

Agenda – Petitions Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 17 April 2018

Meeting time: 09.00

For further information contact:

Graeme Francis – Committee Clerk

Kath Thomas – Deputy Clerk

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1 Introduction, apologies, substitutions and declarations of interest

(Pages 1 – 34)

2 New petitions

2.1 P-05-806 We call for all premises in Wales to be awarded an Access Certificate number similar to the Food Hygiene Certificate

(Pages 35 – 42)

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

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3 Updates to previous petitions

Environment

3.1 P-04-399 Slaughter Practices

(Pages 49 – 51)

3.2 P-04-433: CCTV in Slaughterhouses

(Pages 52 – 67)

3.3 P-05-759 Re-open the Cwmcarn Forest Drive at Easter 2018

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

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- 3.5 P-05-779 Compulsory scanning of domestic pets for microchips by councils
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- 3.6 P-05-785 Suspend Marine Licence 12/45/ML to dump radioactive marine sediments from the Hinkley Point nuclear site into Wales coastal waters off Cardiff
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- 3.7 P-05-786 Save our Countryside – Revise TAN 1
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Housing and Regeneration

- 3.8 P-04-519 Abolition of Park Homes Sales Commission
(Pages 129 – 130)

Education

- 3.9 P-04-522 Asbestos in Schools
(Pages 131 – 141)
- 3.10 P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time
(Pages 142 – 144)
- 3.11 P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010
(Pages 145 – 148)

Health and Social Services

- 3.12 P-04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital
(Pages 149 – 161)
- 3.13 P-05-754 Lack of support for children with disabilities at crisis
(Pages 162 – 166)

3.14 P-05-761 Demand Funding from the Welsh Government to Support Autism Spectrum Connections Cymru

(Pages 167 – 174)

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

(Pages 175 – 182)

Economy and Transport

3.16 P-05-731 Land & Access Lane Sale at Abercwmboi

(Pages 183 – 185)

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

Items 5 and 6

5 Consideration of Draft Report – Petitions P-04-472 Make the MTAN Law and P-04-575 Call in All Opencast Mining Planning Applications

(Pages 186 – 198)

5.1 P-04-472 Make the MTAN law

5.2 P-04-575 Call in All Opencast Mining Planning Applications

6 Summary of Evidence – P-05-736 To Make Mental Health Services More Accessible

(Pages 199 – 203)

Document is Restricted

Agenda Item 2.1

P-05-806 We call for all premises in Wales to be awarded an Access Certificate number similar to the Food Hygiene Certificate.

This petition was submitted by Bridgend Coalition of Disabled People having collected 2,391 signatures.

Text of Petition

We are calling for the Welsh Government to bring in an "Access Certificate" showing numbers from zero to five along the lines of the Food Hygiene Certificate. All buildings used by the public such as shops, food outlets, sports clubs, pubs and offices as well as public transport services should be assessed on how wheelchair accessible they are, as well as how easy it is for someone with a sensory impairment or learning disability to use.

We want all premises to be given a number which they could then display to show how disabled friendly their premises are. We hope that those who achieve high ratings will possibly persuade other nearby premises to improve access and get a high rating themselves.

When Food Hygiene Certificates were first introduced in Wales they were not mandatory, but later became so. Since the introduction of the Food Hygiene Certificate we believe food standards have vastly improved and premises with a high number use the certificate with pride. We believe premises will make a bigger effort to improve access and services for the disabled community if a similar Certificate was introduced for access. We believe the introduction of such a certificate will hugely improve services for disabled shoppers and those who want to go out for a drink, a meal or to use public transport, facilities most take for granted.

To achieve a five rating a premises will not just need to be wheelchair accessible but be fully inclusive for those with visual and hearing impairments, and possibly have staff understanding to those with learning impairments.

Having a restaurant with a braille menu or staff able to use sign language can make a huge difference and give someone a far easier and less stressful experience when doing everyday things most take for granted.

One idea may be, as well as having the Five to Zero rating to have extra symbols underneath to show if a premises has full wheelchair access, an accessible toilet, info in braille, staff who can use sign language and autism friendly.

We feel that this will result in big improvements. Many food outlets compete with each other to get a higher rating and we hope this will be the same with Access Certificate.

Assembly Constituency and Region

- Bridgend
- South Wales West

Access certificates for premises

Y Pwyllgor Deisebau | 17 Ebrill 2018

Petitions Committee | 17 April 2018

Research Briefing:

Petition number: P-05-806

Petition title: We call for all premises in Wales to be awarded an Access Certificate number similar to the Food Hygiene Certificate.

Text of petition: We are calling for the Welsh Government to bring in an "Access Certificate" showing numbers from zero to five along the lines of the Food Hygiene Certificate. All buildings used by the public such as shops, food outlets, sports clubs, pubs and offices as well as public transport services should be assessed on how wheelchair accessible they are, as well as how easy it is for someone with a sensory impairment or learning disability to use.

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We feel that this will result in big improvements. Many food outlets compete with each other to get a higher rating and we hope this will be the same with Access Certificate.

Food Hygiene Rating Scheme

This petition highlights the current food hygiene rating scheme as a model that could be adapted to achieve the petitioners' goal.

The *Food Hygiene Rating (Wales) Act 2013* established a statutory food hygiene rating scheme in Wales. It came into force in November 2013. The scheme built on the existing non-statutory scheme being operated by local authorities across Wales. The non-statutory scheme had been developed by the Food Standards Agency in consultation with industry, consumers and local authority stakeholders and aimed to provide information to consumers on the hygiene standards of food businesses.

Premises are inspected by officers from the local authority where the business is located. The hygiene standards found at the time of the inspection are then rated on a scale from 0 to 5. A rating of 5 is the highest, meaning hygiene standards are very good. A rating of 0 means urgent improvement is necessary.

When the operator of a food business establishment has received notification of its food hygiene rating, the operator must display the food hygiene rating sticker provided. Regulations set out where the sticker should be displayed so that it is clearly visible.

Building Regulations – access to and use of buildings

One aspect of this petition relates to access to buildings. Part M of the Building Regulations covers access to and use of buildings. [*Approved Document M \(Access to and use of buildings\)*](#) provides guidance on how to meet those requirements. Part M applies if a non-domestic building or a dwelling is newly erected. It also applies where an existing non-domestic building is extended, or undergoes a material alteration. Additionally, it covers some situations where an existing building undergoes a material change of use. Regardless of Building Regulations, there are obligations placed on service providers under the *Equality Act 2010* to consider barriers created by physical features in buildings.

Equality Act 2010 – reasonable adjustments

The *Equality Act 2010* imposes a duty on providers of goods, services and facilities to make reasonable adjustments to avoid a disabled person being placed at a 'substantial disadvantage' compared with a non-disabled person when accessing services and facilities.

The *Equality Act 2010* does not prescribe what a reasonable adjustment might be, this is to be decided according to the particular circumstances of each individual case.

[Under Section 20 of the Equality Act 2010](#), service providers have a duty to make reasonable adjustments for a disabled person in the way they deliver their services. This is to ensure that a disabled person is not at a substantial disadvantage compared to a non-disabled person accessing the same services. The duty contains three requirements:

- Changing the way things are done (the Act refers to where a provision, criterion or practice puts a disabled person at a substantial disadvantage);
- Making changes to overcome barriers created by physical features of the service provider's premises (the Act refers to where a physical feature puts a disabled person at a substantial disadvantage); or
- Providing extra aids and services like providing extra equipment or providing a different or additional service (the Act refers to where a disabled person, would but for the provision of an auxiliary aid, be put at a substantial disadvantage).
- What is considered a reasonable adjustment for a large organisation like a bank, may be different from what is a reasonable adjustment for a small, independent shop. A reasonable adjustment should be practical in the service provider's individual situation and according to the resources the business may have. The service provider will not be required to make adjustments that are not reasonable because they are unaffordable or impractical.

National Assembly for Wales action

On 31 January 2018, there was a [short debate](#) led by Suzy Davies AM called *Getting in there: Scores on the doors for disability access and defibrillators*. The debate highlighted this petition and some of the issues it raises including the challenges any scheme would face.

Responding to the debate, the Cabinet Secretary for Health and Social Care, Vaughan Gething AM, commented that "in principle, the idea does have some merit, and I welcome suggestions about practicalities and how such a scheme could work". He went on to note:

We do need to promote an honest and open discussion [...] between disability groups, individuals, the business sector, public service providers and the third sector to understand what we think is required and what we think is possible, whether that's through a 'scores on the doors' system or by other means, to consider what the options are and what's the best chance of doing something to practically improve accessibility and awareness of it as well.

Welsh Government action

In a letter to the Chair of Petitions Committee, the Leader of the House and Chief Whip – who is responsible for equality, said that the scheme proposed by the petitioners "seems to have merit" and she is "very supportive of the principles behind this proposal".

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.

Julie James AC/AM
Arweinydd y Tŷ a'r Prif Chwip
Leader of the House and Chief Whip



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-806
Ein cyf/Our ref JJ/00284/18

David John Rowlands AM
Chair - Petitions committee.
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8 March 2018

Dear David

Thank you for your letter of 21 February setting out the details of a petition from Bridgend Coalition of Disabled People (Petition P-05-806). The petition calls for all premises in Wales to be awarded an Access Certificate number similar to the Food Hygiene Certificate.

As Minister responsible for equality, I am committed to addressing social barriers to equality and to increasing levels of inclusion so that disabled people have access to the same opportunities as everyone else. I want to see disabled people having equal access to shops, restaurants and other public places, something which most of us take for granted.

While the Equality Act 2010 includes provision that environments and services should be designed to be accessible to all people to the greatest possible extent, it is clear that progress is much slower than I would wish. I understand that, for some smaller shops and businesses in older buildings, it may not be possible to make all of the 'reasonable adjustments' that are ideally required. However, for most it is possible to at least make some changes to make their businesses more welcoming to disabled people.

An inclusive approach with a positive attitude by staff would benefit all customers, not just disabled people, but also people with prams or pushchairs, people with temporary injuries, or heavy bags, or older people who may need some help. Businesses which provide such a service should be recognised and be held up as an exemplar to others.

The proposed scheme therefore seems to have merit and I am not surprised that it has gained a good deal of attention. I am very supportive of the principles behind this proposal and I am keen that the practical issues associated with such a scheme should be explored. For example, who would be responsible for carrying out the assessments, or is it envisaged

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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.

that businesses would self-assess? Would it be more practical to develop a digital solution so that service users themselves could provide comments or ratings on the accessibility of services? How could such a scheme be monitored and protected from malicious interference?

These are issues that I am confident the Petitions Committee will explore with the petitioners, and I look forward to seeing your conclusions.

Yours sincerely



Julie James AC/AM

Arweinydd y Tŷ a'r Prif Chwip
Leader of the House and Chief Whip

Agenda Item 2.2

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

This petition was submitted by Laura Charles-Price having collected 123 signatures.

Text of Petition

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

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

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

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

Assembly Constituency and Region

- Gower
- South Wales West

Attendance awards

Y Pwyllgor Deisebau | 17 Ebrill 2018
Petitions Committee | 17 April 2018

Research Briefing:

Petition number: P-05-807

Petition title: Review and change the guidance for attendance awards in Welsh schools

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

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

Welsh Government guidance

Improving the attendance of pupils has been the subject of a range of national reviews, policies and initiatives by the Welsh Government over recent years. The foreword to the Welsh Government's [All-Wales Attendance Framework](#) (2011) states:

A child's success at school is likely to be affected negatively by poor attendance.

Section 3 of the All-Wales Attendance Framework, [Strategies for schools to improve attendance and manage lateness](#) (2011) states:

Research has shown that rewards are far more effective than punishment in motivating pupils. As well as encouraging and rewarding attendance, these schemes can also increase the profile of attendance, both within the school and in the wider community.

Letters to parents and carers and special privileges are amongst many particularly effective ways of demonstrating praise for good or improved attendance. A more formal reward system of credits,

merits and prizes can be used to recognise and congratulate pupils, some examples of which are detailed [in the guidance].

The Cabinet Secretary for Education's response to the Petition states that it is for schools to determine any criteria that they set if they have established attendance rewards schemes. The All-Wales Attendance Framework does not make specific suggestions about the ways in which reward schemes should operate or what issues should be taken in to consideration.

The Cabinet Secretary also mentions the Estyn report, [Effective practice in improving attendance in primary schools](#) (June 2015). This states:

Many schools recognise that it is important to encourage good attendance for all pupils, particularly those who may not be able to gain a certificate for a high percentage of attendance over a long period. In the best cases, these schools develop incentive systems that reward improved or full attendance over a rolling period, such as five weeks at a time. This allows all pupils to continue to aim for high attendance, because after any period of absence their target can be set again.

The Cabinet Secretary's response also highlights that schools must make reasonable adjustments for pupils (under the Equality Act 2010) and therefore schools should take this into account when establishing rewards schemes.

The Welsh Government's [Supporting Learners with Healthcare Needs](#) (March 2017) is more explicit stating that it is 'unacceptable practice' to:

penalise a learner for their attendance record if the absence is related to their healthcare needs. 'Authorised absences' including healthcare appointments, time to travel to hospital or appointment, and recovery time from treatment or illness should not be used to penalise a learner in any way. This includes, but is not limited to, participation in activities, trips or awards which are incentivised around attendance records.

The Cabinet Secretary states that the Welsh Government are reviewing the attendance guidance and rewards will be considered as part of this.

National Assembly for Wales action

The Children and Young People Committee (Fourth Assembly) undertook an [inquiry on behaviour and attendance](#) (August 2013). In evidence, the National Association of Head Teachers and the Children's Commissioner for Wales highlighted the benefits of introducing rewards for good attendance. However, the Committee did not offer any further comment or recommendation in respect of rewards.

Petitions in UK Parliament

There have been similar Petitions to the UK Government and Parliament, for example, [Stop medical appointments affecting school attendance](#) (closed in April 2017) which attracted 11,713 signatures. The UK Government's response was similar to that made by the Cabinet Secretary for Education and Skills:

The Department [of Education] does not specify or influence how schools might choose to reward good attendance. However, any system should comply with schools' legal duties around disability and medical conditions.

A similar petition, [Ban attendance awards in schools](#) which attracted 2,602 signatures closed on 15 March 2018.

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.

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Eich cyf/Your ref P-05-807
Ein cyf/Our ref KW/00597/18

Llywodraeth Cymru
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5 March 2018

Dear David,

Thank you for your letter of 21 February about the petition you have received from Laura Charles-Price urging the Welsh Government to change the guidance on attendance awards in schools in Wales.

