having collected a total of 470 signatures.

### **Text of Petition:**

The right to vote for democracy should not and cannot be removed by those in power as it undermines democracy. The current government must not be allowed to extend out their government as a result of Covid. All other countries have managed to hold elections.

### **Senedd Constituency and Region**

- Islwyn
- South Wales East



Janet Finch-Saunders MS  
Chair  
Petitions Committee  
Senedd Cymru  
Cardiff  
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[Seneddpetitions@senedd.wales](mailto:Seneddpetitions@senedd.wales)

19 January 2021

Dear Chair

I am writing in response to your letter of 30 November about a petition regarding the May 2021 Senedd election.

At the outset, I reiterate that our firm intention is for the election to be held as scheduled on 6 May 2021. As a responsible government we must, however prepare for a range of scenarios in the event that the pandemic poses a serious threat to public health and it is not safe to hold the election at that time.

We therefore established the Elections Planning Group, with representatives from all political parties, to consider legislative adjustments that may be required to respond to the public health position and to protect the safety and wellbeing of all involved in the election. The group's report was debated in the Senedd on 17 November. In the debate, I set out our intention to bring forward a Bill to include provisions that would enable the Llywydd to postpone the election if necessary because of the prevalence of coronavirus.

Similar legislation has been laid in Scotland.

In response to the specific points made in the petition text, the right to vote is not being removed and the decision to postpone would not be for the Welsh Government. Any decision to seek postponement would need the agreement of two-thirds of Members of the Senedd, meaning all Members would have a role in the decision on any delay. The ultimate decision would be the Llywydd's to take.

There is already a legal power to postpone a Senedd election by up to a month, which is at the discretion of the Llywydd and is subject to Royal Proclamation.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
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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.

Any decision to defer the election will be determined in Wales by the Members of the Senedd, but there will clearly be some read across between decisions taken by the UK Government about elections in England and the Police and Crime Commissioner (PCC) elections in England and Wales.

If the UK Government was to decide – on the basis of scientific advice about the progress of the pandemic and of the vaccination effort – to postpone the PCC elections we would have to be able to demonstrate to the Welsh electorate why we took a different view and that proceeding with the Senedd elections in the same circumstances would be the right thing to do.

We are aware from the experiences of recent months how quickly coronavirus can accelerate. It would therefore be irresponsible for us not to make contingency plans for the election in May.

The measures we have proposed will enable the Llywydd to decide, as a final resort, whether to postpone the date of the election to a time when it is safer for people to vote if the public health situation has not improved significantly by May.

Best wishes

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

**MARK DRAKEFORD**

**P-05-1092 Do not delay the May 2021 elections, Correspondence – Petitioner to Committee, 25.01.21**

I am pleased that you are considering this, as unfortunately my social media presence is very poor so this petition didn't get the exposure that others have had.

I would like to understand in no uncertain terms what the conditions would have to be for the Welsh government to take away the right of the vote.

The current position is that all vulnerable people will have the vaccine and we will be moving into the summer.

In light that the USA managed its elections I find it hard to understand how it can be justified why we can not.

Why is the Welsh Government considering deferring the election rather than looking at options to vote ie increased postal vote, online voting etc. This would more sensible.

The 1st minister can not and should not be allowed to hold power in this way with the vote taking place.

# Agenda Item 2.2

## **P-05-1108 Issue guidance and voucher scheme to save baby & toddler activity sector in Wales**

This petition was submitted by Rebecca Edmonds having collected a total of 91 signatures.

### **Text of Petition:**

Following the petition for this sector in England, we in Wales would like the same clarity and guidelines for us!

Baby and toddler groups are crucial for the wellbeing of new parents who are desperate for them to return after lockdown. Providers are struggling to reopen due to conflicting guidance. We call on government to issue targeted guidance and a voucher scheme for this overlooked sector.

Bespoke guidance will enable businesses to return and save new parents from extended isolation.

### **Additional Information:**

Smaller covid safe classes will be unaffordable for many parents, while Children's Centres remain closed. A voucher scheme would aid this sector's recovery and support postnatal mental health.

### **Senedd Constituency and Region**

- Pontypridd
- South Wales Central

Julie Morgan AS/MS  
Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol  
Deputy Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Our ref JM/01955/20

Janet Finch-Saunders MS  
Chair  
Petitions Committee  
Welsh Parliament  
Ty Hywel  
Cardiff Bay CF99 1NA

13 January 2021

Dear Janet,

Thank you for your letter of 16 December regarding the petition on baby and toddler activities.

The petition calls on government to issue targeted guidance and a voucher scheme for the baby and toddler activity sector.

I agree that there are many potential benefits for both parents and children who attend these activities. For the parents, they can provide emotional and practical support, assist in reducing social isolation and loneliness and they provide an opportunity for babies and toddlers to socialise and play with their peers.

In Wales, baby and toddler activities are considered to be organised activities for children in the context of the Coronavirus Act (Wales) Regulations 2020 and, as such can take place up to alert level three. Detailed guidance has been published and can be found here: <https://gov.wales/leaving-your-home-and-seeing-other-people-alert-level-3#section-58472>

However, we cannot overstate the seriousness of the current situation – rates of coronavirus are incredibly high in Wales and are being fuelled by a new variant strain of the virus, which is highly-infectious and fast-moving.

The purpose of moving to alert level four is to do everything we can to slow the spread of coronavirus, save lives and protect the NHS. As a result, we have suspended organised activities for children.

At the current alert level, to help parents with new born babies and young children, our rules allow for informal childcare arrangements with friends or family to continue and to be able to meet with immediate family if some extra support and help is needed.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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[Correspondence.Julie.Morgan@gov.wales](mailto:Correspondence.Julie.Morgan@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.

We do not consider it is necessary to issue a voucher scheme specifically for this sector. Businesses which are impacted by the coronavirus pandemic are able to apply for financial and business support, as outlined in the coronavirus advice section of the Business Wales website: <https://businesswales.gov.wales/coronavirus-advice/>

Yours sincerely,

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

**Julie Morgan AS/MS**

Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol  
Deputy Minister for Health and Social Services

# Agenda Item 2.3

## **P-05-1114 Allow traditional acupuncturists in Wales to practice during lockdowns**

This petition was submitted by Gwenan Evans having collected a total of 1,022 signatures.

### **Text of Petition:**

We are urging the Welsh Government to re-classify traditional acupuncture alongside similar medical treatments for illness or injury, so that acupuncture clinics can remain open during this and any future lockdowns. During the Welsh firebreak lockdown chiropractors, osteopaths and physiotherapists have been allowed to treat patients who need urgent care. They are seen as essential health service providers.

### **Additional Information:**

However, acupuncturists were named by the Welsh Government as close contact services (listed alongside tattoo and hair and beauty services) having to close during the firebreak, despite frequently seeing patients who need urgent care.

We strongly feel that acupuncturists should be allowed to continue to treat patients, which will in turn help to reduce the pressure on the NHS. Acupuncture has been approved by NICE for many conditions, and the Professional Standards Authority has agreed with the British Acupuncture Council that acupuncture is directly comparable to osteopathy and chiropractic.

Conditions treated by traditional acupuncturists include severe lower back pain, sciatica, anxiety, stress, migraines and chronic conditions such as Long Tail Covid, for which the NHS has little to offer.

Please consider signing this petition so our Government can see how many people believe traditional acupuncture to be an essential healthcare service.

### **Senedd Constituency and Region**

- Cardiff South and Penarth
- South Wales Central

**Ken Skates AS/MS**  
**Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru**  
**Minister for Economy, Transport and North Wales**



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

Eich cyf/Your ref P-05-1114  
Ein cyf/Our ref KS/07505/20

Janet Finch-Saunders MS  
Chair, Petitions Committee

13 January 2021

Dear Janet

Thank you for your letter dated 16 December on behalf of the Petitions committee addressed to Vaughan Gething MS, Minister for Health & Social Services regarding acupuncture practice during lockdown restrictions. I have been asked to respond due to my portfolio responsibilities.

Under level 4 restrictions which requires non-essential businesses to close, those close contact practitioners that are clinically qualified and work out of a clinical setting can remain open but only for treatments referred to them by the NHS.

Yours sincerely

**Ken Skates AS/MS**  
**Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru**  
**Minister for Economy, Transport and North Wales**

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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[Correspondence.Ken.Skates@gov.wales](mailto:Correspondence.Ken.Skates@gov.wales)

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

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-05-1114 Allow traditional acupuncturists in Wales to practice during lockdowns, Correspondence – Petitioner to Committee, 29.01.21**

**Gwenan Evans Acupuncture**

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Janet Finch-Saunders AS/MS  
Chair, Petitions Committee  
Senedd Cymru

29 January 2021

Dear Ms Finch-Saunders

**Response to email P-05-1114 Pwyllgor Deisebau 09.02.21 / Petitions Committee 09.02.21C received 25 January 2021**

Thank you for the above email, informing me that our Senedd Petition (number 244380 - Allow traditional acupuncturists in Wales to practice during lockdowns) will be discussed by the Petitions Committee on Tuesday 9 February, and inviting us to respond to the attached document, i.e. ref KS/07505/20, the letter from Ken Skates AS/MS, Minister for Economy, Transport and North Wales.

We would like to emphasise that although the main thrust of the current petition was in respect of practising during lockdowns, this was a continuation of a long-standing discussion between the British Acupuncture Council (BAcC) and the Welsh Government regarding the historic mis-classification of traditional acupuncture as a close contact service (listed alongside tattooists and hair and beauty services), rather than as part of the independent healthcare sector, akin to physiotherapists, chiropractors and osteopaths. This inconsistency in classification has caused considerable confusion which came to a head with the regulations concerning closure of premises during the November Firebreak lockdown.

We are therefore delighted to note that the latest published version of *The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020*, state that: "Exempt premises Public services etc.[include] 49. Dental services, opticians, audiology services, chiropody, chiropractors, osteopaths, physiotherapy services, acupuncture services and other medical or health services, including services relating to mental health."

Additionally, we note that in the latest update (dated 26 January 2021) of the *Business Closures Alert level 4*, although acupuncture is still included under the category of close contact services, practitioners are exempt from closure if they offer "treatments or services

which are providing medical treatments for illness or injury.” Once again, we appreciate this amendment and clarification.

In view of these developments, which meet the main petition requests, we have decided to withdraw the petition and would like to record our thanks to the Welsh Government for taking these steps to recognise acupuncturists as healthcare practitioners, bringing much needed consistency in Welsh legislation relating to acupuncture. The Public Health Wales Act (2017) recognises BAAC members as equivalent to statutory regulated healthcare professionals who also use acupuncture as a medical technique. We hope that this position will be reflected in any future legislation that affects BAAC members in Wales.

We would, however, like to take the opportunity to comment on the letter from the Minister for Employment, Transport and North Wales. While I and my fellow members of the British Acupuncture Council in Wales welcome Mr Skates’ advice that “those close contact practitioners that are clinically qualified and work out of a clinical setting can remain open”, we are somewhat perturbed by the following condition “but only for treatments referred to them by the NHS”, as this is the first time we have ever seen this restriction in any communication from the Welsh Government, and there is no such wording in any legislation concerning Covid-19 regulations that we have consulted.

Our colleagues in England, Scotland and Northern Ireland are permitted to treat patients with urgent medical conditions without the NHS referral requirement. We believe that the requirement of an NHS referral adds unnecessary pressure and paperwork to an already overstretched health service in Wales. Indeed, one of the strongest arguments for allowing acupuncturists to continue to practise is that we are able demonstrably to ease the pressure on the NHS by offering treatments for both acute and chronic conditions for which patients would otherwise need to call directly on NHS resources.

The fact that over 1,000 people have signed our petition is testimony to the high regard in which acupuncture is held in our communities throughout Wales. *Annex 1* contains 16 testimonials from patients who have been receiving regular treatment from traditional acupuncture practitioners in Wales. A couple of examples are shown below.

*“I get flare ups of trigeminal neuralgia which is excruciating pain in the face. Acupuncture really helps me, more so than the tablets I am given. The only recourse without it would be to burden the NHS which I am loath to do given the stress they are under and I would be placing myself in harm’s way going to a hospital.”* Trigeminal neuralgia patient, Cardiff

*“I have found that acupuncture has been an invaluable and integral part of my healing from Long Covid. From my very first session, I noticed a reduction in symptoms and this trend was repeated for every session. Among other things: my headaches, brain fog, and other neurological symptoms reduced, and on an emotional level I have found it has helped me to be more grounded and resilient”.* Long Covid patient, Cardiff

A Snapshot Audit of acupuncture practitioners in Wales, conducted by the British Acupuncture Council, shows that in the month prior to the November 2020 Firebreak lockdown 99% of patients receiving acupuncture treatments had defined medical

conditions. *Annex 2* is the full report of this Audit, which collated data from 341 treatments given between 28 September and 25 October 2020. The main conclusions are shown below:

- Over a period of four weeks, traditional acupuncturists in Wales treated a range of medical conditions including pain, anxiety, and insomnia.
- People often sought acupuncture for help with long-term conditions and chronic pain.
- During acupuncture treatment, a third of patients reduced the amount of prescription medication they were taking.
- Key workers made up almost a quarter of the acupuncture patients, demonstrating its particular value in the current situation.
- Also significant numbers of the patients treated were elderly, indicating the benefits they perceive at a time when otherwise they might not leave their homes.

Thank you for your consideration of this response. Please do not hesitate to contact me if you require any further information or clarification.

Yours sincerely

*G Evans*

Gwenan Evans BSc PhD LicAc MBAC  
(on behalf of Cardiff-based BAC members)



### **Annex 1 – Patient testimonials**

“I was ill in March with suspected Covid and am now Long Covid and still having symptoms. I received 5 sessions of Acupuncture ... I have found that acupuncture had been an invaluable and integral part of my healing ... From my very first session, I noticed a reduction in symptoms and this trend was repeated for every session. I have had numerous benefits from Acupuncture. Among other things; my headaches, brain fog, and other neurological symptoms reduced, and on an emotional level I have found it has helped me to be more grounded and resilient. Every time I have visited the clinic I have been impressed with the safety measures in place, even down to HEPA air purifiers in the room and building. In fact, there are more measures in place than some medical facilities I have visited. I am not alone in finding Acupuncture of benefit. There are numerous accounts on the Support Group I am a member of having the same positive experience.” K C

*“I get flare ups of trigeminal neuralgia which is excruciating pain in the face, like you wouldn't believe. Acupuncture really helps me, more so than the tablets I am given. The only recourse without it would be to burden the NHS which I am loath to do given the stress they are under and I would be placing myself in harms way going to a hospital. I really hope that Welsh Assembly Government reclassify acupuncture as it really is an essential health service to me and so many others.” A B*

“I had Post Viral Syndrome following having the Covid 19 Virus in March. I was just not recovering from the debilitating Inflammation, Gastrointestinal Issues, Fatigue, Brain fog, Chest Pain and the Mental Struggle that comes with having the Corona Virus in such uncertain times. I was recommended Acupuncture by the Facebook support group as so many were getting significant relief from their symptoms which was aiding their recovery. I did my research and booked an appointment ... and I am so glad I did, because in a few sessions all my post viral symptoms have been resolved. My family noted the significant change in me, not only physically but mentally.” L J

*“I first went ... for Acupuncture after months of suffering what I now realise are Long Covid symptoms. I thought I was losing my mind. Doing the smallest thing left me so fatigued, unable to concentrate, headaches, chest pain, breathlessness as well emotionally unable to cope with how I was feeling. My GP has been unable to offer little in the way of advice and treatment options for my symptoms and while I was sceptical about Acupuncture helping, I was at my wits end and didn't have anything to lose in trying. After my first session the effect was profound, and my improvement both physically and mentally has been significant with subsequent sessions.... every session has been conducted with the highest health and safety measures in the same clinical setting that others which are deemed as essential use. As a nurse my role is essential but without continued Acupuncture, I will be unable to fulfil my job to the best of my ability.” G S*

“I came ... for my anxiety which has been worse over lockdown. Acupuncture has helped me tremendously through these hard times and I would like to take this opportunity to tell everyone that it relaxes me when I am anxious. I feel good after every session, which makes me function on a higher level than if I was stressed.” J G

*“I was receiving acupuncture whilst undergoing IVF treatment, before and during the pandemic. ... As an individual I am quite a stressful person and find things get on top of me quite a lot. Once I started my treatment of IVF I found my stress levels became even more exacerbated but after starting acupuncture I found it extremely beneficial...It was not only beneficial for my body ..., it helped massively with my stress from day to day and coping with the IVF I was receiving. ... IVF has been one of the hardest things I've been through but myself and my partner were very lucky that our 4th attempt worked and I am now pregnant, and I really believe that [acupuncture] treatments added to our positive IVF outcome as I felt completely relaxed and positive.” J G*

“I attended acupuncture once a week during September and October 2020, and monthly after, until the recent lockdown. I first went ... with a very painful neck and frozen shoulder that was disturbing my sleep, my ability to dress, and to carry out my work. I also am hypothyroid with Hashimotos, with long term fatigue and vertigo made worse by a virus I had in May- this might have been Covid but I did not get tested then. I had visited the G.P. a few times and also seen the physio, however I was feeling very unwell and nothing was improving: Neither were able to offer me any help. As soon as [I] started ... acupuncture my symptoms improved, and I now have no pain, no vertigo, and much more energy and clarity. My ability to concentrate at work (as an academic researcher at Cardiff University) has also improved. Acupuncture has literally changed my life. When I go to the clinic, it is a professional health care setting, with high standards of hygiene and attention to PPE”. HS

*“I suffered from Covid-19 in March 2020 and although my symptoms were not life threatening, afterwards I experienced long Covid symptoms including vertigo which was extremely stressful and debilitating. Despite being given tablets by my GP I did not see any signs of recovery for many weeks and so decided to try acupuncture after reading about how it might be able to help.... After 1 treatment my vertigo had definitely lessened and after 2 treatments it disappeared completely and has not returned. If I had not been able to have these treatments I would have been suffering greatly for many months.” M A*

“I have been having acupuncture treatment since 2015. I first went for treatment for low moods and insomnia caused by the emotional strain of caring for my Mum who had Alzheimers. I found the treatment helped me enormously and since then have had regular monthly appointments. Not only has acupuncture helped me emotionally but I have also had great relief for various physical problems. I suffer from osteoarthritis in both my knees and hands, treatment relieves pain and inflammation making life so much more comfortable. Other health issues...have all been improved through regular treatments. I've

found that it's important for me to have regular treatments to maintain the improvement in my health. Not being able to see my practitioner during lockdowns has been difficult and had a detrimental effect on my health." SM

*"I started having Acupuncture after 7 months of struggling with the very debilitating effects of Long Covid. After the first session I felt an immediate relief in symptoms with a big weight of fatigue being lifted. As time went on symptoms continued to reduce after each session, particularly fatigue. The sessions also provided a big mental boost, as my previous debilitating symptoms had a big impact on my day to day life - let alone life as a professional athlete. I have no doubt that acupuncture sessions played a big part in getting to where I am today - with little to no day to day symptoms, and very close to fully recovered. I am now able to exercise 7-8 hours each week, prior to having Acupuncture I could only manage a 25 minute walk. I was keen to pursue treatment after Christmas as I feel this would be a big factor in enabling me to reach the point of full recovery, but have not been able to do so with the current lockdown restrictions." CS*

"I have suffered from Multiple Sclerosis since 2004. For nearly 10 years I was being treated by traditional Western medicine, however my condition worsened in 2013 and I was subsequently diagnosed as having transitioned into Secondary Progressive Multiple Sclerosis. There is no mainstream medical treatment for this. I tried numerous alternative therapies to help to alleviate the pain and progression of my symptoms and the only treatment that has worked for me is acupuncture. I have been crying with agony from pain but after a single session with a qualified acupuncturist - my pain has disappeared. MS causes my limbs to go numb, and I lose all co-ordination - but after a single session of acupuncture, I can have feeling again and be able to walk...Acupuncture has allowed me to survive with a debilitating disease and is an essential part of my life. In not having access to these services over lockdown, my condition has worsened, I have been forced to live in agonising pain - and it has been a severe detriment to my mental health." RT

*"I am a professional who works in health and social care. I have had acupuncture at various points in my life over the years. Initially to overcome the after effects of glandular fever around fatigue and anxiety. The acupuncture helped me move this along, increase energy levels and improve my clarity of mind. I returned to acupuncture during the covid 19 pandemic. As a key worker I began to feel exhausted and drained. I was becoming anxious. I also think i contracted covid early into the pandemic just before tests became available. The GP strongly suspected it was covid as the symptoms matched the local profile and timescale. After recovering I developed a skin condition on my arm which was painful and uncomfortable and it persisted for months. I returned to acupuncture as I recognised my health and wellbeing was being adversely affected. From the sessions I felt calmer, more balanced and less fatigued, I was more able to cope with the demands of my job and the painful skin condition cleared up. Lockdown then came and sessions stopped. I have been a long time user of acupuncture. It helps maintain my health and wellbeing. This is particularly needed as a key worker during the pandemic." JY*

I am a Professor and work as the head of an academic department. I had cancer prior to having acupuncture and I started to suffer with 'chemo brain' type symptoms, a common lingering after-effect of chemotherapy, where I struggled with a lack of mental clarity, poor concentration and fatigue. This was stopping me being able to do my job and was causing considerable worry and stress. Over the course of a couple of months Acupuncture resolved these issues and I now find that having it every 4 to 6 weeks helps me keep well." PG

*I have had ME/CFS for more than eighteen years. There is no treatment and no cure for this awful illness and my health board, Cardiff and Vale of Glamorgan, provides no NHS services or support. In January 2020 I had acupuncture. The difference it made to my health was enormous and I had more energy than I had had for years. The lockdown which began in March 2020 meant my treatment was again interrupted. It was interrupted again during the firebreak lockdown and has been interrupted for a third time due to the current lockdown. Each time this lack of treatment has set me back." DF*

" Four years ago I caught a virus, which, in combination with overwork in my social care worker role, depleted my body to such an extent that I was diagnosed with Chronic Fatigue Syndrome. I went from being a very fit young person in my early 30's, to someone who could not walk or move without immense pain and fatigue in my body. I was off work for months. I made a full recovery and acupuncture played a central role in this. the treatment I received was a crucial part of the overall therapy that aided my recovery. Acupuncture had a marked impact not only on my physical wellbeing, but my mental wellbeing also." BD

*"I came to try acupuncture after suffering with regular migraines and headaches for around 10 years. I had tried conventional medicine and seen various doctors but I found no long lasting relief. It was impacting my life quite negatively as I was having to take time off work, and would sometimes lose multiple days as all I could do was stay in bed. After a course of acupuncture treatment I found a significant reduction in the severity and regularity of my headaches and the migraines basically disappeared. It is definitely a necessity to me, and I have struggled during the lockdowns when I my symptoms gradually started returning in the absence of my monthly top up treatments." AD*

# A snapshot audit of the work of acupuncturists in Wales today

Rachel Edney - MBAcC  
Mark Bovey – BAAC Research Manager

Members of the British Acupuncture Council in Wales conducted a snapshot audit in order to understand more about who consults a traditional acupuncturist and why. Data was collected for the period 28th September to 25th October 2020.

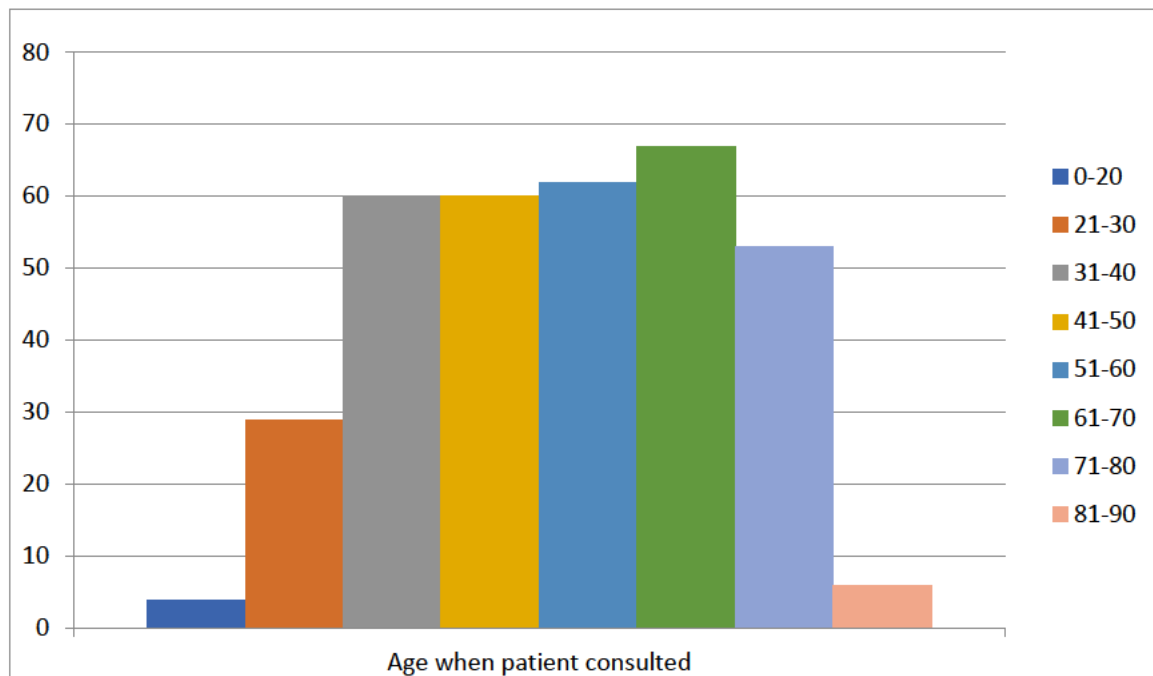
Members practicing traditional acupuncture in Wales were invited to input audit data online relating to the characteristics of patients consulting them, the main and secondary complaints according to ICPC-2 (International Classification of Primary Care - 2<sup>nd</sup> Edition), and the level of personalised care and lifestyle advice provided.

All data collected was anonymous, both in terms of the acupuncture practitioner and the patient. Data was collected and analysed using Google forms.

A total of **341** responses were received each representing an individual receiving acupuncture during the 4-week period.

## Traditional acupuncturists treat significant numbers of key workers and the elderly

- Almost a quarter of patients were key-workers according to the Government definition.
- All adult age groups were well represented, with significant numbers of the over-70s receiving care.
- 79% of patients were female.



## Traditional acupuncturists treat a wide variety of medical conditions

The main reasons patients consulted a traditional acupuncturist were:

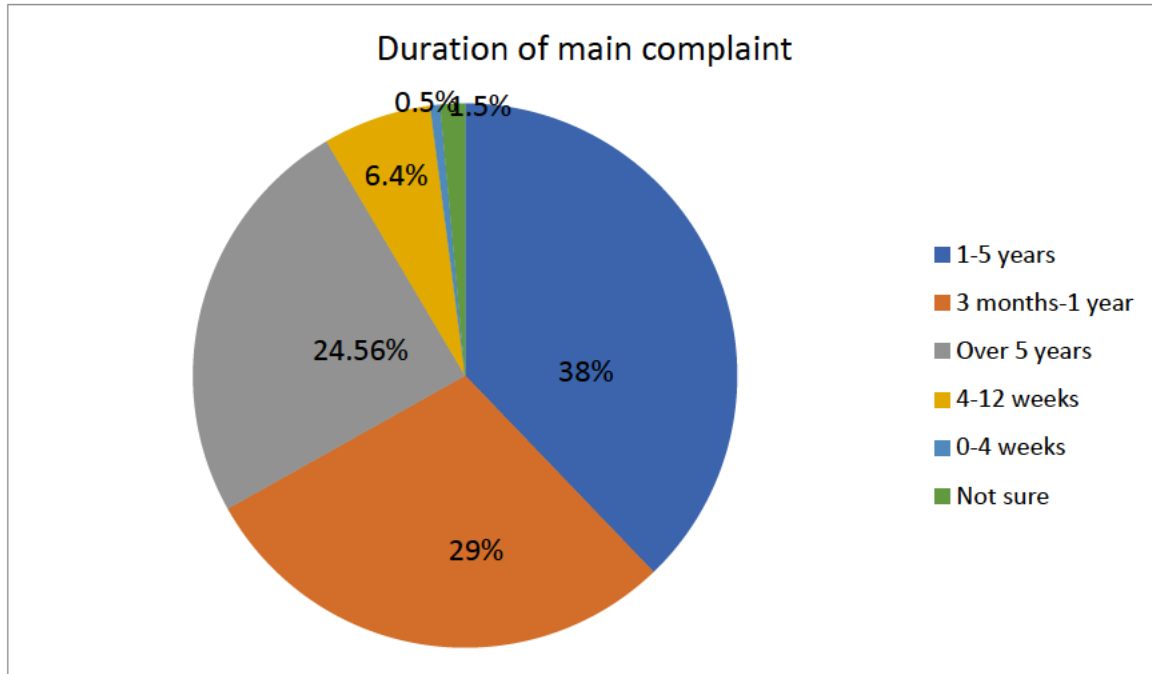
- musculoskeletal, including back, neck and joint pain, rheumatoid and osteoarthritis (n=110)
- psychological, including anxiety, depression and insomnia (n=54)
- neurological, including headaches, migraine, dizziness (n=39)
- fertility, pregnancy and childbearing (n=38)

Patients also consulted acupuncturists to help manage respiratory, urological, digestive, metabolic, and dermatological conditions. In addition, acupuncturists helped patients cope with social problems (including relationship, work, financial, bereavement issues) and trauma.

The majority of patients consulted an acupuncturist to help with more than one condition (n=287). 153 patients sought help with at least two other secondary complaints.

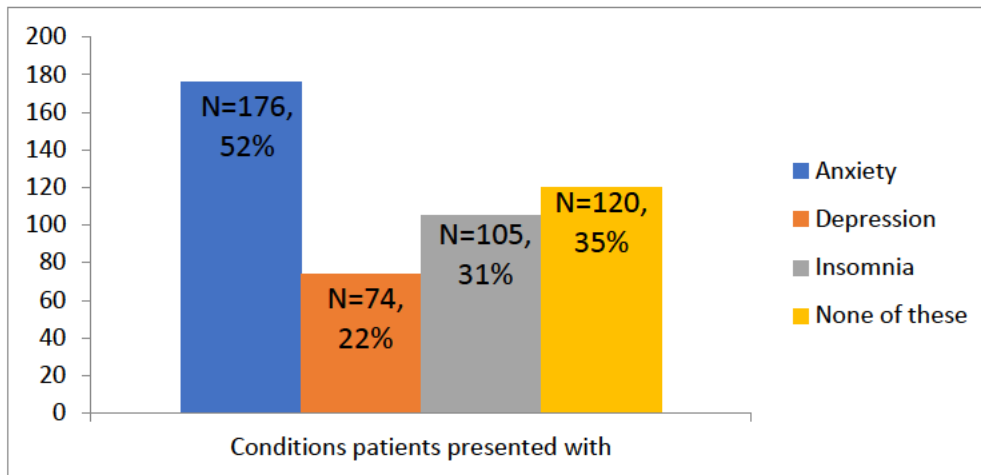
## Traditional acupuncturists help people manage long-term conditions

The majority of patients (63%) seek help for a long-term condition that has persisted for more than a year, and for 25% of them it has lasted more than five years. Almost a third of patients were consulting for a condition that they have suffered for between three months and one year.



Half of all patients consulting an acupuncturist were presenting with anxiety

52% of patients presented anxiety and 31% were experiencing insomnia.



This snapshot audit of the work done by traditional acupuncturists has taken place during the Covid-19 pandemic when levels of anxiety in the public may be heightened. Studies have shown that acupuncture is effective in the management of anxiety.<sup>1,2</sup>

## Acupuncture during the Covid-19 pandemic

98% of patients receiving acupuncture during the audit period (the four weeks prior to the firebreak restrictions in Wales in October 2020) had not received a positive diagnosis of Covid-19 infection. A total of seven patients had received a positive diagnosis, with all having had Covid symptoms for a duration of more than nine weeks. The majority had experienced symptoms for more than 12 weeks.

## Traditional acupuncture is a valid treatment option for chronic pain

Of the 341 individuals who consulted an acupuncturist during the audit period, 145 reported being in chronic pain (more than 12 weeks duration).

- 14% of patients with chronic pain were receiving opioid medications.

