

## Agenda – Petitions Committee

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Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 20 May 2024

Meeting time: 14.00

For further information contact:

Gareth Price – Committee Clerk

0300 200 6565

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

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- 1 **Introductions, apologies, substitutions and declarations of interest**
  
- 2 **Evidence session: Panel 1 – P-06-1291 Hold an enquiry into the corporate takeover of the veterinary profession in Wales (14.00 – 14.45) (Pages 1 – 7)**

Dr Sue Patterson, President of the Royal College of Veterinary Surgeons (RCVS)

Dr Julia Mewes, The Mewes Vets

### 3 **New Petitions (14.45)**

- 3.1 P-06-1411 I oppose the Welsh Government "Senedd Reform Bill", published 18 September 2023, becoming law  
(Pages 8 – 15)
- 3.2 P-06-1426 Install traffic lights at the McDonald's Pontypool roundabout  
(Pages 16 – 19)
- 3.3 P-06-1437 Increase, don't cut, funding for the National Library, Amgueddfa Cymru and the Royal Commission  
(Pages 20 – 22)

### 4 **Updates to previous petitions**



- 4.1 P-06-1326 The Senedd should scrutinise the prepayment meter scandal in Wales  
(Pages 23 – 26)
- 4.2 P-06-1392 Reform of the additional learning needs Code of Wales 2021  
(Pages 27 – 32)
- 4.3 P-06-1395 Halt significant new development on the Gwent Levels SSSIs  
(Pages 33 – 40)

**5 Evidence session: Panel 2 – P-06-1291 Hold an enquiry into the corporate takeover of the veterinary profession in Wales (15.00 – 15.45)**

Caroline Allen, Chief Veterinary officer at RSPCA Cymru

Carlie Power, Cats Matter

- 6 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of the meeting (15.45)**
- 7 Discussion of evidence – P-06-1291 Hold an enquiry into the corporate takeover of the veterinary profession in Wales**
- 8 Petition of the year discussion**

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## I oppose the Welsh Government "Senedd Reform Bill", published 18 September 2023, becoming law

Y Pwyllgor Deisebau | 20 Mai 2024  
Petitions Committee | 20 May 2024




Reference: SR24/8458/3

Petition Number: P-06-1411

Petition title: I oppose the Welsh Government "Senedd Reform Bill",  
published 18 September 2023, becoming law.

Text of petition:

The Senedd propose 96 Members to be elected in place of the current 60.  
Labour and Plaid Cymru want to spend up to £120 million creating more  
unwanted and unnecessary politicians instead of spending money to fix:

-  Our NHS
-  Our schools
-  Our roads

Do you want to pay more taxes in Wales to fund these new bureaucrats?



## 1. Background

The Senedd Cymru (Members and Elections) Bill was introduced on 17 September 2023.

The Bill addresses some of the recommendations made by the Special Purpose Committee on Senedd Reform, which reported in May 2022.

The changes proposed by the Bill include:

- Increasing the number of Members of the Senedd from 60 to 96;
- Introducing a closed-list proportional electoral system to elect Members;
- A return to the Senedd being elected for four-year terms;
- Enabling the Senedd to elect a second Deputy Presiding Officer;
- Increasing the maximum number of Welsh Ministers from 12 to 17 (with potential to increase to 19);
- Putting provisions in place for reviews of Senedd constituency boundaries to be undertaken; and
- Making it a requirement for candidates to, and Members of, the Senedd to be registered to vote at an address in Wales.

The Senedd voted by 43 to 16 to approve the Bill at its Stage 4 proceedings on 8 May 2024.

The Bill's Regulatory Impact Assessment estimates the total net cost of implementing the Bill at £99,683,800 to £119,631,700 over the eight-year appraisal period between 2024-25 and 2031-32. It adds that it has not been possible to monetise the benefits that will result from the Bill, but that the Senedd will be better equipped to:

- hold the Executive to account;
- scrutinise policy and legislation in greater detail; and
- engage with the electorate.

The Senedd Commission has subsequently provided revised cost estimates based on the Determination on Members' Pay and Allowances for 2023-24 instead of the 2022-23 Determination used for the purposes of the Bill's explanatory memorandum. This would add between £4,055,500 and £4,198,800 to the estimated cost of the Bill over the eight-year appraisal period.

## 2. Welsh Government action

The Counsel General, Mick Antoniw MS, is the member in charge of the Bill.

Has has said that the Bill presents the people of Wales with a “once-in-a-generation opportunity to make the changes necessary to modernise the Senedd, reflecting our 21st Century Wales”.

The Bill’s Regulatory Impact Assessment notes that overall cost savings are not envisaged as a result of the Bill, but it does highlight a number of “non-monetary benefits” arising from the Bill. These include:

- The Senedd will be better equipped to hold the Welsh Government to account
- The new electoral system will “remove confusion for the electorate” of having Members elected by one system instead of two and it will provide a more proportional vote than the current system
- Members would be more accessible to the people they represent due to increased capacity to engage with the electorate, communities and stakeholder groups
- Members will be “subject to the laws of the Senedd” as a result of the residency requirement and there will be greater “democratic renewal” as a result of the Senedd being elected every four years instead of five.

The RIA references evidence given by the Auditor General for Wales to the Committee on Senedd Electoral Reform regarding quantifying the scale of gains required in order to offset the potential additional costs from having a larger Senedd. Applying his calculations to the costs set out in the RIA, it estimates that an improvement in value or financial savings (arising from improved capacity for scrutiny) of less than 0.1% of the Welsh Consolidated Fund would offset the additional costs arising from the Bill.

## 3. Welsh Parliament action

The Reform Bill Committee was established on 12 July 2023 and led on the Stage 1 scrutiny of the Bill.

As per the standard legislative process, the Bill was also scrutinised by the Finance Committee (focusing on the financial implications of the Bill) and the Legislation, Justice and Constitution Committee, who looked at the quality and legality of the legislation.

I oppose the Welsh Government "Senedd Reform Bill", published 18 September 2023, becoming law

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The Reform Bill Committee published its stage 1 report in January 2024, with 50 recommendations made.

The Committee's report highlighted that many of the people who responded to its consultation in a personal capacity were concerned about the costs, referring to the challenging economic climate and cost of living pressures. Some respondents suggested other spending priorities, including health, education and transport.

The Committee explored whether the costs of the Bill are proportionate to the benefits expected to accrue from the increased capacity of the Senedd. Professor Alan Renwick, a former member of the Expert Panel on Assembly Electoral Reform, told the Committee that:

"[...] when we're thinking about the merits of a larger Senedd, it seems to me, in the grand scheme of things, these are fairly small sums of money, and the benefits of a well-functioning legislature are very, very considerable. So, it's absolutely right to be careful about the costs, but I'm just wary of placing too much emphasis on those when we're looking at the Bill as a whole"

The Committee noted the challenges involved in quantifying the benefits that may accrue from the "enhanced effectiveness of the Senedd" as a result of the increase in the number of Members and that evaluating and quantifying the impact of scrutiny is difficult.

It stated that if there is to be growth in public and stakeholder understanding of the role of the Senedd, and the rationale for the Bill's reforms, the Senedd, its committees and Members of the Senedd "must continue to find way to understand, measure and communicate the impact of their scrutiny and representative work".