The [All Wales Attendance Framework](#) provides standards and guidance for schools and local authorities to ensure consistent reporting for school attendance. If the school administers a school attendance reward scheme for pupils then the criteria for deciding who should receive these rewards is a matter for the school to determine. Schools, in conjunction with local authorities, set their own attendance targets. This ensures that each school's individual circumstances are taken into consideration. I expect these targets to be challenging, but realistic.

On page 8 of the attached [guidance](#) advice is provided on the use of rewards and incentives in schools alongside examples of case studies.

In 2014 we commissioned Estyn to undertake a thematic review of school attendance. One of the main findings in the [report](#) on effective practice in primary schools was that schools with consistently good or improved attendance use appropriate rewards and incentives to encourage good attendance. The report recognised that incentives for good attendance can be an effective way to motivate pupils.

Whilst it is clear that rewards and encouragement incentivise good attendance, the Welsh Government is also clear that there must be fairness and equity.

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The Equality Act 2010 (the 2010 Act) places a duty on learning establishments to make reasonable adjustments for children and young people who are disabled (as defined by the Act). This should be taken into account when determining who is eligible for reward schemes to ensure pupils with disabilities and/or learning difficulties are not unfairly disadvantaged.

The 2010 Act applies to all maintained and independent schools, including maintained and non-maintained special schools. The Government has introduced specific duties, which are intended to help public authorities to meet their obligations under the 2010 Act. Therefore, if a school does have an attendance reward scheme, it must ensure it takes the provisions of the 2010 Act into consideration and not disadvantage those pupils with a disability or medical condition. This means that a child or young person with an attendance record of less than 100% because of medical reasons should not be negatively impacted in regard to the school's reward scheme.

The Welsh Government's statutory guidance '[Supporting Learners with Healthcare Needs](#)' is also relevant and important in this context. We advise that it is unacceptable to penalise a learner for their attendance record if the absence is related to their healthcare needs. 'Authorised absences' including healthcare appointments, time to travel to hospital or appointments, and recovery time from treatment or illness should not be used to penalise a learner in any way. This includes, but is not limited to, participation in activities, trips or awards which are incentivised around attendance records.

Working with partners and stakeholders my officials are currently reviewing the attendance guidance to ensure that arrangements continue to provide effective support and clarity to local authorities, schools, parents and learners. The issue of incentives and award schemes is being considered as part of this review.

Yours sincerely

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

Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

Agenda Item 3.1

P-04-399 Slaughter Practices

This petition was submitted by Royce Clifford and was first considered in June 2012 having collected 400 signatures.

Text of Petition

We call upon the National Assembly to urge the Welsh Government to ban the practise of slaughtering animals without pre-stunning them.

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



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Eich cyf/Your ref P-04-399 & P-04-433
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13

March 2018

Dear David

Thank you for your email of 23 February, regarding petitions P-04-399 Slaughter Practices and P-04-433 CCTV in Slaughterhouses.

Animal welfare is a priority for the Welsh Government and the Wales Animal Health and Welfare Framework Group (WAHWFG). We have some of the highest animal welfare standards in the world and strict regulations to address any cases where these standards are not met. There are a number of controls already in place in slaughterhouses and official veterinarians are present, overseeing welfare and compliance with regulations. The larger slaughterhouses, which process the majority of animals, have CCTV and official veterinarians are able to access footage if they suspect welfare standards are not being met.

In my previous update to the petitions committee, I said that I was waiting for the views of the WAHWFG before commenting or making any decisions. The Framework Group recognised the evidence presented to support the use of CCTV and support the aspiration for there to be CCTV in all slaughterhouses in Wales. However, they subsequently agreed with the Task & Finish Group, based on the statistics presented concerning the number and type of welfare incidents in slaughterhouses, and the important role played by smaller slaughterhouses in parts of Wales, that currently there is not sufficient basis upon which to make CCTV a mandatory requirement. Please find the Group's report attached in Annex 1.

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Pack Page 50

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This being said, I am determined to improve standards and practices where it is necessary and reasonable to do so. My officials will be working closely with the industry to take further steps to improve operational standards and to safeguard animal welfare in the whole process. The intention is to provide support to the industry which could assist in improving facilities, operating processes, training and, as a result, the delivery of higher standards of animal welfare in all slaughterhouses across Wales and other parts of the meat supply chain. The increased use of CCTV will support this objective.

I have noted with interest the UK Government has, on 23 February, laid legislation which will make CCTV cameras mandatory in slaughterhouses in England. The legislation will come into effect from May 2018, once it passes through Parliament, at which point businesses will have six months to comply. The Scottish Government has also a commitment to consult.

A handwritten signature in blue ink. The word 'Regards' is written in a cursive style on the top line, and the name 'Lesley' is written below it, also in a cursive style. The signature is positioned to the left of the typed name and title.

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

Agenda Item 3.2

P-04-433 : CCTV in Slaughterhouses

This petition was submitted by Animal Aid and was first considered in November 2018 having collected 1,066 signatures.

Text of Petition

We call on the National Assembly to urge the Welsh Government to introduce mandatory CCTV in slaughterhouses to help vets with better regulation and monitoring, to provide footage for training and retraining, to deter some of the animal welfare abuses filmed by Animal Aid, and to provide evidence for prosecutions should they be necessary.

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



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David John Rowlands AM
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13

March 2018

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Animal welfare is a priority for the Welsh Government and the Wales Animal Health and Welfare Framework Group (WAHWFG). We have some of the highest animal welfare standards in the world and strict regulations to address any cases where these standards are not met. There are a number of controls already in place in slaughterhouses and official veterinarians are present, overseeing welfare and compliance with regulations. The larger slaughterhouses, which process the majority of animals, have CCTV and official veterinarians are able to access footage if they suspect welfare standards are not being met.

In my previous update to the petitions committee, I said that I was waiting for the views of the WAHWFG before commenting or making any decisions. The Framework Group recognised the evidence presented to support the use of CCTV and support the aspiration for there to be CCTV in all slaughterhouses in Wales. However, they subsequently agreed with the Task & Finish Group, based on the statistics presented concerning the number and type of welfare incidents in slaughterhouses, and the important role played by smaller slaughterhouses in parts of Wales, that currently there is not sufficient basis upon which to make CCTV a mandatory requirement. Please find the Group's report attached in Annex 1.

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Pack Page 53

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This being said, I am determined to improve standards and practices where it is necessary and reasonable to do so. My officials will be working closely with the industry to take further steps to improve operational standards and to safeguard animal welfare in the whole process. The intention is to provide support to the industry which could assist in improving facilities, operating processes, training and, as a result, the delivery of higher standards of animal welfare in all slaughterhouses across Wales and other parts of the meat supply chain. The increased use of CCTV will support this objective.

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Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



April 4th 2018

Dear Petitions Committee,

Thank you for your continued interest in our petition which calls for mandatory CCTV in Wales' slaughterhouses, and for writing to the Cabinet Minister once again regarding this campaign.

We are, of course, disappointed with the Minister's response to the Committee in which she indicates that she will not make CCTV mandatory at this time. She does, however, commit to driving up welfare standards and, in recognition of the value of CCTV, she writes that Official Veterinarians (OVs) 'are [already] able to access footage if they suspect that welfare standards are not being met'.

It is important to be reminded of the shortcomings of this voluntary approach. OVs can access footage only in slaughterhouses that have cameras, and where those cameras are installed in the correct parts of the slaughterhouse, turned on, facing the right way, and where the footage is retained. Moreover, it depends on FBOs voluntarily handing over that footage. The FSA admitted in April 2016 that 33 slaughterhouses in England and Wales were refusing to hand over their footage when requested by regulators.ⁱ

This voluntary approach also begs the question: what if the OVs don't suspect welfare standards are not being met? In many of Animal Aid's undercover investigations at 14 English slaughterhouses – where 13 were found to be breaking animal welfare laws – neither the FBO nor the FSA apparently had any idea that these breaches were occurring. If the vets in Wales' slaughterhouses were similarly unaware, they would not ask to see the footage.

While the Animal Health and Welfare Framework Group 'support the aspiration for there to be CCTV in all slaughterhouses in Wales', it does not go so far as to recommend mandatory CCTV for two reasons: the cost to smaller slaughterhouses and because in its view the number and type of welfare incidents revealed inside Wales' slaughterhouses were not deemed sufficient to warrant legislation.

To our knowledge, there have been no undercover investigations into Wales' slaughterhouses and so evidence of welfare breaches has not been discovered and revealed. Moreover, the regulators' own audits suggest that Wales' slaughterhouses are generally deemed to be of an acceptable standard, with just one slaughterhouse falling below the 'Generally Satisfactory' benchmark since January 2017.

However, it is not safe to assume that what happens on a day when the auditor visits – a pre-arranged visit when FBOs know exactly what they will be asked to demonstrate – is indicative of a typical day when an auditor is not standing before them. With that in mind, it

is all the more concerning that so many of Wales' 24 approved slaughterhouses failed to comply with fundamental legal welfare requirements during their audits in the past 16 months. For example:

- Requirement 24: personnel are required to demonstrate an appropriate level of competency in relation to animal welfare. Two slaughterhouses revealed severe breaches while three others revealed minor breaches.
- 25: the structure of the building itself must safeguard animal welfare. This is a fundamental issue and yet 10 slaughterhouses were unable to demonstrate full compliance with the law.
- 27: the scheduled arrival times and waiting times must safeguard animal welfare. Eleven slaughterhouses were unable to demonstrate full compliance, with two of them failing this aspect on two consecutive audits.
- 29: any crates or modules used to transport animals must be in an acceptable condition and handled appropriately. Two slaughterhouses failed to comply with this basic requirement.
- 210: lairaging conditions and pen provisions must be adequate – there must be bedding, water and food provision if the animals are kept overnight. One slaughterhouse displayed a serious breach of this legal requirement, while seven others were also unable to show compliance, three of them on two consecutive audits.
- 214: any stunning equipment must be adequately designed, constructed and maintained. One slaughterhouse displayed a serious breach of this legal requirement and another failed to be fully compliant.
- 215: the method of stunning must ensure quick and effective loss of consciousness and sensibility followed by death. Four slaughterhouses were not compliant with this requirement, with one of them failing on two consecutive audits.
- 216: there must be provision for back-up stunning and its use, yet five slaughterhouses were not fully compliant, with one failing to show compliance on two consecutive audits.
- 217: after stunning, checks to verify the animal is unconscious should be made. Four slaughterhouses failed to show compliance at their audits.

If slaughterhouses cannot comply with welfare laws when an auditor is standing in front of them, then action must be taken to protect animals at the most vulnerable time of their lives throughout the rest of the year.

The case Animal Aid puts forward for mandatory CCTV with independent monitoring is based on the significant welfare benefits to animals. However, there are other benefits, too, including ensuring compliance with hygiene regulations. In this regard, the audits of Wales' slaughterhouses over the past 16 months are deeply concerning. In some cases, it is unlikely CCTV would make a difference, but there are cases where cameras might be used to help drive compliance, such as:

- Requirement 32: all handling and processes from slaughtering to despatch must be done in a way that avoids the contamination of meat and offal entering the food chain. Just one slaughterhouse has been fully compliant with this requirement since January 2017; seven had a serious breach, while six more had a serious breach on two consecutive audits.
- 34: where relevant, all edible co-products are handled hygienically and subject to relevant controls (including raw materials intended for further processing). One slaughterhouse displayed a serious breach.
- 311: controls must ensure that risk of cross contamination is minimised, prevented or reduced to acceptable levels during operation and appropriate action taken should contamination occur. Two slaughterhouses displayed a serious breach, with a third seriously breaching this requirement in two consecutive audits.
- 314: wrapping and packaging materials must not be a source of contamination, and must be stored and handled in such a way that product contamination is avoided. One slaughterhouse displayed a serious breach.
- 41: design and layout must permit good food hygiene practice and protect against contamination between and during operations. Three slaughterhouses displayed a serious breach of this fundamental requirement.

There is, therefore, evidence that better regulation is needed in Wales' slaughterhouses to ensure full compliance with both welfare and hygiene requirements.

Ten days after the Cabinet Secretary wrote to the Petitions Committee, saying that she was determined to improve standards and practices, she announced a £1.1M Food Business Investment scheme package for small- and medium-sized slaughterhouses. This will include funds being made available for welfare-friendly infrastructure and facilities, including the installation and upgrading of CCTV monitoring systems.ⁱⁱ

While disappointed that the Minister has not announced a policy to make CCTV mandatory for Wales in line with the legislation that will shortly come into effect in England, Animal Aid nonetheless welcomes the Minister's commitment to welfare, and her indication that she will continue to explore opportunities to legislate for CCTV in the longer term.

Until that time, Animal Aid we will continue to make the case for mandatory CCTV with independent monitoring of the footage across Wales.

ⁱ <https://www.thebureauinvestigates.com/stories/2016-08-28/severe-welfare-breaches-recorded-six-times-a-day-in-british-slaughterhouses>

ⁱⁱ <http://gov.wales/newsroom/environmentandcountryside/2018/180322-1.1m-grant-aid-scheme-for-small-and-medium-size-slaughterhouses/?lang=en>

**P-04-433 CCTV in Slaughterhouses –
Correspondence from David Grimsell to Committee, 04.04.18**

Chair of the Welsh Assembly
Petitions Committee

By email

31st March 2018

Dear Chair of the Petitions Committee

re Petition P-04-433 CCTV in Slaughterhouses
Letter for consideration at the forthcoming Petitions Committee meeting
scheduled for the 17th April 2018

1 The welfare of farm animals at the time of their slaughter is a matter of the utmost importance and of great concern to citizens across the U.K. There are Regulations to protect welfare of animals at this time which have been arrived at through democratic process and which citizens have a right to expect are properly monitored and enforced¹.

2 Considerable concerns about welfare standards at slaughter have been raised particularly as a result of a number of fully documented undercover investigations into slaughterhouses in England from 2011 onwards². These found that in 13 out of 14 slaughterhouses investigated that there were significant and frequent breaches of welfare regulations, including mis-stunning, failure to stun and others, as well as many instances of overt cruelty. The investigations were fully documented and relevant photographic and video material from these is available on-line². The video and other footage was systematically reviewed against regulatory requirements and was submitted to the Food Standards Agency (FSA). A number of prosecutions and revocations of licenses in investigated slaughterhouses have followed based on the evidence submitted e.g. ³.

3 In light of this evidence it is incontrovertible that welfare breaches at slaughter are frequent and widespread. It is clear also that the current mechanisms for monitoring welfare standards at slaughter have failed and are not detecting or preventing many such breaches. There is a very evident discrepancy between officially published statistics (eg from official veterinarian, OV, reports) and the actuality of welfare breaches occurring. While the undercover investigations were undertaken in English slaughterhouses there is no basis for assuming that things

are any different in Welsh slaughterhouses. It is, instead, highly likely that there are equivalent problems in Welsh ones.