The NICE guideline for *Chronic pain in the over 16s: Assessment and management* recommends that:<sup>3</sup>

‘Consider a course of acupuncture or dry needling, within a traditional Chinese or Western acupuncture system, for people aged 16 years and over to manage chronic primary pain, but only if the course:

- Is delivered in a community setting, and
- Is delivered by a band seven (or lower) healthcare professional, and
- Is made up of no more than five hours of healthcare professional time (the number and length of sessions can be adapted within these boundaries).’

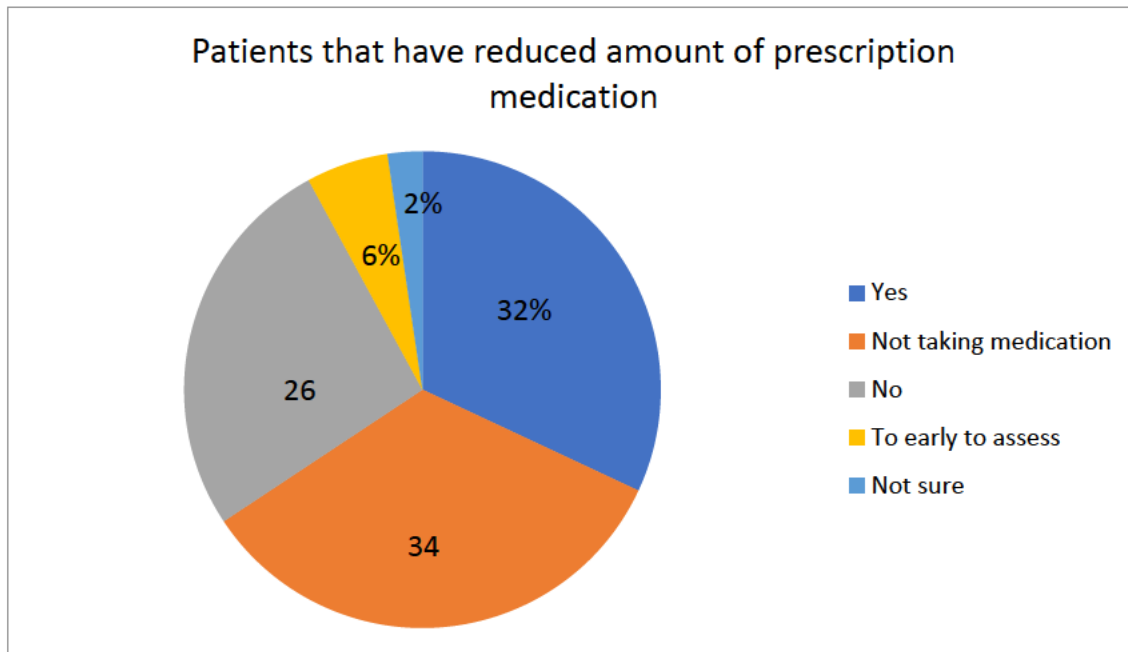
This recommendation was based on the many studies which showed that acupuncture reduced pain and improved quality of life in the short term (three months) compared with usual care or sham acupuncture. Economic evaluations showed that acupuncture is likely to be cost effective in the management of chronic pain.

## Patients receiving acupuncture reduce the amount of prescription medication they take

Acupuncture can be used safely alongside medication and is suitable for patients who have complex conditions or take several medications.

In the audit, 55% of patients were taking at least one prescription medication and some were taking several.

- Almost a third of patients had reduced the amount of prescription medication taken during the course of their acupuncture treatment.



### Accessibility to traditional acupuncture is limited by ability to pay

Of the 341 patients receiving acupuncture during the period of the audit, 93% paid for the treatment out of their own pockets.

Access to traditional acupuncture is currently restricted to those who can afford to pay the costs. Widening access to patients based on need rather than ability to pay remains a challenge.

### Acupuncturists empower patients to keep themselves happy and healthy

Traditional acupuncturists are committed to provide person-centred advice and support to enable patients to make the changes they need to avoid long-term health conditions and live long, happy lives.

- In the snapshot audit, 97% of traditional acupuncturists provided patients with individualised lifestyle advice and support.
- Advice on diet was given to 44% of individuals, 59% received support regarding exercise and a half of all patients received social support, for example advice on relationships, work, finance or bereavement.
- With 31% of patients presenting with symptoms of insomnia, acupuncturists provided advice on sleep habits to 39% of patients.
- Acupuncturists also provided advice and signposting to services for stopping smoking and taking recreational drugs.

Treatment goals that were important to the patient were agreed in 92% of consultations.

### British Acupuncture Council members in Wales

As members of the British Acupuncture Council, a professional body registered with the Professional Standards Authority, respondents:

- have completed a minimum of three years training at degree level (Chinese medicine and Western biomedical sciences)
- are among the most highly qualified acupuncturists in the UK
- are fully insured to protect their patients
- have previously been inspected by, and licensed with their local authority, and are to be exempt from the requirement to be licensed under the Public Health (Wales) Act 2017, Part 4 Special Procedures as they are members of an accredited voluntary register (Professional Standards Authority).

### Treating patients in the times of Covid-19

British Acupuncture Council members operate safely and lawfully, and follow the safety measures outlined by the British Acupuncture Council and the Welsh Government. They complete a comprehensive risk assessment and ensure that all clinic and procedures are as Covid-19 secure as any healthcare setting.

### Conclusion

Over a period of four weeks, traditional acupuncturists in Wales treated a range of medical conditions including pain, anxiety, and insomnia. Acupuncture is an evidence-based medicine with clinical trials demonstrating its effectiveness in these conditions.<sup>6</sup>

People often sought acupuncture for help with long-term conditions and chronic pain. A NICE draft guideline for the management of chronic pain recommends a course of acupuncture based on studies demonstrating effectiveness and cost-effectiveness. The audit revealed that 14% of patients with chronic pain were taking opioid medication. This figure is supported by a retrospective cohort study of UK found that 14.6% of primary care patients with chronic non-cancer pain who were given opioids for the first time became long term opioid users within a year.<sup>7</sup> Opioids are not recommended for chronic, non-cancer pain in Wales due to the side-effect profile and risk of dependence and addiction.

It is recognised that multimorbidity is frequently compounded by polypharmacy.<sup>6</sup> During acupuncture treatment, a third of patients reduced the amount of prescription medication they were taking.

Key workers made up almost a quarter of the acupuncture patients, demonstrating its particular value in the current situation. Also significant numbers are elderly, indicating the benefits they perceive at a time when otherwise they might not leave their homes.

*A Healthier Wales* (2018) sets out the long-term future vision of a 'whole system approach to Health and Social Care' focused on wellbeing and preventing illness which enables everyone

in Wales to live longer, healthier and happier lives, remaining active in their own homes for as long as is practical.<sup>5</sup> Traditional acupuncture has an important role to play in achieving this vision, by providing effective, individualised care without contributing to polypharmacy. Through ongoing lifestyle advice and treatments to reducing pain levels and improve mental health, acupuncture can help the people of Wales achieve their potential and maximise their wellbeing.

Acupuncturists working in Wales today meet the goals of the *Allied Health Professionals Framework for Wales: Looking forward together* report was published in 2020<sup>4</sup> as they inspire and enable people to live healthier lives. Acupuncturists provide valuable advice that may reduce the risk of future illness and agree treatment goals that are important to the patient.

The majority of acupuncture treatments are currently provided on a private basis which leads to inequality of access for those in need. The people of Wales could benefit from wider use of this safe, evidence-based medicine and the professional skills of British Acupuncture Council members.

## References

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2. Sniezek D, et al. Acupuncture for Treating Anxiety and Depression in Women: A Clinical Systematic Review. *Med Acupunct* 2013;25:164-172.
3. National Institute for Health and Care Excellence. Chronic Pain in Over 16s: Assessment and Management. Draft for consultation, August 2020.
4. Allied Health Professions Framework for Wales: Looking Forward Together. Welsh Government, 2020.
5. A Healthier Wales: Long Term Plan for Health and Social Care. Welsh Government, 2019.
6. The Scope of Acupuncture: Exploring acupuncture as a modern healthcare solution. British Acupuncture Council, 2020.
7. Jani M, et al. Time trends and prescribing patterns of opioid drugs in UK primary care patients with non-cancer pain: A retrospective cohort study. *PLoS Med* 2020;17; e1003270.

# Agenda Item 2.4

## **P-05-1116 Prioritise people with a learning disability to be vaccinated against COVID-19 in Wales**

This petition was submitted by John Gillibrand, having collected a total of 1,913 signatures.

### **Text of Petition:**

With the big news that there's a COVID vaccine that's been approved and the rollout will soon begin – it's crucial we get this right. The current list of who will get inoculated first does not prioritize people with learning disabilities – even though they're SIX TIMES more likely to die of coronavirus according to Public Health England (Wales stats are yet to be published). Even worse, those with learning disabilities between 18 and 34 are 30 times more likely to die.

### **Additional Information:**

I've started this petition for learning disabled people to be included in the priority list because I'm scared for my son. He's a young adult living in full time care – if the coronavirus were to get into the care home, it could be devastating for him, and others with learning disabilities he lives with, and across the UK.

We need to make sure this group is protected and I want to see a more prioritised vaccination list – taking into account those with higher mortality rates from COVID19.

Older people should be vaccinated first, but people, like my son, who are at a high risk from the virus are only sixth on the list – surely we need a more targeted strategy as the rollout begins?

Please sign my petition so that people with learning disabilities aren't forgotten as we see a light at the end of the tunnel.

### **Senedd Constituency and Region**

- Gower
- South Wales West



Eich cyf/Your ref P-05-1116  
Ein cyf/Our ref VG/09986/20

Janet Finch-Saunders MS  
Chair, Petitions Committee

28 January 2021

Dear Janet,

Thank you for your letter of 16 December concerning Petition No. P-05-1116 about Prioritising People with Learning Disabilities for the COVID-19 Vaccine.

Wales in line with the other UK nations is vaccinating people who are most at-risk of catching coronavirus and developing serious illnesses first, in line with the recommendations from the Joint Committee on Vaccination and Immunisation (JCVI). They have recommended the vaccine be offered to in the first instance to care home residents and health and social care workers, alongside people aged 80 and over. More information on how they reached their conclusions and details on at-risk groups (including those who have been shielding and/or have underlying health conditions) can be found at this link:

<https://www.gov.uk/government/publications/priority-groups-for-coronavirus-covid-19-vaccination-advice-from-the-jcvi-2-december-2020>

This approach will help ensure those at the highest risk are protected as soon as possible. It is estimated that, taken together, the priority groups recommended by the JCVI represent around 99% of preventable mortality from COVID-19.

The JCVI have recommended that those individuals aged 16 years to 64 years with underlying health conditions, which put them at higher risk of serious disease and mortality should feature as cohort 6 in the priority list. This includes those suffering from a severe and profound learning disability.

Health boards are increasing capacity now that foundations have been laid and they have up scaled their delivery since the COVID-19 vaccination programme started in December. Daily vaccination rates are increasing across Wales and all health boards are geared up for significant expansion in capacity during January, with the coming on-stream of the AstraZeneca vaccine.

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

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

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

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

Much more flexible and mobile deployment models can be used now that the AstraZeneca vaccine has been given regulatory approval for use in the UK, for example, health boards will be able to provide more clinics in primary care settings, like GP practices and pharmacies. There is a huge amount of work ongoing across Wales to vaccinate people as quickly as possible and subject to supply, we are aiming to vaccinate all those people in cohorts 1-9 by the spring.

Individuals will be sent appointment letters with details of the location where they will receive the vaccination, dependent on where they are on the schedule and risk. There will be no need to apply for or ask GPs or pharmacists for the vaccination, as invitation will be done automatically.

Further information about the vaccination programme can be found as follows:

- The Welsh Government's recent written statement about vaccine deployment in Wales: <https://gov.wales/written-statement-covid-19-vaccine-strategy>
- FAQs about Covid-19 vaccines: <https://phw.nhs.wales/topics/immunisation-and-vaccines/covid-19-vaccination-information/about-the-vaccine/>

I hope this information is helpful.

Yours sincerely,

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

**Vaughan Gething AS/MS**

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

**P-05-1116 Prioritise people with a learning disability to be vaccinated against COVID-19 in Wales, Correspondence – Petitioner to Committee, 04.02.21**

Response to Ministerial Statement on Petition – from the Rev'd Dr. John Gillibrand

Dear Ms Finch-Saunders,

Firstly, I wish to thank you for giving me the opportunity to respond to the letter you received from the Health & Social Services Minister on January 28<sup>th</sup>

Our son Adam is now in his 20s. He is on the autistic spectrum with significant learning disability and highly challenging behaviours. As a family we struggled for many years to access appropriate residential provision for him and more recently to ensure that such provision was reasonably close to us and other family members. He is largely non-verbal and would not be able to make representations of this nature on his own behalf.

It is against this lived experience as a family carer, that I started the petition and whilst I understand that the Minister is committed to following the JCVI guidelines, I am naturally concerned like many parents, and family members for our loved ones, especially those living in residential/supported living settings.

I understand that the Wales Learning Disability Consortium has this week launched its campaign, which focuses on the need to prioritize people with a learning disability in residential/supported living houses like my son Adam.

<https://www.ldw.org.uk/ask-your-member-of-the-senedd-to-support-people-with-a-learning-disability-and-their-family-carers-on-vaccine-issues/>

People in those support settings are at higher risk of infection due to the shared, communal nature of their living settings and that they will have a wide range of staff coming into their homes and recently an academic at a Welsh University wrote:-

*We understand that people with learning disabilities will be naturally considered for vaccine at various stages of the guidance e.g. those over 70 will be offered the vaccine when it is time to vaccinate the over 70's in the population. However, in order to mitigate against health inequalities the JCVI advises flexibility in the vaccination program e.g. with regard to younger adults in care homes the Green book advice is that given the high risk of exposure in these settings, the closed environments and risk to the population group where a high population in the setting would be considered eligible it would be prudent and beneficial to vaccinate the whole resident population.'*

There are currently about 3,500 people with a learning disability living in supported/residential settings in Wales. Many of those might already be picked up due to other underlying health conditions or age, which might see them placed in Categories 2 to 4, however many, like my son are being told that they will be placed in priority group 6 despite living in residential/supported living settings which can exacerbate their risk of catching and dying of Covid.

Naturally as a parent of a young autistic man who also has a learning disability, I am concerned that the recent Leder report states that he is 30 times more likely to die of Covid, than people of his own age without a learning disability.

<https://www.gov.uk/government/news/people-with-learning-disabilities-had-higher-death-rate-from-covid-19>

Adam and others with similar communication difficulties associated with their learning disability or autism will struggle to indicate that they have symptoms and I was very angry to learn this week that Adam who was living in a residential home but has now been moved to a supported living house has been moved from Category 4 to Category 6.

So in response to the Minister's letter to you, I fully understand that the JCVI guidelines are developed with academic and medical expertise, but there is growing evidence of the risk to people with a learning disability in specific housing settings.

In England, Mencap and others are campaigning for all people with a learning disability to be vaccinated in groups 1 to 6, but in Wales the Learning Disability Consortium which is made up of Learning Disability Wales, Mencap Cymru, All Wales Forum of Parents and Carers, All Wales People First, Down Syndrome Association Wales and Cymorth Cymru are taking a very pragmatic stance and asking for particular attention to be given to those living in supported living or residential settings. They have done this because they recognize the particular risk within these settings but also accepting that only 1 in 4 of the 65,000 learning disabled population in Wales is known to services. GP registers of learning disabled citizens in Wales is not yet advanced enough to highlight every person with a learning disability.

Given this I would ask that the Committee contact the Minister again and ask if Welsh Government is prepared to look at people of ALL ages with a learning disability living within residential or care home settings like my son Adam.

I leave you with the sobering thought that people with a learning disability are 6 times more likely to die of Covid and 30 times more likely than their peers aged 18 to 34, so as a parent of a 27 year old son you can imagine how scared we are as a family for his life.

Yours sincerely,

John Gillibrand

# Agenda Item 2.5

## **P-05-1121 Only open schools for children of key workers over the January 2021 lockdown**

This petition was submitted by Anna Copperwaite having collected a total of 560 signatures.

### **Text of Petition:**

When wales is in lockdown in January schools should only open for children of keyworkers to minimise the spread of COVID 19. If all nonessential shops are closed during this lockdown there should be no childcare issues for non essential workers. Children should revert back to online schooling and stay home if they are able to do so and let the parents decide without fear of being fined weather it is safe for their children to attend school.

### **Senedd Constituency and Region**

- Arfon
- North Wales

Kirsty Williams AS/MS  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-1121  
Ein cyf/Our ref KW/00164/21  
Janet Finch-Saunders MS  
Chair, Petitions Committee

18 January 2021

Dear Janet,

Thank you for your correspondence in relation to P-05-1121, which refers to only opening schools for children of keyworkers over the lockdown in January 2021.

The Welsh Government's priorities during this pandemic continue to be the safety and welfare of students, school staff and the wider community, and the continuing education of learners.

Since the petition was received, things have moved on at pace. You will be aware that the situation in Wales and across the UK remains very serious, and that the four UK Chief Medical Officers have agreed that the UK is now at the highest level of risk, Joint Biosecurity Council Level 5.

The First Minister has [announced](#) that we will bring the decision-making on schools and colleges into line with the Welsh Government's three-week review timetable. The next review will be on 29 January. Unless the rates of community transmission in Wales reduce significantly by then, schools and colleges will remain closed to most students for face-to-face learning until the February half term. The Minister for Education has written directly to the Heads of secondary schools, primary schools and special schools to outline this decision. We are confident that schools and colleges have online learning provision in place for this immediate period.

Schools and colleges will remain open for children of critical workers and vulnerable learners, as well as for learners who need to complete essential exams or assessments. On this basis, Special Schools and PRU's should remain open if possible.

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

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

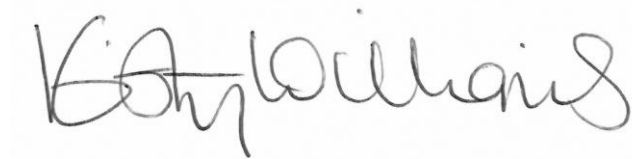
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

We are keeping plans for the return to schools under review. The scientific advice on schools is a collection of evidence gathered by the Technical Advisory Cell (TAC), rather than based on one key indicator. For information, the latest TAC report can be found [here](#).

We know that schools and colleges have been safe and secure environments throughout the pandemic. However, we also know that education settings being open can contribute to wider social mixing outside the school and college environment. We are confident that schools and colleges have online learning provision in place for this period.

Yours sincerely

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

**Kirsty Williams AS/MS**  
Y Gweinidog Addysg  
Minister for Education

# Agenda Item 2.6

## **P-05-1085 Make anti racism training compulsory for all elected Councillors and Members of the Senedd in Wales**

This petition was submitted by Jennifer Geroni having collected a total of 142 signatures.

### **Text of Petition:**

Structural racism places Black and ethnic minority groups in Wales at a significant disadvantage. All elected representatives funded by the taxpayer have a duty to uphold principles of fairness and equality for all. Anti racism training will provide them with a better understanding of structural racism and equip them with the tools to help dismantle it. This is an important mechanism for moving the conversation forward at both a national and local level.

### **Senedd Constituency and Region**

- Vale of Glamorgan
- South Wales Central

Janet Finch Saunders MS  
Chair of the Petitions Committee  
Senedd Cymru  
Cardiff Bay  
Cardiff  
CF99 1SN

Our ref: PO1064/EJ/ST

19 January 2021

Dear Janet,

**Letter about Petition P-05-1085 "Make anti racism training compulsory for all elected Councillors and Members of the Senedd in Wales."**

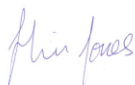
Thank you for your letter about the above petition.

As an organisation we do not tolerate bullying, harassment or discrimination based on someone's race or ethnicity. Race equality is enshrined throughout the Commission's Diversity and Inclusion Strategy and where relevant, within our people policies. Our Dignity and Respect policy outlines our commitment to race equality. The Commission provides training to its staff, promotes awareness raising activities and has a staff network to provide peer support, networking opportunities and a focus for discussion of issues affecting Black Asian Minority Ethnic (BAME) members in the organisation.

However, the Commission is not able to make any training compulsory for elected Members of the Senedd (who are not employees of the Commission), or for staff employed directly by Members of the Senedd. The Commission does engage with Members and staff on an ongoing basis regarding training needs and endeavours to provide the support they require.

The Commission is not in a position to comment on training for elected Councillors.

Kind regards,



Elin Jones MS  
**Llywydd and Chair of the Senedd Commission**

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



**Senedd Cymru**  
Bae Caerdydd, Caerdydd, CF99 1SN



Back Page 82

**Welsh Parliament**  
Cardiff Bay, Cardiff, CF99 1SN



# Agenda Item 2.7

## **P-05-1090 Road Safety: Reduce the speed on the A487 trunk road to 20mph through Penparcau, Aberystwyth**

This petition was submitted by Dylan Wilson-Lewis having collected a total of 335 signatures.

### **Text of Petition:**

A reduction in the A487 trunk road speed limit to 20mph within the populated urban community of Penparcau, which is home to over 1000 children, the highest in the county of Ceredigion, would enhance safety, promote well-being and encourage sustainability through alternative Active Travel options. The A487 facilitates access to a primary school, the Penparcau Community Forum's Community Hub facility, and provides the only means of access to the local Post Office and community shops.

### **Additional Information:**

Currently, the A487 forms a barrier between both sides of the residential areas of Penparcau. Reducing the speed limit from 30 to 20 mph will enable children and the local community to more safely access their local school, community activities (held at three adjacent community centres and halls), two churches, and a park-playground. Compliance with the Wellbeing of Future Generations Act is essential as it is imperative to lower the speed of the road in order to reduce carbon and pollution, and encourage more people to access Active Travel opportunities and local cycle infrastructure. This would enhance community safety, reduce pollution and promote sustainability, which in turn, would lead to fewer health inequalities within the local community.

As a former Communities First area with above-average multiple deprivation factors, this matter needs to be addressed by the Welsh Government as a matter of priority from a perspective of promoting social inclusion and tackling inequalities.

### **Senedd Constituency and Region**

- Ceredigion
- Mid and West Wales

Lee Waters AS/MS  
Dirprwy Weinidog yr Economi a Thrafnidiaeth  
Deputy Minister for Economy and Transport



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-1090  
Ein cyf/Our ref LW/01047/20

Janet Finch-Saunders MS  
Chair, Petitions Committee

12 January 2021

Dear Janet,

Thank you for your letter of 30 November to the Minister for Economy, Transport and North Wales on behalf of the Petitions Committee, regarding Petition P-05-1090 Road Safety: Reduce the speed on the A487 trunk road to 20mph through Penparcau, Aberystwyth. Your letter has been passed to me due to my portfolio responsibilities.

Improving road safety is a priority for Welsh Government and we are continuously working with local authorities, the police and other partners to identify locations where there is a need for road safety measures.

The 20mph Task and Finish Group (TFG) have completed their work and published their [report](#). We have accepted all of the TFG recommendations and our response highlighting how each of them will be progressed can be found [here](#), with a view for the 20mph default speed limit to come into force in April 2023. Consideration of the lowering of the existing speed limit on the A487 through Penparcau can be included as part of this work, however it will need to be reviewed against the exception criteria and through consultation with the community which would be led by the local authority.

Local Authorities have been invited to take part in 20 mph Pilot Settlement Studies and their submissions are currently being assessed. The successful candidates will be announced later this month. Local authorities will receive support from Transport for Wales and funding will be given to all applicants chosen to take part.

Commensurate with the ambition of the proposed 20mph default speed limit for restricted roads a Monitoring and Evaluation Programme is to be established as part of the project so that its outcomes can be properly judged. A range of metrics will be captured so as to make a comprehensive assessment of the effectiveness of the 20mph speed limit intervention, both ahead of the implementation of the national 20mph default limit and in the longer term.

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[Correspondence.Lee.Waters@gov.wales](mailto:Correspondence.Lee.Waters@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.

In the interim, we continue to routinely review the speed limits on the trunk road network giving consideration to data such as personal injury collisions, the road geometry and use by pedestrians and cyclists, in line with the Setting Local Speed Limits in Wales guidance. Based on the current data, we have no proposals to lower the speed limit on this section of road at this time, but will continue to monitor the need for such a change.

Go Safe, the Road Safety Partnership, are responsible for speed limit enforcement residents may wish to highlight any concerns regarding traffic speeds directly via the following webpage: <https://gosafe.org/contact-us/community-concern/>.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lee', is positioned above the typed name.

**Lee Waters AS/MS**

Dirprwy Weinidog yr Economi a Thrafnidiaeth  
Deputy Minister for Economy and Transport

**P-05-1090 Road Safety: Reduce the speed on the A487 trunk road to 20mph through Penparcau, Aberystwyth, Correspondence – Petitioner to Committee, 31.01.21**

**Petition P-05-1090: Road Safety and the Speed Limit on the A487 Trunk Road in Penparcau**

**Response to Deputy Minister's Correspondence**

**28 January 2021**

The correspondence from Deputy Minister Lee Waters (12 January 2021), is to be welcomed in terms of his acknowledgement that consideration can be given to the lowering of the existing speed limit to 20mph on the A487 trunk road through the community of Penparcau, Aberystwyth, based upon the Welsh Government's acceptance of the recommendations of the 20mph Task and Finish Group.

The number of signatories to this petition has highlighted beyond any doubt the depth of genuine concern within and across the community of Penparcau in terms of the current 30mph speed limit. It is therefore now vitally important that this stretch of trunk road is indeed included within the Welsh Government's work to establish a default 20 mph speed limit in residential areas by April 2023. This is especially so given that in the interim period there are currently no plans or proposals to lower the current speed limit on this section of road, which has been the default position for far too long despite repeated calls for a reduction. The community of Penparcau stand ready to assist and participate in any forthcoming community consultation.

**Cllr Dylan Wilson-Lewis**

**Member of Aberystwyth Town Council, representing the ward of Penparcau.**

# Agenda Item 2.8

## P-05-1094 Stop the erosion of Pontypridd's heritage – save the White Bridge

This petition was submitted by Cllr. Mike Powell having collected a total of 304 signatures.

### **Text of Petition:**

We the undersigned ask that the Welsh Government via CADW take action to ensure that the White Bridge in Pontypridd is preserved so that the town does not lose yet another important piece of its and Wales's heritage. Stop the erosion of Wales's heritage.

### **Additional Information:**

The White Bridge was built in 1907 and at the time of its construction was the longest reinforced concrete arch in Britain. It was Grade II listed by CADW on 26 February 2001.

RCT Council have stated their intention is to demolish the bridge following storm damage in early 2020 which they say has made it unsafe. Dafydd Elis Thomas, Deputy Minister for Culture, Sport and Tourism, in a letter to Cllr Mike Powell dated 25 June 2020 made clear

“Planning Policy Wales explains that the demolition of any listed building should be considered as exceptional and any such proposal requires the strongest justification, including a heritage impact statement. My officials have emphasised the high level justification that would be required if an application for listed building consent for demolition were to be successful”.  
Once it's gone it is gone.

<https://britishlistedbuildings.co.uk/300024848-white-bridge-also-known-as-berw-bridge-pontypridd#.X0rZH2nRYOM>

### **Senedd Constituency and Region**

- Pontypridd
- South Wales Central



Eich cyf/Your ref P-05-1094  
Ein cyf/Our ref DET/03349/20

Janet Finch-Saunders MS  
Chair  
Petitions Committee

14 December 2020

Dear Janet,

Thank you for your letter of 30 November seeking my views on petition P-05-1094 by Councillor Mike Powell who is campaigning to stop the demolition of the grade II\* listed White Bridge, Pontypridd.

It is inappropriate for me to comment on the proposal as Rhondda Cynon Taff County Borough Council will require listed building consent (LBC) from the Welsh Ministers before it can demolish the bridge and I must not prejudice that decision. While there are exceptions to the requirement to obtain LBC in cases of utmost urgency, I understand that the Council is not proposing this option. Therefore, everyone will have an opportunity to make representations as part of the 21 day public advertisement that must take place when, or if, such an application is made. Any such representations relating to the application must be taken into account in deciding whether to approve, or refuse, LBC.

My officials in Cadw have been in touch with the Council from the outset when it was first being suggested that both White Bridge, Pontypridd and Castle Inn Bridge, Treforest needed to be demolished as a matter of urgency. They have emphasised to the Council that the demolition of any listed building should be an option of last resort when all practical alternatives have been comprehensively assessed. Planning Policy Wales explains that the demolition of any listed building should be considered as exceptional and any such proposal requires the strongest justification. My officials have also advised on the high level justification that would be required if an application for LBC for demolition was to be successful. Similarly, they have explained that any proposals should be informed by a conservation accredited structural engineer's report that balances the possibility of conservation repairs against demolition. This is the web link to the relevant guidance for your information: <https://cadw.gov.wales/advice-support/historic-assets/listed-buildings/listed-building-consent>.

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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 understand that the Council is currently considering the content of the conservation accredited structural reports that it commissioned for both White Bridge and Castle Inn Bridge. The reports will inform the Council's next steps and the feasibility of the structures being repaired rather than demolished. My officials continue to keep in touch with the Council but may I suggest that you write to the Council's Leader for any further information that he may feel is helpful to your consideration of the petition.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Elis-Thomas'.

**Yr Arglwydd Elis-Thomas AS/MS**

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth  
Deputy Minister for Culture, Sport and Tourism

## **P-05-1094 Stop the erosion of Pontypridd's heritage - save the White Bridge, Correspondence – Petitioner to Committee, 27.01.21**

I shall be sending, by post, a copy, on 3 disks, of the information I received via an FOI from RCTCBC. The attached documents give you a flavour of what RCTCBC hasn't been doing to protect the structural integrity of this bridge since 2008 and its lack of concern for the safety of the public by not closing the bridge in 2018 if the reports were to be given their full weight. Alternately RCTCBC were not convinced of the strength of argument put forward by the engineers they engaged. Again, this does not bode well for how RCTCBC will consider any further reports in relation to this structure.

Furthermore, at my suggestion a geologist was engaged to carry out a visual inspection of the location and whilst there is no paper trail of this visit or conclusion. I understand that the geologist implied that the bridge was currently stopping the houses built on the spoil of the railway cutting on eastern embankment from sliding into the Taff. The geologist stated that there was no indication of any bedrock on which to locate foundations for a new bridge should demolition approval be granted. Apparently the Taff Vale Railway bridge slightly north of the Berw bridge is constructed on the only close to the surface rock in the vicinity!

[railway bridges in pontypridd - Bing images](#)

One area that is concerning is the lack of enforcement powers CADW has. As can be seen from the structural reports RCTCBC has had compiled over the years (I can only go back to 2008) the council has done nothing to repair or protect the bridge. If this were the case of a privately owned structure the council would be taking action via the available legislation [Building Act 1984 \(legislation.gov.uk\)](#)

### [Building Act 1984 - Legislation.gov.uk](#)

Defective premises, demolition etc. E+W 76 Defective premises. E+W (1) If it appears to a local authority that— (a) any premises are in such a state (in this section referred to as a “defective state”) as to be prejudicial to health or a nuisance, and (b) unreasonable delay in remedying the defective state would be occasioned by following the procedure prescribed by [F1 section 80 of the ...

[www.legislation.gov.uk](http://www.legislation.gov.uk)

One could view it as blatant disregard for a part of the heritage of Pontypridd, Wales and the UK serving no purpose other than to save money. Obviously there can't have been anyone in RCTCBC who had seen CADW's guidance on the matter or else action would have been taken years ago. No doubt if this listed building is destroyed because of political negligence any proposed replacement to divert traffic from a main road through a residential area will be funded by the public via the Welsh Government settlement and council tax increases.

[Why Maintenance Matters | Cadw \(gov.wales\)](#)



### [Why Maintenance Matters | Cadw](#)

There are many good reasons for undertaking regular building maintenance. It can help you to: Retain your building's maximum value, particularly when original architectural features are still present.

[cadw.gov.wales](http://cadw.gov.wales)

I am in the process of receiving comment from structural engineers and will hopefully be able to add to my response before noon on February 1st.

Yours sincerely,

# Agenda Item 2.9

## **P-05-1105 Make Cardiopulmonary Resuscitation (CPR) Compulsory in Schools**

This petition was submitted by Matthew James Copp having collected a total of 1,170 signatures.

### **Text of Petition:**

It was announced last year that CPR would not be part of the national curriculum in Wales. This is different from England and Scotland, where CPR is being made compulsory in schools. While Kirsty Williams has stated that there is nothing stopping schools from teaching CPR, the Welsh Parliament will not enforce this. We are worried that this will lead to some schools not providing access to learn the life saving procedure, leading to an increased death rate from cardiac arrests in Wales.