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



Eich cyf/Your ref P-06-1411  
Ein cyf/Our ref CG/05004/24

Jack Sargeant MS  
Chair - Petitions committee

30 April 2024

Dear Jack,

Thank you for your letter of 19 March regarding Petition P-06-1411 "I oppose the Welsh Government "Senedd Reform Bill", published 18 September 2023, becoming law."

A clear and compelling case for Senedd reform has been repeatedly made through a series of expert panel and commission reports. In 2004 the Richards Commission ([Report of the Commission on the Powers and Electoral Arrangements of the National Assembly for Wales](#)) concluded that maintaining the status quo was not an option and recommended a change in membership and electoral system.

In 2017, the [Expert Panel on Assembly Electoral Reform](#) (the McAllister Report) made recommendations about the size of the Senedd and how Members should be elected. Its recommendations were subsequently considered by the [Committee on Senedd Electoral Reform](#), which reported in September 2020, and concluded that there was clear and compelling evidence that the Senedd is too small. The Committee outlined that the majority of the evidence it had heard "expressed concern over whether a 60 Member Senedd has sufficient capacity to fulfil its responsibilities effectively".

A commitment to Senedd reform was an explicit part of the manifestos of Welsh Labour, Plaid Cymru and the Welsh Liberal Democrats in the 2021 Senedd elections. The Senedd voted in favour of taking forward the recommendations of the Special Purpose Committee on Senedd Reform's report [Reforming our Senedd: A stronger voice for the people of Wales](#) published on 30 May 2022. Among its 31 recommendations, the report included a recommendation that the Senedd should have 96 Members.

The Special Purpose Committee acknowledged that the proposal for 96 members went beyond the range originally recommended by the Expert Panel. In their report they set out their rationale for believing this to be a proportionate adjustment, reflecting the wide array of changes in the political landscape of Wales since the Expert Panel's report. These included:

- increased responsibilities for the Welsh Government and the Senedd, primarily arising from the UK's withdrawal from the EU;

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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.

- increased public awareness of the role of the Senedd in holding the Welsh Government to account, primarily as a result of the Covid-19 pandemic;
- changes in ways of working, prompted by the Covid-19 pandemic, which could potentially reduce some of the financial costs associated with increasing the number of Members of the Senedd; and
- confirmation that the number of Welsh MPs will be reduced from 40 to 32.

The Senedd is the smallest of all the devolved legislatures in the UK and has remained the same size since the establishment of the National Assembly in 1999. The National Assembly at that time had no primary law-making powers and was not formally separated from the Welsh Government. The roles and responsibilities of the Senedd have grown considerably. The Senedd now makes laws, sets taxes and holds the Welsh Government to account in some of the areas which have the greatest impact on people's lives. It makes decisions which affect the lives of every single person in Wales. It is essential that it is appropriately sized to be able to effectively carry out its scrutiny functions and hold the Government to account.

In any parliament, if a Member sits on multiple Committees, they must divide up their time in preparing to deliver scrutiny. Their individual capacity is further affected by any additional responsibilities they may have (such as being a Party Leader, Business Manager, etc.). These conflicting demands and responsibilities impact on their ability to specialise in an area of policy and legislative scrutiny, to build up greater expertise and knowledge in holding the executive to account. While Members in other parliaments will rarely sit on multiple Committees, this is currently common practice in the Senedd.

Investing in our democracy has a cost attached to it. The Welsh Government has worked with partners (including Senedd Commission, Welsh Local Government Association, Electoral Commission and Local Democracy and Boundary Commission for Wales) to develop detailed cost estimates that set out the projected financial implications of this legislation over an 8-year period, from the anticipated passing of this Bill.

The current financial climate demands that we maximise best value for public money. Wales has an annual budget of over £24 billion (the Welsh Consolidated Fund). An improvement in value of less than 0.1% of this budget, as a result of Senedd committees being equipped with the capacity to deliver their responsibilities more effectively, will offset the costs of this investment.

Yours sincerely,



**Mick Antoniw AS/MS**  
Y Cwnsler Cyffredinol  
Counsel General

**P-06-1411 I oppose the Welsh Government Senedd Reform Bill becoming law - Correspondence from the petitioner to the Committee, 10 May 2024**

Dear Mr Sargeant,

As you are aware, I submitted the above petition on the 18<sup>th</sup> September 2023. I am astonished to see the Senedd has completed its four stages of deciding on the Reform Bill, yet my petition is not being presented before the committee until the 20<sup>th</sup> May.

I have read through Mick Antoniw AS/MS, Counsell General letter of the 30<sup>th</sup> April addressed to you and the various reports/documents published. I understand the process and rationale for increasing Senedd members, however I am frustrated to see that the Welsh Government has chosen to proceed on a small sample of respondents of 1,830\* taken in 2018 in contrast to the 21,037 petitioners that signed my petition objecting to the increase in Senedd members between September 2023 and March 2024.

It seems that as with many other governments, “token” canvassing of a small selection of respondents appears to be a simple “tick box exercise,” to achieve a result your government desired.

Sadly, I feel completely deflated and ask myself whether any form of “majority government” listens to its electorate.

I do, at least expect an explanation from you as to how Petitions are ignored prior to debate and, in this instance, Royal Assent approval. We saw this with the controversial 20-mph petition, the outcome of which is that some of the 20-mph restrictions are likely to be relaxed.

In my opinion, the increase of Senedd members, just seems the current Welsh government has seen this as a “done deal,” providing Plaid Cymru supported them and went through the legislative motions to achieve its aim, despite in one of the reports they say *“While we cannot afford to lose another five years before the capacity of the Senedd is addressed, we continue to believe that the development of legislative proposals, and the Senedd’s decisions on them, would usefully be informed by deliberative engagement with the public on the detail of the reform proposals.”*

Unless I am mistaken, the opposition canvassed for a public referendum to vote on the changes proposed which was ignored, despite Mick Antoniw AS/MS, Counsell General being aware of my petition.

You will see from the nature of my comments, it is one of “observation” rather than justification of my petition, as I now see it as a pointless exercise.

Although I am against an increase in Senedd members due to the lack of funding for NHS, Schools, and roads, I hope beyond 2026 there may be a fairer division of politicians, within the Senedd, as for far too long there are too many representatives, failing to listen to the electorate or compromise with the opposition members.

Yours faithfully

Rees James

10<sup>th</sup> May 2024

\*The following is the reference to 1,830 respondents noted above

**Reference Senedd Reform: “the next steps 20 September 2020” Page 23 section 18**

*18. The Senedd Commission consulted on the number of Members the Senedd should have in its 2018 Creating a Parliament for Wales consultation, which found that: “Of the 1,830 responses to questions on the number of Members the Assembly needs, 56 per cent (1,030) of responses were in favour of more Assembly Members, 39 per cent (710) were opposed and five per cent (90) were unsure or did not express a preference”. Members of the Senedd subsequently debated the capacity of the Senedd in Plenary on 10 July 2019, and resolved that an increase in the number of Members was needed.*

## P-06-1426 Install traffic lights at the McDonald's Pontypool roundabout

Y Pwyllgor Deisebau | 20 Mai 2024  
Petitions Committee | 20 May 2024

Reference: SR24/8621-3

Petition Number: P-06-1426

Petition title: Install traffic lights at the McDonald's Pontypool roundabout

**Text of petition:** There have already been a number of accidents at this roundabout (A472/A4042). With the increase of traffic using the new Aldi store it can only be a matter of time before there will be fatalities.