4 The Welsh Government has been very tardy in seeking to respond to these issues. Its primary response has been to 'commission' a review by self-nominated industry representatives only (ie particularly those from the abattoir sector) referred to as the 'Task and Finish Group'. The Group produced a report which it submitted to the Government⁴. This report recommended that installation of CCTV in Welsh slaughterhouses should not be made compulsory.

5 The report of the Task and Finish Group has been strongly criticised for its poor quality and industry bias. As a concerned Welsh citizen, I submitted a detailed critique of the report to the Welsh Government and supplied copies to Assembly Members (a copy is supplied with this letter). Animal Aid⁵ and the RSPCA⁶ have each also submitted rigorous critiques (n.b. Animal Aid's submission has been previously supplied to the Petitions Committee). The British Veterinary Association (BVA) has been outspoken in its criticism of the report⁷.

6 The industry Task and Finish Group report fails to consider the fully-documented, extensive and publicly available evidence of welfare breaches and cruelty provided through undercover, independent investigations. While the report disregards this, the evidence was formally recognised by the Food Standards Agency (FSA), has been sufficient to be used in a number of successful prosecutions, and when publicly revealed, provided sufficient impetus to most large retail chains in the UK to require that their meat suppliers install CCTV and monitor the footage appropriately.

7 Secondly, ignoring the key relevant evidence (above), the report presumes, instead to rely on very limited data available through official statistics provided by the FSA, which is based primarily on Official Veterinarian (OV) reports. Even this evidence is misrepresented by the Task and Finish Group, which draws inappropriate conclusions from the limited data considered (see footnote).

(Footnote: the report infers that because official statistics show there was a similar, small, number of reports of welfare breaches across all Welsh slaughterhouses with CCTV installed, and those without, that CCTV does not make a difference to detection of welfare breaches. However, the raw data used is not meaningful as it should have been adjusted for the significantly higher throughput of animals (about four times as many animals processed) in

slaughterhouses in Wales with CCTV (in some form) than those without. No such adjustment was made. This failure to adjust is an elementary error and reflective of the poor quality of analysis throughout the report)..

8 The official statistics cannot, however, be relied on, with or without adjustment. The evidence is overwhelming that they do not reflect the number of instances of welfare breaches occurring, and fail entirely to record the many instances of cruelty shown in video footage of the English slaughterhouses investigated. The comparison made by the Task and Finish Group relies also on a crude 'do they have CCTV or do they not' distinction. CCTV may or may not be located appropriately, footage may or not be monitored or reviewed etc.) properly. The Task and Finish Group's undertook no investigation, analysis or assessment of where or how any such CCTV was used. This is surprising in light of their report's pretension to assess the use and value of CCTV in Welsh slaughterhouses.

9 Thirdly, the Task and Finish Group report makes little reference to any outside sources of evidence, reports, papers or other material. The one source their report refers to is the published Opinion of the Farm Animal Welfare Committee (FAWC)⁸. However, the FAWC report is used in a highly selective and misleading way which misrepresents its content and recommendations. For example, the Task and Finish Group Report seeks to imply that the FAWC did not consider CCTV to be of particular value, and that it did not feel it necessary to recommend that CCTV be installed in slaughterhouses. This is far from the truth. The FAWC Opinion highlights a long series of benefits that CCTV is likely to provide, including that of protecting animal welfare. They specifically recommended that all Food Business Operators should install it (see, for example, FAWC Opinion Recommendation 90, '*In order to realise the potential benefits to animal welfare and to businesses identified in this Opinion, FAWC recommends that all approved slaughterhouse operators (Food Business Operators, FBOs) should install CCTV in all areas where live animals are kept and where animals are stunned and killed*').

10 Finally, the Task and Finish Group fails to make any reference to the conclusions and stated recommendations of any of the Food Standards Agency (FSA)⁹, the British Veterinary Association (BVA)¹⁰, or the RSPCA¹¹, each of which strongly supports compulsory introduction of CCTV in all slaughterhouses and have provided arguments for doing so. The Report is more generally of low calibre, with poor quality of argument. It appears throughout to be selectively

biased towards industry-serving conclusions which imply that there are no significant welfare issues in Welsh slaughterhouses and that CCTV is not needed.

11 In 2017, the Welsh Government referred the Task and Finish Group Report to the advisory Wales Animal Health and Welfare Framework Group (WAHWFG). It also referred the critiques supplied by myself and Animal Aid. A critique published by the RSPCA was not, for some reason, considered by it. The advice provided to the Cabinet Secretary by WAHWFG was not made public, and its deliberations were not minuted. However, a copy has been obtained through FOI (copy supplied with this letter).

12 The WAHWFG advice repeated almost verbatim the content of the industry Task and Finish Group report. It made no reference to the content of critiques supplied in relation to it, or to any other criticisms that had been raised externally (e.g. by the BVA and others). The report only states without any further discussion of evidence or criticism that, '*We recognise the very good evidence presented to support the use of CCTV*'. This is simply vacuous.

13 The WAHWFG advice, following the Task and Finish Group Report, does not address at all the extensive, publicly available evidence of widespread welfare breaches revealed by fully-documented undercover investigations. Instead, it presumes to dismiss it stating, '*Much of the evidence countering the statistics presented in the Task and Finish Group report focussed on the alleged situation in England (we would ask the question as to whether these incidences were reported through official channels)*'. This comment seeks to imply that certain sources of clear evidence, without which the welfare problems would not otherwise have been detected, should be ignored. It also seeks to insinuate that the situation in Wales might be anticipated to be different from that evidenced in 13 out of 14 slaughterhouses in England. There is no basis for this. The reference to not '*reported through official channels*' is strange as the documented findings were indeed reported through these, being supplied directly to the FSA in full, and subsequently by the FSA to DEFRA with respect to pursuit of prosecutions arising.

14 The overall import of the WAHWFG advice to the Minister in relation to the Task and Finish Group Report is that,

a) they support '*the aspiration*' for CCTV to be used in Welsh slaughterhouses (p.1)

b) there is '*not sufficient basis upon which to make CCTV a mandatory requirement in abattoirs in Wales*'. (p.2)

c) they, *'recommend effort is focussed on developing, promoting and implementing the voluntary approach'*.(p.3)

d) the problem is not significant because, *'Looking at the evidence provided, all large slaughterhouses in Wales already have CCTV installed. Therefore the majority of animals slaughtered in Wales are already protected in this way'*. (p.4)
(Despite the many hundreds of thousands of animals slaughtered in abattoirs without CCTV).

It is noteworthy that throughout the Task and Finish Group Report, and the WAHWFG advice which mirrors it, that there is no recognition or acknowledgement at all of the extent, frequency or severity of welfare breaches in slaughterhouses (or the evidence that supports this). There appears to be denial and complacency about the need to prevent this. Instead, the reports presume to deflect attention to injuries and problems associated with transport to slaughterhouses, but not occurring within them (eg pp 4 and 5).

15 The WAHWFG advice, like that of the Task and Finish Group itself, is remarkably narrow. It doesn't even consider or reflect the content of the FAWC Opinion. It moreover, fails to reflect:

- ⑩ the specific current view and recommendation of the FSA⁹ that CCTV should be compulsorily installed in all slaughterhouses and the multiple benefits likely to arise from this
- ⑩ the strong recommendation of the British Veterinary Association (BVA)¹⁰ that CCTV should be compulsorily installed with footage available to OVs.
- ⑩ the strong recommendation of the RSPCA that CCTV should be compulsorily installed to protect animal welfare.

16 It is pertinent to note that, while it includes some veterinary representatives, the WAHWFG is heavily meat industry-dominated. That evaluation of the potential arguments for installing CCTV in Welsh slaughterhouses has presumed to be suitably dealt with by firstly a self-nominated abattoir and associated meat-industry group, and subsequently by a meat-industry dominated advisory group is astonishing. It could have been anticipated that the Task and Finish Group, with vested interest in downplaying or denying welfare problems in slaughterhouses, and in avoiding incurring costs and changes to incorporate CCTV, would dismiss relevant evidence and argue for no change. Similarly, this could have been anticipated to be reinforced by an industry-dominated advisory group. And that appears to be precisely what has happened - to the advantage of the industry, but to the risk and detriment of animal welfare.

16 The process followed by the Government to date, can be characterised as follows:

- a) very tardy consideration of the issue of CCTV in slaughterhouses – evidence-based concerns were raised back in 2011. The Government's concern for animal welfare at slaughter has not been evident from this.
- b) to ask the abattoir industry, the subject of criticism of failure to prevent welfare breaches, to itself nominate people to assess the 'value' of CCTV in Welsh slaughterhouses (without a clear or adequate brief and without any independent membership)
- c) to refer an industry-determined report to an industry heavy 'advisory' body whose discussions and review were not made public
- d) to fail to consult with the public on this matter at any point despite this being a matter of widespread public concern that bears on the proper application of welfare at slaughter laws.
- e) to fail to make publicly apparent any of the steps it was taking or the process it was following. (The Petitions Committee itself last requested further information from the Government on April 17th 2017, without response almost a year later). This, despite the fact the process has the potential to lead to introduction of legislation by the Assembly, or its rejection.

18 Since the WAHWFG advice was supplied to the Minister the UK Government has confirmed that it will introduce a requirement in May for CCTV to be compulsorily installed in all slaughterhouses in England within 6 months. A consultation associated with this found that 99% of 4000 respondents supported this. It can reasonably be anticipated that public feeling in Wales is very similar, though the Welsh Government has not consulted the public. The Scottish Government has recently announced its own consultation in relation to proposals to require compulsory installation of CCTV in Scottish slaughterhouses. On the 23rd February 2018 the Welsh Secretary admonished the Welsh Government for failing to yet take action to improve welfare in slaughterhouses and urged it to introduce legislation requiring compulsory CCTV¹².

19 On 22nd March 2018 the Cabinet Secretary, Lesley Griffiths announced that Wales would not be requiring the introduction of CCTV in Welsh slaughterhouses, instead offering general financial support to small and medium Welsh abattoirs, and only hinting at potential future legislation on CCTV. The Cabinet Secretary stated, '*Officials worked closely with a slaughter industry task and finish group which provided a report of recommendations to me last year on ways to improve*

animal welfare at slaughter. The Wales Animal Health and Welfare Framework Group supported the recommendations...’.

20 The Cabinet Secretary’s statement evidences a complete failure to understand the very extensive limitations of the industry Task and Finish Group Report and its rubber-stamping by the industry heavy WAHWFG. It recognises not at all the comprehensive criticisms of the inadequacies of the industry report, a report which demonstrates not the slightest concern or recognition of significant welfare problems in slaughterhouses that has led to legislation in England, and the current consultation in Scotland. It accepts the denial of relevant evidence by the industry, evidence which has shown again and again and again through fully documented undercover investigations that not just a few but likely hundreds of thousands of animals (or more) experience unnecessary suffering or cruelty at the time of their death every year in the UK. The Cabinet Secretary’s Statement evidences in particular disregard for the animals.

21 The Government appears to view the slaughter industry as the only relevant ‘stakeholder’. It is worth remembering that key stakeholders are all Welsh citizens whose views about how animals are treated is highly relevant. Citizens have, amongst other things, a ‘stake’ in legislation relating to slaughter, democratically arrived at, to be properly applied and for their to be mechanisms to ensure that it is. CCTV has an important role to play in this and it urgently requires to be implemented. The most important ‘stakeholders’ though are the animals themselves, who require protection when at their most vulnerable.

21 I exhort Members of the Petitions Committee to press for proper recognition of the welfare harms and risks that exist for animals at the time of their slaughter in Welsh slaughterhouses, and to press for urgent legislation to require implementation of CCTV in ALL slaughterhouses as part of a strategy to prevent these harms. A voluntarist, industry-serving approach is not sufficient particularly where the industry itself denies any problems.

Thank you for your attention.

David Grimsell
Welsh citizen

Sources

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13 Welsh Government (2018) Written Statement – Animal Welfare in the Food Chain 22nd March 2018

<http://www.gov.wales/about/cabinet/cabinetstatements/2018/animalwelfarefood/?lang=en>

Agenda Item 3.3

P-05-759 Re-open the Cwmcarn Forest Drive at Easter 2018

This petition was submitted by The Friends of Cwmcarn Forest Drive having collected 1450 signatures – 353 on paper and 1097 on-line.

Petition text:

We call upon the National Assembly for Wales to urge the Welsh Government to provide the necessary means to allow Natural Resources Wales to fully re-open the Cwmcarn Forest Drive to private cars at Easter 2018.

Additional information:

In the summer of 2014 Natural Resources Wales stated that the Cwmcarn Forest Drive, also known as the Scenic Drive, would be closed for a minimum of two years from November 2014 and that this was necessary because of the infection of the Japanese larch in the Cwmcarn valley and surrounding hillsides. The removal of the larch is now almost complete and NRW are beginning to reinstate the cycle tracks and footpaths, however there does not appear to be a plan to reinstate the scenic drive, even though the vast majority of the route is undamaged. To single out private car users of the drive is unfair and unnecessary when other users will face only temporary disruption. Many of those who access the Drive via private car do so because they have limited mobility, some are families with small children, many are elderly, disabled or from our ethnic minority and immigrant communities. Failing to provide a facility for these people is discriminatory especially when there are plans, and funds available, to provide further facilities for other users. The lack of a fully accessible scenic drive deprives those people who are our most culturally and materially deprived of their main facility for health and well-being. Our organisation, the Friends of Cwmcarn Forest Drive wants equality of access for all users of the scenic drive and calls for the Welsh Government and Natural Resources Wales to provide the means to make this possible.

Assembly Constituency and Region.

- Islwyn
- South Wales East

David J Rowlands AC/AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

22nd February 2018

Dear Mr Rowlands,

PETITION P-05-759 : Re-Open the Cwmcarn Forest Drive at Easter 2018

Thank you for your letter of 25th January 2018 requesting a progress report for your Committee. You have asked that we write to you with an update following the public meeting planned for Spring 2018, which we will do.

I can provide a short interim update now which you might find helpful.

To provide the necessary impetus and focus that this issue requires I have appointed one of my management tier staff, who comes with a background of delivering large scale energy projects on the Welsh Government's Woodland Estate, to act as a Project Executive and establish the work required as a formal Project. This will include a proposal to reinstate and open the Forest Drive to the community and public.

He has already started to establish relationships with Caerphilly County Borough Council staff and Mr Rob Southall (Friends of Cwmcarn Forest Drive), and met with Mr Southall on Friday 7th February.

In trying to achieve our aim we must also take a longer-term view of the entire recreational facility at Cwmcarn and, jointly with Caerphilly County Borough Council, have the objective of making it financially sustainable. This will inevitably see a project of change and investment lasting several years.