### **Additional Information:**

Early identification of a cardiac arrest and early CPR have been well documented to improve survival rates following a cardiac arrest. (1) However, public hesitancy has been noted as an issue. (2) The key reason for this was fear of “causing additional injuries with lack of appropriate skills”. Additionally, it was found that the likelihood of someone receiving CPR was influenced by the cardiac arrest victim’s age and gender. These are issues that cannot be addressed and combatted unless there is adequate training across ALL Welsh schools, and we hope that the Welsh Parliament take appropriate action to support its citizens.

1. Ibrahim W. Recent advances and controversies in adult cardiopulmonary resuscitation. *Postgraduate Medical Journal*. 2007;83(984):649–654.
2. Becker T, Gul S, Cohen S, Maciel C, Baron-Lee J, Murphy T et al. Public perception towards bystander cardiopulmonary resuscitation. *Emergency Medicine Journal*. 2019;36(11):660–665.

### **Senedd Constituency and Region**

- Gower
- South Wales West

Kirsty Williams AS/MS  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-1105  
Ein cyf/Our ref  
KW/07173/20

Janet Finch-Saunders MS  
Chair, Petitions Committee

12 January 2021

Dear Janet,

Thank you for your e-mail of 16 December regarding the petition the Committee received which is currently collecting signatures, Petition P-05-1105 Make Cardiopulmonary Resuscitation (CPR) compulsory in schools.

Life-saving skills and emergency first aid procedures such as CPR are clearly important, and we are keen to raise awareness of these skills and I encourage everyone, of all ages, to learn first aid.

The new Curriculum for Wales will include a Health and Well-being Area of Learning and Experience (Area). This is an innovative part of the new curriculum and aims to ensure that learning and support around issues such as physical, mental and emotional health are provided to all young people in Wales. The Health and Well-being AoLE has been designed to support the development of the fundamentals of health and well-being in learners, while allowing professionals to shape specific content, as appropriate to their learners.

Practitioners developing the Area's guidance have worked closely with the British Heart Foundation, British Red Cross and St John's Ambulance, to consider safety and the health of others in the new curriculum. These organisations contributed directly to the development of descriptions of learning within the guidance to ensure that they support learners to develop these skills.

To support schools in developing learning in Health and Well-being in their curriculum, the guidance sets out that "*learners should be provided with appropriate opportunities to assess and manage risk so they can keep themselves and others safe. Schools should also consider what strategies their learners may need to be able to safely intervene to support others who may be at risk, and this may include lifesaving skills and first aid*".

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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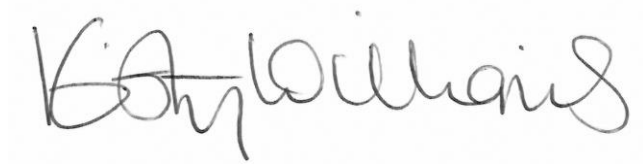
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[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

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

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

Within the national framework therefore, it will be for schools and practitioners to consider how best learners can be supported to meet these expectations and we will continue to encourage everyone to learn these skills. The aforementioned stakeholder organisations can also support schools with suitable resources.

Yours sincerely

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

**Kirsty Williams AS/MS**

Y Gweinidog Addysg

Minister for Education

**P-05-1105 Make Cardiopulmonary Resuscitation (CPR) Compulsory in Schools, Correspondence – Petitioner to Committee, 25.01.21**

Thank you for contacting me regarding the response Kirsty Williams gave to the petition I started. While I appreciate and respect her stance on the matter, I have outlined below the key points that I would like iterated at the Committee meeting. In addition to this, I will also attach a document that I made to help explain the need for CPR teaching in schools.

*I am thrilled that the Health and Wellbeing AoLE is in place to support students, as we have seen a rise in both physical and mental illnesses over the past few decades. However, I see no reason as to why we cannot have this in place and additionally make CPR teaching compulsory. Just having 2 hour-long sessions per year in Secondary Schools would have a grand impact in the survival rate. It doesn't need to be part of the AoLE as it takes up practically no time at all. I've done the maths and having two hour-long sessions per year would only take up 0.2% of lesson time - leaving the remaining 99.8% for other subjects. Scotland and England have managed to incorporate CPR into the curriculum so why not Wales when it has been shown to save lives? Teaching it in schools is the best way to ensure every Welsh person gets exposure to CPR, as school is the only place where everyone attends.*

*Teaching CPR in schools has been shown in countless studies to have a great impact on survival rates for out-of-hospital cardiac arrests (OOHCAs). In Denmark, the survival rate of OOHCA increased 3-fold after 10 years of CPR teaching in schools so a similar increase in Wales would have a tremendous effect! There are over 5000 OOHCA's every year in Wales, and less than 10% of people survive. Even if we were to only double the survival rate, that still means an extra 500 Welsh lives saved **every year**. 500 fewer grieving families. 500 fewer funerals.*

*The exposure people have to CPR is limited and often poorly demonstrated. A large proportion of people have only ever seen it done on TV, and this is done incorrectly as you can't perform CPR on a conscious person. Additionally, TV rarely shows the rescuer assessing the victim to see if they actually require CPR. A lot of the time when someone collapses, it's due to other causes (low blood sugar, simple faint, electrolyte disturbances). Performing CPR on these people is not only pointless, but also life-threatening. Therefore, it is necessary for people to learn how to assess to see if someone actually needs CPR or not. If we do not have CPR being taught in schools, then this will not be covered, meaning people who didn't need CPR were given it. I am not meaning to sound as though I want to deter others from performing CPR - I am wanting people to be taught how to perform a proper assessment so they know whether or not CPR is appropriate.*

*In addition to this, I don't think people realise how traumatic giving CPR is until they've done it themselves. I was teaching a first-year student how to perform CPR and I*

*mentioned that you would break the victim's ribs in doing so. He looked horrified and initially didn't believe me. He then asked if that is when you're meant to stop. We never want to hurt others, especially when the person in front of us is on the floor and vulnerable. However, to give someone the best chance, we have to overcome this innate feeling within us - something that doesn't come easy without exposure.*

*I have attached a document explaining the evidence behind my stance, and hope that you can take the time to read it. Thank you for considering my petition for debate and I look forward to hearing back from you.*

Please send my kind regards to Ms Williams and I hope that I have been able to convince her of the benefit of teaching CPR in addition to her Health and Wellbeing AoLE.

Best wishes,

# CPR Factsheet

## What is CPR and why is it important?

Cardiopulmonary Resuscitation (CPR) is an element of basic life support consisting of **chest compressions and rescue breaths**. It is a lifesaving activity for those who have a cardiac arrest (where the electrical activity of the heart goes haywire). The general public have very little experience seeing CPR being performed, and what little they do see (e.g. on TV dramas) is rarely done correctly. Without adequate training, people's lives are at risk which is why I am wanting CPR to be made part of the Welsh curriculum.

## What is the Senedd's stance on CPR being taught at schools?

Last year, Kirsty Williams announced that CPR would not be incorporated into the national curriculum, saying "there'll be nothing to stop schools teaching CPR". (1) I feel that this passive approach is counterproductive, as it means that **only a fragment of pupils will have the opportunity** learn this lifesaving procedure. Additionally, without annual revision of CPR technique (which is not mandatory), skills learnt in a one-off session will likely not be retained indefinitely.

## What is passer-by CPR and how effective is it?

Passer-by CPR refers to CPR being performed on the street by a member of the public (with or without previous training). It has been shown to **improve the survival rate of those who have a cardiac arrest by 2-3x**. (2,3) Although the data is missing for Wales, the figures for England suggest that only 40-50% of those who have a cardiac arrest out of hospital receive CPR before an ambulance arrives. (3)

Although passer-by CPR can save lives, there are several issues that occur when CPR is attempted by those without proper training.

1. **CPR Quality** – In order to perform effective CPR, compressions must be deep enough and at the correct pace. This will consequently lead to ribs being broken. Those without adequate training might not perform compressions deep enough, rendering the compressions futile. Alternatively, they might start performing CPR correctly but then stop after feeling the ribs break, out of fear that they will do more damage than good. A study published in 2017 assessed the competency of 13-14 year olds before and after being taught CPR. (4) Before the teaching session, many of the students were not competent at performing CPR correctly. They were given the scenario where someone collapsed in the street from a cardiac arrest to see if they could respond appropriately. Only 38.5% of children did compressions that were deep enough, 65% were performing compressions at the correct rate, and just over half (58%) had their hands in the correct position. This indicates that without training, a large proportion of the population who have the capacity to learn CPR do not have sufficient understanding without proper training.
2. **Rescuer Hesitancy** – research shows that many people would be hesitant to perform CPR in case they cause harm to the victim. (5) Even if CPR is conducted, hesitancy can drastically decrease the survival rate. (3)
3. **Disparity in who gets CPR** – it was revealed that the general public were less likely to perform CPR depending on the age and sex of the victim. (5,6). A potential influencing factor is the appearance of appearing predatory. To counter this, education is needed to confirm that there is no issue with performing CPR on an unconscious woman (if it is necessary)!!
4. **Unnecessary CPR** – without performing a proper assessment, it is not possible to tell if someone needs CPR just by looking at them. While CPR is lifesaving, there are some risks associated with performing it, leading to unnecessary harm to the victim. These include rib fractures and a condition called pneumothorax (where air gets into the chest cavity outside the lungs).

## Is teaching CPR in schools effective?

### **YES!!!**

It has been shown that children as young as 10 years old can perform chest compressions **as effectively as adults** (4). Additionally, research has shown that middle school children aged 13-14 can retain the understanding of CPR for at least 4 months after having a 45 minute session explaining how to perform it. Additional revision sessions two months after initial teaching improved knowledge retention, demonstrating the importance of re-educating students. Not only can children learn it, but they can also use it! Multiple studies have shown that educating schoolchildren in correct CPR procedure has been shown to **increase bystander CPR rates**. (2,7)

A study in Denmark showed that there was a **3-fold increase in cardiac arrest survival rates** after 10 years of mandatory CPR training in schools and other initiatives to support CPR understanding amongst the general population. (8) The current survival rate of out-of-hospital cardiac arrest in Britain is 7-8%, (3) so a similar increase of survival rate in Wales would be a tremendous achievement!

## Why teach it in schools?

A common argument against teaching CPR in schools is that they would learn it in other areas of life. However, teaching it in schools is the **only way to ensure everyone learns it**. For example, making it compulsory to learn at work would mean that unemployed people would miss out on learning this procedure. Additionally, it has been shown that national training in schools has the greatest impact at improving bystander CPR rates. (7) Additionally, it can be done at **minimal cost and disruption** to the school day.

## What should be covered in CPR lessons?

- Proper assessment of an unconscious person to determine if CPR is necessary (DRS ABC)
- How to correctly perform CPR
- How to use an automatic external defibrillator (AED)
- Addressing issues such as women being less likely to receive CPR (6) and clarifying any concerns students might have
- Legal obligations and implications of performing CPR (SARAH Act 2015)
- Recent updates in CPR procedure e.g. due to COVID, it is now recommended that rescue breaths are not given when performing passer-by CPR, and that the mouth is covered to limit victim-rescuer spread of COVID-19 while performing CPR (9)

## References

1. Jones T. Call for compulsory CPR lessons rejected [Internet]. BBC News. 2019 [cited 25 August 2020]. Available from: <https://www.bbc.co.uk/news/uk-wales-politics-48093718>
2. Böttiger B, Semeraro F, Wingen S. "Kids Save Lives": Educating Schoolchildren in Cardiopulmonary Resuscitation Is a Civic Duty That Needs Support for Implementation. *Journal of the American Heart Association*. 2017;6(3).
3. National Institute for Health and Care Excellence (NICE). Bystander CPR for out-of-hospital cardiac arrest [Internet]. National Institute for Health and Care Excellence (NICE); 2016 [cited 25 August 2020]. Available from: <https://www.evidence.nhs.uk/document?id=1664953&returnUrl=search%3Fq%3DCPR%25252boutcomes&q=CPR%252boutcomes>
4. Watanabe K, Lopez-Colon D, Shuster J, Philip J. Efficacy and retention of Basic Life Support education including Automated External Defibrillator usage during a physical education period. *Preventive Medicine Reports*. 2017;5:263-267.
5. Becker T, Gul S, Cohen S, Maciel C, Baron-Lee J, Murphy T et al. Public perception towards bystander cardiopulmonary resuscitation. *Emergency Medicine Journal*. 2019;36(11):660-665.
6. British Heart Foundation. Women less likely to receive bystander CPR than men, research shows [Internet]. Bhf.org.uk. 2018 [cited 25 August 2020]. Available from: <https://www.bhf.org.uk/what-we-do/news-from-the-bhf/news-archive/2019/may/women-less-likely-to-receive-bystander-cpr-than-men-research-shows>
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8. Wissenberg M, Lippert FK, Folke F, Weeke P, Hansen CM, Christensen EF, Jans H, Hansen PA, Lang-Jensen T, Olesen JB, Lindhardsen J, Fosbol EL, Nielsen SL, Gislason GH, Kober L, Torp-Pedersen C. Association of national initiatives to improve cardiac arrest management with rates of bystander intervention and patient survival after out-of-hospital cardiac arrest. *JAMA*. 2013; 310:1377–1384
9. Resuscitation Council UK Statement on COVID-19 in relation to CPR and resuscitation in first aid and community settings [Internet]. Resuscitation Council UK. 2020 [cited 25 August 2020]. Available from: <https://www.resus.org.uk/covid-19-resources/covid-19-resources-general-public/resuscitation-council-uk-statement-covid-19>

# Agenda Item 2.10

**P-05-1109 Supply dedicated and free onsite parking to all hospital staff in Wales during their shift**

This petition was submitted by Cllr. Mike Powell having collected a total of 55 signatures.

**Text of Petition:**

We must give hospital staff the ability to park where they work and not have to drive around looking for places in shared car parks taking up valuable staff time.

**Additional Information:**

Here is just one case as an example:

<https://www.walesonline.co.uk/news/health/prince-charles-hospital-parking-car-17682196>

**Senedd Constituency and Region**

- Pontypridd
- South Wales Central



Ein cyf/Our ref VG/09904/20

Janet Finch-Saunders MS  
Chair  
Petitions Committee

19 January 2021

Dear Janet,

Thank you for your letter of 16 December about Petition P-05-1109 concerning free on-site parking for hospital staff

Health Boards are responsible for the operation and management of hospital car parks across their estates.

Car parking has been free of charge at all NHS hospital sites for patients, staff and visitors since 2018 when external contracts came to an end at a number of sites. It has been free of charge at Prince Charles Hospital since 2008. The attached Welsh Health Circular (WHC) was issued at the time. The WHC provided guidance to health boards whilst recognising that one solution would not fit all hospital sites.

The expectation is that operation and management would include providing designated staff parking areas. It is important to recognise that hospital sites are congested and limited parking is available. From the WHC, you will note that measures should also be in place to ensure car parking on sites is specifically for hospital business.

Welsh Ministers ambition is for the public sector to be carbon neutral by 2030. To contribute to this, along with other areas, measures are being considered to reduce travel emissions and encourage active travel including improved public transport and the potential for Park and Ride schemes that have already proved successful at a number of hospital sites.

The NHS Wales Decarbonisation Strategic Delivery Plan will be issued early in the New Year. The Plan will have clear, ambitious and achievable targets to contribute to the ambition for the public sector in Wales to be carbon neutral by 2030. Among other emission sources it will highlight and target how travel emissions will need to be reduced.

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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.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a small dot above the 'i' in "Gething".

**Vaughan Gething AS/MS**

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

# WELSH HEALTH CIRCULAR



Llywodraeth Cymru  
Welsh Government

**Issue Date:** 5 April 2018

**STATUS: ACTION**

**CATEGORY: FINANCE / ESTATES**

**Title:** Car parking management – guidance for NHS Wales

**Date of Expiry / Review – Under constant review**

**For Action by:**  
Health Board Chief Executives  
NHS Trust Chief Executives

**Action required by:**  
Health Boards and NHS Trusts

**Sender:** Richard Barr, Capital, Estates & Facilities at [Richard.barr@gov.wales](mailto:Richard.barr@gov.wales) or 0300 0253987

**HSSG Welsh Government Contact(s) :**  
Richard Barr, Capital, Estates & Facilities, Health & Social Services Group, Welsh Government  
[Richard.barr@gov.wales](mailto:Richard.barr@gov.wales)  
Tel 0300 0253987

**Enclosure(s):**

Dear Colleague,

## **Summary**

The purpose of this circular is to notify and to clarify to all health boards and NHS Trusts arrangements for car parking at NHS hospital sites. This WHC sets out the procedure within NHS Wales concerning car parking charges and the management of car parking across the NHS in Wales.

As a consequence of this new guidance the previous circular '*WHC (2008) 011 Reform of Car Parking in NHS Hospitals*' has been revoked.

## **Background**

From 1<sup>st</sup> April 2008, free car parking has been provided at all NHS hospital sites for patient, staff and visitors. The only exceptions to this were where health boards had external contracts in place. The guidance explained that external contracts should not be reviewed or extended. There are three hospitals where there are external contracts in place all of which expire in 2018. When the contracts expire all parking across NHS Wales will be provided free of charge to patients, staff and visitors.

Health Boards and NHS Trusts will continue to be responsible for the management of car parking across their estate. The approach should be set out in your sustainable travel plans for your main hospital sites. This requirement is set out in '*WHC (2008) 058 Sustainable Travel Plans in NHS Wales (Site Specific,) to include Car Parking Plans*'. This WHC remains extant.

NHS Shared Services Partnership (NWSSP) visited all health boards and NHS Trusts in 2017 to discuss and share information on how the NHS organisations currently deal with car parking management issues. The Welsh Ambulance Services NHS Trust were not included in the programme of visits as their estate does not cover hospitals and similar facilities. The meetings with key NHS staff identified common issues across the NHS and best practice that could be shared.

It is recognised, that when free car parking is available across all hospital sites in Wales after September 2018, it may increase site traffic flow and access problems leading to further pressures on some sites that already have significant parking issues. This guidance sets out advice and best practice to be applied when managing car parking on hospital sites.

## **Policy**

The key themes for car parking management should be to:-

- Protect disabled parking spaces, maintain a safe traffic flow around sites and ensure clear and safe access routes for emergency vehicles are maintained;

- Encourage people to use alternative means of travel, reducing greenhouse gas emissions;
- Encourage the development of sustainable travel hubs; and
- Encourage people to only park on hospital sites for hospital related business.

## **Advice**

As all parking at NHS sites will be free of charge for patients, staff and visitors later this year the focus will need to be on the management of on site car parking.

There is an expectation that any enforcement measures would be proportionate and largely to address illegal parking and access issues. On some hospital sites it will also be necessary to control the possible use of parking spaces by commuters or others with no business at the hospital.

There are a number of ways that NHS organisations could look to alleviate car parking ranging from number plate recognition to park and ride schemes and this advice is not intended to be prescriptive. Major acute hospitals, for example, are likely to have significantly more car parking pressures than other hospital sites. Similar hospitals can have different parking issues. These can relate to their location, the footprint of their estate, the number of spaces etc. It would be impossible to have a one size fits all approach.

Whilst recognising the significant pressures there are in respect of car parking at a number of hospital sites there should be a clearly understood car parking management system. This should include clear signage and the system should be clearly understood by patients, staff and visitors and as far as possible the wider community.

For example, illegal car parking, that may cause access problems for emergency vehicles, should be treated differently to patients who are a few minutes over their allocated parking time following their appointment.

## **Good practice management arrangements**

As a result of the visits NWSSP identified a number of good practice management arrangements which NHS organisations should consider. These are set out below:-

- Management schemes should be consulted upon with staff, public/visitor groups and unions to determine the parameters such as the time limits etc;
- Management schemes should be well signposted at site entry and other locations;

- Car parking enforcement charges should be no more than charges levied by local authorities within the Health Board/Trust area;
- Appeal procedures should be well advertised and easy to navigate;
- Appeal procedures should be compassionate to the appellant, where justified;
- Management schemes must be driven by safety and not in terms of profit for the NHS organisation or any management company that have been appointed by the NHS organisation;
- Parking policy should be based around the “*Wales Penalty Processing Partnership, Civil Parking Enforcement Procedures*”, and

<https://www.wppp.org.uk/pdf/WPPP%20CPE%20Procedures.pdf>

- There should be ‘hospital permit holders only’ areas at acute hospital sites. This would be for staff who meet certain criteria such as midwives and on-call medical staff.

# Agenda Item 2.11

## P-05-1112 Help Welsh Communities Buy Community Assets: Implement Part 5 Chapter 3 of the Localism Act 2011

This petition was submitted by Daniel Evans having collected a total of 655 signatures.

### **Text of Petition:**

Welsh communities continue to lose community assets such as pubs and sports grounds at an alarming rate. Unlike England & Scotland, Welsh communities still do not have the statutory right to bid for assets.

We urgently require new legislation relating specifically to Assets of Community Value. We call on the next Welsh Government to immediately introduce the provisions of Part 5 Chapter 3 of the Localism Act 2011 to ensure groups in Wales have the legal right to buy & manage community assets.

### **Additional Information:**

Community assets build social capital, health and wellbeing. Losing community assets leads to weaker, more disconnected & unhappier communities

Part 5, Ch. 3 of The Localism Act 2011 granted the legal right for community groups to bid for & run assets of community value (ACV) under threat/for sale. It also requires local authorities to keep lists of such community assets. In Scotland, community groups have first refusal on these assets (<https://commonslibrary.parliament.uk/research-briefings/sn06366/>).

In Wales, however, the Welsh Government decided to not apply the relevant parts of the act that would facilitate this. Our communities are therefore being placed in a hugely disadvantaged position relative to England & Scotland.

In 2015, the minister stated that action would be taken on ACV during the 2016-21 Welsh Government, but nothing happened.

Implementing the relevant provisos of the Localism Act would hugely benefit Welsh communities desperate to save valuable local assets.

**Senedd Constituency and Region**

- Bridgend
- South Wales West

Jane Hutt AS/MS  
Y Dirprwy Weinidog a'r Prif Chwip  
Deputy Minister and Chief Whip



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref JH-/01249/20

Janet Finch-Saunders MS  
Chair, Petitions Committee

11 January 2021

Dear Janet,

Thank you for your letter to the Minister for Housing and Local Government dated 16 December and regarding petition P-05-1112: Help Welsh Communities Buy Assets of Community Value. I am responding as community asset transfer falls within my portfolio.

The petition is seeking to bring into force the assets of community value (ACV) measures contained in Part 5 Chapter 3 of the Localism Act 2011. Welsh Ministers decided not to bring these measures into force in Wales at the time but to instead keep the matter under review. A scheme was implemented in England in 2012 with very mixed results.

Each local authority in England has implemented the scheme differently. There is no central source of information on outcomes such as whether assets transferred into community ownership as a result of listing and/or whether successful transfers delivered community benefit. We do know that an ACV scheme would place an additional burden on our local authorities as additional resources would have to be deployed which means additional cost.

In Wales community asset transfers happen regularly although we do know that our local authorities also have differing processes. The landscape is now very different to when the Localism Act was passed. Austerity has meant public bodies are more likely to consider transfers in a more favourable light. We have recently carried out research into the experience of community groups (as well as town and community councils) taking on community assets and the barriers to transfer. This will be published in the spring.

Covid-19 and the continuing crisis has identified how important community support is to the people of Wales, especially the most vulnerable in our communities. I believe that

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[Correspondence.Jane.Hutt@gov.wales](mailto:Correspondence.Jane.Hutt@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.

community assets can provide a focus for community action and that they will play a part in a fair and just recovery from Covid-19. The pandemic has also provided us with opportunities to revisit how we approach issues such as the community ownership of assets.

Yours sincerely,

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal stroke above the first letter "J".

**Jane Hutt AS/MS**

Y Dirprwy Weinidog a'r Prif Chwip  
Deputy Minister and Chief Whip

**P-05-1112 Help Welsh Communities Buy Community Assets: Implement Part 5 Chapter 3 of the Localism Act 2011, Correspondence – Petitioner to Committee, 01.02.21**

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[REDACTED]  
31/01/2021

Janet Finch-Saunders MS  
Chair, Petitions Committee.  
Welsh Parliament  
Cardiff Bay  
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CF99 1SN.

Dear Janet,

Thank you for your response to my petition **P-05-1112: Help Welsh Communities Buy Assets of Community Value**, and also for giving me the chance to contribute my thoughts and research into this area before the petitions committee meets to discuss this topic on February the 9th, 2021. I have also submitted a briefing document on the issue of Assets of Community Value for the committee's consideration which I hope will be of use.

I also greatly appreciate the Deputy Minister's letter to the committee dated the 11th January. However, I do not feel that this letter adequately addresses the concerns raised by my petition. I would therefore like to briefly respond to some of the points raised by the Deputy Minister in her letter as a way of impressing upon the committee and Welsh Government the urgent need for concrete action over the issue of assets of community value.

The minister notes that "Welsh Ministers decided not to bring these measures into force in Wales at the time but to instead keep the matter under review".

While it is always important to get things right and to account for the distinctiveness of the Welsh political and social context, ten years have now passed since the localism act was written, and in that time there have been a multitude of reviews, reports, pilot studies and consultation documents, all of which have provided empirical evidence that has recommended strong, Welsh legislation be passed to help Welsh communities retain assets of community value. Indeed, in 2015, the former communities minister Lesley Griffiths belatedly accepted the findings of these various consultations and strongly intimated that legislation would finally be passed between 2016 and 2021, stating: "legislation in relation to this issue, including making a commencement Order to bring into force the relevant provisions of the Localism Act 2011 will take place after the National Assembly for Wales election next year... I believe there is cross-party support for action on this issue."

This commitment never materialized, although it is unclear why. Since 2015, communities across Wales have only gotten weaker as more assets have been lost.

Next, the minister notes: "A scheme was implemented in England in 2012 with very mixed results. Each local authority in England has implemented the scheme differently. There is no central source of information on outcomes such as whether assets transferred into community ownership as a result of listing and/or whether successful transfers delivered community benefit".

I agree that the legislation that was passed in England has had mixed results and is not perfect, yet surely this does not constitute a reason not to pass legislation in Wales? As the *Report of the Welsh Co-operative and Mutuals Commission* noted hopefully in 2012, the patchiness of the English experience presented the Welsh Government with an opportunity to do things differently and to pass legislation which was even better, rather than do nothing.

Despite the flaws of the English legislation, communities in England are undoubtedly on a stronger footing than communities in Wales when it comes to ACVs, because they have legislation backing them and giving them a statutory right to bid for threatened community assets, whereas in Wales we do not.

I would also note that it is not always necessary to compare ourselves to England. Scotland has had great success with its long standing land reform act, which also provides important lessons on the benefits of strong legislation and strong guidance to communities and local authorities. An evaluation of the Scottish model suggests that the legislation and funding provided by the Scottish Government has improved community awareness of their rights, led to more people being involved in community activities, increased skills within the community, made people feel more empowered, and had improved community cohesion. There is at this stage an extensive evidence base available to the Welsh Government to help it pass successful legislation.

The minister then states that “In Wales community asset transfers happen regularly although we do know that our local authorities also have differing processes”. Following this claim about the regularity of community asset transfers, I submitted an FOI to the Welsh Government requesting the amount of CATs that have taken place across Wales in the last Assembly Government, but was told that the Welsh Government does not hold or record this information. I would therefore be interested to know how many CATs have occurred and where the minister has got her figures from, and ask if these can be made public?

The lack of a central register of CATs and the patchy implementation across local authorities that the minister acknowledges is of course one of the main reasons we need strong legislation and guidance to make a register of ACV and CATS a statutory requirement of all local authorities.

The deputy minister notes that the political landscape in Wales has changed since 2011. The most important development since then regarding ACV and CAT is of course the Future Generations Act, whose pledges have been accepted by the Welsh Government and by every local authority in Wales.

The Future Generations Act establishes as one of its goals, ‘A Wales Of Cohesive Communities: Attractive, viable, safe and well-connected communities’. The Future Generation Commissioner’s strategy document *Journey to a Wales of Cohesive Communities* emphasises the central role that community assets and community anchor organizations play in creating cohesive, resilient and healthy communities. The report states for example that “residents in cohesive communities have a strong sense of pride in place - a feature of this is often places where there is ownership and management of community assets”.

Given the importance of community assets, the document recommends that the Welsh Government should therefore “support and empower communities to acquire assets that matter to local people. Have conversations about possibilities framed around ‘what matters’ to communities, and less about austerity and public sector funding cuts”, concluding that “community ownership of assets should be the normal and realistic option for communities to acquire land and assets. Learn from recommendations being made in Scotland. We need to learn how to move to this position in Wales.”

Sadly, Welsh communities continue to lose community assets such as sports grounds and clubs, heritage buildings and other community assets at a worrying rate. The National Assembly 's Health, Social Care and Sport Committee's 2019 report into the Physical Activity of Children and Young People noted grave concerns about the ongoing closures of sporting facilities on the physical health of young people across Wales. Between 2010 and 2017, 45 libraries closed down in Wales. Pubs are also important to community cohesion, particularly in rural areas where they can often act as unofficial community hubs, yet between 2010-2019, Wales saw the biggest fall in pubs per head of population across the whole of the UK.

In short, despite the implementation of the Future Generations Act, Wales is heading in the wrong direction when it comes to retaining assets of community value, and this is because the Welsh Government has not passed legislation that would protect these assets and help communities buy them.

The current hands off approach is not working, and the existing guidance on CATs is no replacement for legislation, funding and enforcement.

After ten years of deferrals and avoidance, is it not finally time for firm action and legislation, rather than continually kicking the can down the road and implementing half measure after half measure?

The issue of ACV is not going away. The only way to achieve the noble goals of the Future Generations Act and to help our communities is to finally fulfil what was promised in 2015 and pass legislation implementing, at a bare minimum, the measures contained in the 2011 localism act regarding ACV.

Thank you again for your time and work on this matter.

Yours sincerely,

Dr Daniel Evans

## **The role of Community Assets in creating healthy, connected communities**

It is proven that community assets [help build social capital and therefore improve health and wellbeing in our society](#). They are therefore essential to Welsh communities.

The Future Generations act establishes as one of its goals, '[A Wales Of Cohesive Communities](#)' ("Attractive, viable, safe and well-connected communities"). The future generation commissioner's strategy document '[Journey to a Wales of cohesive communities](#)' emphasises the central role that community assets and community anchor organizations play to cohesive, resilient and healthy communities. The report states, for example that "Residents in cohesive communities have a strong sense of pride in place - a feature of this is often places where there is ownership and management of community assets".

Given the importance of community assets, the document recommends that the Welsh Government should therefore "support and empower communities to acquire assets that matter to local people. Have conversations about possibilities framed around 'what matters' to communities, and less about austerity and public sector funding cuts", concluding that "community ownership of assets should be the normal and realistic option for communities to acquire land and assets. Learn from recommendations being made in Scotland. We need to learn how to move to this position in Wales."

Losing community assets leads to weaker, more disconnected and disengaged communities. Sadly, Welsh communities continue to lose community assets such as sports grounds and clubs, heritage buildings and other community assets at a worrying rate. The National Assembly's Health, Social Care and Sport Committee's 2019 report into the '[Physical Activity of Children and Young People](#)' noted grave concerns about the ongoing closures of sporting facilities on the physical health of young people across Wales. Between 2010 and 2017, 45 libraries closed down in Wales. Pubs are also [important to community cohesion](#), particularly in rural areas where they can often act as unofficial community hubs, yet between 2010-2019, Wales [saw the biggest fall in pubs per head of population across the whole of the UK](#).

In short, despite the recommendations of the future generations commissioner, Wales is heading in the wrong direction when it comes to retaining assets of community value.

### **UK context and background to legislation**

In 2011 The Westminster Government passed the Localism Act. [Chapter 3 \(Assets of Community Value\) of Part 5 \(Community Empowerment\) explicitly dealt with the issue of ACV](#). This legislation firstly provided a legal definition of ACV:

"a building or other land in a local authority's area is land of community value if in the opinion of the authority—

(a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and

(b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community."

Moreover, this legislation required local authorities to keep and maintain open, free lists of community assets (including land) (section 87), that communities could contribute to by nominating assets (section 88) (section 95); it required a moratorium on all proposed sales of ACV during which time communities would be notified and given the chance to apply to bid to takeover these assets

(i.e., community asset transfer or CATs); allowed the secretary of state to intervene in community bids for ACV and to provide training, education and financial assistance to interested community groups as and when required (section 103).