### 1. Background

The Welsh Government is the highway authority for the Welsh trunk road and motorway network including the A4042. The South Wales Trunk Road Agent has responsibility for the day to day operation and maintenance of the road.

CrashMapUK, which produces an interactive map of police recorded traffic collision data, shows 20 "slight" and 3 "serious" incidents on or approaching the roundabout in question between 2018 and 2022. Guidance on the definitions



used to categorise incidents is published by the Department for Transport (DfT). It should be noted that the data only includes collisions that resulted in a personal injury and were reported to the police within 30 days of the accident.

The roundabout referred to by the petitioner is included in the Welsh Government's proposed A4042 Southern Corridor, Pontypool to M4 scheme.

## A4042 Southern Corridor, Pontypool to M4 scheme

The available information on the scheme does not specifically refer to the installation of traffic lights at this roundabout. The road review panel's report on the scheme (discussed further below) says the main elements include construction of a 2.5km cycleway, modifications of five roundabouts (not including the one referred to by the petitioner) plus "small scale active travel and public transport measures". A temporary 50mph speed limit would also be made permanent at approaches to roundabouts.

The Welsh Government says this stretch of road has a high collision rate, limited opportunities to walk or cycle safely and limited public transport provision. The scheme is included in the National Transport Delivery Plan (NTDP).

A stage one WelTAG (Welsh Transport Appraisal Guidance) assessment on the scheme has been completed in addition to an interim stage two assessment. It is now subject to a further final stage two assessment in light of the Welsh Government's roads review.

## The roads review

In June 2021 the former Deputy Minister for Climate Change, Lee Waters MS, announced that a roads review panel would be established to review planned Welsh Government road investments. The former Deputy Minister announced a pause on all new road schemes while the existing pipeline of schemes was reviewed.

The panel published its final report in February 2023. In response the Welsh Government published a new roads policy statement which sets four road building tests.

On the A4042 Southern Corridor Scheme, the panel found the case for change "partly made" and recommended the Welsh Government could continue to support the scheme but that it should be reviewed in line with the new policy. On

the specific roundabout in question analysis of collision data included in the panel's report "suggests there may be a collision problem" here.

As outlined, the Welsh Government is preparing a final WelTAG stage two report on the scheme to align the project to its future road building tests. It states the final report will be published in "spring 2024".

## 2. Welsh Government action

In a letter to the Chair dated 26 April, the Cabinet Secretary for North Wales and Transport, Ken Skates MS, outlines improvements already made at the roundabout in question including a pedestrian crossing and the 50mph speed limit.

He refers to the scheme being included in the NTDP and says "the scheme will be prioritised for delivery against other similar schemes across Wales and will be dependent on the availability of funding".

## 3. Welsh Parliament action

In 2019 Lynne Neagle MS tabled a written question on the number of accidents at the roundabout referred to by the petitioner. The then Minister for Economy and Transport referred to the stage one WelTAG assessment undertaken.

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

**Ken Skates AS/MS**  
Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru  
Cabinet Secretary for North Wales and Transport



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-06-1426  
Ein cyf/Our ref KSNWT/05039/24

Jack Sargeant MS  
Chair - Petitions committee

26 April 2024

Dear Jack,

Thank you for your letter of 21 March regarding Petition P-06-1426 Install traffic lights at the McDonald's Pontypool roundabout.

The Welsh Government takes road safety very seriously. Consent for the Aldi store at this location was provided by the local planning authority. As part of this development, a visibility screen was introduced on the northbound A4042 approach to Pontypool Roundabout to restrict excessive visibility which is linked to high roundabout entry speeds as well as the occurrence and outcome of shunt collisions.

A WeITAG corridor scheme for the A4042 has also led to improvements at this roundabout, including lane demarcation, a controlled pedestrian crossing and a 50mph speed limit at Pontypool roundabout. In addition, connections across the corridor by means other than private vehicles have also been improved.

The study has subsequently been included within the [National Transport Delivery Plan](#), though the scheme will be prioritised for delivery against other similar schemes across Wales and will be dependent on the availability of funding.

Yours sincerely,

**Ken Skates AS/MS**  
Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru  
Cabinet Secretary for North Wales and Transport

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

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# Agenda Item 3.3

## **P-06-1437 Increase, don't cut, funding for the National Library, Amgueddfa Cymru and the Royal Commission**

This petition was submitted by Susan Jane Jones davies, having collected a total of 12,075 signatures.

### **Text of Petition:**

We call upon the Welsh Government to increase spending on institutions that safeguard the heritage and history of Wales – the National Library of Wales, Amgueddfa Cymru and the Royal Commission – instead of cutting funding by between 10.5 per cent and 22.3 per cent.

These institutions protect the historical and cultural legacy of our nation, by collecting and preserving it, and then showcasing it to everyone who lives in Wales. They also provide the world with a window to our unique history.

### **Additional details:**

Bearing in mind that every £1 invested in the sector leads to £5 worth of economic growth, the 0.02 per cent saving made in the national budget makes little sense.

Amid severe cuts to school budgets, and with Welsh society facing challenges in the context of poverty and failings in the provision of health and care services, holding on to the institutions that sustain and grow our country and our communities, thereby allowing future generations to build on the solid foundations of past successes, is as important as ever.

### **Senedd Constituency and Region**

- Ceredigion
- Mid and West Wales

### **Additional information for the Petitions Committee**

Thank you for considering my petition. When considering the critical situation that has developed in our cultural institutions, I am keen to see a debate about fair funding for these institutions in the Senedd. I think it would be a great help to them if you could call on the Senedd to hold a debate, urgently. Ideally, I would like to see the debate take place before the supplementary budget because there is an opportunity there for transitional money; however, the most important issue is increasing the revenue budget available to these organizations to support jobs and services - that is, the core grant. So it would be useful for the debate to take place in good time for the start of the negotiations for the 2025-26 budget. I would like to call on you to convey this to the Senedd and to give the clear opinion of many of the people of Wales - heard through the petition, in the media and at rallies and events - a chance to be properly considered on the floor of our Senedd.

It came to my attention through the unions that the consequences of losing staff under the Voluntary Departure Schemes have already had a major impact on these organisations. I detail this further below.

#### **National Library of Wales**

The National Library holds over 7 million books including important works about Wales / in Welsh and Celtic languages, a large amount of archives detailing famous people in Welsh history but also the everyday lives of people going back to the middle ages, as well as many maps, photos and films. People come from locations across Wales but also from around the world in order to investigate the past and learn lessons for the future. Here is evidence of so much of our history, the good and the bad. According to a tailored review commissioned by the Welsh Government, the Library has been underfunded for years.