Public Meeting – Spring 2018

The spring public meeting you refer to is scheduled for 7th March and the necessary and appropriate members of staff from Natural Resources Wales will be in attendance and will provide an update on progress.

We will provide you with a more detailed briefing after that meeting as requested.

Welsh Government Funding Options

As stated in my letter of 17th November 2017, the reinstatement of the Forest Drive will need significant capital investment. This is due to the unusual impact of concentrated forest operations forced upon us by the need to remove large areas of infected larch trees and a need to reinstate in accordance with current safety standards.

Before we can discuss detailed capital funding options with Welsh Government we must first commission a structural engineering survey to determine as accurate an estimate of cost for reinstatement as we can. Our civil engineering expertise is in lower specification forest roads whilst Caerphilly County Borough Council will have expertise in highways more akin to a Forest Drive and so we will explore the possibility of CCBC undertaking the structural survey but failing this we will aim to tender and have this completed by June 2018, subject to operational funding being available.

Looking Forward

The Cwmcarn Project needs the next three months to become properly established with the clear long term objective of a financially sustainable operational facility. This will only be achieved by NRW and Caerphilly County Borough Council determining a sustainable long-term relationship that provides appropriate stakeholders, including the Friends of Cwmcarn, the opportunity to influence the future of the facility.

We will provide a further update after the public meeting on 7th March but I hope that this reassures you in the meantime that we are progressing this matter as we have previously committed to do.

Yours sincerely,



Kevin Ingram
Interim Chief Executive



David Rowlands AM
Chair – Petitions Committee
National Assembly for Wales,
Ty Hywel,
Cardiff Bay,
Cardiff,
CF99 1NA

Saturday 7th April 2018

Dear David

Thank you very much for forwarding Kevin Ingram, Interim Chief Executive, of NRW's dated 22nd February 2018 letter and I am pleased to confirm that I we had a very successful public meeting on the 7th March with over 100 members of the public in attendance. John Hogg, Steve Morgan, Derek Stephen and Sally Tansey attended on behalf of NRW and the overall impression we gained from what they said was positive. We believe that, with the necessary revenue streams sourced, it should be possible to get the Scenic Drive re-opened by September of 2019. We would once again like to re-iterate that question raised by our petition asks for the Welsh Government to help source the finances required to re-open the Forest Drive and if there is a requirement to draw on European Union (WEFO) funding then time is now of the essence and it should be done as soon as possible. The Welsh Government were consulate on the closure of the Forest Drive and as an aspect of this they should have insisted upon NRW ring-fencing a re-instatement fund. As they failed to do this our society considers that the problems surrounding this issue were caused by the Welsh Government's lack of due diligence on this matter and hold them accountable. We would appreciate a commitment from them that they will ensure that, if necessary, funds will be made available to ensure the Drive will be re-opened to private cars as soon as is possible.

Our petition calls for the Cwmcarn Forest Drive to re-open at Easter 2018 and it seems that it may be time to close it to consideration by the Petitions committee, however given that the project led by Derek Stephen is only just starting I would like to suggest that the Petitions committee maintains a watch brief on this issue for at least the next six months. Obviously it is very much up to your committee to determine whether it wants to do this or not but given NRW's track record it may be considered appropriate at this time to keep an eye on how things move forward.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'R Southall', written in a cursive style.

Robert Southall
Chair, Friends of Cwmcarn Forest Drive

Agenda Item 3.4

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

This petition was submitted by Vanessa L Dye, having collected 225 signatures online and 234 on paper – a total of 459 signatures.

Petition text:

We call on the National Assembly for Wales to urge the Welsh Government to:

- commission a research study to ascertain the state of the health of the razor clam beds and their viability as a long term natural resource, and put in place a moratorium for fishing of razor clams until the research can report its findings;
- ratify a 'closed' season for the harvesting of razor clams aligned to the spawning season i.e. May to September;
- draw up regulations in addition to the minimum landing size of 10cm to include set quotas that individuals are allowed to take; and
- bring forward legislation and regulations to protect the razor clams on Llanfairfechan beach.

"The mass harvesting of razor clams on Llanfairfechan beach has been a matter of concern for many residents and conservationists for a number of years." (Ref: letter to Cabinet Secretary Lesley Griffiths AM from Janet Finch Saunders AM 28th July 2017.

Currently the only regulatory control on razor clams is that they must have a legal minimum landing size of 10cm, and there are checks relating to the control of clams ending in the food chain. Many residents are concerned about the apparent lack of procedures and/or regulations governing the taking of razor clams particularly in respect of designating a 'closed' season during spawning, quotas allowed, and the need for research evidence to be conducted on the razor clams to ascertain the impact on the local environment and ecosystem.

Since 2013 it has been noted by several sources that razor clams are being harvested in great numbers from Llanfairfechan beach. Evidence to support this claim has been documented on numerous occasions on social media. A recent request on the Llanfairfechan Noticeboard for any pictures or video footage of those gathering the razor clams clearly shows that there are large numbers of people involved in this activity. The gathering of the razor clams generally takes place after a high tide.

Additional information:

Just to provide some historic background about this issue. In 2013 the harvesting activity was brought to light by the Weekly News newspaper by Tom Davidson when it was noted that there was “A gang of more than 100 people harvesting huge amounts of razor clams.....” There were also concerns that illegal workers were being exploited and that the clams were being fished for commercial purposes. At the time, one resident said “they had seen similar scenes involving an increasing number of gatherers over the last few weeks. Residents are angry at the sheer number of harvesters with fears the local habitat could be damaged irreparably, with hundreds of clams taken off the beach regularly.” Whilst fears about the gatherers being used as part of modern slavery and the shellfish ending up in the food chain have been allayed by the ongoing efforts of the police and Food Standards Agency. The environmental consequences of this sustained and systematic removal of razor clams remains a major issue, which may impact on the other marine and bird life within the area, along with causing possible changes in the density of sand on the beach. There are some fears regarding the sand being unstable in places and people unfamiliar with the beach could easily get into difficulties e.g. some gatherers harvest the clams some distance away from the safety of the land. It has been quite disempowering and frustrating for ordinary citizens to watch the pillaging of an environmental resource and question why organisations who's remit is to protect the environment appear to be hamstrung because of the lack of appropriate procedures/laws. This is surprising given that Llanfairfechan beach is designated as a Special Scientific Interest (SSSI), Special Protection Area (SPA) and Special Area of Conservation (SAC). 2013. Surely there must be regulations within these bodies of knowledge to tap into as a source to protect this imbalance in such an ecosystem?

Assembly Constituency and Region

- Not provided

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-778
Ein cyf/Our ref LG/00563/18

David John Rowlands AM

government.committee.business@wales.gsi.gov.uk

20 March 2018

Dear David

Thank you for your letter of 12 March, regarding P-05-778 Protect the Razor Clams on Llanfairfechan Beach.

I expect to receive the razor clam stock assessment methodology report on 31 March 2018 or shortly afterwards. The timescale for the development of a method for razor clam stock assessment will depend on the report findings and will probably take several months. Any potential recommendations relating to the optimal time of year for stock assessment will also have to be considered.

Once a razor clam stock assessment method has been agreed a new contract for delivery of the assessment will be put out for tender via the Welsh Government Fisheries and Marine Environmental Evidence Framework.

Bilingual signs relating to the closure are prominently displayed at the 5 access points to the Llanfairfechan and Penmaenmawr beaches. The signs are checked periodically and have been replaced when necessary.

Regards
Lesley

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Lesley.Griffiths@llyw.cymru
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.

Pack Page 75

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-05-778 – Protection of Razor Clams on Llanfairfechan beach –
Correspondence from petitioner to Committee, 23.03.18**

Dear Petition Committee Members,

**Re: Comments for Petition Committee Meeting March 2018 – See
emboldened sections for key points**

Thank you for the opportunity to submit comments for the next Petition Committee Meeting.

In respect of the Cabinet Secretary for Energy, planning and rural affairs letter (March 2018), which states that the ‘stock assessment methodology’ report is due to be submitted by 31st March. After the report is received a contract will be put out to tender for the assessment work to be conducted. Being mindful of comments forwarded to the Petition Committee in February; the residents, who attended the Public meeting held by Janet Finch-Saunders (AM) last July, raised many concerns about the apparent total lack knowledge regarding the types /extent/ density/ overall health and potential environmental effects of over fishing of the razor clam beds on Llanfairfechan beach. Therefore, **could I kindly request these areas of concern be built into the wording of the remit that is given those persons who are successful in the bid for the tender?**

To restate February comments, stories about overfishing are being played out across the planet, so it’s good to have the opportunity to do something positive to improve the environment at local level. **It is important that the people the Welsh Government select to conduct the research of the razor clam beds on Llanfairfechan beach that the researchers are apprised of fundamental concerns outlined within the ongoing documents and information about this Petition and the underpinning need for rigorous legislation to protect the razor clams on Llanfairfechan beach.**

Once again; the lack of a current strategy for assessing razor clam stocks means that **whoever conducts this research will be in the unrivalled position**

of being 'map makers' rather than 'map readers' in collecting evidence and setting benchmarks and recommendations which will inform 'fisheries' practices to help maintain this precious environmental area for the future. THIS REALLY IS AN OPPORTUNITY, NOT, TO BE MISSED.

In addition, the Cabinet Secretary for Energy, planning and rural affairs letter (March 2018), states that signs relating to the closure of the razor clam beds are prominently displayed at the 5 access points to the beach. However, as of this today, (3rd April), I found only two signs on the promenade. One of which is sello-taped to a waste bin near the main jetty and another which is tied to a nearby lamp post. Neither of which are prominent. There do not appear to be any signs on or near other access points.

I wish to thank the Petition Committee for continuing work on this petition.

Yours faithfully,

Vanessa L Dye

Agenda Item 3.5

P-05-779 Compulsory scanning of domestic pets for microchips by councils

This petition was submitted by #CatsMatter Campaign, having collected 910 signatures online.

Petition text:

We call on the National Assembly for Wales to urge the Welsh Government to introduce a policy to implement the compulsory scanning of domestic pets by councils.

Vets and shelters will scan pets found but there is no requirement from councils. The microchip system can only be fully effective if animals that have been microchipped are scanned and this is vital for the owners who have to endure the mental torment of never knowing and continuing searches for weeks/months when a family pet goes missing.

Currently there is no policy in place for councils to scan cats & dogs found by the street cleaning teams within councils. When a pet is missing it is devastating for their owners. But sometimes, when a cat goes missing, its owners may never find out if they are lost or have been killed in a road accident. There is no closure for the owners and their feelings of loss may go on and on.

Additional information:

At present, the Welsh councils who do not scan are Gwynedd, Anglesey, Cardiff, Newport, Blaenau Gwent and Neath Port Talbot. The remaining councils do currently scan. However, these councils admit they only scan when they deem the animal in a state to be so. This only partly eases pet owners grief as still many will never find out. Most animals involved in road collisions do sustain major injury which should not be used as an excuse to barricade the moral duties of letting the owners know. All domestic animals should be scanned, regardless of state, and the owners notified. Whilst it is considered the unfortunate upset or distress the street clean may endure when scanning animals found in a bad way, the fact is they will handle these animals regardless of our proposed policy. They will handle these cases on a regular basis at present. Although we appreciate the upsetting nature, the proposed policy does not encourage this any further than it currently is and the heartache would not be consistent with the owners who love and know

these animals personally and morally have a right to know what has happened.

Assembly Constituency and Region

- Not residing in Wales

P-05-779 Compulsory scanning of domestic pets for microchips by councils- Correspondence from Blaenau Gwent CBC to the Chair, 22.2.18

Dear Mr Rowlands

Blaenau Gwent CBC does not currently scan cats/dogs, for identification purposes, which have been involved in RTA's. Officers are currently investigating the implications for adopting a policy whereby these animals are scanned, which will include discussions with colleagues in neighbouring L/A's. Once the implications have been identified, a decision will be made as to whether it is, or is not, feasible to implement such a policy.

Sent on Behalf of Michelle Morris

Managing Director

Pennaeth Adran Amgylchedd

(Cynllunio, Gwarchod y Cyhoedd, Eiddo, Trafnidiaeth a Chefn Gwlad)

Head of Environment Department

(Planning, Public Protection, Property, Transport & Countryside)

Dafydd Wyn Williams



Gofynnwch am/Ask for: Dafydd Wyn Williams

☎(01286) 679371

Ein Cyf / Our Ref: **DWW/gmo**

Eich Cyf / Your Ref:

✉ DafyddWynWilliams@gwynedd.llyw.cymru

David J Rowlands AC

Cadeirydd

Y Pwyllgor Deisebau

Cynulliad Cenedlaethol Cymru

Bae Caerdydd

Caerdydd

CF99 1NA

14 Mawrth/March 2018

Annwyl Syr/Fadam

Dear Sir/Madam

Deiseb P-05-779 Sganio Gorfodol gan Gynghorau am Ficrosglodion mewn Anifeiliaid Anwes

Petition P-05-779 Compulsory Scanning of Domestic Pets for Microchips by Councils

Diolch am eich gohebiaeth dyddiedig 25 Ionawr 2018.

Thank you for your correspondence dated 25th January 2018.

Mae'r Cyngor yn cydnabod y gall colli anifail anwes fod yn drallodus iawn i berchnogion anifeiliaid anwes a'u teuluoedd.

The Council recognizes that the loss of a pet can be very distressing for pet owners and their families.

Er bod yr RSPCA yn argymhell gosod microsglodion ar gathod fel arfer da, y sefyllfa gyfreithiol yw nad oes rheidrwydd ar berchnogion i wneud hynny. O ystyried y sefyllfa yma, nid oes gan Gyngor Gwynedd bolisi ar gyfer sganio anifeiliaid anwes sydd wedi marw.

Whilst the RSPCA does recommend microchipping cats as good practice, the legal position is that owners are not required to microchip their pet cats. Given the current legal position, Gwynedd Council does not have a policy for scanning deceased pets for microchips.

Yr ydym yn gwerthfawrogi ac yn deall yr effaith y gall colli anifail anwes gael ar y perchennog, ond mae'n rhaid i ni yn anffodus eich cynghori bod cyfyngiadau ariannol presennol llywodraeth leol - lle'r ydym yn cael trafferth i ddarparu'r swyddogaethau y mae'n ofynnol i ni i ddarparu yn ôl y gyfraith - yn ei gwneud yn annhebygol iawn y bydd polisi ar gyfer sganio cathod marw yn cael ei fabwysiadu

I must stress again that we appreciate and understand the impact that the loss of pet can have on the owner, but we must advise you that due to the current financial constraints in local government, we are even struggling to provide the functions that we are required to provide by law. It is therefore unlikely that a policy for scanning deceased cats will be adopted by the Council

130318_LIC_Deiseb

Swyddfa'r Cyngor
Caernarfon
Gwynedd. LL55 1SH
01766 771000

Yr wyf yn gobeithio bod hyn yn egluro safbwynt y I hope that this clarifies the Council's position regarding
Cyngor ynghylch y mater hwn a diolch i chi unwaith eto this matter and thank you again for your
am eich gohebiaeth. correspondence.