In Scotland, the above legislation did not apply, as the then Scottish Labour government passed the [Land Reform Act](#) in 2003. The act gave “statutory access rights over most land for “everyone” (Part 1), and established the “community right to buy” (Part 2) which in practice gave communities first refusal over land of community value. To date, the Scottish Government and the Big Lottery Fund Scotland has provided over 60 million pounds of funding to enable communities to buy land and property of community value to date.

An [evaluation of the Scottish model](#) suggested that the legislation and funding had improved community awareness of their rights, led to more people being involved in community activities, increased skills within the community, made people feel more empowered, and had improved community cohesion.

### **The Welsh Context**

The ACV Measures came into force in England in 2012. During the Bill’s passage through Parliament, the then Minister for Local Government and Communities agreed a consultation exercise would be carried out prior to any implementation of the Measures in Wales.

In 2012 The Report of the [Welsh Co-operative and Mutuals Commission](#) made a number of strong recommendations to the Welsh Government regarding ACV, including: 1) that specific legislation be passed, which would include making it compulsory for local authorities to list community assets; 2) that, like in Scotland, communities should have first refusal on ownership; 3) that when making legislation the Welsh Government strongly considers ‘asset locking’ , i.e., measures which would formally prevent community assets being lost or taken away from the communities; and 4), that new financial bodies and specific, ring fenced funding mechanisms be developed to achieve the above aims.

The commission was also hopeful that reflecting Wales’ communitarian traditions, the Welsh Government would pass stronger legislation than England and Scotland (46), and specifically include sports clubs as community assets in the forthcoming legislation.

Yet despite the clear and widely accepted benefits of community assets and the recommendations made by the commission, in [2014 the minister Lesley Griffiths declined to implement the localism act’s ACV measures in Wales, citing concerns about a lack of financial resources and the capacity of the Welsh Government to pass legislation](#).

However, in 2015 the minister [commissioned a consultation on Protecting Community Assets](#). This consultation found very strong support for passing bespoke Welsh legislation. Respondents recommended adopting the localism act’s definition of community assets and adopting the Scottish policy of providing communities with the option of first refusal, as well as the need to raise awareness of the possibility of transferring assets to the community. It also identified the need for greater mentoring and support for community groups to be able to understand the bidding process.

In light of these recommendations, the [minister accepted that the needs of communities could best be met by implementing the relevant parts of the localism act in Wales](#):

“In view of the consultation responses favouring local control of asset registers, the legislative framework for establishing a Welsh ACV Scheme could be put in place by commencing Chapter 3

part 5 of the Localism Act 2011 and in subsequent Welsh regulation made under the act. I consider continuing engagement with stakeholders in Wales, inline with Welsh Government's Principles for Working with Communities, will ensure the approach being taken is fully fit for the Welsh context."

She then strongly implied that action would be taken during the 2016-21 Welsh Government: "legislation in relation to this issue, including making a commencement Order to bring into force the relevant provisions of the Localism Act 2011 will take place after the National Assembly for Wales election next year... I believe there is cross-party support for action on this issue."

However, nothing has been done in this Assembly term, other than to publish [a non-statutory guidance document on community asset transfers for local authorities](#).

While this is welcome, guidance is no substitute for legislation.

### **The need for legislation**

At present, because of a lack of legislation, local authorities are under no obligation to keep a list of community assets. As well as there being no centralized register of community assets, there is no mechanism in place (or 'lock') protecting community assets from being sold off and lost to the communities as recommended by the aforementioned report of the Co-operatives and Mutuals Commission.

Only legislation would guarantee a register of community assets. Only legislation would guarantee that local authorities introduce moratoria on assets which are up for sale. Only legislation can guarantee that communities get first refusal on community assets as per the recommendation of the future generations commissioner.

Only legislation can ensure that assets are protected and that communities are placed on the same legal footing as those in Scotland and England. Without legislation Welsh communities are fighting for their assets with one hand tied behind their back.

### **The need for funding**

Legislation on its own will not be enough. The lessons from England and Scotland are that legislation must be accompanied by firm guidance to local authorities on implementing the provisions of the act, and there must be a funding pot) dedicated to providing capital funding to assist community purchases, and to provide mentoring and upskilling of communities to allow them to adequately run the assets they aim to run. The scheme must also be widely promoted to ensure uptake.

However, it is clear from the numerous responses by the previous minister, Lesley Griffiths, that the motivating factor behind the Welsh Government's reluctance to implement legislation comes down to worries about cost.

The context of austerity has driven the legal requirement for local authorities to achieve best market value for assets, (sometimes known as a 'best consideration' value) which in practice means local authorities routinely prioritize commercial business uses for community assets over the needs of the community. There is a fundamental tension in Wales between the need to protect community assets for the community on the one hand, and the need for squeezed local authorities to make as much money as possible from commercial land sales on the other.

This contradiction can only be resolved by legislation, but it also requires a new, specific funding stream dedicated to ACV/CATs. This currently does not exist and the new guidance on CAT explicitly states that it does not provide advice on funding mechanisms.

Undoubtedly austerity has put pressure on the Welsh Government and in turn squeezed local authorities. But the current practice of getting rid of community assets to the highest bidder is clearly a false economy and creates more disconnected communities in the long term, with higher rates of ill health and crime, problems which are extremely expensive. Once these assets are gone, they are gone. In contrast, investing in community anchor organizations and allowing communities to buy community assets will create stronger, healthier, more resilient communities, saving the Welsh Government money in the long term as well as improving societal wellbeing as a whole.

As the 2012 Co-operative and Mutual Commission argued, passing legislation and funding community asset transfers, as well as being morally right, makes sound economic sense.

Far from being a sticking plaster to deal with austerity, the commission stated that “They (CATs) have the potential to address many of the underlying structural difficulties in the Welsh economy, ending the cycle of investment/dis-investment which has characterised Wales economic past. Co-operatives and mutuals are ‘anchored’ in the locality, and retain profits for the benefit of consumers, workers or the wider community rather than being siphoned-off and distributed elsewhere. Publicly-owned assets can be ‘locked’ for public benefit rather than stripped for private gain, protecting and retaining long term investment.”

# Agenda Item 2.12

## **P-05-1113 Introduce road safety measures on the A44 in Llanbadarn Fawr, Ceredigion**

This petition was submitted by Cllr Gareth Davies having collected a total of 242 signatures.

### **Text of Petition:**

The A44 is a main trunk road for vehicles heading towards Aberystwyth. This road runs from before the industrial estate, under the railway line, through the populated village of Llanbadarn Fawr and is often busy with pedestrians, cyclists and heavy traffic. Pedestrians often have to run under the railway bridge as there is no footpath and also across the A44 on a blind corner in the Pwllhobi part of the village. Representations have been made to the Welsh Government yet no action has been taken.

### **Additional Information:**

We are calling for improved road safety on the A44 Trunk Road in Llanbadarn Fawr, Ceredigion, with:

- a 20mph speed limit,
- a pedestrian crossing in Pwllhobi and
- a tunnel for a footpath under the railway.

### **Senedd Constituency and Region**

- Ceredigion
- Mid and West Wales

Ken Skates AS/MS  
Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru  
Minister for Economy, Transport and North Wales



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-1113  
Ein cyf/Our ref KS/07491/20

Janet Finch-Saunders MS  
Member of the Senedd

Government.Committee.Business@gov.wales

13 January 2021

Dear Janet

Thank you for your letter of 16 December on behalf of the Petitions Committee, regarding Petition P-05-1113 Introduce road safety measures on the A44 in Llanbadarn Fawr, Ceredigion.

Improving road safety is a priority for Welsh Government and we are continuously working with local authorities, the police and other partners to identify locations where there is a need for road safety measures.

A Zebra crossing is planned to be installed this financial year, on the Aberystwyth end of Llanbadarn Fawr prior to the village sign, as a result of previous requests by local councillors. We acknowledge the difficulty pedestrians have crossing the road and propose to further review the need for crossings as well as the provision of paths for pedestrians and cyclists on the A44 through Llanbadarn Fawr. However given the number of projects awaiting funding, this will not commence until 2021/22.

Ceredigion County Council has also carried out some work recently as part of the Llanbadarn to Penweddig School Active Travel Link scheme, to widen the footway adjacent to the A44 for pedestrians and cyclists. We may also consider further Active Travel measures along this route as part of a longer term programme.

The 20mph Task and Finish Group (TFG) have completed their work and published their [report](#). We have accepted all of the TFG recommendations and our response highlighting how each of them will be progressed can be found [here](#), with a view for the 20mph default speed limit to come into force in April 2023. Consideration of the lowering of the existing speed limit on the A44 through Llanbadarn Fawr can be included as part of this work, however it will need to be reviewed against the exception criteria and through consultation with the community which would be led by the local authority.

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

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

In the interim, we continue to routinely review the speed limits on the trunk road network giving consideration to data such as personal injury collisions, the road geometry and use by pedestrians and cyclists, in line with the Setting Local Speed Limits in Wales guidance. Based on the current data, we have no proposals to lower the speed limit on this section of road at this time, but will continue to monitor the need for such a change.

Go Safe, the Road Safety Partnership, are responsible for speed limit enforcement, and if there are concerns regarding traffic speeds, I would encourage your constituents to highlight this directly via the following webpage: <https://gosafe.org/contact-us/community-concern/>.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken', with a long, sweeping flourish extending upwards and to the right.

**Ken Skates AS/MS**

Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru  
Minister for Economy, Transport and North Wales

**P-05-1113 Introduce road safety measures on the A44 in Llanbadarn Fawr, Ceredigion, Correspondence – Petitioner to Committee, 01.02.21**

The A44 in Pwllhobi is a difficult stretch of road on the North and Mid-Wales Trunk Road Agency network. There are parts which have no footway and the elderly and children have great difficulty crossing a very busy road which is hazardous and dangerous. I have tried to get the Police and GoSafe Wales to have mobile speed cameras in this vicinity but they advise me that they are unable to do so as there is no suitable location. Speeding vehicles has been a major issue in the area especially during lockdown and this is an ideal area for a crossing point with a 20mph speed limit. There seems to be far more heavy goods vehicles using this road as it is the main route into Aberystwyth for all commerce such as Tesco, M&S, Morrisons etc. as well as through traffic regularly used by Mansel Davies lorries from Pembrokeshire and others.

Thank you very much for your time.

# Agenda Item 2.13

## **P-05-1137 Call for fair funding for the National Library of Wales by the Welsh Government**

This petition was submitted by Sue Jones-Davies, having collected a total of 14,338 signatures.

### **Text of Petition:**

We call for fair funding by the Welsh Government to the National Library of Wales, one of the world's great libraries, a repository of the historic, artistic and intellectual treasures of Wales. With no increased support from Welsh Government, 30 jobs are to be cut and services seriously curtailed. Freedom, prosperity and the development of society and individuals are fundamental human values, attained by well-informed citizens with unlimited access to thought, culture and information.

### **Additional Information:**

To ensure that the National Library of Wales continues with delivering comprehensive services to all, we ask the Welsh Government to increase its financial support, ensuring that it remains a gateway to knowledge, providing lifelong learning. Libraries cannot be expected to generate their own income in the same way as businesses.

### **Senedd Constituency and Region**

- Ceredigion
- Mid and West Wales

**P-05-1137 Call for fair funding for the National Library of Wales by the Welsh Government, Correspondence – Petitioner to Committee, 01.02.21**

**SENEDD DEBATE**

**On behalf of the thousands who have signed this petition in little over a fortnight, we ask that the Welsh Government revisit its funding formula and ensure fair funding for the National Library of Wales. This would ensure that the people of Wales, and all that love our nation, may rest assured that its national treasures, National Archive, art collection and gallery, broadcasting and media collection, electronic storehouse, and much more are preserved for present and future generations, and that that they remain in Wales.**

**Does the Welsh Government, its main funder, realise or care what will be lost?**

**Longterm negligence, request for adequate and fair funding, revisiting the funding formula**

***‘Our national cultural institutions play a key role in Welsh life, in providing access to our heritage for everyone in Wales, and as an important part of our tourism economy’.*** (Minister for Culture 2018)

***‘I don’t accept that we have made cuts. I have maintained the level of funding of the library.’***(Minister for Culture Nov, 2020)

***‘Coming to Welsh Government for more funding could certainly be part of the solution.’***  
Jason Thomas WG official , Nov 2020

- Between 2008 and 2019 the NLW lost 40 % of its income, as grant-in-aid did not factor in inflation. A cut in all but name.
- Would WG like to justify how £17 million can be allocated to spectator sports institutions, and yet are unable to find £1.5 million to cover the shortfall of the NLW?
- WG **grant-in-aid** is less than it was in 2006. Staff numbers since 2010 have fallen from nearly 300 to about 225 . In order to balance the budget, due to pay reviews and pension law, a further 30 posts are to go in the next 12 months. This will impact the scholarship and skills necessary to preserve and grow the work at the National Library, rendering the institution a library in name only.
- Could the WG clarify the fact that £250,000 was paid to the NLW, as a result of Covid-19, but subsequently the WG asked for £200,000 to be returned, leaving a net gain of £50,000?  
To the public, this ‘funding’ seems cynical tokenism. Could the public be informed of similar payments and net gains by WG to other sponsored bodies in order to make a comparison?
- Can the WG explain how applying the same percentage to all sponsored bodies (Minsiter of Culture), is considered fair funding, **as equality of outcome does not**

**equate with equality of process**, as some institutions have low staff cohorts? The NLW has a large staffing complement and runs its own facility and site.

Where institutions should be financially supported to deliver services efficiently, what is the economic rationale behind such blanket financial distribution, leaving the very existence of the NLW in question?

- The basic business principle of **investing in infrastructure** is generally understood. To what extent has the WG listened to the outcome of the Consultation requested by the Minister of Culture where the NLW confirm that they will need £1.5 million as a baseline investment for maintaining the building and infrastructure in order to deliver a **fit-for-purpose institution for the 21st Century**.

Why commission a consultation with a cost implication for the tax-payer but not heed its findings?

- The overall picture is one of years of neglect and inadequate funding by WG. How would the WG counter the statement that its attitude towards the NLW over recent years **has lacked vision, ambition and national pride**, treating the NLW as a provincial institution, rather than an institution incorporated under Royal Charter, which houses almost the entire literary and cultural treasures of Wales?

- **Can the WG justify standing by when monies donated in good faith** to the NLW, around £12 million, for acquisitions, research and scholarship has had to be used for basic running costs?

£1 million will have **to be used to finance redundancy costs** leaving the NLW reserves at £500,000. **Is this not an abuse of trust** brought about **directly by lack of fair funding** by the WG?

- With a 2019 feasibility study on establishing a National Archive for Wales commissioned by the **same Minister of Culture**, estimating capital investment of £15-20 million, a Digital Preservation System as £9 million (£1.8 million p.a., and revenue operating costs of £2.1 - £7.5 million p.a. Can WG clarify why it is not able to secure the £1.5 million necessary to support the NLW which houses the largest collection of archives in Wales?

### **Prosperity for all, building resilient communities, with free access for all to culture and language**

Cultural institutions in Wales have the ability to help and empower people from all backgrounds and age to participate in cultural life, and to support the creation of cohesive communities.

- **The NLW is recognised worldwide as a pioneer in giving free online access to digital and digitized knowledge.**

With its long since ceasing to be just an 'Aberystwyth institution', anyone, anywhere can take advantage of its electronic services. As a government in the 21<sup>st</sup> Century, the WG will, I believe, have an understanding of the importance of digitization. This being the case, can the WG explain why no financial support towards digitization has been granted since 2017? (£850,000 was allocated annually in the early 2000's to 2013; this was cut to £550,000 in 2013 and disappeared altogether in 2017).

- **Curtailling of access to the public**

How does the WG envisage it will deliver on improving and strengthening communities for all, whilst underfunding a public institution such as the NLW, which enables people, whatever their circumstances, to have free access to knowledge and information? Present cuts may result in closing one reading room, and leaving only one reading room available to the public further cutting services which will result in decreased footfall to the Library.

Children will be deprived of excellent educational services, and so will researchers, academics, the Welsh diaspora, genealogists, lovers of Wales and lovers of libraries and heritage all over the world will suffer.

Not everyone in our communities have wifi or computer access (WG will be aware that remote learning for schools has been difficult for some because of this). School groups from all over Wales and beyond regularly visit the National Library. Is the WG happy that knowledge becomes the privilege of just a few?

- **Fake news and a culture of misinformation undermine democracy.**  
In which way is the WG taking into account the importance of copyright libraries with easy and unimpeded public access to secure knowledge? Can the WG confirm that it has a robust funding policy to ensure that democracy is upheld throughout Wales?
- **Neglect is a form of abuse. Starving libraries by depriving them of funds is a way of destroying shared culture.**

Let us consider some of the treasures at the NLW and realize what is at stake:-

- **6.5 million books and periodicals**, and the largest collections of archives, portraits, maps and photographic images in Wales
- **Rare Books**, including William Salesbury's *A Dictionary in Englyshe and Welshe* (1547), the translation of the Welsh Bible (1588)
- **National collections of Welsh manuscripts** (approx 25,000), for example, the **Peniarth collection** is considered to be of global significance, and is included in the UK Memory of the World Register Heritage in 2010. To mention only a few of this collection alone:-
  - The Black Book of Carmarthen (c.1250)
  - The Book of Taliesin (c.1350 -1400)
  - The White Book of Rhydderch (c.1350)
  - Tales of the Holy Grail (c.1300)
  - The Chronicle of the Princes (c.1330)
  - History of the Kings
  - The Laws of Hywel Dda (c.1300-1350)
- **Art:** The collection contains unique examples of artists' work such as that by Kyffin Williams, Charles Tunnicliffe. J.M.W Turner. With 15,000 portraits and 50,000 photographs and negatives, it comprises the most comprehensive collection of paintings and topographical prints in Wales.
- **Maps:** There are over a million maps in the NLW.
- **Screen and Sound Archive of Wales:** Included in the UK Memory of the World Register is *The Life Story of David Lloyd George*, a 1918 biographical film which is thought to be the first feature-length biopic of a living politician.

Can the WG justify present levels of funding where so much is at stake, and the scholarship and expertise brought to the acquisition, preservation, enhancement and transmission of the heritage of Wales is not adequately supported?

**The NLW embodies the literary and cultural treasures that belong to the nation.**

In *A List of Subscribers to the Building Fund* (1924), it was estimated that there were almost 110,000 contributors to the establishment of the NLW, these funds were contributed by the subscriptions of the working classes. In view of this is it fair judgement to state that the present WG shows **a lack of vision and ambition in regard to its commitment to culture and heritage?**

- As Wales struggles to deal with some of the most deprived areas in northern Europe can the WG afford to ignore the income that can be generated through Wales' unique heritage, culture and art?
- Have the WG considered an **economy of culture** where money invested brings economic benefits at community and national level? The petitions had signatories from 50 different countries, indicating that the NLW can act as ambassador for Wales, promoting its unique culture and heritage, at home and worldwide.
- In order to enhance the NLW as a live and vibrant center for learning and education, housing as it does Wales' heritage, and a contributor to a wider European and world culture, can the WG confirm that it will **introduce Welsh History as part of the new school curriculum?**

We would wish to see the resources and facilities, both digitally and otherwise that the National Library of Wales has to offer, embedded in our school curriculum so that all children in Wales have access to Welsh culture, language and history.

***States are encouraged to provide appropriate legislative frameworks for memory institutions and ensure their necessary independence in preserving and providing access to documentary heritage.*** (UNESCO, Recommendation on Documentary Heritage, 2015)

**Accountability and Transparency in WG dealings with the NLW. In light of the scandalous years of neglect of the NLW, can WG agree that the following areas ensure improved efficacy and communication?**

**Points of Action:**

- Members of the Board should include a majority of library and heritage specialists. These would be best placed to guide on matters of funding and staffing requirements, also they could advise on the balance between public funding and commercial income.
- The NLW, as an institution of national importance, should be overseen directly by the First Minister.
- The review should be reopened and any debate about the future of the NLW must include the wider public. The initial review was conducted by the *Challenge Panel of the Welsh Government Board*. These are unelected and unaccountable executives drawn from a range of other public bodies. None of the people involved have library or heritage management experience. We request a wide ranging public consultation with researchers, academics, public users and supporters of the Library.
- The NLW should have a right of reply and WG should evidence that they have listened, heard and responded appropriately.

## **THE CASE FOR BETTER FUNDING FOR THE NATIONAL LIBRARY OF WALES: SUBMISSION BY NATIONAL LIBRARY TRADE UNIONS TO THE SENEDD PETITIONS COMMITTEE**

### **Role of the National Library**

The National Library of Wales (NLW) is one of the core symbols of Welsh nationhood. One of six legal deposit libraries in Britain and Ireland, the National Library is the repository of the nation's documentary heritage holding a huge variety of material related to Welsh history and culture including over 6 million books and newspapers, 1,900 cubic meters of archives, 40,000 manuscripts, 1.5 million maps, 950,000 photographs, 60,000 artworks, 7 million feet of film and 150,000 sound recordings. Access to this material is free with a reader's ticket, which is available free to anyone over the age of 16.

As the repository of the nation's documentary heritage, the Library plays an important role in providing access to materials that are vital to understanding Welsh history and culture. By providing free access to this material the Library plays an important social and educational role in providing some of the poorest communities in Wales with access not only to Welsh cultural, political and intellectual traditions, but through its wider legal deposit collections to cultural, political and intellectual traditions from across the world.

### **Background to the National Library's Financial Crisis**

The current financial crisis at the National Library is a direct result of over a decade of underfunding and austerity. As noted in last year's Welsh Government-commissioned Tailored Review of the Library, the Library's budget has fallen 40% in real terms since 2008. This situation has been further exacerbated by the economic impact of the Covid-19 pandemic, with the Library only receiving £50K in emergency funding once the £200K cut from the Library budget at the start of the pandemic is taken into consideration. The number of staff employed at the Library has also been impacted by this reduction in the budget, falling by 24% between 2008 and 2019, from 290 to 221 (FTE).

### **Implications of not providing extra funding to the National Library**

The first effect of not receiving adequate funding will be that approximately 30 people lose their jobs, that is potentially 30 families losing a, or in some cases their sole, wage-earner. Given the current financial situation these people are unlikely to find other employment and many are likely to be thrown into poverty.

Chronic underfunding of the Library has gradually eaten away at the institutions ability to carry out its work at the same time the volume and breadth of work to be done has increased. This has resulted in the Library trying to spread itself ever more thinly to achieve its aims. The point has now been reached where further cuts will mean that major areas of the Library's work will have to cease altogether.

The Library will lose its dedicated desk and enquires teams, the work will be passed on to other staff in curatorial departments. The result will be an enormous loss of experience and expertise and an increased workload for the staff who are left, who, in many cases, do not have the training or experience to carry out these new tasks.

In addition, the two current reading room services (already cut from 4) are to be amalgamated to just one. This may result in readers having more difficulty accessing some types of material, especially large items. There are also proposals to limit access through a booking system, which would severely curtail the opportunities of ordinary people to view our nation's heritage. This would be a very retrograde step after the Library has spent the last 30 years trying to provide wider access to the people of Wales.

A further effect will be that the curatorial staff will no longer have time to carry out their current duties of acquisition and cataloguing. Acquisitions of analogue materials are to be cut by 40% and much cataloguing work will cease completely. This will result in items which should be preserved for the nation being lost forever and even those items which find safety in the Library will not be available to the public as they are not catalogued. The Library will become a warehouse, its collections untended and ignored.

Much has been made of digital transformation, and that this will make up for loss of access in other areas. However, this is simply not true some 95% of the Library's collections are not digitised and even born-digital items received under Legal Deposit can only be viewed in the Library under current legislation. In order to increase digitisation of analogue collections the Library would require more staff not less and with curatorial staff burdened with the work of the desk and enquiries staff they will not have time to select items for digitisation or prepare the metadata necessary to make digitised items available.

The cuts being faced by the Library are so drastic as to put its future viability in question. The remaining staff will be over-burdened with work, recruiting will remain difficult due to uncompetitive wages, outreach work will lessen and access to collections become more difficult. It is very likely that the new structure will result in a complete collapse in the core functions of the Library in the near future.

### **Implications for the Ceredigion area**

The National Library is one of the few Welsh Government bodies which is situated outside the south-east of Wales and is a major employer in rural Wales. It is also one of the largest workplaces in Wales where Welsh is the main language of the workplace. However, with huge cuts to staff numbers, and with few alternative jobs available in the cultural and heritage sector, it is possible that we will see further rural depopulation, with Welsh-speaking former staff with families moving away, possibly out of Wales altogether. This will

impact negatively on the Welsh Government's target of a million Welsh speakers by 2050, as well as having a large negative impact on the already fragile local economy.

### **Impact of redundancies on staff**

Without an increase in the National Library's revenue budget, staff at the Library are facing the loss of 30 jobs under the restructuring plans put forward by Library management or 13% of the current staffing level (FTE). On top of the 69 jobs lost between 2008 and 2019, these new job losses will mean that the Library will have lost just under a hundred jobs in 13 years. Those whose jobs are now under threat face the prospect of being made unemployed at the height of the Covid-19 pandemic. The economic impact of the pandemic, as well as the nature of the Covid-19 restrictions, means that these staff face a particularly difficult time finding alternative employment, especially finding similar level jobs in Ceredigion. Being made redundant is distressing even under normal circumstances, facing such a life-changing setback during a global pandemic is unconscionable.

It is clear from the Library's proposed restructuring plans, that the loss of 30 jobs will also increase workloads for the remaining staff as duties such as manning the desks in the reading room, answering enquiries, marketing and education are incorporated into already busy workloads. Morale amongst staff, already at an all-time low, will take another hit as the remaining staff see beloved colleagues, many with many years' service at the Library, being made redundant.

### **Better funding for the National Library of Wales**

The National Library of Wales is at a crossroads. If the proposed cuts to the National Library are pushed through, we are looking at real harm being done to one of Wales' foundational national institutions. Valuable jobs will be lost along with a vast amount of skills, knowledge and experience; access to the Library's physical collections will be restricted; collecting and cataloguing will be increasingly difficult for the remaining staff; the very viability of the Library will be in question. As noted above, the funding of the Library is the crux of the issue. With a fairer, increased and sustainable funding model the National Library, rather than facing an existential crisis, could once again be the thriving national institution that the Welsh public deserve.

The fate of the National Library is an issue of national importance, the number of signatures collected in just under a fortnight attests to its importance to the Welsh people. With its future in question, it is imperative that the Senedd conduct a broad ranging debate on the funding and future of the National Library of Wales before the Welsh Budget for 2021-22 is passed.

## **P-05-1137 Galwad ar i Lywodraeth Cymru roi cyllid teg i Lyfrgell Genedlaethol Cymru, Gohebiaeth – Deisebydd i'r Pwyllgor, 03.02.21**

Llongyfarchiadau Llywodraeth Cymru am wrando ac am ail-ystyried!

Yn unol â dyheadau cefnogwyr y ddeiseb, rhaid serch hynny, barhau i godi cwestiynau i sicrhau setliad ariannu **cynaliadwy hir dymor** i'r Llyfrgell Genedlaethol, a fydd yn diogelu gwasanaethau, swyddi y gweithlu presennol yn ogystal a chaniatáu i'r Llyfrgell ehangu ei gwaith hanfodol ar gyfer y dyfodol yn ol gofynion yr adolygiad teilwredig.

### **Angen Cynllun Cynladwiaeth Hirdymor y LGC:**

**Cynllun a strwythur ar gyfer fformiwla ariannu teg hir dymor.**

- Rhaid i bob cymorth grant yn y dyfodol ystyried chwyddiant, ble nad ydy hyn yn digwydd rhaid cyfeirio at dorriadau.
- Ni all LC barhau i ddarparu'r un fformiwla ariannu i bob sefydliad diwylliannol. Ymddengys hyn yn bolisi diog a diffygiol. **Rhaid wrth fformiwla ariannu sy'n ystyried gofynion arbennig y LGC**, sef sefydliad sydd a staff cyflogedig ac un s'yn rheoli adeilad.
- Buddsoddiad hir-dymor mewn isadeiladedd. Yn ei swyddogaeth fel prif archifdy Cymru, er engraifft, mae'r LGC angen estyniad i gartrefu archifau cynyddol. I rhoi cyd-destun deallir o'r *Astudiaeth Dichonoldeb ar sefydlu Archifdy Cenedlaethol Cymru(2019)* y buasai angen £15-20 miliwn o Fuddsoddiad Cyfalaf ar gyfer sefydliad o'r fath: £9 miliwn (£1.8 miliwn yn flynyddol) ar gyfer Sustem Gadw Digidol (Digital Preservation System); a £2.1 - £7.5 fel Costau Gweithredu Refeniw.
- Ad-dalu: **Gwneud yn iawn** am oddeutu £12 miliwn, rhoddion gan bobl gyffredin i hyrwyddo dysg, ymchwil, phryniant at gasgliadau, ond fu rhaid ei gwario yn hytrach i gwrdd a chostau rhedeg y Llyfrgell.

### **Ffyniant i bawb, adeiladu cymunedau, cryfhau cymunedau a mynediad rhad i ddiwylliant a iaith i bawb**

- **Digideiddio: Parhau gyda grant ariannol flynyddol a ddaeth i ben yn 2017.** Mae hyn yn cydfynd a nod y llywodraeth o gydraddoldeb mynediad rhad at addysg a gwybodaeth, sy'n arwain at gymunedau grymus.
- **Ariannu teg er mwyn gosod seiliau democratiaeth gref:** Mae mynediad at wybodaeth gywir yn ddirwystr yn conglaen seiliau cadarn ddemocratiaeth ac yn disgyn dan swyddogaeth naturiol llyfrgell hawlfraint fel LGC.
- Os ydy LC yn galw ar i LGC fod yn **ganolfan addysgiadol fywiog, yna dylid hyrwyddo Hanes Cymru yng ngwricwlwm newydd (2023) ysgolion yng Nghymru**, fel yr hybir lles, drwy feithrin balchder mewn treftadaeth, hanes a diwylliant.

**Mae LIGC, sy'n gartref i drysorau llenyddol a diwyllianol sy'n eiddo'r genedl.**

- Hyrwyddo a gweithredu **economi ddiwylliant**. Profa modelau rhyngwladol bod buddsoddiad mewn sefydliadau diwylliannol yn dod a budd i gymuned leol yn ogystal a chenedlaethol.
- Hybu rôl lysgenhadol LGC i gyfathrebu â threftadaeth Cymru fyd eang drwy gynnig cynrychiolaeth yn swyddfeydd Llywodraeth Cymru dramor.

.

### **Mae LIGC, sy'n gartref i drysorau llenyddol a diwylliannol yn eiddo'r genedl.**

#### **Pwyntiau Gweithredu:**

- Dylid ailedrych ar aelodau'r Bwrdd Rheoli. Dylai mwyafrif yr aelodau fod yn arbenigwyr llyfrgellyddol neu gadwriaethol. Buasai'r rhain yn gallu arwain yn fwy effeithiol ar faterion o ariannu a staffio. Gallent hefyd ddod i gasgliadau proffesiynol, gan gydbwysu ariannu cyhoeddus a masnachol.
- Dylai sefydliad o bwys cenedlaethol fel LIGC ddod yn uniongyrchol o dan arolygaeth y Prif Weinidog.
- Dylid ailagor yr Adolygiad a dylai unrhyw drafodaethau pellach ynghylch dyfodol LIGC gynnwys cynrychiolaeth ehangach o'r cyhoedd. Aelodau heb eu hethol, ac felly heb fod yn atebol i'r cyhoedd ac o gyrff cyhoeddus eraill oedd ar Banel Her Bwrdd Llywodraeth Cymru. Nid oedd yr un ohonyntyn meddu ar **gefndir aphrofiad mewnrheoli treftadol neu gadwriaethol**. Gofynnwn am ymgynghoriad gyda chynrychiolaeth o blith defnyddwyr, academyddion, ymchwilyr a chefnogwyr LIGC.
- Dylai LIGC gael yr hawl i ateb a dylai LIC dystio ei bod yn gwrando, clywed ac ymateb.

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# Agenda Item 3.1

## **P-05-795 Causing Nuisance or Disturbance on NHS Premises**

This petition was submitted by Claire Thomas having collected 74 signatures online.