In the last budget, the Library had a cut of 10.5% of its core funding, which is £1.3m, on top of a financial deficit of around £1.4m. Following the Welsh Government's decision to fund voluntary departures rather than funding the institution, 24 members of staff have left or are leaving, which is over 10% of the workforce. The voluntary exit plan was carried out so quickly that succession planning was difficult if not impossible. The 24 have therefore taken their skills, expertise and experience with them when leaving. Already, a number of areas have suffered:

The Conservation department has lost around half of their staff. For example, the number of staff working on cleaning and repairing collections entering the Library has gone from 1.2 FEQ to 0.2 FEQ following the voluntary exit plan. This is disastrous in terms of the condition of objects but it also has knock-on effects on the work of the rest of the Library. Another example is the loss of the 2 members of staff who used the expensive machine that creates conservation boxes. This has an impact on the storage of collections because such boxes are essential to ensure the survival of the collections in the coming centuries. Again, it also affects the ability of the rest of the staff to do their work.

In addition to traditional areas of work, there are also impacts on the Library's digital infrastructure. There are a number of platforms that can no longer be maintained due to a lack of resources. The ICT side has been under pressure for some time and staff numbers have reduced significantly. A few years ago, it became apparent that the staff resources were no longer available to maintain the Cymru 1914 website - a digital archive that was extremely important for schools when studying the First World War and Wales. Now, the Library is facing the loss of an interface for buying copies of wills - something that also creates income - because the systems that maintain the service are reaching the end of their life and there are no resources to recreate these systems. One of the ICT departments is down to one person and there are concerns that there will be no capacity or expertise to receive digital materials before long. When considering the cyber attack that destroyed the British Library systems preventing readers from accessing most of the collections, more investment is really needed.

There are also adverse effects on services to the readers, for example because the number of staff working in the reprographics team has halved, with the hours of the reprographics office being reduced as a result. The screen and sound team are also losing their enquiry service.

Staff shortages also affect less visible but still important activities. There had been no stock checking for years until attention was brought to this by the BBC recently but the work has recently begun. Due to a shortage of staff, the work has slowed down significantly. Work like this is important in terms of maintaining the collections and ensuring that the Library's stock is safe and available to readers.

Generally across the Library, reducing staff numbers, getting rid of experience and expertise before there is any chance to run a succession plan, leads to more work going to the remaining staff and important tasks not being carried out. There will be a long-term effect on the collections, on the nation's memory, and the lives of the people of Wales without this changing.

The only way to fill gaps and strengthen the Library's workforce and services again is to increase the core funding that the Welsh Government gives to the Library so that the Library can fill gaps, employ enough staff to run services and rebuild its skills pool.

### Amgueddfa Cymru - Museum Wales

Amgueddfa Cymru - Museum Wales holds artefacts, historic buildings and other materials across several sites across Wales. Following a 10.5% cut in their core funding from Government, which is around £3m, on top of a deficit of around £1.5m, 144 staff have / are going on the voluntary departure scheme.

The Museum suffers similar problems to the Library in many areas. The conservation team at Cathays Park report that they are supposed to achieve three times more per person than before; because this is not possible they have to prioritize work. This is likely to lead to permanent damage to important objects and the loss of pieces that tell the history of Wales.

In terms of services to the public, several sites report staff shortages leading to a lack of frontline staff. The majority of the historic buildings in St Fagans are regularly closed or open for less time due to staff shortages and a number of restaurants in the museums have closed. Staff who do curatorial work are often used to fill gaps on the front line, with obvious effects on the extremely important work that takes place behind the scenes.

Big Pit in particular suffers from a lack of guides, with far fewer people having the experience of going down the pit. That is just one example of the cuts denying the people of Wales of the chance to understand their history.

There are also obvious gaps that have opened up in terms of corporate expertise, for example with asbestos and health and safety officers going.

PCS at the Museum feel that not all the results of the voluntary exit scheme have yet emerged but what has been heard so far clearly shows that the core funding needs to be increased in order to provide the service the people of Wales deserve, properly look after collections and rebuild expertise.

## Conclusion

I hope that the above offers you detail of what is happening in the Library and Museum as a result of the recent cuts. It is clear that the cuts are going to, or already are, having a detrimental effect in the field of education, in the services they provide to the people of Wales, in the mental health benefits they provide to the public. The collections they host also say so much about the history of Wales, the good and the bad, and its relationship with the wider world, with many lessons that could be learned. At a time when other countries such as Scotland and the Republic of Ireland are increasing their spending on the culture sector, Welsh politicians need to press the Welsh Government to provide adequate funding for our national heritage organisations.

I am urging you to send a strong and clear message to the Welsh Government that there needs to be a debate about this, and urgently.

Thank you very much

Susan Jones-Davies

# Agenda Item 4.1

## **P-06-1326 The Senedd should scrutinise the prepayment meter scandal in Wales**

This petition was submitted by Bethan Sayed, having collected a total of 299 signatures.

### **Text of Petition:**

We call on the Senedd to undertake an inquiry into the prepayment meter scandal.

Over the last two months evidence has emerged that thousands of people have been switched to prepay meters without the required checks as to whether they are vulnerable.

We at Climate Cymru and other campaigners have been exposing this scandal.

### **Additional Information:**

Please see links to stories by campaigning journalists like Dean Kirby at the i Newspaper.

- Forced installations of prepayment meters to stop as courts ordered to end issuing warrants (inews.co.uk)
- Prepayment meters must be removed for vulnerable families as compensation is not enough, Grant Schapps told (msn.com)
- i morning briefing: How the prepayment meter scandal was uncovered, and forced change (msn.com)
- Prepayment meters: Grant Schapps gives energy firms until Tuesday to consider compensation (inews.co.uk)
- Prepayment meter investigation – inews.co.uk.

### **Senedd Constituency and Region**

- Cardiff Central
- South Wales Central

Closing Coments on Warm this Winter petition & debate



## End the Forced pre-payment Meter scandal

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From David Kilner - Campaign Coordinator - Climate Cymru:

We thank you, the Petitions Committee, for recognising the seriousness of the issue the petition raised (forced pre-payment meters) and utilising your power to investigate not only the serious injustice being metered out on people in Wales and across the UK but the wider systemic issues that have unravelled.

In light of the Senedd debate of the 1st May, triggered by this petition, we were requested to add any closing comments.

**We'd like to state clearly that this issue is certainly not closed.**

Not for the record levels of fuel poverty and debt that the people of our communities are enduring. Not for the fact that forced pre-payment meters are back on the table. Last winter we interviewed people joining community meals - 'I only *heat one room, and eat one meal.*' Over and over. *'The hearth is the heart of the home and mine is off and I dont know if it will survive'*.

There were 285 recorded excess deaths in Wales in 2022/3 as a result of people living in cold damp homes. This is just the tip of the iceberg. The record fuel debt and rising extreme debt, alongside some of the highest levels of poverty in a generation will see the same pattern of force pre-payment meters play out, people dying in and because of cold homes.

We urge you to do all in your power to alleviate this.

### **Hold Energy firms to account:**

We urge you to **call the energy firms back to the Senedd**

- **Monitor and scrutinise the implementation of their code of conduct - do not wait for another crisis to unfold.**

As AM Jack Sergeant stated in opening the debate - 'We should not trust the suppliers to mark their own homework.' As a year on despite a temporary pause - forced pre-payment meters are back on the table for 7 energy firms and thousands of households in Wales.

- **Provide the evidence to Ofgem and push to change the code of conduct to reflect the real vulnerabilities of our communities**

There are worrying gaps in the mandatory code of conduct with regards to both the upper age limit of 75 and the defined pre-school age of just 2.