Yn gywir Yours sincerely

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

Dafydd Williams
Pennaeth Adran Amgylchedd/Head of Environment Department

**SWYDDFA CYMORTH Y CABINET
CABINET SUPPORT OFFICE**

Fy Nghyf / My Ref : MM

Eich Cyf / Your Ref: P-05-779

Dyddiad / Date : 15th February 2018



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Mr David J Rowlands AM
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Annwyl/Dear David,

**Re: P-05-779 Correspondence from the Chair of the Petitions Committee –
Compulsory Scanning of Domestic Pets for Microchips by Councils**

Thank you for your letter dated 25 January 2018 regarding the compulsory scanning of deceased domestic pets for microchips by councils in Wales, which was sent to the Council's Chief Executive.

I can confirm that following a review that was undertaken in 2010, Cardiff Council has implemented a process for dealing specifically with deceased dogs found on the adopted highway in the city. If and when they find and are able to recover the deceased dog, Council officers will take the animal to Cardiff Dogs Home where the dog is then scanned and where possible, the dog owner will be informed based on the information provided by any microchip that is present.

Cardiff Dogs Home is manned 24 hours a day, 365 days a year and keeps both a register of dogs impounded in the Dogs Home and those reported lost. A log is also kept of all deceased dogs that are scanned at the Dogs Home.

Unfortunately, there are some instances where dogs are hit and killed by vehicles on high speed roads and it can be extremely difficult to recover the animal carcass or find the microchip to enable it to be scanned. In such instances, the safety of council employees and the general public must take priority in any operational decision to recover the animal carcass from the adopted highway. The Council's Street Cleansing Service will keep a record of such incidents and where feasible, will also retain any recoverable items such as dog collars and tags, which can then be passed on to the dog owner. However, generally in these circumstances, the



deceased dogs have to be disposed of appropriately in accordance with relevant waste and animal health regulations.

I can further confirm that the Council is considering expanding this process to include the recovery, scanning and disposal of other deceased domestic pets, such as cats, which are found on the adopted highway. We have also looked into the possibility of taking any deceased cats that are recovered to local vets, as opposed to the Dogs Home for obvious reasons, but have been unable to find a partner that was willing to support this service.

As a result, the Council has introduced an informal process whereby cat owners can contact the Council's contact centre, Connect to Cardiff (C2C), with a location and description of their missing pet and officers from the Street Cleansing Service will then check any records held to see if the cat has been found dead and disposed of appropriately by Council officers. Where there is a likely match, the owner is then contacted to inform them of their loss. However, it is not currently compulsory for cat owners to have their pets microchipped in the same way as dogs and therefore, the routine scanning of all deceased cats found on the adopted highway is considered to be both time consuming and inappropriate in terms of maintaining the efficiency of our highway and street cleansing operations.

As the relevant Cabinet Secretary pointed out in correspondence to your Committee back in September 2017, the Welsh Government saw no need previously to require local authorities to compulsorily scan dogs for microchips when developing the current legislation that requires the microchipping of all dogs in Wales. Any proposal for the Welsh Government to mandate the compulsory microchipping and scanning of domestic cats or pets more generally would therefore require a review of existing legislation and guidance. This would also have specific operational and cost implications for local authorities.

The Council understands the views that have been expressed by the petitioner to the National Assembly for Wales and by other cat owners or animal welfare charities in previous correspondence with the Council on this matter. However at this point in time, the Council believes that the introduction of a voluntary charter, based on existing best practice, which sets out how deceased domestic pets found on the adopted highway will be dealt with by local authorities, may provide a more appropriate way forward that the Welsh Government may wish to consider.

Yn gwyir,
Yours sincerely,



Cynghorydd / Councillor Michael Michael
Cabinet Member for Clean Streets, Recycling & Environment /
Aelod Cabinet dros Strydoedd Glân, Ailgylchu a'r Amgylchedd

Ask for/*Gofynnwch am* Paul Jones
Our Ref/*Ein Cyf*
Your Ref/*Eich Cyf*
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Streetscene
Y-Strydynun



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NP20 4UR

Mr D.J Rowlands
Chair of Petitions Committee
National Assembly for Wales
Cardiff Bay
CARDIFF
CF99 1NA

7th February 2018

RE: Petition P-05-779 Compulsory scanning of domestic pets for microchips by councils

Dear Mr Rowlands,

In response to your recent enquiry regarding our current policy of the above I am able to confirm that we do actually carry out scanning of suitable animal carcasses involved in highway incidents together with temporary storage of collected carcasses allowing owners to have some time to make enquiries and locate their animals. Any carcasses not retrieved are eventually disposed of via incineration.

I trust this information is of use, any queries please contact writer.

Yours sincerely

Paul Jones

Head of Streetscene and City Services



**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

Dr. Gwynne Jones
Prif Weithredwr
Chief Executive

CYNGOR SIR YNYS MÔN
ISLE OF ANGLESEY COUNTY COUNCIL
Swyddfa'r Sir
LLANGFNI
Ynys Môn - Anglesey
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Gofynnwch am - Please ask for: Vicky Jones

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E-Bost-E-mail: gwynnejones@ynysmon.gov.uk

Ein Cyf - Our Ref. WGJ/VLJ
Eich Cyf - Your Ref.

Mr David J Rowlands AM
Chair of the Petitions Committee
National Assembly for Wales
Petitions Committee
Cardiff Bay
Cardiff
CF99 1NA
SeneddPetitions@assembly.wales

20 February, 2018

Dear Mr Rowlands

Petition P-05-779 Compulsory scanning of domestic pets for microchips by councils

I refer to your letter dated 25th January 2018 regarding the above.

The Council's Waste Management Section has discussed the matter with the Environmental Health Section and its waste cleansing contractor Biffa, and we can confirm that domestic pets will be scanned by the Council's Environmental Health Section from now on.

Yours sincerely

**Dr Gwynne Jones
Chief Executive**

**P-05-779 Compulsory scanning of domestic pets for microchips by councils -
Correspondence from the Petitioner to the Committee, 19.03.18**

CatsMatter's views in light of council correspondence

We sincerely thank the petitions committee's commitment, and support, throughout our petition's process. We feel we have been listened to, and our concerns met with the severity we feel they deserve thus far. As hoped, writing to the remaining 5 councils who did not scan has seen some great success. We are of course thrilled at the responses from Newport and Anglesey, and thoroughly commend the actions to now implement a scanning procedure.

In regard to Blaenau Gwent and Cardiff, it is extremely encouraging that they have agreed to review the process they currently have in place, and we look forward to confirmation of what action they ultimately decided upon. In terms of Cardiff, it is fully understandable not all deceased pets can be scanned due to the state some may be collected in. We fully respect there may be cases where seeking a microchip may prove impossible, but we would appreciate good attempts are made to locate a chip where possible in most cases. We would personally welcome compulsory microchipping of cats, simply for the reason it would ease pressure on the rescue and shelter systems, however we do not feel considering such legislation should be directly linked to the scanning of cats at this stage. Persons should microchip their pet as good and responsible practice, but if an owner fails to have one microchipped it is not the councils fault, or place, to search for the owner. However, we highly appreciate and commend Cardiff making records, such as markings etc, of those found and do agree it could help give an owner closure should any unchipped cats description match their missing pet. We agree, and stand with Cardiff, on that a voluntary charter outlining the best practice for local authorities, would be a good consideration. This also fits with our argument that, in some cases, cats 'slip through the net' for various reasons. Apart from the above considerations to damaged or un-scannable chips, this could be a good outline for councils to opt to follow to minimize the unacceptable reasons for which some pets are not routinely scanned. Again, we commend Cardiff for outlining this possible measure the Assembly could consider.

Gwynedd's response is thoroughly disappointing and, should Cardiff and Blaenau Gwent soon confirm they have implemented this procedure, Gwynedd will be the only council in Wales to not have this in place. It would be a great achievement for the Welsh Government to be able to say they are the first country in the world to have an all scanning procedure throughout, and we believe it would be honourable

to be able to show how high standards are. Our previous attempts to work with Gwynedd have failed, and in the latter stages of discussions, ourselves and residents struggled to receive a response at all. The fact the petitions committee also had to re-chase them for a response, for us, shows a complete lack of sympathy and regard to resident's requests, and a complacency for the importance of this issue.

Gwynedd highlight there is no legislation surrounding the compulsory microchipping of cats currently, which is true. However, the law does state dogs must be microchipped by law and we are not aware of them scanning deceased dogs found through our previous enquiries with staff. We thoroughly appreciate the current climate councils find themselves in, but equipment has been offered free to the council by numerous sources previously which were declined. The cost to implement in the first instance would be extremely low. Scanners can cost between £20-£40 generally, and the chest freezers councils use to store pet remains can be collected free from their own recycling centre - such as Carmarthenshire who chose to do this to keep cost to a minimal, also due to financial restraints. To equip 3 depots, it would not exceed £100 if alternatives such as the freezer option was considered and used. The cost to continue this would cost no more than the odd phone call in reality. Every council is different of course, but we have found generally they will collect around 7 cats a month in constituencies with a mostly rural landscape. Of the 7, around 4 will be microchipped, meaning just 4 phone calls per month would have to be made to notify the owners. To be more accurate on this, it would be reasonable if Gwynedd at least explored the possibilities, and accepted a trial of such a procedure. We are confident, should they honour a trial, they will learn it is inexpensive to implement and run, and would be much more encouraged to adopting it full time. We find it difficult to understand why Gwynedd would not do this, especially given every other council in Wales manages it perfectly well, with the new exceptions of Cardiff and Blaenau Gwent of course. We would greatly appreciate if the Welsh Government could work further with Gwynedd on this and we see no reason why mutual ground could not be found in the near future.

A number of our supporters are of course residents in the above 5 regions. We are sending a second document with their thoughts on the council's new procedures, or lack of, in hope you will sympathise and understand how important it is for the residents these procedures will directly affect. We do ask the Government to consider both ours, and residents, concerns and act in the best way they see fit for moving forward. One statement in particular is from a rescue volunteer who's made

it her unpaid role to collect deceased cats from the roadside in the Gwynedd and Anglesey regions, knowing the council won't, and she will scan them and return them to the owner. All she wishes for is owners have closure and can grieve properly. This is all anyone asks the council to do, although their jobs already is to collect and dispose of them, all we ask is the added procedure of scanning them and notifying them. Welsh residents should not feel they need to go out there and do this themselves because their council's have ultimately failed them.

Thank you again for the dedication, commitment, and success you have brought to this petition to date, ultimately ensuring residents in Cardiff, Newport, Blaenau Gwent and Anglesey, receive the closure they deserve should the worst happen to their pets. To receive closure, regardless of how difficult the news may be, is invaluable to a pet owner.

Mandy & Tiya

Responses from residents

- To the Petitions Committee of the Welsh Assembly. Many Members will know me for my campaign to ban wild animals being used in circuses in Wales. My concern for animals and their welfare is well documented, as is my work as a former branch Trustee and Committee member for RSPCA West Gwynedd Branch and volunteer at RSPCA Bryn-y-Maen Animal Centre. As you may know I live in Gwynedd, I share my home with two rescue cats Rosa and Grace. As a responsible owner I have ensured both my girls are spayed and micro chipped. I have known for some time that sadly Gwynedd Council choose not to scan the remains of deceased companion animals they find on the side of the road. They simply dispose of their bodies at landfill. Veterinary practices in this area will tell you that it's my practice to take any bodies of companion animals involved in RTA to them to be scanned. Should I find them or am told of such cases. As you can imagine this is not a pleasant task for either myself or the staff at the vets. I do this because somewhere a grieving owner or family may be looking for their beloved pet. Plus, I know if the pet isn't chipped the practice will dispose of their body in the proper manner, after first trying to find their owner. I know Gwynedd Council are under great financial pressure, as all LA's are, but I really cannot see how their current position

on this is tenable. If other cash strapped LA's can do this in Cymru, why can't Gwynedd? I believe Gwynedd have been offered scanners free of charge. I for one would be willing to buy the scanners for them. I am sure animal rescue centres, veterinary practices and indeed RSPCA West Gwynedd Branch would be willing to work with Gwynedd so a solution could be found. To my mind bodies such as Government's even local governments are looked to to set standards. What is the point of the WG making it a legal requirement for dog owners to microchip them, if a LA simply disposes of their remains like rubbish at landfill without scanning? I know my girls will not be with me for ever, but the thought that my local council – Gwynedd could threaten their remains like rubbish without even letting me know what happened to them is a truly horrendous prospect.

- Thank you for the work you are doing to help make scanning deceased cats mandatory by local councils. I think the decision by Gwynedd not to participate is extremely disappointing. Microchip scanners are not expensive to buy and I would donate even and it only takes seconds to scan a cat and contact a vets with the details. I cannot understand why they won't and can only feel that the people making the decision are not animal lovers and don't appreciate how we feel. Losing a pet and not knowing what has happened to him or her can be as bad as losing a person. It saddens me deeply that these humans in the council won't help with such an easy process to help people come to terms about what has happened to a loved one. Many thanks
- Disgusted and appalled that Cyngor Gwynedd Council can't find it in their budget or whatever to scan deceased cats. There is growing number of social media sites in Gwynedd and Anglesey working together to reunite lost pets and sadly the deceased ones too but what about the ones us the public don't find and take to the vets or local scanner. Please Cyngor Gwynedd Council rethink this stupid decision.
- I live in Gwynedd and am appalled to learn that Gwynedd County Council can't be bothered to buy scanners to scan microchipped strays/deceased animals. It's compulsory for all dogs to be microchipped (at our own cost) in Wales so why can't ALL councils scan and hopefully reunite our pets. They are family.