### **Petition text**

S119 of the Criminal Justice and Immigration Act 2008 created powers to deal with persons who cause nuisance or disturbance on NHS premises. This was never enacted in Wales, and there are no provisions to deal with persons who create problems for the NHS in this manner.

There are numerous individuals who cause issues whilst on NHS premises, and the police receive many calls to deal with such behaviour, but there is no way of dealing with the issue effectively as there is no specific offence which the police can use to deter people who, without reasonable excuse, either cause a disturbance or nuisance, refuse to leave the premises when asked, or is not on the premises for the purpose of obtaining medical advice, treatment or care.

### **Additional information**

The cost to health services and the police in dealing with persons who cause nuisance on NHS premises is significant. A number of these individuals present repeatedly, and there are no powers to deal with this. Their presence also causes distress to others who do present to the NHS for genuine reasons. S119 of the Criminal Justice and Immigration Act 2008 has been used successfully by police and health in England to address the issue since the specific section came into force in 2009, yet there is no power to do so in Wales, and although Welsh government suggested that there would be the development of similar powers to address the issue in Wales, this has not been forthcoming.

### **Assembly Constituency and Region**

- Cardiff Central
- South Wales Central

Vaughan Gething AS/MS  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref VG/09854/20

Janet Finch-Saunders MS  
Chair  
Petitions Committee

12 January 2021

Dear Janet,

Thank you for your letter of update regarding Petition P-05-795 Causing Nuisance or Disturbance on NHS Premises.

Please accept my apologies for not updating you sooner on this matter. At this stage there is currently no further update available. A review will be undertaken in the near future and will be used to inform future action on this matter.

I will write to you again once I have considered the review.

I hope this information is helpful.

Yours sincerely,

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

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

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

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

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

## Agenda Item 3.2

### **P-05-1001 Hold an independent inquiry into the choice of site for the proposed new Velindre Cancer Centre**

This petition was submitted by Amelia Thomas having collected 5,241 signatures online and 107 on paper, a total number of 5,348 signatures.

#### **Text of Petition:**

£30M would be spent on roads alone to access the land on which the new Centre is proposed. The old Whitchurch Hospital and the existing Velindre site have access in place already, and are viable alternatives.

The current plan is not in line with best practice for modern joined up cancer care, which is person-centred with services physically linked to larger acute hospitals. Heath Hospital offered Velindre space alongside Cardiff Uni cancer research in their new build due to start in 2023.

#### **Additional Information**

Velindre University Health Board would swap their current land (Whitchurch hospital site) for the meadow land, (owned by Cardiff and Vale Health Board). £30M of tax payers money would need be used to build access roads to enable building to take place on this land-locked meadow linked to SSSI.

Taking away the Northern Meadows would be hugely detrimental to physical and mental well-being.

Cancer treatment has become more complex, and patients undergoing treatment have increasingly complex issues. Locating at the Heath alongside Cardiff Uni cancer research, would provide rapid access to intensive care and other key medical and surgical specialties when patients need them.

The proposed Velindre Cancer Centre model is outdated & must be scrutinised. Onsite surgical and medical support services are considered ESSENTIAL: <https://www.england.nhs.uk/east-of-england/wp-content/uploads/sites/47/2019/08/Independent-Clinical-Panel-Report.pdf>

[https://savethenorthernmeadows.wales/?page\\_id=1129](https://savethenorthernmeadows.wales/?page_id=1129)

## **Senedd Constituency and Region**

- Cardiff North
- South Wales Central

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref: P-05-1001 / P-05-1018  
Ein cyf/Our ref VG/00379/21

Janet Finch-Saunders MS  
Chair  
Petitions Committee  
Senedd Cymru

19 January 2021

Dear Janet,

Thank you for your letter of 21 December regarding petitions in relation to the development of a new Velindre Cancer Centre.

The outline business cases for the new Velindre Cancer Centre and its enabling works were considered by the Welsh Government's NHS Infrastructure Investment Board on 9 and 16 December. This included consideration of the Nuffield Trust advice to Velindre University NHS Trust. I am due to receive formal advice from the Infrastructure Investment Board in the coming weeks on whether or not to approve the outline business cases. Depending on the outcome of this process, the next steps will be determined.

The premise of your petitioner's call for an independent inquiry into the clinical model is their concern about the veracity of the case being put forward by Velindre University NHS Trust. In the view of your petitioner, this requires an independent assessment of the Trust's business case concerning the clinical model. Your petitioner may not be aware that the Welsh Government is conducting a lengthy and detailed scrutiny process of this business case. Therefore, I see no need for an additional independent assessment of the outline business cases. In addition, the clinical model cannot be considered in isolation from the rest of the business case, as the non-clinical aspects of the business case influence the clinical aspects and vice versa.

I would also like to emphasise that the Welsh Government's role is to assess, through its scrutiny process, the strength of the case being made and to make a determination with regard to its approval and funding. I regret that I cannot comment further at this time as this would prejudice my consideration of the advice from the Infrastructure Investment Board.

Yours sincerely,

**Vaughan Gething AS/MS**  
**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 142**  
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-05-1001 Hold an independent inquiry into the choice of site for the proposed new Velindre Cancer Centre, Correspondence – Petitioners to Committee, 31.01.21**

Dear Clerk to the Petitions Committee of Senedd,

Thank-you for forwarding the latest response from the Minister of Health & Social Services to our Petition. Thank-you again for all the assistance given by members and officers as well as the conscientious attention given to our petition. **We concentrate our response on answers to the Petition Committee's questions:**

**Question One:** What are your thoughts on the attached document?

It's appreciated that this is a demanding time for the Minister and, like many others, we express our support in the battle against Covid. We welcome some additional elaboration. However we must admit to finding unsettling features in the letter and a seeming failure to take seriously arguments concerning this grave issue of our time, namely future cancer care.

- **Apparent unfamiliarity of the Minister with the actual wording of the petition.**

The 'call for an independent clinical review', though completely supported by us, is not the wording of our petition. It originally came from the:

- Constituency MP
- Deputy Minister for Health and Social Care
- Front-line clinicians, who powerfully merit an influencing voice in great decisions impacting the patients they serve, especially in these times.

**The Nuffield Project** has transformed the conversation about Velindre but *claims not to be a review. In fact, it has made the call in our petition even more alive and urgent.*

- **Apparent misunderstanding of what the petition actually asked for**, namely to '*hold an independent inquiry into the choice of site for the proposed new Velindre Cancer Centre*'.

The choice of site threatens environmental disaster for the Northern Meadows and tramples on the rights of future generations. It threatens our wellbeing and physical health, places local communities at risk of flooding, and threatens the resilience of local ecosystems. It also conceals the defunct status of the stand-alone model, discredited by clinical consensus and the Nuffield Trust.

- **Seeming misunderstanding of our reason for supporting the call for an independent clinical review – not because we have doubts about the 'veracity' of the business case.**

*Our stance is **not down to doubts about the veracity of the business case** for the simple reason we've never even been allowed direct access to it!* Nor, to our knowledge, has Senedd or the electorate seen it. The real grounds for our doubt is the absolute necessity for *robust critical and scientific evaluation in clinical matters*, the environmental impact of the choice of site, and the cost of the model at the expense of cancer patients and other satellite sites, including the Abergavenny satellite centre.

- **The Minister's apparent exclusion from the process of clinicians with their crucial expertise and concern for patient welfare. They're still barred from evaluating the project's current proposals and so from major decisions on cancer care - ignoring even the 57 senior and specialist clinicians.**
  - This apparent, alleged irrelevance of the clinical community to a business case is clear-cut in the Minister's letter, even though the Chief Medical Officer himself led Velindre into a limited but **purely clinical** study - the Nuffield project narrowly focused on the regional network. And Nuffield clearly stated there would be no account taken of finance – i.e. the business side.
  - What's more this dismissal of sustained clinical enquiry contradicts the Government's own *Infrastructure Investment Guidance*. That speaks of the 'development of clinical strategies *which will clearly influence the plans developed*' (p.9). Yet senior specialist clinicians don't even merit a passing mention in the Minister's letter. Something else to shock us, especially at this time.
- **The Minister seems to believe that the Infrastructure Investment Board (IIB) was able to decisively evaluate the Nuffield report within only a fortnight after it was posted on December 2.**

Yet Velindre's own records from board and risk meetings mid-December (10<sup>th</sup> & 14<sup>th</sup>) show everyone there needing time to digest the report properly - the view also held by the clinicians we know. Again, we know nothing of the NHS IIB's clinical skills, which means we can't have confidence in its ability to conduct a thorough and sound analysis of Nuffield in such a short time.

**Question 2:** Does it adequately address the issues that you raised?

**Sadly, we have to say that the letter takes little account of our concerns and evidence.** It only confirms how urgently needed is the debate to consider a proper inquiry. As we've indicated above, some statements in the letter are in fact alarming.

Primarily, in the Minister's letter everything seems to rest solely on the NHS IIB, a body which can't be found on the Senedd website. Its ongoing work seemingly by-passes even Senedd scrutiny not just specialist clinical scrutiny.

- Whilst we accept that an independent review of the *business* case is underway, this must include an independent inquiry of the *clinical* case and choice of site conducted in parallel. We are asking for an independent inquiry of the clinical case in conjunction with the business case review. We understand that:
  - a recent letter signed by 164 senior clinicians from 4 Health Boards also discusses the Nuffield Advice stating that co-location with an acute hospital would provide safer acute in-patient care, enhance opportunities for world class research and it would be in line with best practice elsewhere.
  - Appendix One of the Nuffield Trust report clearly suggests that co-location at an acute site is the best option, and not a merely a reasonable compromise.
- To date no independent clinical review been undertaken, as Nuffield stated their report did not amount to a review.
- Further, the Minister's response takes no account of the way this project will be detrimental to the physical and mental wellbeing of the local community. This is a

statutory duty for the minister, repeatedly highlighted to him by letters also circulated to MS members outside of this process. The failure to address this concern is alarming.

- We call for an independent inquiry, not only because of the clinical, environmental, and health and wellbeing issues with the project, but because there is a wide perception of serious and repeated mistruths and inaccuracies regarding the reasons for choosing the Northern Meadows as the site for the new Cancer Centre.

For example, Velindre NHS Trust in a document "Why not build a new Velindre Cancer Centre on another hospital site?" published on 21/7/2020 page 2 paragraph 2. claims:

- "The clinical lead in an external review of the project, carried out in 2017, was Dr Jane Barrett OBE, an eminent UK clinical oncologist and past President of the Royal College of Radiologists."  
This statement is untrue. The following statement is from Dr Jane Barrett in an email dated 22/8/2020:
- "You are correct that I was involved in the review into the siting of satellite centres in South Wales. However it was not a review into the redevelopment of Velindre. As far as I know there is no stand-alone report but the decision was based on presentations and papers received. I imagine Velindre still has the relevant papers."
- To date no explanation has been provided for the misleading and factually incorrect statement made by Velindre NHS trust as shown above (The oft cited 'Barrett report' simply does not exist). No copy of the report has been made available for scrutiny, despite this being promised to the local member of parliament.

#### **Other concerns also warranting further inquiry with regard to Velindre:**

- Misrepresentation of the number of patients transferred urgently.
- Misrepresentation of the role of EMRTS (Emergency Medical Retrieval and Transfer Service).
- Falsely stating EMRTS had attended a patient who sadly died.
- Misrepresenting the time taken for ambulance transfer for escalation of care.
- Misrepresentation/Suppression of the Level of concern within Velindre NHS trust.
- Failure to fully and meaningfully engage stakeholder Health Boards in the planning process.

An open and honest debate in the Senedd is justified in order to clarify the situation, to address the concerns of the community and the public, and to prevent the minister from making the wrong decision based on incorrect information that he has accepted in good faith as being true.

#### **Question 3: Do you have further questions in response?**

*The following questions bear on our concerns:*

1. Who in particular sits on the NHS IIB and how many of them are specialist clinicians?
2. Who was permitted to scrutinise the Nuffield advice in December beside Velindre and the Chief Medical Officer, and did the 57 senior clinicians (now at least 164 senior clinicians wanting to be heard) contribute significantly to the IIB considerations?

3. In view of the £20 million incurred for this confused and broken project already stretching far into the future with the use of MIM and Governmental Grants to fund enabling works, may we expect the Health Committee, Finance Committee and/or Public Accounts Committee and Future Generations Commissioner to scrutinise the decision's merits and demerits.
4. What representation has there been from cancer clinical leads from South East Wales to the business case process?
5. How long will Welsh Government be relaxed about the Nation's capital being the only place in Wales to lack a safe, one-stop co-location of cancer care in an acute hospital? And, so far as we know, the only recent one in the UK to actually *choose* a stand-alone site?
6. What considerations has the minister made regarding the impact of the development, both in construction and long term operation, of the long term health and wellbeing impacts of the development? We believe this is especially pertinent in light of covid-19 and the need scientifically established need of people to travel less and stay local more and Welsh Government itself telling people to use local green spaces?

**Question Four:** Is there anything additional that you would like the Committee to know at this stage, either in response to this document or as an update to the Committee?

**We request that the Petition be still pursued right to a Senedd debate, but also:**

- 1. We call upon Welsh Government to make public the business case itself, which it seemingly expected us to know, with details on discussion of clinical matters and the Nuffield Report as well as the financing of this project**
- 2. We similarly call for the reports being considered on the environmental, health, and wellbeing impact of the development.**
- 3. Through the Minister and the petitions committee we urge the IIB to make known details of the clinical review taking place in the business case process.** Welsh government says the IIB 'supports the delivery of safe, sustainable and accessible services, and facilitate high standards of patient care.' (Infrastructure Investment Guidance p.10). How exactly is that done without close working with the specialist clinical community?
- 4. We repeat the concerns expressed in our letter to the Petitions Committee of 7<sup>th</sup> December, not addressed in the Minister's letter (now strengthened by post-Nuffield awareness). Especially the need to:**
  - Act on the Nuffield recommendation for Velindre's transitional role in cancer for the next ten years. A revised down Velindre proposal is essential, excluding a profligate, unnecessary spend on access roads to Northern Meadows. A smaller post-Nuffield build does not need to be on the Northern Meadows.
  - Work *transparently* with the Health Boards to urgently progress plans for the Velindre footprint at UHW towards ultimate co-location. Using the UHW covid surge unit as a base for a new Velindre development at UHW makes perfect sense and needs to be explored. We now know this footprint programme could be supported with funds freed up from unnecessary major capital spending.

- Enable Velindre to cease pure tokenism in so-called public 'consultation' and work openly and honestly with the local community.
- Address the need for fresh leadership to take forward a true Transforming Cancer Services project.
- Confirm that the IIB is not seriously proposing a minimum public spend of £220m (build costs estimated way back 7 years ago) on a hospital useful for a maximum 10-15 years use after completion, (likely much less). There must be scrutiny of the financing of this new programme and the decision to choose the Northern Meadows, as this opens the door to unsustainable housing development in other areas of Wales.

**5. We urge Welsh Government to expedite rapid renewal of University Hospital of Wales rebuild with a cancer hospital of excellence at its heart, pooling the investment for Velindre and UHW.**

**7. In the continuing Covid, Climate and Economic Emergencies we urge Welsh Government to guarantee the continuance of the Northern Meadows as the indispensable, high-value health asset that it is for the population's resilience and for those recovering from Long Covid and other illnesses, including cancer.**

For the consideration of the Planning Committee, we have also attached our letters sent to the Health Minister and Environment Minister, for which we have yet to receive a response.

In addition we encourage Committee members to read the definitive, powerful, comprehensive letter sent, unbeknown to us, to the Minister for Health and Social Services, by north-west Cardiff councillors. It appeared 30<sup>th</sup> January 2021 on the Facebook page of Whitchurch & Tongwynlais Councillors. Also shared to STNM Facebook. In the light of that letter and this one, we trust the Petitions Committee to act wisely once more and raise the serious questions posed against the choice of clinical model and the Northern Meadows as the site for the new build. The arguments for putting the Centre there are now widely discredited and alternative sites remain available for a transitional post-Nuffield scaled down role of Velindre, including its current site. The prize at the end is a cancer centre of international excellence located at the New UHW.

Finally, the Health Committee of Senedd agreed in September to considering our petition further after Nuffield reported and we see no report that it has.

Thank-you again for your help and interest,

Yours sincerely,

Save the Northern Meadows

Tuesday 19th January 2021

Dear Ms.Griffiths MS,

We are acutely aware of the relentless demands of COVID-19 on both you and your department and greatly appreciate all you do. So we wouldn't write to you at this time if the matter was not urgent.

You will be aware of our **six previous letters** to yourself, and we are disappointed you have so far not sent a response. We are a campaign to Save the Northern Meadows, 14 hectares of green space to the north of Whitchurch Hospital and directly adjacent on two sides to the Glamorganshire Canal and Forest Farm local nature reserve (LNR). The meadows themselves constitute a Site of Importance for Nature Conservation (SINC) and an area of the Canal is a Site of Special Scientific Interest (SSSI). **Building here would cause an environmental disaster for biodiversity in Cardiff. Building works are due to start in late January.**

**Therefore it is imperative you act now.**

Time and options remain which could stop this disaster if you step in. The Nuffield Trust, commissioned by Velindre following advice from the Chief Medical Officer, advised the footprint of the new Velindre Cancer Centre (nVCC) should be radically changed.<sup>1</sup> Velindre purchased 'the Grange' site in the mid 2010s intending to build the cancer centre there, yet ultimately stated this site was too small and chose to relocate to the meadow land offered by Cardiff and Vale University Health Board. **Given that the healthcare model and its associated infrastructure must now be revised, work should not be permitted to begin on the meadows.** The adjacent Grange Brownfield site should be reconsidered for the new centre so that the meadows are protected for present and future generations.

We are calling for Transforming Cancer Services (TCS), the Welsh Government, and Cardiff Council to **work with the community to identify a solution which uses the adjoining Whitchurch Hospital site and 'the Grange', but leaves the meadows unharmed and protected from any development.**

1. Working together, we could ensure the meadows are protected for future generations, allowing a self seeding urban forest to develop further;
2. Our proposed solution enables TCS, Velindre, and the Welsh Government live up to the requirements to 'maintain and enhance' ecosystems,<sup>2</sup> which they are not doing at present;

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<sup>1</sup> <https://www.nuffieldtrust.org.uk/project/independent-advice-to-velindre-nhs-university-trust>

<sup>2</sup> 3(2), The Environment (Wales) Act (2016).

3. Such a solution would ensure the local community - where many live in flats and have no means to access the countryside - have access to nature, and space to roam during these lockdowns and in the future.

Should you choose not to engage with us and negate to act, you shall be ignoring your duties and responsibilities to:<sup>3</sup>

- Tackle climate change, meet emission reduction targets and carbon budgets;
- Natural Resources Management, including oversight and implementation of the Environment (Wales) Act and Natural Resources Wales;
- Cross-cutting measures of mitigation and adaptation in relation to climate change, including water; land drainage; flood and coastal risk; and control of marine and air pollution;
- Water;
- Forestry policy and legislation, including re-stocking, tree health and forest reproductive material;
- Biodiversity policy, including implementation of the Nature Recovery Plan;<sup>4</sup>
- The protection and management of wildlife, including control of pests, injurious weeds and vermin and the regulation of plant health, seeds and pesticides;
- Local Environment Quality, including litter, fly-tipping, noise policy and regulation;
- Access to the countryside, coast and rights of way and Areas of Outstanding Natural Beauty and National Park.

This would be as a result of the significant, permanent impacts of building on the meadows as envisaged by TCS. Their work will result in:

**1. Increased risk of flooding:**

- a. The development envisages the discharge of surface water into the Glamorganshire Canal and adjoining Melingriffith Feeder. Both these watercourses have flooded in recent months, and caused the flooding of housing around Forest Farm Road in February 2020;
- b. Cutting down trees, adding concrete surfaces, building concrete bases for radioactive therapies, and removing soils and greenery will reduce the ability of the meadow to act as a water sink;
- c. Lady Cory Field will be raised to pavement level by developers. This will increase the likelihood of flooding around Lon-y-Celyn, Pant-y-Celyn, Pendwyallt Road, and Pantmawr Road. The junction between L-y-C and P-y-C flooded in the rain during Christmas 2020.

**2. Dangerous levels of air pollution:**

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<sup>3</sup> <https://gov.wales/lesley-griffiths-ms>

<sup>4</sup>

<https://gov.wales/sites/default/files/publications/2020-10/nature-recovery-action-plan-wales-2020-2021.pdf>

- a. The increase of idling construction traffic in the area will negatively impact our physical and respiratory health, especially those of the children who live here;
- b. In November, 101 parents from Coryton Primary School signed a letter opposing the development largely on these grounds;
- c. These are significant concerns, especially following the premature death of Ella Kissi-Debrah as a result of dangerous levels of air pollution. A Coroner's Court found that air pollution "made a material contribution" to her death. Ella, who had asthma, lived close to one of London's busiest roads.

**3. Harm to protected species:**

- a. Evidence from the developers suggest dormice, badgers, grasssnakes, slowworms, bats, and hedgehogs nest on, or hunt on the site;
- b. Red and amber listed protected birds are present in Forest Farm, and will be affected by a large-scale, long-term development on the border of the Local Nature Reserve.

**4. Felling of hundreds of trees:**

- a. The developers estimate in their application for the cancer centre granted in 2018 that just 122 would be felled on the meadows, failing to consider the trees within the railway cutting. There are over 200 trees under threat on the meadows alone;
- b. Within their December 2020 applications to discharge conditions in order to begin tree felling, of over 200 Grade A trees along the old railway cutting in order to construct two access bridges to the site.<sup>5</sup> These are within the LNR, and by felling them you will unquestionably harm Welsh attempts to address the climate and biodiversity crises;
- c. Furthermore, an additional 100 trees will be felled whilst constructing the access road at Asda, and tens more will be felled to construct the temporary access road.

**5. Housing resulting from the use of the meadows:**

- a. There are plans proposed by TCS, Cardiff Council, and notably Cardiff and Vale University Health Board (application 20/00357/MJR) to place houses on the meadows, and on the Whitchurch Hospital site;
- b. Regardless of the Cancer centre, there are grand ambitions for the area which will harm the air quality in Whitchurch, will result in increased use of the LNR and protected areas, putting the quality of these areas under threat, especially if the size of the protected space is greatly reduced by the building of the cancer centre.

**6. Significance of Carbon Capture**

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<sup>5</sup> Appendix A, 20\_01481\_MJR-APPENDIX\_L1\_ARBORICULTURAL\_IMPACT\_REV\_C\_VER1-2347609.pdf, attached to this email.

- a. The Northern Meadows has significant potential as an urban carbon sink, with a self seeding forest growing on the meadows and around the railway cutting. Furthermore, longwood is a semi-ancient forest - hence its categorisation as an SSSI - and must be enhanced to ensure its resilience;
- b. Should you choose not to utilise this space for the community, you will be forced to redouble your efforts to plant more trees and create more carbon sinks. This would be nonsensical following the destruction of this green space.

**7. The loss of a significant community amenity:**

- a. The Northern Meadows, Lady Cory Field, and the railway cutting have provided this community with necessary reprieve during lockdown. As we cannot travel, we cannot access nature or the countryside, and the mental and physical benefits spending time in nature provides;
- b. However, we have been privileged to have access to the meadows, and the wildlife, biodiversity, and clean air it offers. To have this taken away at this time would be a criminal act against this community;
- c. Open space is crucial for maintaining mental and physical wellbeing. At present, only 8% of Cardiff remains publicly accessible green space, (compared to 15% in cities such as Birmingham). Given the scarcity of alternatives for residents, it is imperative that this space is protected.

I do not need to remind you of the ample national and international legislation which requires you to protect and enhance biodiversity, including:

**A. The Convention on Biological Diversity, 1992.**

- a. **Article 8**, In-situ Conservation: Each contracting party shall, as far as appropriate...
  - (d) **Promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings;**
  - (e) **Promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of these areas;**
  - (f) Rehabilitate and restore degraded ecosystems and promote the recovery of threatened species.
- b. **Article 9**, ex-situ Conservation: Each Contracting Party shall, as far as possible and as appropriate and predominantly for the purpose of complementing in-situ measures:
  - (a) Adopt measures for the ex-situ conservation of components of biological diversity...;

(c) Adopt measures for the recovery and rehabilitation of threatened species and for their reintroduction into their natural habitats under appropriate conditions.

- c. **Article 10**, Sustainable use of components of Biological Diversity: Each Contracting party shall, as far as possible and appropriate:
- (a) Integrate consideration of the conservation and sustainable use of biological resources into national decision-making;
  - (d) Support local populations to develop and implement remedial action in degraded areas where biological diversity has been reduced.

## B. The Rio Declaration, 1992.

**Principle 1: Human beings are entitled to a healthy and productive life in harmony with nature;**

**Principle 4:** In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation to it;

**Principle 11:** States shall enact effective environmental legislation.

Environmental standards, management objectives and priorities should reflect the environmental and developmental context to which they apply;

**Principle 15:** In order to protect the environment, the **precautionary approach shall be widely applied by states** according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

## C. Well-Being of Future Generations (Wales) Act, 2015.

- a. Section 2 in this Act, “sustainable development” means the process of **improving** the economic, **social, environmental** and cultural **well-being of Wales by taking action**, in accordance with the sustainable development principle (see section 5), aimed at achieving the well-being goals (see section 4);
  - b. Section 4 specifies the wellbeing goals - a prosperous Wales, a resilient Wales, a **healthier Wales**, a more equal Wales, a **Wales of cohesive communities**, a Wales of vibrant and thriving welsh culture, a globally responsible wales;
  - c. Section 5(1) In this Act, any reference to a public body doing something “in accordance with the sustainable development principle” means that the body **must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.**
- We believe that future generations of Whitchurch deserve the chance to see how Wales used to be and the spaces where our ancestors would have farmed or enjoyed. They deserve the opportunity to have the wellbeing benefits provided by the space.

#### D. The Environment (Wales) Act, 2016.

- a. This Act encourages public bodies to “promote the resilience of ecosystems” and “maintain and enhance the resilience of ecosystems.”
- b. The Sustainable Management of Natural Resources.
  - i. 3 (1) In this Part, “sustainable management of natural resources” means—
    - (a) using natural resources in a way and at a rate that promotes achievement of the objective in subsection 3(2);
    - (b) taking other action that promotes achievement of that objective, and
    - (c) not taking action that hinders achievement of that objective.
  - ii. 3(2) The objective is to **maintain and enhance** the resilience of ecosystems and the benefits they provide and, in so doing—
    - (a) **meet the needs of present generations of people without compromising the ability of future generations to meet their needs, and**
    - (b) contribute to the achievement of the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015.
- c. The Biodiversity and resilience of ecosystems duty.
  - i. 6 (1) A public authority **must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales**, and in so doing **promote the resilience of ecosystems**, so far as consistent with the proper exercise of those functions.
  - ii. 6 (2) In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular the following aspects—
    - (a) diversity between and within ecosystems;
    - (b) the connections between and within ecosystems;
    - (c) the scale of ecosystems;
    - (d) the condition of ecosystems (including their structure and functioning);
    - (e) the adaptability of ecosystems.

You will note the requirement of the Convention on Biological Diversity article 8(e), with the obligation to ‘**Promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of these areas**’. This reflects your numerous obligations under the Nature Recovery Action Plan. The ‘Nature Recovery Action Plan 2020-21’ also identifies:

1. The requirement of ‘**urgent short-term actions**’ (section 6) including:
  - a. Aligning the responses to the climate emergency and the **biodiversity crisis**;

- b. Providing **spatial direction for action for biodiversity**. Resilient ecological networks are **needed everywhere** to create mosaics across Wales, but further identification of 'core resilience areas' is needed in which to prioritise action;
- c. **Improving the condition of the Protected Sites Networks.**

Protecting the meadows will help directly implement the short term responses identified by the Nature Recovery Action Plan. Moreover, given the Welsh Government voted to declare a Climate Emergency, now really is the time to act swiftly to ensure coherence between your actions and existing environmental commitments.

We are asking Government Ministers to:

1. **Act urgently to prevent any enabling works (costing Velindre-estimated £26.9m) from going ahead on Northern Meadows and saving the biodiverse space of County importance currently at risk;**
2. **Promise no further funding to this project and forbid further expenditure;**
3. **Call in applications 20/01110/MJR and 20/00357/MJR, giving the community a stake in the development of Whitchurch Hospital;**
4. **Work cooperatively with clinicians to identify the best option for cancer care for the people of South East Wales.**
5. **Work cooperatively with us and all local stakeholder groups and elected members to design a solution to the Northern Meadows and Whitchurch Hospital Site which maintains and enhances biodiversity and secures long term solutions for cancer treatment in Wales.**

**We also call for long term commitments from this Government to ensure communities are never put under such significant pressure and manipulation by a public body again:**

1. Investigate where so much went wrong so as to prevent such a disastrous waste of public money for an NHS project ever happening again;
2. Save the Northern Meadows and railway cutting, by designating the area a Local Nature Reserve and forbidding any construction here in future.

We are looking forward to your swift response.

Kind regards,

Save the Northern Meadows



Monday 21st December 2020

Dear Ministers,

We are acutely aware of the relentless demands of COVID-19 on both you and your department and greatly appreciate all you do. So we wouldn't write to you at this time were not urgent action forced upon us by others right now.

We believe that as a result of the Nuffield Advice; the economic impact of the Transforming Cancer Services (TCS) project, the threats to biodiversity and public health and wellbeing posed by the project, and the widespread community opposition to building on the Northern Meadows, you must act urgently to stop any and all construction relating to the enabling works and the new Velindre Cancer Centre.

We remind you:

- Over 1,000 objections were submitted to four planning applications which were granted without covering community concerns;
- Over 100 parents at Coryton Primary expressed concerns over their children's health if the development goes ahead;
- 11,000 people signed a petition asking the Government to stop the destruction;
- 5,000 people called for an independent inquiry into the medical model and choice of site;
- Hundreds of people protested in Whitchurch on multiple occasions;
- And we joined over 1,000 people across Cardiff to call for environmental, racial, economic, and social justice in Wales in September.

As a result, we sincerely hope we are able to work together to find a solution for the issue of the development of the Northern Meadows. We believe the only solution now recommends placing the nVCC Satellite centre on the Whitchurch Hospital, or alternative site. This would protect the Northern Meadows, and could enable the connecting of both sites with accessible pavements to allow cancer patients and people across Whitchurch to experience the healing powers of nature, without destroying the wonderful biodiversity which exists across the meadows, railway cutting, and Historic Gardens of Whitchurch

Hospital. This option has already been widely supported by the community, who wish to protect the meadows and continue the historic connection of the people of Whitchurch to the NHS.

The Nuffield Advice to the Velindre University NHS Trust compels immediate radical changes to the TCS project. The Advice recommends the downsizing of the cancer unit resulting in a much smaller land footprint for the Centre, stating it would be unreasonable for the project to continue with the current plan. As a result, **Velindre itself has now begun drastically reducing its projected inpatient admission numbers.**

Commonly, we have heard of the alleged time constraints regarding the rebuilding of UHW, which is being used to block co-location. This lacks definitive proof and is largely an assumption. All because the less expensive option had been sidelined by TCS, who have spent the last six years and £20 million researching and developing this outdated project, with little to show for it.

In summary:

- The safety of cancer patients drives this dramatic change, just as already supported by most senior clinicians in the region.
- **The key criteria of excellence in cancer care, must be co-located at UHW as soon as possible: in-patient care, research, training education resources.**
- For a period Velindre must continue on a suitable stand-alone site as a radiotherapy and chemotherapy unit, focusing on outpatient treatment, assessment, processing, counselling etc, but this will end when a suitable acute site has been located.

The following list contains conclusions, recommendations and implications to be drawn from the Nuffield Trust's advice to the Velindre NHS Trust and TCS:

- Co-Location at UHW (University Hospital Wales) is the gold standard especially for safety (This is clearly described in Appendix One of the Document).