Many of our own social support mechanisms and public health recognise greater health vulnerabilities in the over 65 - the UK winter payment scheme even working towards those born before 1957.

The Institute of Health Equity has undertaken rigorous research in to the impact of cold homes. *Left out in the Cold - The Hidden impact of Cold Homes states* 'Babies in cold homes do not spend their calories on developing lung tissue, neural pathways, and other crucial physiological drivers of health - rather, they spend their calories trying not to die of hypothermia and hypoglycaemia.'

A 2 year old is a baby as is a 3 year old and a 4 year old in a critical time of development. Cold damp homes are the catalyst of sustained, cascading and escalating health issues.

There should be no need to remind you that 100s of thousands of forced pre-payment meters were fitted including in to the homes of some of the most vulnerable long before any parliamentary scrutiny (Senedd or at UK government occurred).

We will refer you to this report of this year -

<https://www.instituteofhealthequity.org/resources-reports/left-out-in-the-cold-the-hidden-impact-of-cold-homes>

### **Energy Efficiency measures & legislation across the Housing sector:**

We urge you to escalate and accelerate the **urgent role out of energy efficiency measures and legislation** to housing (addressing both social & private housing) - some of the leakiest and least efficient in Europe.

There are short term actions to create long term solutions to the unfolding health and energy crisis in our homes - improving energy efficiency measures and mandating them at a faster rate is needed. We welcome the activity of the Warm Homes programme but stress that it must go further and faster to meet the scale of the health, debt and energy poverty that is growing.

### **Energy for All: A social Tariff**

We urge you to move forward pressing the UK government with urgency to commit to and enact **a social tariff - ensuring energy is available for all.**

' We need the Energy For All guarantee of essential energy, so no one is ever cut off because they are short of cash" - Jonathan Bead, Policy and Parliamentary worker for Fuel Poverty Action.

### **Home-grown Community Energy -**

We urge you to move swiftly to enable and empower small scale community renewable energy projects and a wider just transition through our own medium and larger scale renewable energy projects - in which communities benefit and are fairly compensated for new infrastructure.

We, the people of Wales can be unburdened of fossil fuel capital, the driver of the energy profiteering, the crushing debt on households, the health implications it enforces on us in

cold homes - through a social tariff, a warmer homes scheme that meets the challenge, local community renewable energy and a transition that takes our fortune back in to our hands.

We urge the Senedd where it does not have the statutory powers to loudly apply pressure on UK government to make the changes it needs so that our communities can be afforded basic health, basic necessities of life - rekindle the hearth of houses and our communities.

David Kilner, Campaign Co-ordinator, Climate Cymru

[david@climate.cymru](mailto:david@climate.cymru)

# Agenda Item 4.2

## P-06-1392 Reform of the additional learning needs Code of Wales 2021

This petition was submitted by Victoria Anne Lightbown, having collected a total of 15,160 signatures.

### **Text of Petition:**

Despite only a couple of years into the changes and promises of earlier and better support for children and young people with ALN, more and more ALN pupils are being missed in Wales. There are also issues with consistency and accountability.

There is still a large focus on Universal Provisions as opposed to the holistic approach of Person Centred IDPs for ALN pupils. Pupils with mental health / physical disabilities should have equal access to support and a quality education.

### **Additional Information:**

Children under the age of 5 years are being denied support based on an 'assumption' that they will simply 'catch up' by the time they reach statutory school age. When IDPs are produced schools are able to "interpret" what is required without adequate accountability and contact of specialist health therapists for guidance. We call for the rights of all children under the UN Convention of Disabled People to be respected by ensuring:

- A universal code of practice to provide an inclusive quality education for all ALN pupils.
- Educational settings providing properly resourced provisions and trained staff that reach a quality assured standard of education to make the system fair, reliable and able to meet ever increasing demand.
- Education and health need to work more closely together.
- Compulsory specialist training and support for teachers and their staff.

### **Senedd Constituency and Region**

- Clwyd West
- North Wales

**P-06-1392 Reform of the additional learning needs Code of Wales 2021 –  
Correspondence from the Petitioner to the Committee, 14 May 2024**



Dear Petition committee and wider Members of the Senedd,

Firstly, we would like to thank everyone for their time, kindness and respect during our campaign for Reform of the ALN process. On our visits to the Senedd we have been greeted by exceptional staff members, from the security team who were welcoming, the reception staff and the gentleman who was running the café. The facilities available for those with different needs not only provide what is needed, but would provide a level of calmness and reassurance that is often unavailable to many when they access the wider community.

Our visit to the Senedd on Wednesday, 8<sup>th</sup> May 2024, to hear the debate of our petition was extremely emotional. Not only because of the amount of time and effort we have dedicated to our campaign, but the weight of the thousands of families across Wales is a heavy responsibility to shoulder. Hearing people, in a position of power, speak of the struggles families like ours face makes 'you feel heard', and while the issues are not yet fixed and there is much to be done, being heard is something that is so desperately needed as a part of the solution.

We are grateful to those who took time out of their normal schedules to attend one of the 5 presentations we delivered, and no, in case anyone is wondering, Vicci did not fully overcome her lack of IT skills by the end of the month!

Before getting to the breakdown of the debate, we would like to put on record our sincere thanks to the Petition Committee clerking team and to Catherine Mckeag for looking after us and ensuring that we were able to deliver what we felt was necessary to get all the information across to you.

Despite all the positive things we can say about our experience of the debate, we returned to our homes with a thud. The fairytale experience came to an end and the reality of ours and the lives of the thousands of families hit hard as soon as we returned to our normal lives. WE are extremely concerned and saddened to have been approached by two separate families on our return with desperate cries for help. One, the mother of a child, who has 1:1 support during school, being told that her child will likely lose their place at breakfast and after school club due to a new

policy brought in by Wrexham BCC. The devastating effect of this would be that she would have to give up work, as a first language Welsh speaking teacher in a Welsh medium setting this would have a significant impact on this educational setting. We heard during the debate Heledd Fychan speak of the importance and recognition that the Welsh Language needs not only protecting but must be accessible to all. How can this be achieved when the most valuable resources being teachers providing access to learning in the medium of Welsh, must leave their roles due to lack of support for their ALN children. Teachers and Nursing staff are leaving in their hundreds across Wales due to lack of support for their ALN children. These are sectors which can not afford to lose staff.

Another family, of a young boy, not yet of compulsory school age but in a maintained school setting with the cognitive and development age of a 12-month-old, left without adequate support and not initiation from the school to start the ALN determination process. Mum being unaware of how to start the process. Her child being a huge safety risk as he tries to abscond from the school setting. Her fear as she leaves him for just a few short hours, not knowing how safe he is. As a campaign our next goal is to encourage ALL schools in Wales to adopt a better system of informing ALL parents of how they can reach out for support if they feel their child has ALN. A further goal is to encourage ALL childcare settings to adopt a proactive approach to ensure that children are under compulsory school age have the right documentation and evidence prior to attending school, so that the right support can be put in place before they set foot into a school building. What then, is the Cabinet Secretary going to do about this specific issue? We are grateful for her comments identifying this area of need and that she is 'listening' but we and the thousands of families like ours need to know exactly what her plan is to address this issue.