- I have 2 cats microchipped, i took comfort in the knowledge that if one of them died at the roadside, the council were obliged to scan for the owner. I live in Bangor, Gwynedd. I was shocked to discover this is not the case in Gwynedd.
- I don't live in Wales but my mother was from what is now Gwynedd. As a lifetime cat lover and owner, she would be horrified to know that the cats of Gwynedd and their families are so little respected by the local Council. My Welsh blood is boiling.
- They should be ashamed of themselves they need to think if it was their beloved pet how would they feel and change animals matter x
- Hello, I live in Gwynedd and am guardian for a young rescued cat. She is microchipped and when she went missing for a short while last year I had the reassurance that if she was found, alive or dead, we would get closure. Or that is what I thought at the time. I am horrified to discover that this is not the case. Dora was only missing for a day and was found via social media, it felt awful in the meantime. But many don't ever find out and imagine dog baiters etc. Never knowing what has happened to a furry family member must be horrible.
- I saw your post about the microchip scanning issue in Wales and wanted to share my thoughts on the matter. This is my comment: "I live in Conwy County where scanning deceased pets is mandatory. I was completely shocked when I discovered Gwynedd, our neighbouring county, has not yet adopted this strategy. I think this is absolutely ludicrous! Owners have a right to know what has happened to their animals. Allowing people to unnecessarily remain distressed over a missing animal because the council is unwilling to scan is wrong on many levels. At the cost of a microchip scanner and the little effort it takes to scan, this is completely inexcusable. Denying people closure is cruel and something I certainly would not expect from a council in Wales; especially considering every other council in the country has adopted the policy. I urge Gwynedd County Council to listen to general public opinion and in doing so I hope they will reconsider their position on the matter.

- I am writing in support of your campaign to have all councils scan cats which have been found deceased. It is a distressing time when your cat goes missing. As many end up having been run over and consequently picked up by the council the application of a hand held scanner could at least give closure to the owner. Having been in the position of having cats disappear without knowing what happened I welcome the fact that my local council has adopted this system already. Many councils have taken on this task the few that remain should now follow suit and adopt the same procedures.

Agenda Item 3.6

P-05-785 Suspend Marine Licence 12/45/ML to dump radioactive marine sediments from the Hinkley Point nuclear site into Wales coastal waters off Cardiff

This petition was submitted by Tim Deere-Jones, having collected 7,033 signatures online and 138 on paper – a total of 7,171 signatures.

Petition text:

We call on the National Assembly for Wales to urge the Welsh Government to direct Natural Resources Wales to suspend the licence it has granted to NNB Genco, which permits up to 300,000 tonnes of radioactively contaminated material, dredged from the seabed at the Hinkley Point Nuclear power station site, to be dumped into Welsh inshore waters.

We further request that the suspension of the licence is used to ensure that a full Environmental Impact Assessment, complete radiological analysis and core sampling are carried out under the auspices of Natural Resources Wales, and that a Public Inquiry, a full hearing of independent evidence and a Public Consultation take place before any dump of the Hinkley sediments is permitted.

Additional information:

Marine Licence 12/45/ML, granted by the Welsh Government, permits the disposal of up to 300,000 tonnes of radioactively contaminated marine sediment, dredged from the seabed at the Hinkley Point nuclear site, into the Cardiff Grounds marine dump site close to the South Wales coast. This will allow work to begin on the 2 new Hinkley C nuclear reactor pipelines.

The sediments to be dredged are adjacent to the waste pipes used for the discharges from Hinkley's 4 existing reactors. Analysis, commissioned by UK Government agencies, shows that the sediment is contaminated by radioactive waste discharged to sea over 50+ years of operations at the Hinkley site. Calculations derived from the official data indicate that the proposed dredge sediments may hold at least 7 billion Bqs of aggregated radioactivity, yet reports state that doses to humans would be very low.

Hinkley's radioactive discharges to sea contain over 50 radio-nuclides, but the analysis has only investigated 3 of them. Thus, the actual aggregated radioactivity content of the sediments will be much higher than indicated by the available analysis. The available evidence also implies that only surface samples (0 to 5cms deep) of the sediment have been analysed, despite the fact that core sample research from elsewhere in the Irish Sea demonstrates that, at depths below 5cms, radioactivity concentrations may be up to 5 times higher.

While sedimentary radioactive material is initially likely to disperse, studies prove that it later re-concentrates in coastal and estuarine mudflats and saltmarshes, and is also available for sea-to-land transfer during onshore winds and coastal flooding. We note the absence of research on the fate of such radioactivity in South Wales inshore waters. In this context we are concerned that the environmental and human health (dose) risks from the proposed disposal have not been adequately researched and that any conclusions based on the current incomplete data, are unreliable.

Assembly Constituency and Region

- Carmarthen West and South Pembrokeshire
- Mid and West Wales

**P-05-785 Suspend Marine Licence 1245ML -
Correspondence from Petitioner to Committee, 13.03.18**

Dear Committee Chairman and Clerking Team:

As stated in my email of last week, the Campaign has been working on a further briefing in respect of the Radiological Surveys carried out by Gamma Spec' Analysis. Please find that Briefing attached to this email.

This Briefing addresses further issues relating to the three previous radiological surveys (2009, 2013 & 2017) but does NOT address issues relating to the Gamma Spec' Raw Data.

With regard to our issues regarding access to the Raw Gamma Spec' Data, I can inform you that the Campaign is about to undertake a final attempt to persuade CEFAS to help us to translate their preferred in house software into a format which is accessible to our analytical consultants. I apologise for the lack of progress in this area to date.

The Campaign would be most grateful if this message and its attachment could be distributed to the members of the Senedd Petitions Committee and if receipt of this message and its attachment could be confirmed.

With apologies to all concerned for this delay

Yours Sincerely

Tim Deere-Jones (for Postpone the Dump of Hinkley Radioactive Mud at the Cardiff Grounds "Disposal" site)

Summary Conclusions:

Section 1:

This Briefing supplements an earlier submission which discussed aspects of the CEFAS radiological surveys (2009, 2013, 2017) commissioned by the nuclear industry (EDF) and / or NRW.

Following CEFAS / EDF / NRW evidence given at Senedd Petitions Committee hearings, the Campaign requested (and has been granted) access to the Gamma Spectrometry Raw Data. To date it has not proved possible to overcome “conflicts” between the CEFAS software and that employed by the Campaign’s independent radiological analysts, although efforts continue to reconcile the relevant softwares.

However, additional (limited) data made available has been reviewed by the Campaign and the results of that review are set out in the following pages of this Briefing.

Sections 2 &3:

EDF and CEFAS have proposed that the Gamma Spectrometry analysis has identified and quantified ALL radionuclides present in the Hinkley sediments.

However, the Campaign reports that it is universally understood that a number of radio nuclides DO NOT emit gamma rays, or do so only at very low levels, and that these radio nuclides cannot be identified, or quantified directly, by Gamma Spectrometry and must be identified and quantified by other means.

This is demonstrated by the fact that, although CEFAS could not identify or quantify the Plutonium content of the Hinkley sediments by Gamma Spectrometry, they knew from other sources that Plutonium was present in those sediments, and indeed have “estimated” that concentrations of Plutonium in the sediments are greater than the Americium 241 that their surveys did “positively” identify.

Sections 4&5:

The Campaign notes that Gamma Spectrometry did not, and could not, identify the presence or concentrations of Plutonium in the Hinkley sediments.

The Campaign draws attention to the fact that CEFAS were compelled to use the “derived estimate” process to conclude that average Plutonium content of the Hinkley sediments for all 3 surveys exceeded all of the “positive” findings for Americium 241 recorded by Gamma Spectrometry. The Campaign concludes that this fact alone is evidence that Gamma Spectrometry cannot and has not identified ALL of the radio nuclides present in the sediments.

The Campaign offers examples of a number of radio nuclides (all of which are known to have been present in the Hinkley liquid effluents) and universally known to be incapable of either identification or quantification by the use of Gamma Spectrometry.

The Campaign concluded that the 3 surveys had **“failed to provide sufficient, coherent, conclusive and precise scientific data for the assessment of radiological impacts to the inhabitants and users / stakeholders of the south Wales inshore waters and coastal zone”**

Subsequent EDF, CEFAS and NRW evidence to the Senedd Petitions Committee have not modified the Campaign’s concerns

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Following the evidence from CEFAS, EDF and NRW, the Campaign requested access to the RAW DATA produced by the CEFAS Gamma Spectrometry analysis, and CEFAS forwarded us the material in question. However, the “raw data” that CEFAS has provided is presented in a format (Canberra Genie analytical) that cannot be read by the Campaign’s independent radiological analytical experts, who do not use that format. We have been in further contact with CEFAS who find themselves unable to assist further.

We have been in contact with specialists from the "Canberra" company who have offered additional information, but to data that information has NOT been sufficient to clarify a way forward for our analytical expert to access the CEFAS data. The Campaign, and our analyst, continue, as a matter of priority to seek a way to untangle this problem, but as of today we have no end date for this work.

However, ongoing scrutiny of data from other relevant CEFAS sources has revealed further information of high relevance to the EDF claim that Gamma Spectrometry can describe the TOTALITY of radio nuclide concentrations in the Hinkley sediments information.

This additional information is now shown (in the following paragraphs) to directly contradict claims made by EDF, that the Gamma Spectrometry analysis carried out by CEFAS has revealed precise data on ALL of the radio nuclides expected to be present in the Hinkley sediments.

.....

2: EDF and CEFAS reporting (to date) on the radioactivity in Hinkley dredge/dump sediment

a: CEFAS reporting of sediment radiological analysis (2009, 2013 & 2017) conducted on the material proposed for dumping at Cardiff Grounds has reported the presence of only 3 of the 50+ man-made radio nuclides discharged to sea from the historic reactors at Hinkley Point

b: The Campaign has consistently expressed concern that many man-made radio nuclides, other than the Americium 241, Cesium 137 and Cobalt 60 identified by the surveys, might be present in the sediments subjected to the testing regime.

However, EDF have insisted that ALL radio nuclides present in the Hinkley sediments have been tested for, and identified, as set out (in the extract of transcript of the 5th Dec 2017 meeting of the Petitions Committee) below:

Neil McEvoy AM: Yes. Just following on from what the witness said earlier, the first question is: how many radionuclides were tested for?

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Peter Bryant 10:13:22

Perhaps I'll answer that one. So, basically the testing was done by CEFAS. They would have used something called high-purity germanium detection. It sounds very complicated, but in essence each radionuclide normally emits a gamma ray, which is a byproduct of alpha and beta decay. That's always at a specific energy, and that energy is like a signature that says, 'This particular radionuclide has emitted an emission of radioactivity.' So, the high-purity germanium detection system looks across all the energy range, really, so wherever there's a peak that corresponds to a particular radionuclide. *So, you detect actually what's present, and so it will detect way above 50 plus different types of radionuclides that occur in the environment.* So, it is very much looking for the signature of radionuclide: rather than just going, 'I'm going to target these three or four'; it goes, 'I look across the entire range of energies and I detect exactly what's present.' 147

Neil McEvoy AM 10:14:20

So, in effect, all the man-made radionuclides were tested for through that process.

Peter Bryant 10:14:27

Yes

My emphasis in italics

The statement made by Peter Bryant of EDF confirms the EDF assertion that **ALL** man-made radio nuclides (*“exactly what’s present”*) had been tested for and that **ALL** radio nuclides present had been detected. Thus we may assume that it is EDF’s position that the reporting of the 3 named man made radio nuclides (Americium, Cesium and Cobalt) confirmed that these were the **ONLY** man made radio nuclides detected, and hence the only man made radio nuclides present.

NB: This statement was a response to both the direct question from Neil McEvoy AM and previous evidence and written submissions from the Campaign

The Campaign rejects the NRW / EDF / CEFAS implied claim that **all** man-made radio nuclides present in the mud can be detected by the Gamma Spectroscopy, because it is the fact that a number of radio nuclides do not emit gamma rays (or do so in very small percentage of their decays) and therefore **cannot be identified or quantified** directly by gamma spectroscopy.

Non gamma emitters consist of a range of radio nuclides including a number of alpha and beta emitting Plutonium isotopes, Tritium (H₃) and organically bound Tritium (*Tritium bound to organic particles achieves high levels of bio- concentration in the marine environment and generates elevated doses to seafood consumers*), Strontium 90, Carbon 14, Phosphorus 32 and a number of others. These radio nuclides must be analysed by other means such as radiochemistry, alpha analysis or liquid scintillation counting for extremely low-energy beta emitters.

Proof of the inability of Gamma spectrometry to detect non gamma emitting, alpha emitters is evidenced by statements in the relevant CEFAS radiological survey reports (see below):

The 2013 & 2017 CEFAS survey reports states that *“In addition to the nuclides detected by gamma spectrometry, sediments are also known to contain activities of Pu (Plutonium) radionuclides. The Am 241 data were used to derive estimates for the radio nuclides Pu 239, Pu 240 and Pu 241, assuming their activity was proportional to the ratio in the time integrated Sellafield discharges”*

Ref: “CEFAS BEEMS Technical Report TR444, HPC intake and outfall location pre-dredge sediment sample analysis results. Page 30 of 36”.

3: CEFAS Plutonium estimates

It is evident from the statement reproduced in the preceding paragraph (above) that Plutonium isotopes **could not be, and were not, detected by Gamma spectrometry** and in order to obtain some form of quantification it was necessary to undertake extrapolated **“estimations”** from the available Americium 241 data.

The three surveys in question gave **no measured (or analysed)** quantification for the plutonium isotopes Pu 238, Pu 239, Pu 240 and Pu 241 as can be seen from the Tables entitled *“Radioactivity in Sediment dredged from Hinkley Point C”* presented in each of the 3 Radiological surveys.

The absence of empirical data on alpha emitters is somewhat surprising since the alpha emitting Plutonium isotopes are understood to be a major potential health risk if ingested or inhaled, and their presence in the Hinkley marine environment is explicitly, and regularly, referenced in the annual RIFE monitoring reports. However, since none of the relevant CEFAS reports provided details of the outcomes of the CEFAS Plutonium “estimates”, in February 2018, the Campaign contacted CEFAS and requested details of those Plutonium estimates.

NB: RIFE Reports are annual Radioactivity In Food and the Environment Reports, generated by UK Regulatory Agencies including the Environment Agency, SEPA and the Food Standards Agency

4: The CEFAS reply to Campaign query concerning Plutonium estimates

“We can confirm that the data for Pu-238, Pu-239+240 and Pu-241 are derived estimates (i.e. calculated from Am-241 concentration measurements). Moreover, given the Am-241 data are mostly reported as less than values, the plutonium nuclide data are very conservatively estimated values (in line with the tiered approach of the radiological assessment methodology and in line with the IAEA guidelines).