- The Transforming Cancer Services (TCS) Programme has been insular and as such has failed to properly engage key stakeholders.
- Recent proposals by TCS appear to be **reactive** to circumstances rather than proactive.
- 6 years and £20 Million have not provided a blueprint to transform cancer services. The plan is simply to replicate current services.
- **Failure to co-locate threatens patient safety, research, teaching programmes.**
- The redevelopment of Velindre Cancer Centre at UHW is a once in a lifetime opportunity to transform cancer services for the whole of South East Wales, yet **this opportunity may be missed through inflexibility, inaction or partiality.**
- Transforming Cancer Services should never have been the responsibility of a single organisation that delivers only part of the pathway. **The whole regional network, transparent, accountable and well led, is the key to excellence.**

Despite these conclusions, TCS have put redundant contracts out to tender, seeking to begin pointless, damaging enabling works. So, we ask urgently - why has the outmoded business case from November not been formally and publicly set aside, and the project halted? **Surely, such damning advice demands a rethink of the entire project and the executive staff entrusted with providing excellent cancer care for South East Wales, of which they have clearly failed and exacerbated a dangerous situation.**

Accordingly, you must act to halt this project on the Northern Meadows. Enabling works are, as we write, being progressed by TCS, wasting even more public money. This is malpractice with public funds and only you can stop it. No further advice to your department is needed to enable good judgement. The first stage of decision is being forced upon you by TCS jumping the gun without incorporating the Nuffield Advice.

They are pursuing the beginning of this project, **after repeatedly lying to yourself and the public** regarding crucial aspects of the project, including:

- How they engaged the public and medical staff within the Centre, and how they accounted for the concerns of the hundreds of individuals who engaged in due process;

- The number of emergency transfers from Velindre to UHW by ambulance, repeatedly stating there were 'less than 30,' when our Freedom of Information Request identified **a yearly average of over 100 transfers**, many red and amber listed;
- The number of severe incidents on the site, including the **cover-up of an unexpected death** by not labelling the tragedy a 'significant incident;'
- The time it takes for emergency transfers to be made between Velindre and UHW (which Velindre said took 'minutes', but our FOI's identified an **average transfer time of nearly two hours**, including an hour wait at the Centre itself);
- The research conducted into their clinical model of choice, which they emphasised was robust, **did not exist**. Repeatedly emphasising the Barrett Report, which we subsequently identified by contacting Dr. Barrett herself did not include research on the model proposed by the Trust;
- Repeatedly **failing to comply with FOI requests**, of which we still have at least two outstanding for over ten weeks. Surely this is an unacceptable way for a public body to behave.

We must highlight that if you do not act, biodiversity of a County Importance (as identified by the developers), including the homes of bats, dormice, slow worms, grass snakes, and category red and amber listed birds will be destroyed, and pointless damage done to the Whitchurch Hospital Grade 2 Listed Historic Gardens and Chapel will occur. The open space of the meadow is already heavily used for health and wellbeing purposes, and will be denied to the wider community just as your Government implements another national lockdown.

We ask why this must occur, as a number of suitable alternatives have been identified for the Centre, including the Grange, site K of Whitchurch Hospital (with a planning application seeking to put a 200 bed hospital there). We also query why the new Covid centre at UHW cannot be considered as an alternative space for the nVCC post pandemic, given that (1) this will be available much quicker than a new hospital could be built on the meadows and (2) it is a more suitable location according to the Nuffield report and the clinicians who have spoken out about the standalone model?

Should the project continue, you will be willfully polluting and harming our community by removing our only access to open space; failing to acknowledge the deathly impact of increased air pollution, whilst committing to **locking many of us in gardenless flats for an unspecified amount of time**. This will be in violation of the Wellbeing of Future Generations Act, as well as your own policies which seek to maintain and enhance biodiversity. As Nuffield requires significant downscaling of the centre, **surely the balance between necessity and the community now moves in favour of the community**.

Therefore, we ask you to:

- 1. Act urgently to prevent any enabling works from going ahead and saving the biodiverse space of County importance currently at risk;**
- 2. Promise no further funding to this project and forbid further expenditure;**
- 3. Call in applications 20/01110/MJR and 20/00357/MJR, giving the community a stake in the development of Whitchurch Hospital;**
- 4. Work cooperatively with clinicians to identify the best option for cancer care for the people of South East Wales.**
- 5. Work cooperatively with us and Julie Morgan MS to design a solution to the Northern Meadows and Whitchurch Hospital Site which maintains and enhances biodiversity and secures long term solutions for cancer treatment in Wales.**

**We also call for long term commitments from this Government to ensure communities are never put under such significant pressure and manipulation by a public body again:**

- 1. Investigate where so much went wrong so as to prevent such a disastrous waste of public money for an NHS project ever happening again;**
- 2. Save the Northern Meadows and railway cutting, by designating the area a Local Nature Reserve and forbidding any construction here in future.**

Signed,

Save the Northern Meadows



## Agenda Item 3.3

### **P-05-1018 Support for the current proposed plans to build a new Velindre Cancer Centre, Cardiff, in any future inquiry**

This petition was submitted by Natasha Hamilton–Ash having collected a total of 11,392 signatures.

#### **Text of Petition:**

We the undersigned call on the Welsh Government to support the current proposed plans to build a new Velindre Cancer Centre at Whitchurch, Cardiff.

The current plan will ensure that Velindre Cancer Centre continues to provide specialist cancer services in a location that is more accessible to patients, with better access from Junction 32 of the M4. It is widely accepted that hospitals set within a natural setting aids patient recovery and lowers the stress levels of families and staff at hospitals.

#### **Additional Information:**

The current location lacks adequate parking and accessed is often delayed causing additional stress and anxiety to patients. The 60 year–old Velindre Cancer Centre does not have the facilities or space to meet this future challenge.

We want a space that blends medical care with nature.

The last couple of decades have seen a major development of research into the impact of architectural design on the success of healthcare environments.

One example is 'healing architecture'. The term 'healing architecture' was first coined in the 1980s, and is a specific discipline of the 'healing environment', which investigates the influence of the environment on patients' healing and recovery process. Research shows that patients could be discharged earlier, and needed fewer painkillers post–surgery, if they were in rooms with a view of a park with trees. Later studies demonstrated that such factors are important not only for the well–being of patients and residents, but for employees as well.

#### **Senedd Constituency and Region**

- Cardiff West
- South Wales Central

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



Eich cyf/Your ref: P-05-1001 / P-05-1018  
Ein cyf/Our ref VG/00379/21

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

Janet Finch-Saunders MS  
Chair  
Petitions Committee  
Senedd Cymru

19 January 2021

Dear Janet,

Thank you for your letter of 21 December regarding petitions in relation to the development of a new Velindre Cancer Centre.

The outline business cases for the new Velindre Cancer Centre and its enabling works were considered by the Welsh Government's NHS Infrastructure Investment Board on 9 and 16 December. This included consideration of the Nuffield Trust advice to Velindre University NHS Trust. I am due to receive formal advice from the Infrastructure Investment Board in the coming weeks on whether or not to approve the outline business cases. Depending on the outcome of this process, the next steps will be determined.

The premise of your petitioner's call for an independent inquiry into the clinical model is their concern about the veracity of the case being put forward by Velindre University NHS Trust. In the view of your petitioner, this requires an independent assessment of the Trust's business case concerning the clinical model. Your petitioner may not be aware that the Welsh Government is conducting a lengthy and detailed scrutiny process of this business case. Therefore, I see no need for an additional independent assessment of the outline business cases. In addition, the clinical model cannot be considered in isolation from the rest of the business case, as the non-clinical aspects of the business case influence the clinical aspects and vice versa.

I would also like to emphasise that the Welsh Government's role is to assess, through its scrutiny process, the strength of the case being made and to make a determination with regard to its approval and funding. I regret that I cannot comment further at this time as this would prejudice my consideration of the advice from the Infrastructure Investment Board.

Yours sincerely,

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

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

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

**Back Page 164**  
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 3.4

## **P-05-1045 To make shared-decision making and monthly mental health care-plan reviews a legal requirement**

This petition was submitted by Tesni Morgan having collected a total of 1,462 signatures.

### **Text of Petition:**

On the 27th of August 2020 our darling Bronwen took her life after a long battle with her mental health.

We as a family truly believe that it could have been prevented. During the last 6 months of her life, Bronwen's mental health deteriorated drastically. She was making multiple attempts to take her life, putting herself in dangerous situations on a regular basis. Bronwen was hopeless, her current care-plan was not fit for purpose and she and the family were begging for something to change.

### **Additional Information:**

We begged to be listened to, so did Bronwen. We were ignored.

We are striving for shared decision making and regular reviews of mental health care and treatment plans. We also call for an opportunity for next of kin to contribute to those reviews. The current NICE guidelines state that shared decision making is essential in order to meet the needs of the patient.

NICE states that shared decision making is important for:

Different choices to be made available to the patient and are discussed openly.

The ultimate decision to be reached together by the health professional and the patient.

To help health and social care professionals to tailor the care or treatment to the needs of the individual.

This in was NOT the case for Bronwen. Shared decision making is ESSENTIAL for patients to receive the best care that is tailored to their individual needs.

**Senedd Constituency and Region**

- Cardiff Central
- South Wales Central



Eich cyf/Your ref P-05-1045  
Ein cyf/Our ref EM/00659/20

Janet Finch-Saunders MS  
Chair, Petitions Committee

12 January 2021

Dear Janet,

Thank you for your letter of 9<sup>th</sup> October concerning Petition P-05-10 45: to make shared decision making and monthly mental health care-plan reviews a legal requirement. I apologise for the delay in replying to you.

Care plans should be reviewed based on clinical need, at a minimum of every six months. I was very sad to hear of the tragic loss suffered by the petitioners. This must be a distressing time for them for them and their family and I would encourage them to discuss their concerns directly with the relevant health board. This will ensure that the investigations into this incident take their experiences into account.

Our Together for Mental Health Delivery Plan sets out the actions being taken to improve mental health and wellbeing support in Wales.

Work is already underway to address some of the concerns raised in the petition. Following a report on care and treatment planning undertaken by the Delivery Unit in 2018, health boards are setting improvement plans around Care and Treatment Planning, taking into account the issues noted in the petition. The mental health network board is also undertaking a review of secondary mental health services, to set out what good looks like and to take actions to move towards our vision for services. Both of these pieces of work involve service users and carers with lived experience.

Improvement Cymru is working with health boards to improve outcomes-focused practice, which ensures we are using information to better understand patient experience and to assess their wellbeing. A number of pilots are underway and the model will be up-scaled across services throughout 2021-22.

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[Correspondence.Eluned.Morgan@gov.wales](mailto:Correspondence.Eluned.Morgan@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.

In addition, our national mental health forum for service users and carers has been commissioned to produce national guidance on co-production, ensuring that all services involve individuals and carers at the heart of all that they do.

You can access the Together for Mental Health Delivery Plan 2019-22 here:

<https://gov.wales/mental-health-delivery-plan-2019-to-2022>

Our Talk to Me 2 strategy for suicide and self-harm prevention includes a number of actions to reduce the risk of tragic loss of life due to suicide. This includes recurrent investment and the appointment of a new national coordinator and three regional coordinators to oversee the many activities taking place across Wales. There is activity to improve data collection, bereavement support, and to intervene early to encourage help-seeking, alongside work with health boards and partners about crisis care for people in distress with their mental health.

You can access the Talk to Me 2 Suicide and Self-Harm Prevention Strategy Here:

<https://gov.wales/suicide-and-self-harm-prevention-strategy-2015-2020>

I hope that this information is helpful. I would be very grateful if you could please pass on my condolences to Bronwen's family.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M. E. Morgan'.

**Eluned Morgan AS/MS**

Y Gweinidog Iechyd Meddwl, Llesiant a'r Gymraeg  
Minister for Mental Health, Wellbeing and Welsh Language

**P-05-1045 To make shared-decision making and monthly mental health care-plan reviews a legal requirement, Correspondence – Petitioner to Committee, 30.01.21**

To the Petitions Committee.

Before our petition is discussed with the panel, we wish to send further notes for you to consider based from the information you have sent and letter from Eluned Morgan on the 12<sup>th</sup> Jan 2021.

Please note – we will refer to Bronwen in this information as this is the strive behind us fighting for this change. We are aware you as a committee are unable to discuss specific cases especially with a current investigation underway. Please know we are using her name to give you specific example of where we have first handedly experienced these failures.

We are aware of the current guidelines being “Care plans should be reviewed based on clinical need, at a minimum of every six months”. We need you to know that this is not fit for purpose anymore. We cannot rely on a responsible clinician to make this informed decision based on “clinical need” to review the care-plan as it is simply not happening. Whether this be because the clinicians are too overworked or capacity is too small, the outcome is the same – it is not happening. From our experience (and sadly many others whom we have spoken with), we begged and begged clinicians to review Bronwen’s care-plan as the current plan was not helping and in-fact was exaggerating Bronwen’s difficulties. We were not listened to and we were told time and time again that the current form of treatment was what was “recommended” and that it essentially was the “way to go”, even though Bronwen and ourselves expressed deep concerns around this – it was never taken into consideration.

We truly believe that if Bronwen was listened to and was given the chance to have her family involved in her care-plan and her own thoughts and feelings about her care were taken into account, she would still be here today fighting to get better. Unfortunately, that is not the case, Bronwen was left to feel completely hopeless, no matter what happened and how much the family tried to be involved (including using “nearest relative” we were told the outcome to her care would ultimately be the same. Please take a moment to imagine or think how a vulnerable person could possibly envisage themselves getting better when they are significantly declining and NOTHING is being changed to support this decline. In-fact, her care team actually made serious decisions without even asking Bronwen or the family. For just a few examples:

- Took Bronwen’s CPN away from her.
- Asked the university to pull away support from Bronwen.
- Asked the GP services to pull away support from Bronwen.
- Asked the police to arrest Bronwen instead of sectioning her.





From this template/example form – I hope it is clear to you, what we would like to achieve. It should be the individual's personal choice whether they wish to have a review on their care based on how satisfied they are and it should be a legal requirement for them to also offer to consent to family being involved in this also.

We truly believe that if this change was implemented, patients will feel more 'in control' of their care and subsequently their life. This will promote autonomy and help to build those crucial relationships with their care-providers.

**Please see link attached (to document and email) - Copy of the Change.org petition which received a total of 5092 signatures.**

*We urge you to consider reading the further information on this petition and consider the signatures here as well as the signatures on the Senedd petition.*

<http://chnq.it/qG4Dxqx9hm>

Thank you from the bottom of our hearts for considering this petition. We deeply hope that you take our points into consideration and see the change that is so desperately needed.

Best wishes

Tesni & The Morgan Family.

# Agenda Item 3.5

## **P-05-1068 Allow socially distanced meets in private gardens to follow science and avoid isolation**

This petition was submitted by Rachel Emma Ovetton having collected a total of 273 signatures.

### **Text of Petition:**

Many people in Wales who were shielding or in care homes with strict measures that were forced upon residents were left in isolation for months at huge cost to mental and physical wellbeing. The government promised this would not happen again. Meeting loved ones outdoors in a controlled private garden is a safe way to avoid isolation for anyone not allowed or too afraid to go to public spaces. This plunges thousands of vulnerable people back into isolation through no fault of theirs.

### **Additional Information:**

The vast majority of compliant careful citizens would meet in private gardens without breaking the regulations. There is no evidence to suggest there have been more breaches in private homes than in public spaces. There is no evidence to suggest that those who disregard the Covid rules will behave better or be more compliant in public spaces as opposed to private gardens. The virus spreads more easily inside. The argument about going inside if we allow meets in private gardens is flawed, as the government are allowing indoor meeting in any case.

The virus spreads more easily in spaces where people have to move around and come and go, e.g. pubs. Alcohol inhibits judgment so people may not be able to effectively social distance after drinking. Public spaces, streets and parks are hard to control, with lots of people coming and going in different directions, making it hard to control keeping a distance, through no fault of your own, whereas private spaces can be controlled.

### **Senedd Constituency and Region**

- Cardiff North
- South Wales Central



Janet Finch-Saunders MS  
Chair  
Petitions Committee  
Senedd Cymru  
Cardiff  
CF99 1SN

[Seneddpetitions@senedd.wales](mailto:Seneddpetitions@senedd.wales)

13 January 2021

Dear Chair

I am writing in response to your letter of 6 November regarding a petition about allowing socially distanced meetings in private gardens. The petition mentions care home visits, shielding, as well as general gatherings in gardens.

Care home visits are permitted under alert level four for compassionate reasons, but should be restricted to outdoor visits, or visits within visitor pods or similar enclosed spaces. These visits will be suspended in the event of an outbreak at the home.

Indoor visits in care homes are permitted in exceptional circumstances including, but not restricted to end-of-life, as they have been throughout the pandemic.

The ultimate decision on whether, and in what circumstances care home visits take place, rests with the individual provider. In each case, the provider needs to put in place appropriate risk assessments, social distancing and safety measures before allowing visits, and people are asked to contact them before travelling.

Please see a link to the care home visiting guidance: <https://gov.wales/visits-care-homes-guidance> and a guide to the alert levels for social care, published by the Deputy Minister for Health and Social Services: <https://gov.wales/coronavirus-control-plan-alert-levels-in-wales-for-social-care-services-for-adults-and-children>

Shielding was advised between March and August 2020. The Chief Medical Officer has updated the guidance to support people who are clinically extremely vulnerable to protect themselves from exposure to coronavirus as Wales is now at alert level four. The advice is now that clinically extremely vulnerable people should not attend work or school outside the home.

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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.

We know long periods of isolation can be harmful for mental and physical health, therefore extremely clinically vulnerable people can remain part of a support bubble, as long as they take appropriate precautions. They are encouraged to continue going outside to exercise and attend medical appointments.

Everyone in Wales is currently subject to regulations in place at alert level four and therefore must stay at home. People are not able to meet anybody indoors or outdoors socially unless they are part of an exclusive support bubble.

Coronavirus is a highly infectious virus – it thrives on contact between people. The new variant in the UK is even more contagious. To keep each other safe we need to reduce the number of people we have contact with and the amount of time we spend with them. This means reducing all social contacts as far as possible.

Best wishes

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

**MARK DRAKEFORD**

**P-05-1068 Allow socially distanced meets in private gardens to follow science and avoid isolation, Correspondence – Petitioner to Committee, 25.01.21**

I am sorry for the delay in responding. Hopefully these views can still be considered.

Views to support petition.

For a large section of the population, not being isolated and protecting their physical and mental health was only possible by allowing garden visits at distance, in an environment that could be completely controlled. This was what a very vulnerable section of the population were enjoying until this was stopped. I wish for this right, which is still an absolute right under Article 8 of the human rights act, to be reinstated as soon as deemed possible.

Whilst support and guidance has been given to care homes, this has not been without issue, with many care homes restricting unnecessarily or not doing all they can to creatively and safely support residents. Sadly it might always be the case that not every care home will or can do their best, which might explain the stories seen in the news of relatives kidnapping care home residents. At least care homes however had a spotlight shone on them under Covid, so that help and support was given. All care homes received written advice.

However, what of the plight of the forgotten vulnerable? Those being cared for in their own homes, and the unpaid carers who cannot leave. As a nation we owe so much to unpaid carers, nearly 400,000 of them. Without guidelines to protect this group, and regulations to ensure companies caring for private individuals in their own homes are instructed to do all they can for this group and allow a safe way to stay connected, the potential for abuse of power, further restriction or deprivation of liberty is very real. There are now more Deprivation of Liberty applications to the Court of Protection than ever before due to unlawful restrictions in Covid, and many more that are simply not raised to the courts. In private homes, care companies can get away with not doing anything to help, restricting beyond guidelines because it is easier for them to do nothing. When garden visits were banned entirely, any hope of getting a company to comply, fell away.

What of those with mental health issues, shielding, or those too anxious to leave even when we were allowed to do so?

A large proportion of these same people will also not bubble, as they cannot or do not want to be too close to others indoors.

These sections of society exemplified above, by sad virtue of their circumstances already suffer elevated levels of isolation in any case. It is well documented that those with more severe disabilities for example go very quickly downhill when cut off

from loved ones. Figures show much higher morbidity rates when this is the case. The potential for abuse is also well documented.

It is estimated there could be as much as 40% of the population in Wales who currently will not be bubbling and will not, or cannot leave their homes. The rules on no garden visits at distance forget some of the most vulnerable people in our society. This paves way for a legacy of health and human rights issues that might surface, and this may even allow for a culture of authoritarianism to reimmerge in the private care sector.

Having requested various freedoms of information and analysing the ONS data at the time, there is simply no data that exists that indicates that Covid was being spread more rapidly or at least with equal momentum in gardens at distance than when compared to public places, such as pubs and cafes, or lately supermarkets. Indeed the analytics all suggest that when we do not go to public places transmission falls, whether indoor or outdoor. The analytics also suggests that this is still the case when people continue to meet in private gardens.

The argument for it being the case that because we are now in Winter and people in private gardens may want or need to come inside, e.g. to use the loo, was largely a redundant argument at the time. In public spaces we were still meeting indoors whilst the garden visits restriction was still in place. We were using toilets that are in shared facilities, shared by far greater numbers than in a private home. The banning of garden visits subsequently forced other swathes of society out into public spaces, when they might of chosen to be more cautious and meet or have the potential of passing nearby less people when conducting garden visits.

To use the argument that pubs and cafes are regulated was about as valid as saying private homes are not. There are pubs that have been awful at maintaining any of the guidelines. I am sure there are private residences that are not great. The point is either can be good or bad, there is not a precedent that public businesses are or will be better than private homes, or once again, any data that supports this.

Taking away the right for people to accept into their gardens visitors at distance is clearly problematic and potentially unlawful in multiple regards to the Human Rights Act, and the Article 8 right.

1. It is our article 8 right to enjoy our home and private life without restriction. Imposing a ban on garden visits breaches that right.
2. Imposing a ban on visits to private homes but not imposing a ban to public spaces for the intention of the same purpose (reducing transmission) therefore places a priority of human rights on those wishing or able to frequent public places, and enforces lessor rights on those that do not. This is also a potential breach of the act,

where it cannot be accepted that one person has lessor rights over another because of personal choice or risk assessments, unless the actions are criminal. The restrictions in place at any time must be consistent and not in favour of any sector of society.

3. Allowing meeting in public places but not private without the absolute reassurance, monitoring and enforcement of safety and risk reduction means that any person going into a public space that is not adequately protected by the body enforcing the constraints, potentially means this is a breach of human rights of all citizens going into public spaces who feel their choice to do otherwise was removed, but the risk in public spaces was not removed to the degree they could have removed the risk in their own environments.

In conclusion, there needs to be support and guidance to allow for garden visits, for at least the vulnerable groups of our society not yet protected, but most also include care homes in addition, as before. The government should instruct care organisations providing care in private homes to do all they can to safely achieve garden visits and minimise total isolation.

I should like the government in reintroducing garden visits to consider wider regulation to place definitive and clear boundaries on what constitutes unlawful restriction in the Covid context, with exemplar pointers for good and bad practise.

# Agenda Item 3.6

**P-05-1070 Advise all people who are extremely vulnerable or previously shielding in Wales to stay home, not work, during periods of high covid 19 community infection**

This petition was submitted by Carol Dent having collected a total of 252 signatures.

## **Text of Petition:**

Consider the welfare and genuine fears of extremely vulnerable people relating to covid 19 during periods of high community infection rates. Many extremely vulnerable people in Wales are terrified of going out each day to work for up to eight plus hours in what we all know to be unsafe environments.

## **Additional Information:**

Failing to recognise that many of us work in enclosed areas with a significant number of other individuals and minimal ventilation. We cannot reduce contacts, and although masks will reduce virus contamination, it will not stop transmission, such as hospital acquired infections and aerosol particles of covid 19 which remain suspended for hours in enclosed spaces. We are terrified and frightened and risk serious mental health issues and physical injury or death from covid 19.

## **Senedd Constituency and Region**

- Aberconwy
- North Wales



Ein cyf/Our ref VG/10108/20

Janet Finch-Saunders MS  
Chair, Petitions Committee

19 January 2021

Dear Janet,

Thank you for your letter of 21 December regarding *Petition P-05-1070 - Advise all people who are extremely vulnerable or previously shielding in Wales to stay home, not work, during periods of high COVID 19 community infection.*

On 22 December I released a statement to members advising them of a change to the advice for this group. From this date and until at least 7 February, this group are advised not to attend work or school outside the home. I made this decision in response to the growing rates of infection in our communities and the probability that this was due to the new strain of the virus.

<https://gov.wales/written-statement-new-advice-those-who-are-clinically-extremely-vulnerable-previously-shielding>

There are already reporting mechanisms in place for those who do not believe health and safety is being appropriately considered within their workplace. These are not specific to COVID-19 response. In most cases the local authority is the most appropriate escalation point, though in some cases this may be the Health and Safety Executive.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1SN

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

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

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

In instances where people are concerned about their health and safety at work we would advise that the first conversation to be had is with their employer directly. It may be helpful to involve a trade union representative in these discussions. Individuals can get more advice on their employment rights from <https://www.acas.org.uk/>

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V' and a long, sweeping tail on the 'g'.

**Vaughan Gething AS/MS**

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

# Agenda Item 3.7

## **P-05-1056 Give Local Authorities powers to control the housing market in rural and tourist areas of Wales**

This petition was submitted by Osian Jones having collected a total of 5,386 signatures.

### **Text of Petition:**

In a number of rural and tourist areas, a large proportion of local inhabitants are deprived of homes as house prices have been inflated by demand for second homes and holiday homes. The First Minister could direct the relevant Ministers to engage in urgent discussions with Local Authorities to draw up a strategy to ensure community control of the housing market mainly through amendments to the planning system.

### **Senedd Constituency and Region**

- Arfon
- North Wales



Eich cyf/Your ref P-05-1056  
Ein cyf/Our ref JJ/03272/20

Janet Finch-Saunders MS  
Chair of the Petitions Committee

26 January 2021

Dear Janet,

Thank you for your further letter of 29 December regarding Petition P-05-1056 Give Local Authorities powers to control the housing market in rural and tourist areas of Wales.

I have been clear that there are no quick fixes to the challenges in some parts of Wales set out by the petitioners. The Welsh Government will continue to build on its strong record in the supply of affordable homes. This and, in particular, social housing remains my top priority.

This is reflected in the record investment of £2billion we have made in affordable housing during this Senedd term. This investment is having a significant impact on the delivery of housing that meets the real needs of Welsh communities and we are on track to deliver our ambitious 20,000 affordable homes target this term.

The issues connected with density of second homes are the subject of the cross-party group the Welsh Government established to ensure that all voices are heard and their proposals considered. We do need to be clear, though, that there are already actions that can be taken by local authorities in response to local conditions and to the requisite housing needs assessments. Authorities can, for example, levy premiums on council tax and I note that eight of them currently do so. Any decisions, made by local authorities, to increase the level of premiums (which they can currently apply up to a maximum of 100%) will provide further evidence of impact and the effectiveness and use of the current limit.

I note the use of premiums in helping finance local housing solutions in some areas. I am encouraged by the innovative use of council tax premiums by Pembrokeshire County Council to support Community Land Trusts in their locality for example. I welcome the promising developments of the Solva Affordable Housing Scheme. This scheme brings together Pembrokeshire County Council, ateb, Planed and Solva Community Land Trust and will use council tax premiums on second homes to fund development of 18 new homes at social rent, as well as keeping the homes in perpetuity for the local community. My officials will work with ateb and Planed to share good practice – and creative thinking - across Wales.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1SN

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

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

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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.

In terms of Land Transaction Tax, the Committee will by now be aware of the one percentage point increase in the higher rate, which applies to the purchase of additional properties including second homes. As is the case with all devolved taxes, we will monitor the impact of the change.

Similarly, understanding fully the implications of any changes to the planning regime is necessary and, as such, the Committee will recognise that options to amend the legislation would, and must, involve detailed consideration, impact assessment and stakeholder consultation, prior to any primary legislation.

I will indeed address these points in my written statement later this month.

Yours sincerely,

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

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



Llywodraeth Cymru  
Welsh Government

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## WRITTEN STATEMENT BY THE WELSH GOVERNMENT

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**TITLE**            **Second Homes in Wales**

**DATE**            **29 January 2021**

**BY**                **Julie James MS, Minister for Housing and Local Government**

This Government is clear that everyone should have a decent home, an aim that has been brought into sharp focus during the pandemic. Our long-standing commitment to increasing the supply of affordable homes has been matched by our record investment and reflected in the 20,000 affordable homes that will have been built this term.

We are, however, acutely aware of growing concern in some parts of Wales about the impact of second homes on communities, access to housing and affordability and the impact this has on the Welsh language. Whilst not a pan-Wales issue, it is one that is affecting communities and provokes strong feeling at local or hyper-local levels.

The Welsh Government has already taken decisive action - providing local authorities with the significant flexibility to use a number of different Welsh Government schemes, including Social Housing Grant (SHG), to help address their local housing needs. Indeed, we have pre-empted and responded to the current situation in a number of ways:

- **Through taxation and ensuring a fair contribution.** We are the only UK administration which has enabled council tax premiums to be levied on second homes.

Local authorities in Wales have been able to use these discretionary powers to levy higher rates of council tax on second homes – and long-term empty properties – since 2017.

The discretionary nature of the powers reflects the highly localised challenges and I welcome the creative use by some local authorities of these powers to stimulate the better use of the dwelling stock in their areas and utilise the additional funding to underpin housing plans and the development of affordable housing.

Eight councils are currently charging premiums on second homes, and from the next financial year one will levy the full 100% currently available.

- Other administrations, in other parts of the UK, chose to extend the temporary relief introduced for the main residential rates in July to purchases of additional properties, including second homes. We did not do this in Wales.

We increased by one percentage point the higher rate of **Land Transaction Tax** which applies to the purchase of additional properties, including second homes.

Crucially, the additional tax receipts generated by this change will be invested to support public services, in particular the development of more social housing.

- We are working with the Valuation Office Agency to review the frequency **self-catering businesses** are reappraised and exploring options and costs for monitoring more closely this aspect of the **non-domestic rates list**.

We are aware of claims that some owners are gaming the system, with a suggestion that they have had their properties listed as non-domestic, self-catering accommodation to avoid liability for council tax premiums. The available evidence indicates that properties listed as self-catering accommodation meet the required legal criteria and are being used as short-term lets. We have invited local authorities to identify any cases where they believe properties do not meet the criteria so that they can be re-examined: that invitation still stands.

We continue to support local authorities, and are **delivering training** to enable a better understanding and use of their compulsory purchase powers, relevant in respect of empty homes.

There is not just one question to solve here, and there is certainly not a single answer.

We have heard a range of views first-hand and we have formed a cross-party group to work together across the Senedd, to help shape solutions.

We are committed to evolving how we address the issues, and we are already doing just that in a number of ways:

- **Research.** Making an evidenced case is essential to achieving the right outcomes. In that vein I welcomed the report prepared for Gwynedd and Cardiff Councils by the Gwynedd and Anglesey Joint Planning Service. We

also anticipate the imminent release of a paper by Dr Seimon Brooks commissioned for the Hywel Teifi Academy by the Coleg Cymraeg Cenedlaethol. Both of these papers will help our understanding of the current situation and recommendations for further action.

- Much of the extant research tends to *describe* what has been done, rather than make an assessment of interventions' impact. With that in mind, we are commissioning a further, complementary, piece of **research to make a more qualitative assessment of interventions** elsewhere. This will help us understand the impact of interventions in other parts of the UK and beyond.
- As I have indicated before, the term 'second homes' encompasses a myriad of property issues, both personal and in a business sense. Certainly, there is currently no satisfactory definition that covers the range of ways in which owners use their properties. **We continue to work to strengthen and understand data and its uses.**
- One of the key contributions planning can make is ensuring that there is adequate supply of sites for new homes for local people. **We are developing a new methodology for understanding the need for local market and affordable housing** which will introduce consistency into the process.
- We are exploring the potential for a **statutory registration scheme** for all holiday accommodation, including short-term lets. We are working with stakeholders to identify the costs and benefits of such a scheme in Wales, not just in the context of better monitoring and control of self-catering, but to ensure a level playing field for all accommodation providers. As part of that, we are monitoring the Scottish system now being rolled out. The Ministerial Tourism Taskforce reviewed an initial paper earlier this month ahead of considering the commission of further work and consultation with industry, local authority and other stakeholders.
- We have set out our programme of work to reform the local government finance system in Wales. We have already made a series of short and medium term improvements to both the council tax and non-domestic rates systems and we have **set out our ambitions to explore more fundamental reforms** over the longer term. We do not rule out further legislative changes but only with a full understanding of their potential impact. The local tax system generates £3billion from over 1.5 million properties across Wales. This revenue is vital to the delivery of all our local services and it is essential that the system can continue to operate sustainably across the country.

Some of this work is longer-term and beyond the scope of the current Senedd term. But our commitment is clear.