During the debate the cabinet secretary commented on the importance of a whole school approach to identify a learner's needs- can she please elaborate on this? The framework to emotional and wellbeing guide 2021, it uses terminology such as universal provision. Which given the conflict of this term and its contradictory definitions leaves families confused.

During the debate the cabinet secretary stated that implementation of the ALN process is taking longer than thought, what is their contingency of dealing with children's needs in the meantime? While this process is being rolled out, children are getting older, needs are getting bigger, and high number of children are missing out on education. Is the Welsh Government prepared to simply 'right off' generations of learners while they roll out a new system?

The Cabinet secretary said she is focusing on 2 things.

- 1) Research of the law and code research - what timeframe is she allowing for this?
- 2) Discussions with Local Authorities, how will the information in these meetings be cascaded directly to schools? What will be put in place to ensure that this information has been cascaded? How will the Welsh Government hold Local Authorities to account? Previous implementation has told us that there has been a lack of quality assurance, who will she ensure that this is addressed and prevented in the future?

The Cabinet Secretary announced an allocation of £20 million for resources allocation for ALN. How do you intend to allocate this to schools? According to stats Wales (22/23), there are 1463 schools in Wales so that equates to just over £13,670

per school. How will she ensure this money is ringfenced specifically for ALN resources?

It is reported that £56 million has been allocated, this year, was to protect education reforms. Why then, are there stories of so many children having their funding for TA support being removed? Schools are currently receiving letters from Local Authorities stating that there is no budget for ALN. This information is contradictory.

While some resources may be allocated directly to schools, if staff are under pressure and don't have the time, how are these resources being used efficiently and able to meet the child's individual needs? How will the Cabinet Secretary ensure there is support for teaching staff to protect the time they need to use these resources to their fullest?

Does this budget include funding the training she mentioned for child development, neurodivergence and mental health or is there other money ringfenced for this training?

Education continues to form a behaviour management approach and we heard the Cabinet Secretary use the term 'behaviour' many times during her speech. There are many children who require a trauma informed approach (e.g care experienced and neurodivergent) how will she ensure that these children receive this type of approach and not the behavioural approach which is so detrimental to those children? Will she ensure that all teaching staff completed mandatory training to protect these children from well meaning but harmful methods, which are then later seen in the 'school-based trauma' learners who are unable to access any form of education? When will this training be made available?

What action will the Cabinet Secretary take regarding the letters sent out to parents in all areas of Wales, stating that ALN children will not be supported as documented in their IDP's?

We heard from members in an earlier session the acknowledgement by members that outdoor learning and life skills is prevalent to the success of learners. However, the response from the cabinet Secretary suggested that this provision should be a part of the new curriculum for Wales and delivered in a mainstream setting. What action will the Cabinet secretary take to promote a wider range of provision for those learners who, quite simply CAN NOT cope in mainstream environment? What support will she pledge to ensure that options such as EOTAS are supported correctly as a means to ensure learners are able to learn, make progress and thrive. Ensuring they have both the skills and good mental health in order to progress into their community as adults who can make valuable contributions.

There is a rise in concerns from parents of the lack of impartial advocacy, leaving parents stressed and unable to appropriately navigate the system. What will the cabinet secretary do to stop and hold accountable those Local Authorities who refuse parents to have impartial advocates in meetings? How will she ensure that the parents voice is not only heard but respected?

We were please to hear many of the members voice their concerns of the lack of consistency in approach and that the delays in time frames of the process being put in place. While we are grateful that the Cabinet Secretary agreed that these issues exist, and her agreement that this should not be the case. What will she be putting

in place to ensure that these issues are addressed, and accountability is at the forefront of addressing these issues?

During the debate both members and the Cabinet Secretary agreed that better working between health and education was necessary. With health services taking on the terminology adopted by education around universal provision, what will she do to ensure that better working will take place and that health will remain impartial and not adopt tactics such as recommending universal provision?

What will the Cabinet Secretary do to ensure that the transition from primary to secondary schools and then onto further education is more seamless? Currently the practice is to transfer an IDP from primary to secondary school without a change in provision or support. The learner is then left for 12 weeks before a review. There is no acknowledgement in this process of the significant difference in environments and available provision.

More and more families are being forced to seek out private assessments. This is due to a number of reasons including; teachers not understanding 'what they are seeing', resulting in a refusal to refer for professional opinion and families then having to take that on themselves; waiting lists being so long that the learners presentation and ability to access education is severely affected and continues to deteriorate. Despite these assessments being carried out by qualified and registered practitioners, under NICE guidelines, these assessments are often refused to be accepted. To the detriment of the learner. What action will the Cabinet Secretary take to ensure that, when families end up doing what is meant to be done by statutory services, the evidence is not denied and that the recommendations of those professionals is upheld?

Parents of children are often called the 'expert' in their child, and in their child's needs. However, the reality is that parents are blamed for much of the difficulties their child experiences. When, the truth is, their child being exposed to the wrong strategies and the wrong environment is the issue. What will the Cabinet Secretary put in place to ensure that the 'team behind' the learner is inclusive of the family and that when a family raise concerns, they are respected and listened too? This is seen in the approaches with attendance. Where 'blaming the parent' for not forcing their child into setting is seen as the norm, instead of recognising the learners needs and acting accordingly.

There is a common ideology that 1:1 support is detrimental to a learner. This is nothing more than a 'scape goat' approach to deny support given the cost implications. Children are being left vulnerable to their own difficulties with lack of safety awareness and being open to school-based trauma due to lack of meaningful relationship with dedicated staff, which are there to improve confidence and work towards more independent learning. What will the Cabinet Secretary put in place to change the narrative, resulting in an understanding that supporting with high level, quality intervention and reducing accordingly is a much better approach than to deny in the first instance?

We were pleased to hear from the ALN Team, Children's Committee and Cabinet Secretary that the use of universal provision (or similar) is not the way forward in understanding the legal definition of ALP and the appropriate test for ALN determination. As a campaign we have written a letter for parents to present to their schools or Local Authority to appeal against this. What action will the Cabinet Secretary take to ensure all the learners refused ALN determination under the excuse of 'universal provision' is addressed, without those families having to wait a further 7-14 weeks for a re-assessment?

The Cabinet Secretary suggested that she was already in talks with Local Authorities to prevent the universal provision' excuse being used as a reason to deny ALN. Given the time frame between the ALNET informing her of this issue and this petition committee meeting, will the Cabinet Secretary confirm that she has completed this task? ALN Reform Wales own research in the last couple of days indicate that this information is still not understood by teaching staff. With one ALNCO following the campaign reporting that, while she understands this, her ALN child is left unsupported as a result. The ALNO at the child's school refusing to take onboard this information from not only the child's parent but a fellow ALNCO,

What action will the Cabinet Secretary take to ensure that ALNCO's are given time away from teaching to perform the duties they must to ensure ALN learners are appropriately supported?

What support will the Cabinet Secretary put in place to ensure that learners, whose needs are not met in school and are therefore unable to attend full time, are not met with sanctions due to poor attendance?

Will the Cabinet Secretary commit to making training around ALN mandatory for all teaching staff?