We can also confirm that the plutonium values are not given in the analytical results table (because the tables only contain measured values). The estimated plutonium values are included in the radiological assessment and reproduced in the Figure of dose to individual members of crew and the public. The conservatively estimated “average” activity concentration values for each Plutonium from the assessment are as follows (as specific activity (Bq/kg, dry weight);

2009	2013	2017
Pu 238 (estimated) 0.076029 [0.07 Bq/Kg]	Pu-238 (estimated) 0.135394 [0.13 Bq/kg]	Pu-238 (estimated) 0.115984 [0.11 Bq/Kg]
Pu-239+240 (estimated) 0.461494 [0.46 Bq/Kg]	Pu-239+240 (estimated) 0.821839 [0.82 Bq/Kg]	Pu-23+240 (estimated) 0.704023 [0.70 Bq/Kg]
Pu-241 (estimated) 4.098069 [4.09 Bq/kg]	Pu-241 (estimated) 7.297931 [7.29 Bq/Kg]	Pu-241 (estimated) 6.251724 [6.25 Bq/Kg]
total average for 4 Pu’s 4.62 Bqs/Kg (my insertion)	total av’: 4 Pu’s 8.24 Bqs/Kg (my insertion)	total av’: 4 Pu’s 7.06Bqs/Kg (my insertion)

CEFAS also state that “If the resultant dose was not considered to be *de minimis* (in this tiered assessment approach) then plutonium radio nuclides would be analysed by chemistry methods (**which have significantly lower detection limits than gamma-ray spectrometry**) to establish measured values - and the assessment would be repeated” (my emphasis).

.....

5: Campaign’s response to CEFAS reply

The Campaign takes issue with a number of the CEFAS statements.

The Campaign warns that “derived estimates” should **NOT be considered as if they were empirical observations.**

The Campaign notes that the **average** concentrations of total Plutonium nuclides, indentified by the CEFAS “derived estimates” process, **far exceed the maximum positive concentrations of Americium 241** recorded in any of the three Gamma Spectrometry surveys carried out by CEFAS, thus the Pu concentrations are far more significant than the Am concentrations.... yet no attempt has been made to record them by empirical measurement and the information that is available is the result of “**estimations**” only.

The CEFAS radiological analysis reports on the Hinkley sediments, produced in support of the dredge and dump proposal clearly states that the Hinkley “*Am 241 data were used to derive estimates for Pu 239, Pu 240 and Pu 241, assuming that their activity was proportional to the ratio in the time-integrated Sellafield discharges*”.

It is inferred from this statement that the CEFAS estimates of Plutonium in the Hinkley sediments are derived from assumptions that Americium / Plutonium activity “was proportional to the ratio in the time integrated Sellafield discharges”.

However, annual RIFE Reports consistently state that the radio nuclides in the Hinkley marine environment are derived from multiple sources of both local (Hinkley, Oldbury and Berkely nuclear power stations) and more distant sources outside the Bristol Channel including Sellafield, weapons testing and Chernobyl. **Ref: RIFE 22: 2016.pps 122 - 124**

The historical Hinkley A (Magnox) and Hinkley B (AGR) stations both discharged low levels of Plutonium nuclides and Americium-241 in liquid nuclear waste effluents released to sea over 50+ years. Lists of the constituent nuclides in the proposed Hinkley C liquid radioactive waste discharges also reference Plutonium nuclides and Americium-241 and also imply the presence of alpha emitting Curium (Cm-244, Cm-245 and Cm-248)

Given the long half-lives of Plutonium, Americium and Curium nuclides it is inevitable that a percentage of that Plutonium, Americium and other alpha emitters **discharged from the Hinkley A and B sites** will still be present in the sediments proposed for the dredge and dump scheme.

Thus, from the evidence of the official monitoring agencies, plutonium, and indeed other alpha emitters, in the Hinkley region are demonstrably derived from multiple sources. Therefore, the CEFAS proposition, that Plutonium concentrations in the Hinkley sediments can be calculated from “measured Americium data” on the basis of time integrated Sellafield discharges only, is flawed.

The issue is further complicated by the fact that the largely beta emitting Plutonium-241, with a half-life of only 14 years, decays to produce the alpha emitting Americium-241. Since the Hinkley A, Hinkley B, Oldbury and Berkeley reactors all discharged Plutonium-241 **and** Americium-241, it is evident that attempts to calculate total Plutonium levels on the assumption that “*Am 241 datawas proportional to the ratio in the time-integrated Sellafield discharges*” are mis-directed and lacking in rigour.

For this reason, the Campaign has little confidence in the accuracy of CEFAS “estimates” of Plutonium (and other alpha emitters) since they are stated to be based only on the proportionality of Americium-241 in Sellafield related time integrated discharges and take no account of either Bristol Channel sourced Americium-241 (Hinkley A and B, Oldbury, Berkeley) or Bristol Channel sourced Plutonium-241.

Had Alpha analysis been deployed on the Hinkley sediments proposed for disposal at the Cardiff grounds site, the precise concentrations of alpha emitters in the sediments could have been quantified.

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6: Gamma spectrometry “Counting Times”

The Campaign has analysed scientific papers undertaking research and review of the methodology of Gamma spectrometry. From these papers the Campaign concludes that because such decay occurs randomly through time, the measurement of decay “events” detected over a given time period is never exact but represents an average value and that longer “counting” periods will provide more reliable results. In that context the Campaign understands that a certain amount of unreliability may be expected when results are presented, especially if the counting times are relatively short.

Data presented to the Campaign by CEFAS (machine “translations” of the raw Gamma Spectrometry data) indicates that the CEFAS methodology “counted” the samples for approximately 15 hours or 55,000 seconds. However many papers reference much longer counting times for maximum statistical efficiency.

Recent papers have explained that the 55,000 seconds is now regarded as an **“optimal measurement counting time”, and that the “optimal” standard is achieved by arriving at the best balance between financial costs and the effectiveness of the Spectrometry results.**

There is now a consensus that “Better average values can be obtained by acquiring data over longer time periods” and “ for the analysis of environmental samples with low radioactivity, a relatively long counting time is required e.g. up to 1-2 days to obtain accurate and precise results”.

Ref: UNSCEAR Report to the General Assembly. Annex B: Exposures from Natural Radiation Sources (2000)

Ref: IAEA-TECDOC-1401: “Quantifying Uncertainty in Nuclear Analytical Measurements”, International Atomic Energy Authority, (2004)

Ref: Nuclear Forensic International Technical Working Group, Guidelines Task Group, high resolution gamma spectrometry general overview: INFL-GSOV (2013)

A 2016 paper references counting “for 86,400 seconds (24 hrs) for effective peak area statistics of above 0.1%”

REF: Joel et al’ “Precision measurement of radioactivity in gamma rays spectrometry using two HPGe detectors comparison techniques: Application to the soil measurement”: published online 2016 Dec 31. Doi: 10.1016/j.mex.2016.12.003

A 2017 paper explains that “Better average values can be obtained by acquiring data over longer time periods” and “for the analysis of environmental samples with low radioactivity, a relatively long counting time is required e.g. up to 1-2 days to obtain accurate and precise results.”

This paper also provides detailed analysis of fourteen consecutive analytical measurements of selected “natural” radio nuclides under the influence of different time measurement and counting statistics using HPGe detectors (similar to those used by CEFAS) for time periods ranging from 5 minutes up to 72 hours.

This paper shows that only one radio nuclide (Pb-212, a radioactive isotope of Lead, a decay product of Uranium-235) was detected after 5 minutes counting, but the related error was greater than 20%, longer counting time demonstrably reduced the related error. After ten minutes counting the radio nuclides Bismuth-212 and Potassium-40 were detected but their related errors were 27% and 33% respectively, again longer counting times reduced the related error.

At the other end of the scale Uranium-235 and Radium-226 required a count of 3 hours before they were initially detected but appropriate statistical results were not achieved until 24 and 36 hours respectively.

Figure 1 of the 2017 paper reports (in graph form) the Relative Error (in terms of percentage) , related to Specific Activity (Bq/Kg) of nine radio nuclides over the fourteen set count times and confirms that, after approximately 36 hours counting, the Relative Error for all nine radio nuclides is approaching its minimum level and that, as also shown in Table 1, the lowest error is achieved after 72 hours (259,200 seconds).

REF: “Optimal Measurement Counting Time and Statistics in Gamma Spectrometry Analysis: The Time Balance” Joel et al’: American Institute of Physics, Conf Proceedings 1792 100001 (2017); doi: 10.1063/1.4969040

On this basis, the Campaign concludes that greater accuracy of measurements of radioactivity concentrations in the Hinkley sediments would have been achieved if longer counting times had been used, and that longer counting times were not deployed in the interests of reducing costs to EDF and that this conclusion is supported by the scientific research and reviews reported above.

The Campaign therefore has no faith in the accuracy or veracity of the claims put forward by EDF and apparently supported by the NRW (who have confirmed that they do not have any in-house marine environmental radioactivity expertise).

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7: Gamma spectrometry “Less than” results

The Campaign is also concerned by the “less than” results given in the tables of radioactivity in Hinkley sediments presented in the three CEFAS radiological analysis reports for the following reasons:

A: The Campaign notes the dis-continuity (*wide difference between*) between “less than” results for Americium-241 presented in the tables. For example, the 2013 results for 17 samples (Table 1) presents 14 of those results as “less thans” and 3 results as definitive positives.

The 14 “less than” results vary widely, ranging from “less than” 0.66 Bq/Kg to “less than” 1.71 Bq/Kg, with the maximum “less than” being more than twice as great than the minimum.

It should also be noted that of the three **positive** results presented in the 2013 table of Americium results (0.63 Bq/Kg, 0.97 Bq/Kg and 3.16 Bq/Kg), one (0.63) is lower than **all** of the presented “less thans” and the other is lower than 11 of the “less thans”. Neither CEFAS nor EDF have offered an explanation for this dichotomy

Similar effects are noted for the tables for the 2009 and 2017 results.

B: The Campaign also notes the lack of continuity of Cobalt-60 “less thans” presented in the tables for the three surveys. For example, the 2013 results for 17 samples (Table 1) are all given as “less thans”, but they range from “less than” 0.25 Bq/Kg to “less than” 0.49 Bq/Kg, with the maximum “less than” being nearly twice as great as the minimum “less than”.

The Campaign concludes that these widely varying figures for “less thans”, and the occasional “positives” which are smaller / lower than many of the “less thans”, are a product of truncated count times and the wider relative errors associated with shorter counts.

In the context of the above, the Campaign concludes that the methodology used by CEFAS has generated confusing and contradictory outcomes. The Campaign therefore has little faith in the data produced for EDF by CEFAS using the relatively short counting times of around 15 hours compared to the frequently recommended, and much greater, extended counting times.

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8: “Radioactive Particles” Released from Nuclear Power Stations:

A study of the annual RIFE reports confirms the Campaign’s concerns that there may be “particles” of relatively radioactive material (discharged from Bristol Channel nuclear power stations) in both the sedimentary environment of the south Wales coast **and** in those Hinkley sediments proposed for dredge and dumping off Cardiff Bay.

These are **not** the same type of Sellafield derived particles referred to in the submissions from Dr Chris Busby, rather they are radioactive particles like those found at the end of the discharge outfall of the Magnox nuclear power station at Chapelcross (southern Scotland) and identified by the authors of the RIFE Reports (Environment Agency, Food Standards Agency and Scottish Environmental protection Agency) as mostly “limescale” and believed to “originate from deposits within the pipeline”.

In 2005, 95 such items were detected around the Chapelcross liquid waste outfall with radioactivity levels elevated above “background”. Finds of similar particles had been reported from 1992 onwards. From the Campaign’s brief review of the annual RIFE reports and their predecessors (the MAFF AEMRs) we conclude that the monitoring of “end of discharge outfalls” for “particles” is relatively uncommon at nuclear power stations as such activity is rarely reported elsewhere.

To date, despite our search of the available literature, the Campaign has NOT been able to find any reporting of such investigations at the Bristol Channel nuclear power stations (Hinkley A and B, Oldbury and Berkeley).

A scientific paper submitted to the 2009 “Radioactive Particles in the Environment” Conference confirmed that “Radioactive particles and colloids are also released via effluents from reprocessing facilities **and civil reactors, and radioactive particles are identified in sediments in the close vicinity of radioactive waste dumped at sea.**” (*my emphasis*)

The 2009 paper further reported that “Radioactive particles in the environment are heterogeneously distributed and can carry substantial amounts of refractory fission products, activation products and transuranics. Samples collected may not be representative and inert particles can be difficult to dissolve. For particle contaminated areas, the estimated inventories can therefore be underestimated” (*transuranics include Plutonium, Curium and Americium*).

The 2009 paper also noted that “Radioactive particles in the environment are defined as localised aggregates of radioactive atoms” that give rise to an inhomogeneous distribution of radionuclides significantly different from that of the matrix background (IAEA CRP, 2001). In water, “particles are defined as entities having diameters larger than 0.45 µm, which will settle due to gravity, while particles larger than 1 mm are referred to as fragments. Particles less than 10 µm are considered respiratory.” i.e. easily inhaled.

Ref: “Radioactive Particles Released from Different Nuclear Sources”, (pp3-13) Brit Salbu: Conference paper, from “Radioactive Particles in the Environment”: 2009: editors DH Oughton & V. Kashparov. Nato Science for Peace & Security Series. Pub: Springer

The Campaign considers that there is a high probability that, during the 50+ year lifetime of liquid nuclear waste effluent discharges from the Hinkley Magnox and AGR reactors, radioactive particles, similar to those discharged from the Chapelcross site will have been discharged into the Hinkley marine and sedimentary environment.

As stated above, the Campaign has (to date) found no reporting of searches for “radioactive particles” in the sediments around the Hinkley outfalls, and certainly the CEFAS sediment sampling related to the dredge and dump proposal does not appear to have included any such investigation.

The absence of such work is a further reason why the Campaign does not believe that the investigations commissioned by EDF, supported by NRW and the Welsh Government, have provided sufficient information to justify the permitting of the dumping of radioactively contaminated sediments into the Cardiff Grounds dispersal site.

.....

David J Rowlands AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

27 March 2018

Dear David,

'Petition P-05-785 Suspend Marine License 12/45/ML to dump radioactive marine sediments from the Hinkley Point nuclear site into Wales' coastal waters off Cardiff'

Further to my letter of 22 January 2018, I am now able to address the remaining points raised in your original letter dated 12 January.

Sampling of sediment

For public reassurance, we requested that Cefas undertake radiation dose analysis of the 2009 samples, as this analysis had been carried out on samples from 2013 and 2017; this has now been completed. In addition to the specialist advice provided by Cefas, we consulted Public Health Wales and NRW's own internal expert in relation to the dose analysis results. The assessment concluded that the values for individual dredger crew members, the public, and the total collective dose were within the *de minimus* criteria according to the generic radiological assessment procedure developed by the IAEA (International Atomic Energy Agency). Therefore, the results, based on Cefas' analysis and the IAEA criteria, show that the material possesses no radiological risk to human health or the environment.

We have also completed our assessment of the suite of samples that were submitted to us in November 2017. The report and conclusions were produced by Cefas and we also conducted a technical consultation with Public Health Wales and NRW's experts using the same international guidelines as for previous samples. The chemical and radiological

results were within acceptable limits and we are satisfied that there is no risk to human health or the environment.