Welsh Ministers have taken significant steps in this Senedd term and we will continue to work across the Senedd and with local authorities and others as we seek to develop the right solutions.

## **P-05-1056 Rhowch rymoedd i Awdurdodau Lleol reoli'r farchnad dai yn ardaloedd gwledig a thwristaidd Cymru, Gohebiaeth – Deisebydd i'r Pwyllgor, 31.01.21**

Yr wyf yn ateb eich gohebiaeth ar ran Osian Jones - fy nghyd-drefnydd o'r ddeiseb a alwodd ar y Llywodraeth i roi i Awdurdodau Lleol rymoedd i reoli'r farchnad dai. Diolchwn i chwi am anfon atom gopi o ddatganiad ysgrifenedig y Gweinidog (atodiad) a chyflwynwn yma ein hymateb ninnau sy'n amlinellus pam y credwn fod hwn yn ymateb annigonol i'r ddeiseb.

Sylwn fod y Llywodraeth yn dweud eu bod yn "dal i weithio" ac yn "nodi uchelgais", ond roedd y datganiad yn ffordd hir iawn o dweud na fwriedent wneud fawr dim o ran gweithredoedd pendant. Byddwn ninnau felly'n gryno mewn ymateb !

Gwrthodwn y thesis sylfaenol fod y broblem yn un cymhleth iawn a'r awgrym fod angen amser hir i ganfod unrhyw atebion. Un broblem sylfaenol sydd - sef nad yw'r farchnad agored yn ddull cyfiawn o ddarparu cartrefi i gymunedau lleol o'r math ac yn y lleoliadau sydd eisiau. Yn hytrach, mae tai - heblaw am y sector cymdeithasol - yn cael eu hystyried fel asedau masnachol a golygir felly y bydd ardaloedd incwm isel bob amser dan anfantais. Dyma broblem ledled Cymru - yn ein cymunedau gwledig, cymunedau twristaidd ac mewn canolfannau trefol. Yr amlygiadau o'r broblem sy'n amrywiol, nid y broblem ei hun.

Disgwyliwn gan y Llywodraeth ymyrraeth 3 cham

1) Ymrwymiad gan y Llywodraeth bresennol, a chan unrhyw blaid sydd ag uchelgais ffurfio'r llywodraeth nesaf ymrwymiad i weithio tuag at gyflwyno Deddf Eiddo i Gymru fel blaenoriaeth yn y tymor nesaf. Y galwad yw nid gwaharddiad ar ail gartrefi nag eiddo masnachol, ond bod rheolaeth gymunedol trwy Awdurdodau Lleol ar y farchnad dai.

2) Yng nghyd-destun ymrwymiad o'r fath, daw'r trafodaethau a'r ymchwil y cyfeiriodd y Gweinidog atynt yn fwy ystyrlon a chyda'r nod o baratoi at deddfwriaeth, yn hytrach na bod yn ddulliau sinicaidd o "redeg y cloc i lawr" at yr etholiad a gohirio atebion i broblem sydd wedi ei chodi ers 40 mlynedd. Derbyniwn na ellid llunio a phasio deddfwriaeth yn y sesiwn hon, ond fel arwydd o ewyllys da (a) Gallai'r Gweinidog drefnu cyfarfod cenedlaethol arlein gydag arweinwyr a swyddogion Awdurdodau Lleol i hwyluso gwaith paratoi a rhannu arfer da fel cynllun "Gosod Syml" yn Sir Gaerfyrddin, a (b) Gall y Pwyllgor deisebau argymhell fod dadl ar y ddeiseb yn siambr y senedd fel hwb ychwanegol. Mae 40 mlynedd yn amser hir i nifer o'n cymunedau aros am atebion ystyrlon i'r broblem ac y mae angen anfon arwydd clir fod y Senedd hon yn paratoi ar gyfer deddfwriaeth.

3) Gan fod yr argyfwng mor frys, yn enwedig wrth fod cymaint yn chwilio am dai mewn ardaloedd gwledig yn dilyn argyfwng Covid, mae angen i'r Llywodraeth gymryd nifer pellach o gamau'n ystod yr wythnosau nesaf -

a) Croesawn fod y Llywodraeth wedi gweithredu ar y cyntaf o'n hargymhellion yn ein llythyr diwethaf i chwi - sef codi cyfradd treth trafodiant tir ar eiddo a brynir fel ail gartref neu eiddo masnachol, ond ni ddeallwn pam eu bod wedi cyfyngu'r cynnydd i 1% pitw. (Gallai'r Llywodraeth hefyd ystyried yn y dydodol ddatganoli'r grym trethi hwn at Awdurdodau Lleol er mwyn adlewyrchu'r anghenion lleol)

b) O ran diwygio ac atal y dull o osgoi talu premiwm ar Dreth Cyngor ar gyfer ail gartrefi trwy fod perchnogion yn cofrestru tai fel eiddo masnachol, gellid diwygio'r lleiaf-gyfnod y flwyddyn am osod y tai er mwyn ei wneud yn anos i bawb ond achosion dilys gofrestru eu tai fel eiddo masnachol.

c) O wneud hynny, gallai'r Llywodraeth gynyddu wedyn uchafswm y premiwm treth cyngor ar ail gartrefi o 100% i 200%

ch) Gallai'r Llywodraeth gyhoeddi nodyn technegol brys o ran y Cynlluniau Datblygu Lleol y mae llawer o Awdurdodau Lleol yn gweithio arnynt ar hyn o bryd - yn amlinellu eu hawliau o ran dynodi pa ardaloedd y gellid eu dynodi fel rhai na byddid yn caniatáu tai newydd fel tai gwyliau, a'u hatgoffa o gymalau o ran perchnaogaeth leol y mae modd eu gosod i gytundebau

Gobeithiwn y bydd y cynnwys hwn o ddefnydd i'r Pwyllgor ac, uwchlaw popeth, y byddwch yn cymeradwyo yn eich cyfarfod yr wythnos nesaf y dylai fod dadl ar y ddeiseb yn y Senedd.

Yn gywir

Ffred Ffransis ac Osian Jones

ar ran Gweithgor Nid yw Cymru ar Werth, Cymdeithas yr iaith

Document is Restricted

# Agenda Item 3.8

## **P-05-903 Filming and Recording of Council Meetings**

This petition was submitted by Cllr Russell Spencer-Downe having collected a total of 58 signatures.

### **Text of Petition**

We call upon the National Assembly for Wales to urge the Welsh Government to follow the law in England that enshrines in law the right of residents, bloggers and journalists to report, blog, tweet and film council meetings to ensure openness and transparency. This has not happened in Wales and should be brought in, to allow the same in Wales.

This requirement should allow members of the public, as responsible observers, to record or film such meetings without the need for prior permission and to re-use the material freely to provide a direct and wider line of communication to the electorate.

England brought in this law that gave these rights in 2014 and Wales should be given the same rights.

### **Assembly Constituency and Region**

- Vale of Glamorgan
- South Wales Central

# Agenda Item 3.9

## **P-05-1025 Ensure fairness for students taking exams in 2021**

This petition was submitted by National Education Union Cymru having collected a total of 2,022 signatures.

### **Text of Petition:**

As the Education Minister acknowledges, the last few weeks have been exceptionally hard for young people, who have already been disadvantaged by Covid-19. We welcome the Education Minister's apology. Now it is vital that the Welsh Government takes urgent steps to ensure students due to sit A-level, Welsh Baccalaureate and GCSE exams in 2021 are treated fairly and are not disadvantaged.

The planned independent review is very welcome, and we look forward to hearing further details.

### **Additional Information:**

In Wales, with AS levels, and more focus on coursework, we have had a solid basis on which to judge students work. However, allowances must be made for the time students have missed in school or college.

It is clear to our members that Welsh Government needs to make changes to next year's exams to build confidence that the grades awarded, upon which young people's life chances are determined, properly recognise and reward their achievements.

We also believe that Welsh Government should now focus on:

- Reducing the curriculum content assessed across GCSE, Welsh Bacc and A-level exams next summer, by making some topics optional across all subjects.
- Working with educators and trade unions to develop a Welsh system of moderated centre assessed grades in case there is further disruption to exams next summer.

- Using this opportunity to develop a robust system which ensures young people are rewarded for their achievements and not held back due to their background.

### **Senedd Constituency and Region**

- Cardiff South and Penarth
- South Wales Central

By email

Janet Finch-Saunders, MS  
Chair of the Petitions Committee

12 January 2021

Dear Chair,

**RE: Petition P-05-1025 Ensure fairness for students taking exams in 2021**

Since the closure of schools and cancellation of exams in March 2020, the education sector has been operating in extraordinary and volatile circumstances. It continues to be a very difficult time for everyone in the sector and the petitioners' concerns are understandable.

On 14 July 2020, to mitigate ongoing disruption to teaching and learning, Qualifications Wales published two new regulatory documents; *Requirements for Adapting Assessments for GQ Qualifications for 2021* and *Special Conditions for Adapting Qualifications for GQ Qualifications for 2021*. Whilst QW has a responsibility to ensure that any adaptations made by WJEC are compliant with these regulatory requirements, it is WJEC which holds responsibility for the detail of these adaptations.

Due to differences between subjects, a 'blanket' approach for adapting qualifications was not possible so when WJEC first made adaptations to their qualifications, following consultation, in July, they were subject specific and the fairest way possible to mitigate disruption at that time. Some of these adaptations included optionality, where appropriate and where possible. However, during the Autumn Term, it became clear to Qualifications Wales and WJEC that these adaptations did not go far enough to mitigate the ongoing disruption caused by COVID-19. In response, WJEC made further adaptations, under the existing framework, to their qualifications and communicated these to centres in November.

QW is assured that WJEC gave due consideration to the adaptations made, though it was clear at the outset that it would not be possible to adapt qualifications in such a way as to suit every learner in every centre in these extraordinary circumstances, given that centre approaches vary and given that COVID-19 is having a differential impact on regions, centres and individual learners. Indeed, the qualifications system can only go so far in helping to address the differential impact of COVID-19 within the wider education sector.

Whilst adaptations to the assessments for qualifications were made by WJEC, no content was removed from their qualification specifications. This was to ensure parity with the approach taken by other UK regulators and to ensure that learners in Wales were not disadvantaged relative to their peers in other jurisdictions. This enabled teachers to decide what was

**Qualifications Wales**

Q2 Building, Pencarn Lane  
Imperial Park,  
Newport  
NP10 8AR  
☎ 01633 373 222



[www.qualificationswales.org](http://www.qualificationswales.org)

**Cymwysterau Cymru**

Adeilad Q2, Lôn Pencarn  
Parc Imperial,  
Casnewydd  
NP10 8AR  
☎ 01633 373 222

practically possible to cover in the unique circumstances of their schools, but in the knowledge that adaptations made by WJEC reduced assessment pressure for learners.

More recently, on 14 December 2020, the Minister for Education set out her policy direction to Qualifications Wales on the awarding of approved GCSE, AS and A level qualifications in summer 2021, which reflects the assessment approach proposed by the Minister's Design and Delivery Advisory Group (DDAG). This policy position can be summarised<sup>1</sup> as follows:

- The principle of a three pillared approach to general qualifications which incorporates non exam assessment, internal assessment and external assessment, recognising this needs to be considered on a subject specific basis taking individual qualification structures into account;
- Non exam assessment, as adapted by WJEC, should continue as planned; Internal assessment should be internally managed and marked, but should utilise external assessment material provided by WJEC based upon adapted past papers to reduce administrative burden and ensure equity of assessment experience. Practitioners should be able to exercise professional judgement as to how and when these assessments are delivered within an assessment window, so that they can be embedded in teaching and learning plans and learners' preparation can be supported
- External assessment should be externally set and marked, although advance notification of topics should be provided to support learning. These will be classroom based assessments and flexibility should be provided as to how and when the assessments are taken within an assessment window to support learners;
- These components should be mark based and should be used by the WJEC to determine the grades that learners are awarded;
- This approach should include necessary arrangements to ensure equity and fairness for learners including reasonable adjustments, processes for appeals, access to private candidates and special consideration procedures. Given the variability that there has been in teaching and learning consideration should be given as to how the special consideration process may be adapted to support those learners who have been the most adversely affected.
- Overall grade outcomes in summer 2021 should reflect a level of generosity that is similar to those awarded in summer 2020.

Qualifications Wales has considered the direction, the views of the DDAG, and the views of its own stakeholder group and has decided to proceed in line with the adopted policy position of Welsh Government and the recommendations of the DDAG.

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<sup>1</sup> As summarised in a letter to David Jones (Chair of Qualifications Wales) and Phillip Blaker (Chief Executive Officer, Qualifications Wales), dated 14 December 2020, from Kirsty Williams AS/MS (Minister for Education)

On 18 December 2020 we updated our regulatory document, *Requirements for Adapting Assessments for GQ Qualifications for 2021*, accordingly.

However, this is a new approach that WJEC will be delivering and there will be risks and challenges. Qualifications Wales set out the need to do further work with stakeholders and the DDAG at the start of the New Year, over the coming weeks to confirm the appeals process and how grades will be awarded.

At the heart of all Qualifications Wales decision making is the wellbeing of learners and teachers in Wales. This includes ensuring equity and fairness for learners, including learners from disadvantaged backgrounds, as far as is reasonably possible in the context of our shared extraordinary circumstances. The solutions to the awarding of qualifications this year are limited and we seek to find solutions that are as fair as possible.

Most recently, the Minister for Education announced that unless there is a significant reduction in cases of coronavirus before 29 January, school and college students will continue to learn online until the February half term. Qualifications Wales has announced that the spring internal assessment window, due between 22 February and 23 April for GCSE, AS and A levels, is cancelled as a result of this decision. Qualifications Wales is currently working with the DDAG to review existing contingency plans and revisit assessment arrangements for the award of these qualifications in summer 2021. We expect new arrangements to be put in place shortly following advice to the Minister from DDAG.

Yours sincerely,



Phillip Blaker  
Chief Executive Officer, Qualifications Wales

**P-05-1025 Ensure fairness for students taking exams in 2021, Correspondence –  
Petitioners to Chair, 03.02.21**

Dear Chair,

Please accept my apologies for the lateness of our response, I hope you can consider the following:

It is our belief that the "Ensure fairness for students taking exams in 2021" Petition has largely been met through the latest announcement from the Welsh Government to use Centre-Determined Grades (CDGs) for this years' students.

NEU Cymru are part of the Welsh Government's stakeholder group "Learning, Qualifications, and Progression - External Stakeholder Reference Group" and hope to work with them to ensure that education professionals have everything they need to ensure that young people do not have any of the same issues as last year. This includes appropriate training and assistance with the appeals process.

We believe that the work of the Petitions Committee has helped to shape this debate, and whilst we believe that it would have been helpful for everyone in education to accept CDGs sooner, we have welcomed this announcement. Young people have faced disruption over the last twelve months, which will vary across the cohort, so it is right there is some flexibility for educators in determining student's grades.

We do believe a this sheds a light on the unfairness of exams and especially the algorithm used in future years, and believe decisions need to be taken soon about how young people due to sit exams next year should be assessed.

We are happy to discuss this with the Committee.

Yours,

# Agenda Item 3.10

## **P-05-1026 Petition to ban the snaring of wildlife for use in the fur trade**

This petition was submitted by National Anti Snaring Campaign having collected a total of 2,481 signatures.

### **Text of Petition:**

While fur farming was banned in the UK in 2000, fur trapping is still legal for certain wild animals such as foxes, rabbits and mink.

We are campaigning to close this loophole to prevent more animals suffering in these barbaric traps, being killed inhumanely and skinned for their pelts.

We request that all snaring of wild animals for use in the fur trade be abolished and for this law to be upheld by the appropriate authorities and monitored closely.

### **Additional Information:**

This petition has been created in reference to the recent incident which has come to light of a Welsh fur trapper blatantly and deliberately snaring foxes, beating them to death and skinning them in order to sell their pelts in the foreign fur trade.

### **Senedd Constituency and Region**

- Clwyd South
- North Wales

**Lesley Griffiths AS/MS**  
**Gweinidog yr Amgylchedd, Ynni a Materion Gwledig**  
**Minister for Environment, Energy and Rural Affairs**



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

Eich cyf/Your ref P-05-1026  
Ein cyf/Our ref LG/02982/20

Janet Finch-Saunders MS  
Chair – Petitions Committee

13<sup>th</sup> January 2021

Dear Janet,

Thank you for your further letter of 18 December 2020, regarding the petition to ban the snaring of wildlife for use in the fur trade (Petition P-05-1026).

The Agriculture Bill will provide the powers necessary to fully regulate the sale and use of snares in Wales. Exactly how I decide to use this power will be determined in discussion with stakeholders, but my intention is to drive up animal welfare standards in a clear and enforceable way.

Yours sincerely,

**Lesley Griffiths AS/MS**  
**Gweinidog yr Amgylchedd, Ynni a Materion Gwledig**  
**Minister for Environment, Energy and Rural Affairs**

Bae Caerdydd • Cardiff Bay  
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Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

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[Correspondence.Lesley.Griffiths@gov.wales](mailto:Correspondence.Lesley.Griffiths@gov.wales)

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

**Back Page 202**  
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-05-1026 Petition to ban the snaring of wildlife for use in the fur trade,  
Correspondence – Petitioner to Committee, 28.01.21**

**Kayleigh Imperato  
Dirprwy Glerc, Y  
Pwyllgor Deisebau,  
Senedd Cymru  
Deputy Clerk,  
Petitions Committee,  
Welsh Parliament**



National Anti Snaring Campaign

[www.antisnaring.org.uk](http://www.antisnaring.org.uk)

28 Jan. 2020

Snaring Petition

Dear Madam,

Please ensure that the National Anti-Snaring Campaign is down as a stakeholder.

I note the Environment Minister states: “my intention is to drive up animal welfare standards”.

I can see the Environment Minister legislating that only “code Compliant Snares” are sold and used in Wales. As the DEFRA report: DETERMINING THE EXTENT OF USE AND HUMANENESS OF SNARES IN ENGLAND AND WALES, which I have previously submitted showed the code compliant snares do not raise animal welfare standards, can I ask the Petitions Committee to support the following wording be sent to Environment Minister:

As DEFRA has proved the code compliant snare causes significant injury and catch as many non-target as target animals, that the Petitions Committee asks that only snares proven not to cause injury are used in any Agriculture Bill, and if such snares do not exist, then no snares should be used.

And further, even if a “truly humane” snare was approved, unless it can discriminate, then badgers must be given more protection with increased penalties and a limit on snare numbers in any location.

Yours faithfully,

Simon Wild

NASC

# Agenda Item 3.11

## **P-05-1040 Introduce a moratorium on the approval any new large scale waste incinerators in Wales**

This petition was submitted by Amanda Jenner having collected 891 signatures online, and 47 on paper, a total of 938 signatures.

### **Text of Petition:**

Given the effort to become a circular, zero waste economy, Welsh Government should introduce a moratorium on the development of any new waste incinerators, (including energy from waste) & halt the progression of any incinerator planning applications which are at the pre-application/pre-approval stages. Burning waste results in emissions, including Co2 which is not currently restricted under incinerator regs.

### **Additional Information:**

In developing its Circular Waste strategy, it is clear from the consultation responses that respondents to the Welsh Gov consultation felt strongly against incineration:

[https://gov.wales/sites/default/files/consultations/2020-09/beyond-recycling-summary-of-responses\\_1.pdf](https://gov.wales/sites/default/files/consultations/2020-09/beyond-recycling-summary-of-responses_1.pdf)

As is stated in the above link: "Whilst stakeholders agreed with disincentivising incineration and recognised that an incineration tax may lessen the market for the nonrecycling of waste, it was frequently stated that a tax does not go far enough. In moving towards a circular economy, respondents viewed less waste would be generated and, therefore, the presence of incinerators would be incompatible with the concept."

Given that there are new incinerators in Wales at the pre-application & pre-approval stage, the Welsh Gov should halt the progression of any new incinerator developments, particularly whilst it develops its Circular Waste Strategy which should include consideration of its current incineration capacity.

### **Senedd Constituency and Region**

- Montgomeryshire
- Mid and West Wales



Eich cyf/Your ref P-05-1040  
Ein cyf/Our ref LG/02873/20

Janet Finch-Saunders MS  
Chair of the Petitions Committee

21<sup>st</sup> January 2021

Dear Janet,

Thank you for your letter of 8 December, regarding Petition “P-05-1040 Introduce a moratorium on the approval any new large scale waste incinerators in Wales”. I apologise for the delay in this reply.

As outlined in the Minister for Housing and Local Government’s letter to you of 23 October, our aim is for Wales to become a zero waste nation and to move to a circular economy. The incineration of waste is a transitory step, with high efficiency energy from waste facilities, which can provide energy and heat from what would otherwise waste material, being an important way of dealing with the waste which cannot be recycled, in line with the waste hierarchy.

Planning for waste infrastructure is an ongoing process with regional monitoring of progress towards the provision of a network of installations which implement the waste hierarchy and apply the ‘proximity principle’ as laid down in UK law. The proximity principle requires the energy recovery of mixed municipal waste to take place in one of the nearest appropriate installations. Decisions on individual projects will therefore be informed by the latest level of need identified through the regional monitoring. Recycling targets, however, apply to waste produced in Wales, so any waste imported into Wales would not count towards the statutory minimum targets.

The decision by China to ban the import of lower grade plastic waste for recycling has had an impact on the global trade in recycled plastic. The decision has, however, not affected recycling in Wales directly as our policy is focused on collecting high quality plastic waste for recycling. The end destinations of plastic waste recycling from Wales are published on [My Recycling Wales](#) which has been updated recently with the 2018/19 information.

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

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

As a Government, we strongly support the continued regulation of the international movement of lower grade waste material and the controls are being further strengthened on the movement of certain types of plastic internationally under the Basel Convention. These amendments became effective on 1 January 2021.

Yours sincerely



**Lesley Griffiths AS/MS**

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

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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.

**P-05-1040 Introduce a moratorium on the approval any new large scale waste incinerators in Wales, Correspondence – Petitioner to Committee, 01.02.21**

Thank you for sending me the Minister's response and for providing me with the further opportunity to comment.

I appreciate the time the Minister has taken to respond to the committee's queries. I have the following additional comments to make which I would like to be taken into consideration by the committee:

1. The Minister has not provided any reasoning as to why the Welsh Government will not put in place a moratorium in order to consider the capacity of waste incinerators in Wales and take an informed view on whether more should be approved.
2. The Minister has not commented on many of the points I have raised, such as the evidence that incineration diverts from recycling, the reports/ evidence regarding Co2 emissions, and the views regarding modern landfill etc
3. With large scale incinerator applications in the pipeline, and the Zero Waste/Circular economy strategy being currently considered – I would like to request that 'The Future of Waste Incineration in Wales' be put to a Members debate in the Senedd. There is cross party concern about the impact of incineration and this must be duly considered by the ministers.

I thank the Committee again for its time in considering this matter.

Kind regards,

Cllr Amanda Jenner

# Agenda Item 3.12

## **P-05-1051 Allow Welsh junior athletes to train with the same covid regulations as equivalent English juniors**

This petition was submitted by Andrew Brown having collected a total of 219 signatures.

### **Text of Petition:**

My sons will be playing basketball in this years English national league which starts in November.

English junior athletes are already playing practice matches in training but Welsh children can't even share a ball in training.

This puts Welsh junior athletes at a huge disadvantage compared to England's.

This is happening in all junior sports clubs inc netball, rugby and volleyball.

Welsh Government must align our regulations with juniors of England to make it equal for the children.

### **Senedd Constituency and Region**

- Vale of Glamorgan
- South Wales Central



Eich cyf/Your ref P-05-1051  
Ein cyf/Our ref DET/03774/20

Janet Finch-Saunders MS  
Chair  
Petitions Committee

13 January 2021

Dear Janet,

Thank you for your correspondence regarding a petition to allow Welsh junior athletes to train with same Covid regulations as equivalent English juniors.

Since your meeting the regulations have now changed and as highlighted by the First Minister on [19 December](#), as of 20 December, Wales has been in alert level 4 restrictions. Further information on what each of the alert level means, what is allowed, and why and when we move between levels can be found [here](#) and [here](#). Frequently Asked Questions and answers regarding the regulations can be found [here](#).

Alert level 4 requires that no organised amateur sport is allowed in Wales. Throughout the pandemic we have worked closely with all of the relevant bodies, including Sports Wales, the Welsh Sports Association (WSA) and many of the sport national governing bodies (NGBs), such as the FAW and WRU, to ensure we are providing a clear message and taking on board the requirements of specific sports. Professional sport can continue, subject to guidance from the relevant NGB and reasonable measures being put in place to protect those involved. Athletes with elite status (designated by Sport Wales, via a National Sport Group which also includes representatives from the Welsh Government, the WSA and Commonwealth Games Wales) can also train and compete.

Our approach to all of the regulations has been to try and provide simple and consistent rules wherever possible. However throughout discussions with the sports sector it has been clear that it would be impossible to provide one set of rules for all. Considerations would be needed for the sports type itself, age groups, as well as the status of participants (professional or amateur). It is for this reason why we have asked the sports authorities themselves to create specific sports guidance, however ensuring they also align with the national regulations.

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

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

The Welsh Government's approach to restrictions has been based the latest data and science relevant to Wales, and based on the latest advice from our own scientific and medical advisors. This is in order to limit the people we come into contact with, and reduce the speed of the transmission of the virus. Through these rules, we are trying to balance importance of people's mental and physical well-being, and our economy, with the need to keep people safe and protect the NHS.

We fully recognise the enormous efforts and sacrifices the Welsh public and businesses have made to keep Wales safe. The Welsh Government will continue to provide regular updates via the Covid19 Press Conferences over the coming days and weeks.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Elis-Thomas'.

**Yr Arglwydd Elis-Thomas AS/MS**

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth  
Deputy Minister for Culture, Sport and Tourism

# Agenda Item 3.13

## **P-05-1061 Give financial support to Pet Boarding businesses**

This petition was submitted by Ryan Lee having collected a total of 2,144 signatures.

### **Text of Petition:**

The latest grants made available are for those in lockdown areas or business development. Many Pet Boarding businesses outside lockdown areas have seen customer numbers fall to zero. The Business Development Grants can not be used to pay the monthly bills. Pet Boarding Businesses need financial support now to stop them going out of business. Hundreds of jobs and homes are at risk without adequate financial support.

### **Additional Information:**

Pet Boarding businesses have struggle to keep the doors open to assist NHS staff working long hours fighting Covid, they have helped care for pets of people who have been hospitalised. In many cases having one or two pets in at a time costs them more than they earn and with increased heating and lighting bills over the winter months many will be forced to close, removing this vital service.

These are businesses that were successful before Covid and will be again as long as action is taken to protect them.

### **Senedd Constituency and Region**

- Preseli Pembrokeshire
- Mid and West Wales

Ken Skates AS/MS  
Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru  
Minister for Economy, Transport and North Wales



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-1061  
Ein cyf/Our ref KS/07624/20

Janet Finch-Saunders MS

Chair, Petitions Committee

13 January 2021

Dear Janet,

Thank you for your letter of 21 December to the Minister for Finance and Trefnydd regarding this petition. I am responding as the issues fall under my portfolio responsibilities.

We are conscious that the pet boarding industry, although been able to operate during some of the restriction period, has faced a significant drop in demand.

We recently confirmed that discretionary support will continue to be available through local authorities in Wales for businesses not on the non-domestic rates (NDR) system who are materially impacted. Discretionary grants of up to £2,000 will continue to be available - details can be found here:

<https://businesswales.gov.wales/coronavirus-advice/erf-restrictions-business-fund>

Most businesses should also be able to access certain support available from the UK Government – including the Job Retention Scheme:

<https://www.gov.uk/coronavirus/business-support>

In addition, alternative funding can be accessed such as the UK Government Bounce Back Loans <https://www.gov.uk/guidance/apply-for-a-coronavirus-bounce-back-loan> and the Development Bank of Wales has loan and equity funding available immediately to Welsh businesses <https://developmentbank.wales/>

Our latest packages have been designed to be affordable within the available funding and we had to take difficult decisions on the eligibility criteria.

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

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

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

In terms of licence fees, this is a matter for the Minister for Environment, Energy and Rural Affairs. A number of businesses have been hit financially by the pandemic. Therefore, relief from licence fees for animal boarding establishments and not to other businesses from which Local Authorities recover licence fees for example breeders, pubs, music venues etc could be seen as unfair and unjust.

The fee is a matter for each Local Authority to determine and how they calculate this and the individual cost elements that go into the calculation is a matter for them.

The Welsh Government does not deem kennels and catteries eligible for the non domestic rates (NDR) system linked Restrictions Business Fund grants, however, it will be for local authorities to determine if hereditaments are similar in nature to those or not.

We will continue to do all we can to support Welsh businesses through these incredibly difficult times and consider options beyond the current package of support.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken', written over a light blue horizontal line.

**Ken Skates AS/MS**

Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru  
Minister for Economy, Transport and North Wales

## **P-05-1061 Give financial support to Pet Boarding businesses, Correspondence – Petitioner to Committee, 31.01.21**

To the petitions committee,

Thank you for your time in this matter, my response to the replies you have had are below.

- *“We recently confirmed that discretionary support will continue to be available through local authorities in Wales for businesses not on the non-domestic rates (NDR) system who are materially impacted. Discretionary grants of up to £2,000 will continue to be available”.*

All kennels and catteries are on the NDR system so are not eligible for this support.

- *“Most businesses should also be able to access certain support available from the UK Government – including the Job Retention Scheme”.*

The Job Retention Scheme has been very helpful for retaining staff, but it does not cover bills such as insurances and essential maintenance. The other support from the UK government applies to England with the Welsh government setting out the requirements for eligibility.

- *“In addition, alternative funding can be accessed such as the UK Government Bounce Back Loans and the Development Bank of Wales has loan and equity funding available immediately to Welsh businesses”.*

Loans are helpful but they must be paid back, this adds debt to a business at a time when they have no income. That lost income will never be recovered, and the long term affects of loans being used to pay the bills is potentially damaging to the long term stability of the business.

- *“Therefore, relief from licence fees for animal boarding establishments and not to other businesses from which Local Authorities recover licence fees for example breeders, pubs, music venues etc could be seen as unfair and unjust”.*

*“The Welsh Government does not deem kennels and catteries eligible for the non domestic rates (NDR) system linked Restrictions Business Fund grants”.*

I find it a little insulting that the failure to remove licence fees is justified as being unfair and unjust while simultaneously deeming us not eligible for the NDR system linked grants which are available to pubs, music venues etc. Help has been specifically provided for the travel and tourism sector and the hospitality sector while we have been left to fend for ourselves despite the clear and obvious links to those sectors.

- *“We will continue to do all we can to support Welsh businesses through these incredibly difficult times and consider options beyond the current package of support”.*

The largest support packages put in place by the Welsh Government are the ERF grants. However, to gain access to these grants' businesses must meet the criteria. There are

several factors that rule out small businesses such as ours. The following criteria are the problems:

*Must be VAT registered with a turnover of at least £85,000*

The majority of our businesses are small with turnovers below this. This criteria alone puts some of Wales most unique family run businesses at risk, not just in our industry but across the board.

*Must employ at least one member of staff through the PAYE system.*

Many of our businesses are family run and only employ dog walkers on a self-employed basis and thus are ruled out of the support.

This petition was organised by the Pet Boarders Alliance (Wales) and this response has been made available and approved by its 68 members listed below. As a group we hope that Welsh Government will stick to its pledge to *consider options* to support our industry.