Given the lengthy remaining unanswered questions, while acknowledging the positive aspects of the debate, ALN Reform Wales believe the petition is still valid. We ask the petition committee to keep the petition open until sufficient clarity is given and stakeholders are reassured that action is being taken. To close the petition now would give the opportunity for these issues to be swept under the carpet to the detriment of thousands of learners in Wales.

ALN Reform Wales

14/5/2024

# Agenda Item 4.3

## **P-06-1395 Halt significant new development on the Gwent Levels SSSIs**

This petition was submitted by Deborah Joanne Munton, having collected 4,567 signatures online and 1,146 signatures on paper, making for a total of 5,713 signatures.

### **Text of Petition:**

The Gwent Levels is an ancient landscape, rich in culture and important for biodiversity, recreation, flood alleviation, carbon storage and food production. It is now facing multiple, adjacent, enormous solar proposals amongst other development proposals. The Welsh planning system in its present form is unable to control development, and the destruction which these will cause under present arrangements would mean the end of this beautiful, fragile and complex wetland.

### **Additional Information:**

There is growing pressure for further, vastly accelerated solar and other development (such as business parks) on the Gwent Levels SSSIs and a systemic and longstanding failure to control it. For example, efforts to remove or even mitigate for serious damage from the only constructed solar farm there (Llanwern), via the use of planning conditions, have failed. Pollution levels in and near the site may well have increased. Lapwing, a scarce and declining breeding bird in Wales have been driven to extinction there. Climate change is the main threat to biodiversity globally. Concerted action is needed in all policy areas, including renewable energy – but this mustn't come at the expense of biodiversity. SSSIs are jewels in our nature crown: UK-nationally important sites, statutorily designated for wildlife. Covering just 12% of Wales, they should not be targeted for major built developments, when thousands of hectares of land and rooftops throughout Gwent and Wales are much more suitable.

### **Senedd Constituency and Region**

- Monmouth
- South Wales East



Ein cyf/Our ref JJ/05143/24

Jack Sargeant MS  
Chair - Petitions committee  
Senedd Cymru  
Cardiff Bay  
Cardiff  
CF99 1SN

01 May 2024

Dear Jack,

Thank you for your letter of 11 April regarding the petition P-06-1395 which calls for a Halt regarding significant development on the Gwent Levels.

I provide further clarification as requested with regards the questions raised by the Committee as set out in your letter. I also include further responses to the proposals set out by the petitioners. For ease of reference I have highlighted, in brackets, each of the petitioners' proposals as numbered in the petition.

1. The request for further guidance in relation to PPW Chapter 6 (a request from the Committee and Proposal 1 of the petition)

To reiterate my previous advice, Planning Policy Wales provides a clear and robust position on SSSIs. Whilst the stepwise approach itself is a means of ensuring a net benefit for biodiversity can be achieved in all circumstances, it both incorporates and works alongside specific and additional elements of policy which are relevant for SSSIs. The general starting point is criterion 1a) which says that avoiding harm is the first priority and planning authorities will need to be satisfied that any reasonable alternatives which would result in less harm, no harm or benefit have been fully considered. Further, criterion 1b) specifically states that development in protected sites is, as a matter of principle, unacceptable and should be avoided and it would be wholly exceptional for development to be justifiable in such circumstances. Criterion 1b) includes an explanation of the rationale for this position, whilst paragraphs 6.4.26 and 6.4.27 specifically state in relation to SSSIs that there is a presumption against all forms of development (other than those covered by paragraph 6.4.25) as a matter of principle and that wholly exceptional circumstances in relation to development on SSSIs rely on an agreed position on relevant matters being established in a development plan.

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

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

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

It is not considered that this policy position requires clarification at this time. It was first introduced in the letter of 11 October 2023 and only incorporated into PPW in February and, as stated above, provides a robust policy position on SSSIs. The commitment to further guidance was outlined as part of the consultation exercise on the proposed updates to PPW in 2023 and was to develop a common approach to securing a net benefit for biodiversity on site, incorporating the attributes of ecosystem resilience set out in the Section 6 duty (Environment Act 2016). These are known as the DECCA attributes (diversity, extent, condition, connectivity and adaptation) and are outlined in section 6.4 of PPW. The preparation of the guidance is commencing, and it is my intention that it will be made available as soon as practicable.

2. The request to release the Post Construction Monitoring Report (a request from the Committee and Proposal 2 of the Petition)

Work on the post construction monitoring study is nearing completion and is due to be finalised shortly. Once I have received the report, I will be able to better advise with regards its release.

3. Clarification as to what protections exist within the Infrastructure Bill to protect SSSIs in the future, to ensure that they are not overdeveloped and negatively impacted in terms of ecology (a question from the Committee)

The Infrastructure (Wales) Bill will establish the process for the consenting of significant infrastructure in Wales. The Bill does not contain policy on SSSIs, or any other policy matter. Section 56 and 57 of the Bill set out the relevant policy statement, framework or plan which applications for infrastructure consent must be decided in accordance with, and in making that decision, what matters the decision maker must have regard to. It is not appropriate or necessary therefore for the Bill itself to contain policy. Future Wales and Planning Policy Wales provide a clear and robust position on policy requirements in relation to SSSIs.

4. Policy 18 of Future Wales: a request for a change of wording in relation to SSSIs (Proposal 3.1 of the Petition)

Future Wales is a spatial plan. Planning Policy Wales is a key component of national planning policy, setting out non-spatial policy and is material to the consideration of all planning proposals. The Welsh Government sought not to duplicate policy across Future Wales and PPW and both should be read together. PPW and the recently updated Chapter 6 provides clear and comprehensive guidance on SSSIs, as I explain under point 1 above.

Future Wales and Planning Policy Wales should be considered in their entirety, with all aspects of relevant policy considered and addressed through the decision-making process. Future Wales policies 17 and 18 provide strong support for the development of renewable energy across Wales. Policy 9 provides strong support for enhancing biodiversity, strengthening the resilience of ecosystems and providing green infrastructure. Indeed, the identification of the Gwent Levels as a national natural resource underpins the work currently underway on the Levels led by the Welsh Government. It is important policies relating to renewable energy are not presented in isolation from the wider policy framework. With the recently updated Chapter 6 of PPW in place providing clear and comprehensive guidance on SSSIs, it is not therefore necessary to amend Future Wales.

5. Request for reinstatement of the pre-assessed areas for solar as included in the 2019 draft version of Future Wales (Proposal 3.2 of the Petition)

Future Wales is a development plan. The process for its preparation is defined in legislation. In common with all development plans, Future Wales emerged from an extensive programme of engagement, consultation, assessment, evidence gathering and scrutiny. Development plans deliver long term change and provide long term certainty on how development will be managed.

The 2019 version of the National Development Framework was a draft plan published for consultation. The 2020 version was submitted to the Senedd for scrutiny. These versions were amended by the processes they progressed through, which included public consultation, extensive assessment and Senedd scrutiny. Whilst the comments on these earlier versions are noted, their status is limited and it is the completion of the statutory development plan process and final publication, that gives the final development plan its weight. Extensive reports were prepared across the process explaining why and how the plan changed and the assessment these changes were subject to.

Changes to Future Wales will emerge from a similar process to that which led to its original publication in 2021. This would again involve extensive engagement, assessment, consultation and evidence gathering. There is no mechanism to quickly change Future Wales. All the issues raised by the petitioners could be considered through the process to review Future Wales.

6. That Welsh Government prevent Local Planning Authorities from including any development allocations in their emerging LDPs where they are located on a SSSI (Proposal 4 of the Petition)

The Welsh Government already make written representations to statutory development plan consultations, scrutinising and highlighting any conflicts with national policy / procedures.

7. Request to raise the threshold for determining large solar applications so that they are retained for determination in Wales rather than as NSIPs at UK level (Proposal 5 of the Petition)

Welsh Government maintains the position that decisions on all energy developments should be devolved, consistent with the devolved powers on climate change, economic prosperity and environmental protection, and with the development of a much more agile, distributed and renewables-based energy system. Decisions on onshore wind are wholly within the remit of Welsh Ministers and we support the proposal that all other technologies should be devolved in line with this. Such devolution would require the consent of UK Ministers.

I trust that this response addresses the questions raised by both the Committee and the petitioners.

Yours sincerely,



**Julie James AS/MS**

Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio  
Cabinet Secretary for Housing, Local Government and Planning  
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13.05.2024

[info@qwentwildlife.org](mailto:info@qwentwildlife.org)

Dear Petitions Committee Members,

Thank you very much for the opportunity to respond to the Minister's letter of the 7th of May 2024. We provide this response in order to assist Committee in its deliberations.

Summary:

**Whilst this is much to commend in the Minister's letter, there remain very serious concerns which, in our view, would lead to continued and increased pressure on the Gwent Levels SSSI from significant build development, notwithstanding the Minister's assurances. We therefore advocate the following steps in order to ensure that the planning system delivers on, rather than frustrates, the Minister's laudable ambitions to protect the Levels:**

1. If the Minister is unwilling to issue standalone clarification on how the new chapter 6 of Planning Policy Wales (PPW) should be interpreted with regard to development and SSSIs, then either the forthcoming guidance on net benefit for biodiversity NBB should be broadened to include the Chapter 6 SSSI policy clarification, or such clarification should be issued in the form of a "Dear CPO" letter.
2. A short inquiry should be held under the auspices of Petitions Committee or another suitable committee of the Senedd.
3. A "light touch" rapid preview of Future Wales should be initiated by the Welsh Government, with regard to renewable energy development and SSSIs.

Please see below for more detail in relation to these proposed steps.

## MAIN BODY OF PETITIONERS' RESPONSE

We respond as follows to each point made raised by the Minister :-

### 1. Clarification on Chapter 6 of Planning Policy Wales, with regard to SSSI Protection:

We accept that the Minister has adopted a strong policy position with regard to SSSI protection via Planning Policy Wales, and we commend her for this. Indeed, we have been vocal in support of it, and we acknowledge that chapter 6 constitutes the strongest national planning policy guidance for SSSIs of the four UK countries.

However, the Minister's intention in adopting chapter 6 is being frustrated by the very lack of guidance which she appears unwilling to produce. Indeed, developers and their legal advisors have explicitly pointed to this lack of guidance in defence of their efforts to bypass chapter 6. For example, in addressing the "wholly, exceptional circumstances" in a recent case, the developers' legal team stated at a hearing that, in the absence of guidance, each case should be addressed on its individual merits. They continue to use the same arguments that they have always used to support their development on an SSSI and appear confident (perhaps with good reason) that the Inspector will agree. This is precisely the opposite of what is intended by the new chapter 6, and if the Inspector in this case is persuaded by this argument, a recommendation of approval will critically undermine chapter 6, and thereby SSSI protection across the whole of Wales, through the power of precedence.

Sadly, we foresee that, in the absence of clarification/guidance on chapter 6, the Minister's intentions will, over the coming months, be so eroded as to be merely a tokenistic hoop to be jumped through by developers in pursuit of development on SSSIs throughout Wales.

Therefore, in the spirit of compromise, we advocate that : –

a. Forthcoming committed guidance on net benefit for biodiversity (NBB), which we welcome, is broadened to include the "wholly exceptional circumstances" and "site selection and the sequential approach" tests for SSSIs in Chapter 6.

If NBB is deemed worthy of guidance, then it makes no sense to us to exclude wholly exceptional circumstances and site selection, since these are themselves related to the "avoid harm first" primary intention of chapter 6, and are arguably more important than NBB, as a starting point.

### b. A "Dear CPO" Letter:

Petition committee members may be aware of this planning tool, which would be a very good fit for producing this clarification, as clarification of existing policy is its aim. Dear CPO letters are issued to all of the local planning authority chief planning officers throughout Wales, by the Welsh Government's chief planning officer. They apply to the Welsh government itself, as it is a planning authority in its own right. They must not make new policy, but merely clarify existing policy. A Dear CPO letter could draw Inspectors' attention to the game-changing nature of the new Chapter 6 and make it clear that it is not 'business as usual' for development on SSSIs.

In conclusion to this section, nature (and planning) abhor a vacuum, and this policy vacuum threatens the very existence of the Gwent Levels SSSI, and we consider that it would be a small matter to correct this.

## 2. Policy Nine of Future Wales, the National Development Framework:

The Minister refers to Policy 9 as a likely solution to the issues we raise in our position. We welcome the ground-breaking work currently being carried out by the Welsh Government on Policy 9 of Future Wales – indeed, we are active participants in its formulation. However, officials tell us that it will be "many months" before this work is formally adopted. Meanwhile two very large development proposals are currently lodged with the Welsh Planning Inspectorate, and hearings could well take place in a matter of two to three months. If these developments are approved, then it will be too late to save the Gwent Levels SSSI and its fate would be sealed long before Policy 9 starts to take effect.

## 3. Policy 18 of Future Wales:

We advocated in our briefing note to the Petition Committee that Policy 18 (Development and Renewable Energy) of Future Wales is reviewed in order to bring it in line with Chapter 6 of PPW. The Minister states in her response that a review of Future Wales with regard to these policies cannot be undertaken without the due processes of consultation and adoption. We are aware of this, are supportive of it and would participate fully in this process. Approximately five years have now elapsed since the 2019 consultation version of Future Wales was produced, and given the long lead-in period for development plan reviews, we believe it would be feasible and practical for a "light touch", rapid and partial review of Future Wales to be started now, in order to bring it in line with the new Chapter 6 of PPW. We accept that this would not satisfy our immediate concerns, but nevertheless are of the opinion that such a review would be an important tool in the toolkit of safeguarding the Gwent Levels.

We therefore advocate this to Committee and to the Minister.

## 4. The Welsh Government's Post-Construction Monitoring Study:

We welcome the Minister's commitment to release the Welsh Government's post-construction monitoring study.

## 5. The Infrastructure (Wales) Act and UK-Nationally Significant Infrastructure Projects:

We welcome the Minister's restatement of Welsh Government policy that all major development proposals should be decided upon in Wales.

## 6. Welsh Government Powers to Intervene in LDP Formulation:

We welcome the Minister's restatement of Welsh Government powers to intervene in local planning authority local development plan (LDP) formulation.

Thus in conclusion we respectfully advocate a Dear CPO letter and/or the broadening of the guidance on Net Benefit for Biodiversity, as set out above, as a matter of urgency, along with a short inquiry and a timely review of Future Wales.

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On behalf of Gwent Wildlife Trust

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