Aderyn Cat Resort	Gedrys Farm Kennels & Cattery
Alyn Boarding Kennels & Cattery	Gelli Farm Kennels & Cattery
Aristocats and Top Dogs	Greenacres Cattery
Barnlake House	Hafod Y Bryn Boarding Kennels
Berry Hill Kennels	Heathroy Kennels & Cattery
Broadlane Kennels	HMC Pet Care Dog Boarding & Cattery
Brook Park Farm Boarding Cattery	Iris's Animal Farm Cattery
Bryn Difyr Boarding Cattery	Islwyn Boarding Kennels
Cartref Boarding Kennels & Cattery	Kelsion Boarding Kennels
Cat Hotel Ewole	Kenwood Kennels
Cawdor Kennels and Cattery	Kerrylee Boarding Kennels & Cattery
Cefn Coed Kennels	Linton Boarding Kennels
Cilfynydd Boarding Kennels & Cattery	Lisvane Cattery
Clements Dale Cattery	Longcroft Luxury Cat Hotel Barry Island
Clwb Boarding Kennels	Maes Gwyn Boarding Kennels
Cottage Cattery Ceredigion Bwthyn Y Cathod	Moggy Mews Cattery
Country Hound Kennel	Mountain View Boarding Kennels
Crosslands Kennels	Nash Mountain Boarding
Crynant Boarding Cattery	Pantafarn
Cwm Cou Boarding Cattery	Pantymilah Kennels
Cwtches for Cats	Pentyrch Boarding Kennels
Dderwen Boarding Kennels & Grooming Centre	Pinecroft Cattery
Downs-side Cattery	Sophisticats Cattery Llanelli
Drws-y-Coed Boarding Kennels & Daycare Centre	Springfield Boarding Kennel & Cattery
Ewloe Boarding Kennels & Cattery	Springfiels of Blackwood
Faaram Court Boarding Kennels & Cattery	Sunnybank Boarding Kennels
Fforest Boarding Kennels, Cattery & Small Pets	Tal-y-Cafn Boarding Kennels & Cattery
Four Paws Boarding Kennels & Cattery	Tasha's Pets Home from Home.
Foxcombe Cats Hotel	The Boarding Centre Ltd
	The Cat Cwtch Swansea
	The Elms Cattery
	The Hairy Hound Nanny Service

The Home From Home Cattery  
The Knoll Cattery Carmathen  
Ty Coch Stud Farm Boarding Kennels and  
Cattery  
Ty Gwyn Boarding Kennels & Cattery  
Tythegston Boarding Kennels  
Waunbricks Boarding Kennel  
Yew Tree Cattery

# Agenda Item 3.14

## **P-05-1069 Save the farmland and green fields at Cosmeston**

This petition was submitted by Michael Philip Garland having collected a total of 5,272 signatures.

### **Text of Petition:**

We call on Welsh Ministers to adhere to their environmental and climate change policies and to the principles of the Well-being of Future Generations (Wales) Act 2005 and urge the Welsh Government to withdraw their plans for a 576 housing units development on the scenic coastal fields and farmland at Lower Cosmeston Farm, Cosmeston.

### **Additional Information:**

These green fields lie on an area of coastline and farming landscape between the Bristol Channel, Wales Coastal Path and Cosmeston Lakes Country Park (SSSI) and any development on these fields will greatly affect the local wildlife ecology and biodiversity here and in the surrounding areas together with a loss of the areas countryside amenity and local cultural historical heritage

Such a large development will be unsustainable due to the lack of local highway and health infrastructure and will exacerbate traffic congestion and flooding in nearby areas.

The land should be kept for farming and associated businesses which together with local community amenity projects will maintain the prospects of the landscape for the well being of Future Generations.

### **Senedd Constituency and Region**

- Cardiff South and Penarth
- South Wales Central

Rebecca Evans AS/MS  
Y Gweinidog Cyllid a'r Trefnydd  
Minister for Finance and Trefnydd



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-1069  
Ein cyf/Our ref RE/00963/20

Janet Finch-Saunders MS  
Chair, Petitions Committee

13 January 2021

Dear Janet,

Thank you for your letter regarding Petition P-05-1069 'Save the farmland and greenfields at Cosmeston', which was considered by the Petitions Committee on 15 December.

I have considered the detailed points raised by the Petitioner and the other points raised in your letter and would respond as follows:

### Procedural Fairness

The planning application was submitted to the Local Planning Authority on 30 September 2020. The application was not registered by the Council until 23 October 2020 due to the need for various administrative procedures to be undertaken. There was no pre-knowledge of an imminent 'firebreak lockdown' when the planning application was submitted. The letters sent to neighbours are a matter for the Local Planning Authority. Additional publicity was also undertaken by way of site and press notices. Any concerns the petitioner may have about the way neighbours were notified or the time available for comments to be made should be directed to the Vale of Glamorgan Council.

The development proposals were also subject to public consultation as part of the preparation and examination of the Vale of Glamorgan Local Development Plan and extensive pre-application consultation was undertaken well in advance of the Covid 19 pandemic and associated restrictions. There has been several opportunities for residents to make comments in respect of the proposals.

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.

The Vale of Glamorgan may have Pre-determined the Application.

Any concerns regarding the Vale of Glamorgan's consideration of the application should be directed to the Vale of Glamorgan. If the Petitioner considers there is impropriety in the consideration of the application the first recourse should be to the Vale of Glamorgan Council.

As part of the masterplanning exercise, which was undertaken prior to the planning application being submitted, it became apparent the land allocated for development in the Vale of Glamorgan Local Development Plan was of insufficient size to accommodate the number of dwellings identified and the primary school which was required as part of the overall development. It was considered appropriate to identify the existing farm buildings at Upper Cosmeston Farm for the primary school as it represents an area of previously developed land and would not extend the developable area into an area of countryside.

In respect of the proposed special school referred to by the petitioner, there has been no Ministerial agreement to dispose of the land to the Vale of Glamorgan Council. While Heads of Terms have been agreed between officials, it will still be necessary to obtain Ministerial approval. I understand the necessary advice will be provided by officials before the spring. The Vale of Glamorgan Council has submitted proposals for pre-application consultation for the Special school - however, the Welsh Government, as land owner, was not advised or consulted on this. This is a matter which is currently being discussed with the Vale of Glamorgan Council.

The application does not conform with the adopted Vale of Glamorgan Local Development Plan 2017.

The Vale of Glamorgan Council as Local Planning Authority will need to consider whether the application accords with policies contained in the adopted Local Development Plan.

The Welsh Government's call in thresholds and procedures are separate from the consideration of a planning application by the Local Planning Authority. It is understood a request for the application to be called in has been made and is currently under consideration by the Planning Directorate in the Welsh Government.

The Welsh Ministers will only call in an application of the proposed development if it appears to raise issues of more than local importance. All development proposals are different and there are no rules about what is a planning issue of more than local importance. There is not a definitive list of situations where call-in of a planning application may be warranted. Six examples of issues that could cause the Welsh Ministers to call in an application rather than letting the Local Planning Authority decide it are provided in Planning Policy Wales and are detailed below for ease of reference:

- If the proposal conflicts with national planning policies;
- If the proposal could have wide effects beyond the immediate locality;
- If the proposal may give rise to substantial controversy beyond the immediate locality;
- If the proposal is likely to significantly affect sites of scientific, nature conservation or historic interest, or areas of landscape importance;
- If the proposal raises issues of national security; and
- If the proposal raises novel planning issues.

Please note these are just examples and are not the only situations in which call-in may be warranted.

I am unclear as to what is meant by the reference in the Petitioners comments to the extension of the site into a greenfield site which will further erode a 'green wedge'. The residential element of the proposed planning application accords with the boundary of the site identified in the adopted Local Development Plan. The proposed primary school is on an area of previously developed land. It will be for the Vale of Glamorgan as Local Planning Authority to consider whether the application accords with the relevant proposals in the adopted Local Development Plan.

As referred to above, while there have been discussions with the Vale of Glamorgan Council regarding the sale of some additional land for an additional school, I was surprised by the decision of the Vale of Glamorgan to submit firm proposals for a Special School adjacent to the boundary of the Welsh Government's planning application site. There has been no Ministerial decision made as to whether the land should be sold and the Vale of Glamorgan did not discuss these detailed proposals with my officials. This matter does not form part of the Welsh Government's planning application and is being dealt with separately by my officials.

It will be for the Vale of Glamorgan Council as Local Planning Authority to determine whether the proposal is in direct conflict with Policy MG18 of the Local Development Plan.

Lack of adequate transport/highway infrastructure.

The adequacy of the transport and highway infrastructure to accommodate the proposed development would have been assessed as part of the consideration of the Local Development Plan. The planning application will also be subject to scrutiny by the Local Highway Authority as part of the assessment of the planning application. The planning application has been supported by numerous technical studies including a traffic impact assessment.

The proposed development would have wide effects beyond the immediate locality.

The impacts of the proposal have been considered as part of the examination into the adopted Vale of Glamorgan Local Development Plan. A further detailed assessment is required as part of the consideration of the planning application which will include the consideration of any representations submitted to the Local Planning Authority as part of its notification and publicity of the planning application.

Whether the proposal has wide effects beyond the immediate locality will form part of the consideration of whether the planning application should be called in for the Welsh Ministers determination.

The proposed development would cause substantial controversy beyond the immediate locality.

The Petitioner is referring to the impact of traffic generation causing widespread controversy. The impacts of the proposal would have been assessed as part of the examination of the proposals in the adopted Local Development Plan. Further detailed assessment is required as part of the consideration of the planning application. The Vale of Glamorgan Council as local planning authority will be required to consider the impacts of the proposal and whether the proposal accords with the policies in the adopted Local Development Plan.

Whether the planning application causes substantial controversy beyond the immediate locality to warrant the application being called in for the Welsh Ministers determination will be a matter for the Planning Directorate to consider and advise the appropriate Minister.

The development will have an unacceptable impact on the countryside and its biodiversity environment.

The principle of the residential development of the site was established through the preparation of the Local Development Plan. The Welsh Government supports a 'plan led system' as set out in Planning Policy Wales. If the principle of development were now to be considered unacceptable it could have impact on the 'soundness' of the Plan and require alternative sites to be provided. The failure of the Local Authority to deliver the plan in accordance with the approved strategy could also lead to an increase in speculative planning applications being submitted. A well-functioning planning system is considered to be fundamental for sustainable development and achieving sustainable places. A planning system driven by speculative planning applications and appeals is to be avoided.

The development is not considered to result in the loss of the green wedge. A significant amount of land remains between Penarth and Sully and policies of the adopted Local Development Plan exist to protect the coalescence of built up areas.

The impact of the proposed development would have been considered as part of the examination of the now adopted Local Development Plan and the application has been supported by numerous technical documents including those relating to the impact on species and the environment. It will be for the Local Planning Authority to consider whether the information submitted is adequate for them to consider the acceptability or otherwise of the proposals. As part of the consideration of the application the views of NRW and CADW are also sought.

The development proposals will have an adverse impact on the important architectural heritage and archaeological remains present on the site.

As referred to above the principle of the residential development of the land was considered as part of the examination in to the now adopted Local Development Plan. Cadw was asked to consider whether the existing farm buildings were worthy of listing in 2019. They concluded at that time they were not. Cadw has been asked to re-look at the issue and this process is yet to be concluded. If the farm buildings are considered worthy of listing then any detailed proposals for the primary school will need to take this into account.

Technical information has been submitted to support the application in respect of heritage and archaeological remains. The Local Planning Authority have consulted Cadw and Glamorgan Gwent Archaeological Trust as part of their ongoing consideration of the planning application.

Contamination within the site renders the site unsuitable for development.

Contamination issues have been highlighted in the information submitted to support the application and the Local Planning Authority will consider these issues as part of their assessment of the planning application. Land proposed for development can often include areas of land which are contaminated. Any remediation considered necessary can form part of the conditions attached to any grant of planning permission.

Flooding and Coastal Erosion will affect access to the site.

NRW and Welsh Water/Dwr Cymru have been consulted as part of the Vale of Glamorgan's consideration of the planning application.

The issue of coastal erosion has also been considered as part of the masterplanning exercise and also as part of the assessment of the application by the Vale of Glamorgan Council. The Council are seeking amendments to the masterplan so that any potential coastal erosion is fully taken into account in the proposals.

The development will have an impact on catchment area pupil numbers and thus exacerbate the existing shortage of Nursery and Secondary School Places.

The proposed development includes provision for a new primary school. In addition to this the Vale of Glamorgan Council will be seeking significant financial contributions if planning permission is granted to address any issues relating to the need for additional school places which will be required as a result of the proposed development.

The issues of traffic generation from the additional school provision is a matter for the Local Planning Authority to consider as part of the consideration of the application. Matters relating to the new Special School referred to by the Petitioner are considered to be a matter for the Vale of Glamorgan to address. While the Welsh Government own the land, they were not advised of the intention of the Vale of Glamorgan to submit the proposals for pre-application consultation.

The balancing of the competing interests of protecting the environment and developing additional housing, including affordable housing is always difficult however by operating a Plan Led System in Wales the formulation and consideration of strategic land allocations through the local development plan provides a forum for full public involvement and consideration of all the various issues at stake. The Local Development Plan sets out the Local Planning Authority's proposals and policies for the future development and use of land in its area. Once the plan has been adopted, decisions on planning applications will mostly be based on the Local Development Plan. The Local Development Plan needs to be a 'sound' document. This means that it shows good judgement and can be trusted. In order to achieve a 'sound' plan the Local Planning Authority will gather economic, social and environmental information which provides the factual basis for the plan. The plan must provide for forms of development which are economically, socially and environmentally sustainable and a 'Sustainability Appraisal report' is produced by the Local Planning Authority to demonstrate how this has been considered.

At various different stages there are opportunities for the public and other interested stakeholders to be involved in the preparation of the Local Development Plan and make representations on all aspects of the Local Planning Authority's proposals. The Plan will eventually be tested by an independent Inspector to make sure it is 'sound'. The Vale of Glamorgan Local Development Plan was subject to examination in 2016 and was adopted in 2017.

By operating a 'plan led' planning system in Wales it ensures that the competing interests of protecting the environment and developing additional housing is taken into account. In addition to this it is my intention that if planning permission is granted for the proposed development it will be an 'exemplar' form of development using modern methods of construction, high standards of design and space standards. This will include low carbon and sustainable forms of development as well as active travel.

As I stated during Plenary on 21 October 2020, the land at Cosmeston would provide a significant contribution to the Vale of Glamorgan's identified housing need. A failure to develop the site would run counter to the strategy identified in the adopted Vale of Glamorgan Local Development Plan which sees this site as key to helping to address the identified housing need in the area. If the site does not come forward for development there could also be implications for the 'soundness' of the adopted Vale of Glamorgan Local Development Plan.

I am of the opinion the planning application should not be withdrawn, as to do so would result in the failure of the Welsh Government to deliver in the region of 280 affordable homes, and a new primary school, as well as public open space and a cycle route which would link the site to the town centre.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive style with a period at the end.

**Rebecca Evans AS/MS**  
Y Gweinidog Cyllid a'r Trefnydd  
Minister for Finance and Trefnydd

# P-05-1069 Save the farmland and green fields at Cosmeston, Correspondence – Petitioner to Committee, 01.02.21

P-05-1069 Pwyllgor Deisebau 09.02.21 / Petitions Committee 09.02.21

To the Petitions Committee,

Thank you for sending the response of Rebecca Evans, MS Minister for Finance and Trefnydd.

Due to the short notice of receiving this response and the time constraints of the Petitions Committee I have only been able to give a brief response, but I believe that previous comments made are appropriate, and that it will be up to the Local Planning Authority and/or the Planning Directorate to show whether the Welsh Government have appropriately addressed the various comments made on the proposed development and outside of the immediate locality of the development.

It is felt by many of residents in the locality and surrounding areas that the Welsh Government are failing to adhere to the principles of their environmental and climate change policies and the principles of the Well-being of Future Generations (Wales) Act 2005 in order to locate a major housing development on an area of scenic coastal fields and farmland lying between the villages of Cosmeston and Sully in the Vale of Glamorgan seemingly in the name of contributing to the housing need of the Vale of Glamorgan but seemingly being driven by the Minister for Finance.

The development will decimate our local environment and biodiversity by decimating our countryside farmland, mature trees and hedgerows, wildlife and their habitats, the historic cultural heritage. Its distance from necessary urban facilities will seriously affect climate change, air pollution and air quality in the area. It will also place a strain on nursery and secondary education in the surrounding areas. The development will also be affected by flooding as it is adjacent to a historic flood zone, coastal erosion as it located on top of coastal cliff, and land contamination from an historic landfill site.

It is concerning that the Minister regards objections to the development as a threat to the Welsh Government contribution to the housing need in the Vale of Glamorgan, and failure of the Welsh Government to deliver 280 affordable homes, and as such undermines the 'soundness' of the Vale of Glamorgan Council Local Development Plan 2017 (LDP) which the Welsh Government approved. Alternative sites to Cosmeston in other areas of the Vale of Glamorgan were provided, but turned down, and the housing need figures were regularly contested as overestimated during the LDP process and the percentage for affordable homes was increased since the LDP was adopted.

The Minister indicates that there was plenty of time to object to the proposal prior to the application being submitted on the 23<sup>rd</sup> of October 2020, whether it was during the LDP process or by way of the Public Consultation event held in September 2019.

However, the LDP process and the allocated site proposed in that LDP, and, as a member of the applicants' agents stated as "artists' impressions of what we hope the development may possibly look like", presented at the Public Consultation event, can be regarded as totally different in plans and details to that of the current planning application. It may have been a coincidence that the Welsh Government Lockdown begun the same day that the Application was submitted, but this has annoyed many residents as they have been unable to access the documents and plans submitted by the Welsh Government. Whether through lack, of personal computers and the ability to visit friends and family with computers, public meetings, leafletting, etc.

The Minister states that it is up to the LPA to confirm whether the site conforms to the site allocated in the LDP, although illustrations within the application already confirm this. Site Notice posted by the LPA, on the 23rd of October 2020 also indicate that the: - "Development not in accordance with the development plan and may be of public interest".



The extensions to the allocated site appear to be made to counter the loss of housing development land within the allocated site due to severely contaminated land arising from the dumping of toxic chemicals at an historic landfill site operated by the Vale of Glamorgan Borough Council in the late 70's to early 80's, and extra set-back from the cliff edge due to coastal erosion.

The land provision to the Vale Council for a primary school is also extending the site outside the LDP allocated site boundaries, which will require the demolition of the 17th century farm buildings which contain many historical architectural features.

These extensions cannot be "exceptional circumstances" as required in the LDP.

These extensions into the allocated "Green Wedge" will lead to further coalescence between Penarth and Sully which the Green Wedge allocation is supposed to prevent. A policy that the LA and Welsh Government felt was "sound" in 2017, but now possibly willing to overlook in order to fulfil the provision of a school on land provided by the Welsh Government, and the Welsh Governments contribution the housing needs.

As indicated in the Ministers response, the Vale of Glamorgan Council are proposing to build a Special Needs School on land owned by the Welsh Government with Welsh Government officials already agreeing funding, suggesting that the application as already been determined.

It is also apparent that there is a lack of provision of Nursery and Secondary Education in the local area, another issue that was not identified within the 'sound' LDP.

Regarding the land contamination on the site, which appears to emanate from an incorrectly developed landfill area, (investigations note that there was no base present), and the dumping of various toxic chemicals, which it seems the Vale of Glamorgan Council have failed to inspect and regulate over the past years.

It is a concern that while some of the contamination can only be removed by development of the site, some cannot be removed either because it is too dangerous or too expensive and that it is being recommended to keep the area as 'public open space' putting both the residents and school children at risk.

It should be noted that the Applicant has not addressed the issue leaching of chemicals into local watercourses and of airborne contamination/pollution from asbestos and carcinogenic materials on nearby residents during the development, nor the leaching of the chemicals into the watercourses has not been addressed.

A request for call-in has been made to the Planning Directorate as the application will have wide effects and substantial controversy beyond the immediate locality, will significantly affect sites of scientific, nature conservation and historic interest, and does not conform to the Vale of Glamorgan Council Local Development Plan 2017 (LDP). I understand that the Planning Directorate is awaiting the report of the Local Planning Authority to see if these issues have been addressed.

The traffic assessment considerably underestimates highway and vehicle usage from the estate, in the hope that residents will walk or cycle or use the inadequate public transport service to travel to employment, education, health and shopping locations, etc, many of which are located away from the immediate locality and over the permitted maximum walking distances. This will of course lead to increased use of the motor vehicle and exacerbate traffic congestion, tail backs, pollution, and air quality on the already inadequate highway infrastructure in the locality and areas outside the immediate locality using the Barry to Cardiff/M4 routes, i.e., Merrie Harrier and Baron's Court junctions in Penarth, Dinas Powys, Culverhouse Cross, etc. The assessments also appear not to consider traffic usage of other housing developments in the surrounding area.

I would like to thank the Petitions Committee and staff members for your efforts and assistance in listening and taking an interest in the concerns of the residents of Cosmeston and surrounding areas, and for writing to and obtaining a response from the Minister for Finance and Trefnydd.

Yours Faithfully

Michael Philip Garland

**WG Development at Cosmeston, Penarth**

**Summary** We ask the Petitions Committee to remind the Minister for Finance that the Welsh Government has much wider responsibilities in the use of its land-holding than a private developer. Her reliance on the LDP process is particularly dubious, when her officials misled the LDP Inspector over the suitability of the site for development. Her failure to consider the WG priorities of the Cardiff area Metro, Wales Coastal Path and Severn Marine Protection Area are salutary. Now that the site investigation has confirmed the badly-managed 1980s landfill and established asbestos and priority chemicals in the landfill, she has responsibility as developer "to ensure that the land is suitable for the development" of schools and housing. Her private consultants are trying to get away with the minimum - investigating only one third of the toxic landfill and not determining the pathway of the pollution - proposing minimal remediation and concealing ESP's view that excavating the toxic hotspots may be uneconomic. As the WG planning guidance says, the best use of such contaminated land may be restoration for nature and amenity.

The LDP and WG development date from times prior to the Future Generations and Wellbeing Act, and various policies linked to the climate emergency. Covid has upset all projections. Housing developments must now aim to create communities with local facilities, not edge-of-town housing sprawl dependent largely on car travel. The VoG LDP is up for review and revision this year; the Minister cannot rely on its outdated planning views.

**Background to this WG Landholding**

The Land Authority for Wales bought this land in 1977 without assessing the industrial contamination. It had permission for a Vale of Glamorgan Borough Council tip in its old quarry. Staff had termed the Council's previous tip in the quarry north of the Cosmeston Lake a "disaster area", which could have warned the LAW. This new tip was supposed to have a basal layer - the recent test boring shows none. It was supposed to accept 'special' chemical wastes only with written permission, but the test boreholes show chemicals dumped without any records. The site was open, unsecured out of hours, allowing uncontrolled dumping by private lorries; mud on the roadway showed they bypassed the wheelwash.

From 1977 onwards, the LAW as new landowner must have turned a blind eye to all this bad practice. The Borough Council took advantage of the LAW's trust. The stage 2 assessment by geophysical consultant ESP revealed two priority chemical contaminants and high risk; they warned that excavating the contamination is likely to be uneconomic. In stage 3, ESP proceeded to assess the problem as zero risk, while admitting they had not assessed most of the landfill and their hydrology model could be wrong. Their assessments of the EU priority chemicals cadmium and anthracene are definitely wrong, so this landfill is a very real problem. Note that the WG consultants Asbri and Cambria concealed the ESP recommendation of further survey of the quarry landfill and the inadequacies in their modelling. The WG can argue with the VoG Council the responsibility for the potentially costly contamination.

The WG submitted this site under the LDP process as suitable for housing. It was their responsibility as long-term owner to know of its toxic contamination. Some asbestos was found as

well as petroleum chemicals in surface soils, yet the WG had rented it out for farming. They had records of the old landfill, yet instead accepted the VoG's unevidenced statement in the LDP that contamination is "low", thus colluding in misleading the LDP Inspector. The Minister should be aware that PPW says contaminated sites might be better left undeveloped for nature and amenity, to avoid the risks of pollutants to residential and school uses. Contradicting the Minister writing that the Council is responsible for judging the development is acceptable, PPW says

*6.9.14 Responsibility for determining the extent and effects of surface and subsurface hazards remains with the developer. It is for the developer to ensure that the land is suitable for the development proposed,*

ESP's suggestion of covering contaminated open ground with geotextile and importing 2-metres cover and soil has been omitted by their planning consultant Asbri, perhaps as that looks both costly and unsustainable.

### **Ignoring wider WG policies**

Though WG knew of the Wales Coastal Path, they omitted to mention the need to set-back development from the coast, instead submitting for the LDP nearly all their land-holding (excepting a few metres of the present path). They made no attempt to balance the needs for the Coastal Path as a Welsh priority with the desire to profit from development. With a coastal strip of 40m as at adjacent housing, the area would have been reduced and the estimated number of homes likewise.

Though the Penarth to Sully rail-line runs through the site, the WG did nothing to consider running metro trains through to Cosmeston. This is despite the potential for extending the existing Penarth line through to lower Penarth, as in the initial spec for metro-bids; this and further extension to Cosmeston would be more feasible for the battery-system chosen, yet the Minister ignored this Welsh Government priority. The Finance Minister uses advisors and consultants who see only development profit, not sustainable development criteria.

NRW are supposed to appraise the ESP modelling, as the pollution could affect the nearby Sully Brook, which is controlled water. But NRW didn't, they just accepted the modelling despite obvious inadequacies. One issue is cadmium, a priority persistent, bioaccumulative and toxic (PBT) chemical. ESP applied human toxicity (drinking water standard) not biotoxicity. Because of cadmium's biotoxicity, the WHO called in 2018 for maximum efforts to keep cadmium out of the environment (eg. stopping cadmium batteries). With the WHO being based on the 2010 priority chemical list and the REACH process, the WG is obliged to make efforts to dig out the cadmium hot-spots and dispose of the material safely.

### **Procedural Fairness**

This is an EIA application, with the applicant specifically required to facilitate public consultation

Frie3nds of the Earth put to the VoG Council:

*The applicant writes that the documents would be available for viewing by the public. As public libraries and offices do not allow this, is it not both reasonable and required by EIA legislation for the applicant to provide this viewing opportunity? They could for example hire the closed Cosmeston*

*Park café from the Council, or the Paget Rooms from the Town Council, and organise viewing there with appropriate Covid precautions once the lockdown is over.*

In comparison, for the consultation on the St Mellons incinerator under the Planning Inspectorate Wales (DNS planning application), the company did hire the Beacon Centre for people to view the documents there.

The VoG case officer declined to ask the WG/Asbri to do likewise, saying "*Whilst I therefore appreciate your concerns, I consider the requirements of the relevant legislation in terms of publicity have been met*". This rejection without citing precedent or legislation reflects the Council's bias and interest in getting approval for school(s).

### **VoG Pre-determination**

Welsh Government rules allow use of land in a Green Wedge only "very exceptionally". The Minister does not argue any permitted "very exceptional" grounds. She tacitly admits WG officials colluded with the VoG to permit extending the development onto the Farm site despite the infringement of the rules. The documents submitted do not give evidence arguing it complies with the "very exceptional" rule. Nor do they give evidence that the remaining farmland can be effectively farmed without the farm buildings. Note that most of the land was not farmed in 2020 because no other (remote) farmer was prepared to take it on.

### **Does not conform with the adopted Vale of Glamorgan Local Development Plan**

Development in the Green Wedge is the reason cited for non-conformity. That would not qualify for call-in if the conditions for exception were followed. But the VoG and WG are colluding to develop in the Green Wedge without complying. This collusion "*raises issues for more than local importance*".

The LDP was for an amount of housing plus a primary school, plus recreational land on the designated site. The given housing number was a maximum based on the total area and 30 dwellings per hectare. Taking more than expected for the school and more for a green-way along the old railway, and more for setback from the coastal path cuts down the housing numbers.

The Minister claims surprise at the VoG proposals for a special school on further Green Wedge land owned by her Department. The fact is that her officials have colluded with the VoG Council, coming to an agreement over the sale price if the VoG can get planning permission. Once the site gets development permission, its value would be far higher than farmland price. By encouraging the VoG to site the school on their Green Wedge site, they are corruptly trying to make a development gain. The Minister should be pressed to disclose the provisional agreement to sell the land to the VoG.

### **Lack of adequate transport/highway infrastructure**

The only assessment for the LDP was the owner/WG "sustainability appraisal". The Highways response was there's no capacity for additional vehicles on the local roads, particularly the Barons Court and Merrie Harrier junctions. They specified that any developer should show "nil detriment" on existing traffic conditions. The WG cannot of course do that, except by making provision for

offsetting measures which they have not done. They should therefore withdraw and rethink, but expect to finesse the condition via leniency by the VoG Council.

### **The proposed development would have wide effects**

It's now accepted that the Wales Coastal Path would suffer detriment and could be ruptured by coastal erosion. The designation of the Severn SAC as a *Marine Protected Area* in 2018, part of the international integrated network of MPAs, was also not known for the LDP. The Welsh Government needs to consider whether these two nationally important aspects require them to assign their land-holding to uses relating to them rather than for financial gain. The Minister and her department cannot do this of herself.

### **Substantial controversy beyond the immediate locality**

Traffic grounds certainly give such controversy. As said above, the 'nil detriment' condition was supposed to deal with this, but the VoG Council is not applying it. Since the LDP, the WG Metro has become a reality - new housing should be aligned with that, not in expectation of private cars supplying the majority of travel.

### **The Local Development Plan**

Since the LDP was written, the Welsh Govt has declared 'climate emergency' and issued a Future Generations & Wellbeing Act, both implying we cut back building on green fields. The Cosmeston site scored very low on "sustainability", being far from urban facilities. The Housing Minister told house-builders they must design 'communities' with local facilities, not such edge-of-town sprawl. The new transport strategy Llwybr Newydd issued in November specifies reducing the need to travel and making sustainable transport more affordable and appealing. The Cosmeston proposal does the opposite.

The Minister's argument for the 220 'affordable housing' being necessary looks stupid when this location without shops means high dependence on car-trips. Choosing locations where residents can manage without a car is now high priority. Cosmeston is no longer "acceptable".

Covid has upset all projections of housing need. Most of the housing growth in the eastern vale is for people working in Cardiff. The city's future as a concentration of workplaces is very uncertain. During Covid, housing developments in the Vale and Cardiff West have gone slow. The LDP is coming up for a mid-term review from mid 2021-22. That is the opportunity for rethinking housing and linking it properly with the new transport strategy.

### **architectural heritage and archaeological remains**

The VoG archaeological advisers GGAT said the WG should come up with a plan that preserved the historic farm-buildings. The Minister or her planning consultants ignored this. Pretending that the primary school can use and adapt these is ridiculous. The site that is Green Wedge land would have to accommodate activities that value the historic buildings, probably related to the Medieval Village just over the road.

# Agenda Item 3.15

## **P-05-1072 Investigate what powers the Welsh Parliament has in relation to banning conversion therapy**

This petition was submitted by Samuel Fletcher having collected a total of 114 signatures.

### **Text of Petition:**

Under Teresa May, the Conservative manifesto had a goal of banning conversion therapy. Almost two years later, this has not happened. This petition calls on the Petitions Committee to investigate what powers the Welsh Parliament has in relation to this issue, and then ban conversion therapy if possible. This barbaric and homophobic act must end.

### **Senedd Constituency and Region**

- Swansea West
- South Wales West

Jane Hutt AS/MS  
Y Dirprwy Weinidog a'r Prif Chwip  
Deputy Minister and Chief Whip



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-1072  
Ein cyf/Our ref JH-/01275/20

Janet Finch-Saunders MS  
Chair, Petitions Committee

15 January 2021

Dear Janet,

**Petition P-05-1072 Investigate what powers the Welsh Parliament has in relation to banning conversion therapy**

Thank you for your letter of 21 December in relation to the steps Welsh Government would consider to ban conversion therapy.

I'd like to reassure the petitioners and the Committee that equality is at the core of what we do at Welsh Government, that diversity will always be celebrated, and discrimination has no place in Wales. It is our belief that any attempts to try to change or alter a person's sexual orientation or gender identity through conversion therapy are wrong and wholly unacceptable.

Welsh Government strongly advocates the rights of LGBT+ people and as such we are developing an ambitious LGBT+ Action Plan. The plan will strengthen protections for LGBT+ people across Wales, promote equality for all and help to coordinate ambitious actions across government and beyond.

We will use the LGBT+ Action Plan as a route to consider and develop an approach to banning conversion therapy in Wales. My officials are in contact with our colleagues in other devolved nations who are taking a similar approach to share learning on this issue.

As the lead body for the LGBT+ strand of our Equality and Inclusion programme, Stonewall Cymru supports the Welsh Government's equality agenda and acts as a

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.

representative body for LGBT+ people in Wales. We are working closely with them to better understand the issue and how LGBT+ people in Wales are being impacted.

It is also important to set the development of the LGBT+ Action Plan in the context of our wider work to strengthen equality and human rights in Wales. Research to help us achieve this aim is nearing completion and I anticipate that the Welsh Government will consult on emerging options in the near future.

Yours sincerely,

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal stroke above the first letter 'J'.

**Jane Hutt AS/MS**

Y Dirprwy Weinidog a'r Prif Chwip  
Deputy Minister and Chief Whip

# Agenda Item 5

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

Document is Restricted