Following your request, we also asked the licence holder to consider further voluntary sampling at depth. However, following the results of the samples taken in 2009, 2013 and 2017, it is not considered necessary as there is no scientific basis for any additional sampling. Unfortunately, this is not something that we can re-visit through the licence or its conditions.

We have therefore formally discharged condition 9.5 of the marine licence. However, there is a further condition regarding site monitoring that the licence holder needs to discharge before NRW will provide written approval before the disposal activity can commence.

Our dedicated web-page (link below) will publicise the decisions we make and provide timely updates, including downloadable content of key documents.

Analysis of radioactivity

We have obtained from Cefas the full range of radionuclides that have been tested/screened and have made this information available on a dedicated page on our website: www.cyfoethnaturiolcymru/GwarediadGwaddodCardiffGrounds/ / www.naturalresources.wales/CardiffGroundsSedimentDisposal.

Sampling sites and dispersal studies

Cefas have provided information regarding the movement of sediments disposed of at Cardiff Grounds, which I have attached to this correspondence for your assistance.

Environmental sampling of the Severn Estuary for radionuclides is also conducted as part of the joint UK regulators Radioactivity in Food and the Environment (RIFE) programme. This is an extensive monitoring programme measuring radionuclides in air, water, soil and foodstuffs and is an independent check-monitoring programme, supplementing the environmental monitoring that the regulators require of permitted nuclear sites to carry out and report to us in the UK. NRW are partners in this programme.

This independent programme is conducted annually and published each October. The most recent is No. 22, covering sampling in 2016, published in October 2017.

<https://www.gov.uk/government/publications/radioactivity-in-food-and-the-environment-rife-reports-2004-to-2016>

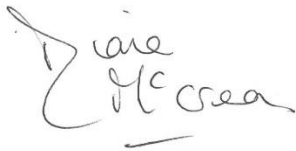
Key references to the monitoring programmes near Hinkley Nuclear Power Stations (A, B and C), including in the Estuary are in the following sections;

P122, S 4.6
P146 Table 4.7b

In addition to the annual environmental sampling conducted for RIFE, in 2016, the Environment Agency also undertook an additional sampling programme of sediments in the nearby River Parrett. This is included in the report in Section for Hinkley. (4.6)

I hope the above answers your outstanding queries. Please do not hesitate to contact me should you have any further queries.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Diane McCrea', with a horizontal line underneath.

Diane McCrea MBE

**Cadeirydd, Cyfoeth Naturiol Cymru
Chair, Natural Resources Wales**



**SUMMARY OF INFORMATION REGARDING STUDIES RELATING TO THE FATE OF
SEDIMENT DISPOSED OF TO CARDIFF GROUNDS DISPOSAL SITE**

From: Charlotte Clarke,
Cefas, Lowestoft Laboratory
Date: 20th February 2018
Tel: 01502 524327
E-mail:
regulatory_assessment@cefas.co.uk

To: Adam Cooper - NRW (by e-mail)

1. With reference to the above request for information regarding studies relating to the fate of sediment disposed of at Cardiff Grounds disposal site (LU110), dated 6th February 2018, please find my comments below.

Documents reviewed

2. Sediment dynamics of the Severn Estuary and inner Bristol Channel, McLaren et al., 1993
3. Distribution, transport and exchanges of fine sediment, with tidal power implications: Severn Estuary, UK, Kirby, 2010
4. A review of sediment dynamics in the Severn Estuary: Influence of flocculation, Manning et al., 2010
5. Sedimentation Processes in the Bristol Channel/Severn Estuary, Dyer, 1984
6. The Sediment Regime of the Severn Estuary Literature Review, Phil Cannard (Bristol City Council), 2016
7. Tidal Lagoon Cardiff: Conceptual Process Model, Tidal Lagoon Power, 2016

Description of the proposed works

8. On the 6th February, Natural Resource Wales (NRW) contacted Cefas with a query regarding the disposal of sediment at Cardiff Grounds disposal site (LU110), arising from works at Hinkley Power Station.
9. NRW requested that Cefas supply any relevant information on “any studies relating to how the sediments would likely to be dispersed following dumping at the Cardiff Grounds site”
10. The documents listed in points 2 - 7 above have been identified as being relevant to informing how sediments would likely be dispersed around the Cardiff Grounds site. I have summarised the main outcomes of these studies below.
11. In addition, it is expected that an EIA statement will shortly be released by Tidal Lagoon power for the Cardiff Tidal Lagoon project, which should also provide information regarding sediment transport in the area.

Comments

12. The Severn estuary, in which the Cardiff Grounds disposal site is located, is widely regarded as a highly turbid estuary that is primarily influenced by tidal forces, with waves having an influence on a more local scale.
13. The estuary is funnel shaped, which causes incoming tidal wave energy to be concentrated, and results in an increased amplitude and high currents upstream.



14. As a result, the general net transport of sands within the estuary is upstream, driven by these strong tidal currents. However, several of the studies observed that there is a split in the estuary, with the eastern part of the estuary being dominated by flood currents, and ebb currents being more prevalent in the western part.
15. Although the net transport may be upstream, it should be noted that the area in the vicinity of the Cardiff Grounds disposal site has been identified as being in equilibrium, meaning that sediment within this area is more likely to remain in the sediment cell, rather than being characterised by erosion or deposition (Figures 1-3)

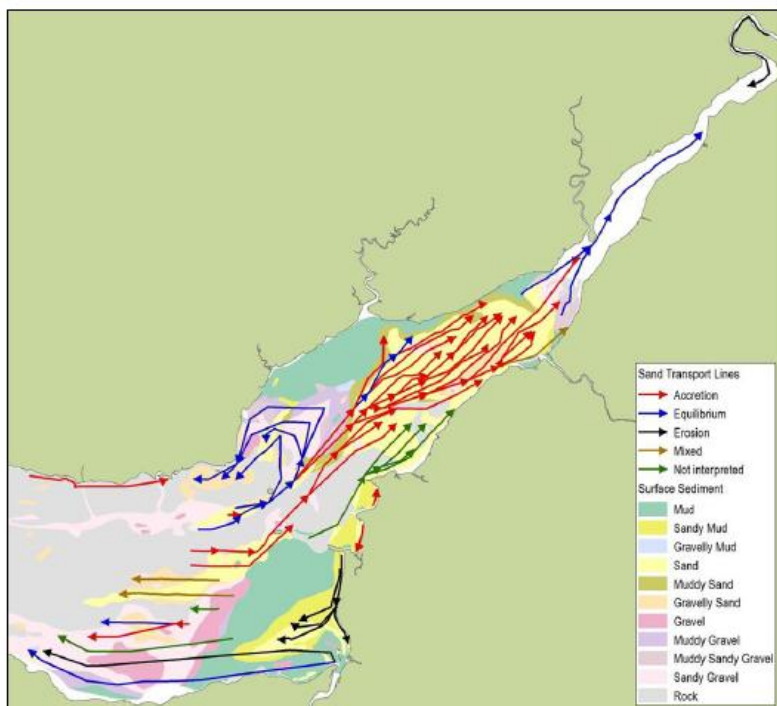


Figure 1. (Taken from Tidal Lagoon Cardiff, 2016). Sand transport lines, deduced from Sediment Trends Analysis

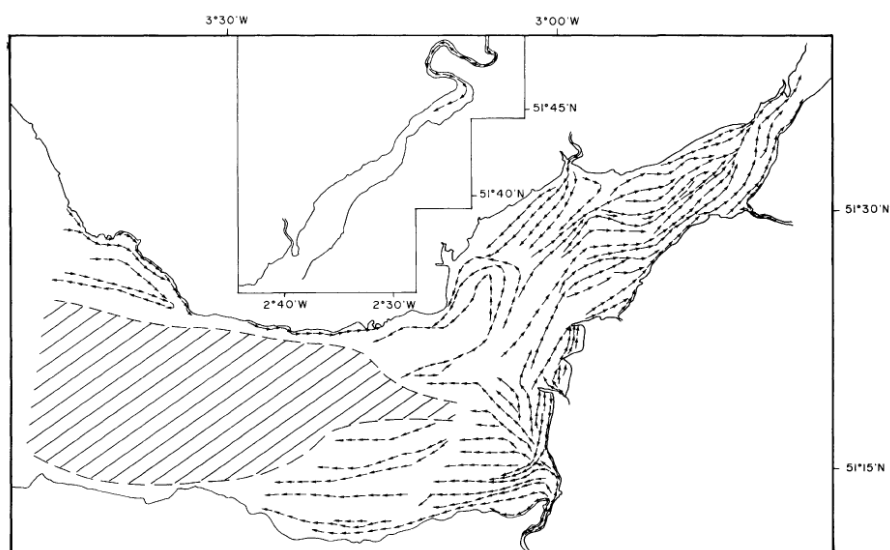


Figure 2. (Taken from McLaren et al., 1993). Patterns of net sediment transport



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Cefas is an executive agency of Defra

**P-05-785 Suspend Marine Licence 1245ML -
Correspondence from Petitioner to Committee, 09.04.18**

**Postpone the Dump of Hinkley Sediments Campaign: BRIEFING to Senedd
Petitions Committee: April 2018**

The Campaign's original petition to the National Assembly expressed concerns relating to the absence of information about the possible impact/effect of the disposal of up to 300,000 tonnes of radioactively contaminated sediment from Hinkley Point.

These concerns were threefold, and all revolved around the issue of "baseline data" which should have been gathered BEFORE the project was approved:

- 1: the absence of information about the final destination of the radioactively contaminated sediments, post dumping:
- 2: the absence of information about the pre-dumping radioactivity exposures (dose rates) of the general population of the south Wales coastal zone, despite their long term proximity to the marine and atmospheric discharges from the multiple Bristol Channel nuclear sites.
- 3: the absence of information about man-made, Hinkley derived, beta and alpha emitting radio nuclides in the Hinkley sediments (see previous briefings).

NRW have recently submitted documentation, to the Petitions Committee, which they have obtained from CEFAS, in support of the EDF/CEFAS/NRW proposition that studies relating to the fate of sediment disposed of at Cardiff Grounds disposal site raise no concerns about the environmental and impact of the proposed dumping of radioactively contaminated sediments at Cardiff Grounds.

1: CEFAS summary of their review of the following papers:

A: Sediment dynamics of the Severn Estuary and Inner Bristol Channel, McLaren et al., 1993

B: Distribution, transport and exchanges of fine sediment, with tidal power implications: Severn Estuary, UK, Kirby, 2010

C: A review of sediment dynamics in the Severn Estuary: Influence of flocculation, Manning et al., 2010

D: The Sediment Regime of the Severn Estuary Literature Review, Phil Cannard (Bristol City Council), 2016

*E: *Sedimentation Processes in the Bristol Channel/Severn Estuary, Dyer, 1984*

*F: *Tidal Lagoon Cardiff: Conceptual Process Model, Tidal Lagoon Power, 2016*

N.B: Copies of the last 2 papers (asterisked) have not been received to date:

The CEFAS Summary Document concludes as follows:

Para 14: CEFAS state that “net transport of sands within the estuary” is “upstream” in the Cardiff sector of the Severn estuary: and that the Cardiff Grounds area is identified as being “in equilibrium” (i.e. the sediments are more likely to remain in the sediment cell)

Para 15: CEFAS state that the “general trend of sediment behaviour within the intertidal area around Cardiff and the shoreline closest to Cardiff Grounds has been identified as one of erosion. Therefore it is unlikely that any sediment leaving the cell would settle in those areas.” Para 16: CEFAS propose that several of the listed studies imply that “sediment within the estuary is highly mobile, with sediment being frequently re-suspended and rarely settling out permanently” and concludes that, as a result any “contamination will be further diluted over time through mixing in the water column”.

Para 17: Finally, due to the high turbidity and tidal forcing of the estuary, it is noted within several of the studies listed above that sediment within the estuary is highly mobile, with sediment being frequently resuspended, and rarely settling out permanently. Therefore, if any sediment disposed of to the area is found to contain contaminants (within acceptable levels for disposal), it is likely that this contamination will be further diluted over time through mixing in the water column.

Campaign comments on the papers submitted by NRW:

“Sediment Dynamics of the Severn Estuary and inner Bristol Channel”:

MacLaren.P. et al': Journal of the Geological Society of London. Vol 150; 1993; pp 589–603

The majority of this 1993 paper principally refers to and discusses the sand resource in the context of its major commercial significance.

However, in the context of fine suspended sediments, the paper does report that the “presence of fine grained material caused the formation of extensive peripheral salt marshes (140 square kms in area) and high suspended sediment concentrations in the water column.” in the inner Bristol Channel and Severn estuary sea area.

Page 601 of the paper identifies the inner Bridgwater Bay, the sub tidal area within Swansea Bay, the area off the River Usk, and the fringing mudflats of the inner Severn Estuary as “major depositional areas”.

Page 590 of the paper reports that “the present state of knowledge is still insufficient to understand fully sediment supply and transport within such a complex system.”

“Distribution, transport and exchanges of fine sediment, with tidal power implications: Severn Estuary, UK,” Kirby, 2010; Marine Pollution Bulletin. Vol 61: 2010: pps 21–36

Although it is focused specifically on the potential impact of a Cardiff/Weston Barrage constructed within the inner Bristol Channel/Severn estuary, this paper has a greater focus on fine suspended sediments than the other papers so far made available.

The paper reports (page 20) that the study and understanding of Bristol Channel sediments is now additionally “complicated by large scale ecosystem collapse due to climate change”.

The paper (page 26) reports that the Newport Deep is a “natural fine sediment sink receiving mud from foreshore erosion and reworked dredge material disposal at Cardiff Grounds” and with reference to the Cardiff Roads (Cardiff Port Approaches) the paper states that “ the fact that it engenders high rates of mud maintenance dredging..... makes it likely that it is a sink similar in many ways to the adjacent Newport Deep”: *N.B. this paper does not reference these statements*

“A Review of Sediment Dynamics in the Severn Estuary: Influence of Flocculation”: Manning AJ et al’: Marine Pollution Bulletin. Vol 61: 2010: pps 37–61

This paper (page 49) concludes that “much of the research and data collection was undertaken several decades ago, hence there is a requirement for further investigation”

The paper then catalogues 8 subject areas where such further investigations are recommended in order to provide better data and permit a more complete understanding of sediment dynamics.

The paper reports that, in the Severn Estuary, 70% of sediments suspended during spring tides settled out during the neap tides and described the Wentlooge Flats (fringing mudflats of Gwent levels) as “accreting”: i.e. areas where fine sediments are deposited.

The paper contains no reference/discussion of the movement of sediments out of the Cardiff Grounds disposal site area

“The Sediment regime of the Severn Estuary: Literature Review”: Bristol City Council: P. Cannard. 29th June 2016. This review reports that Severn Estuary salt marsh and mudflat environments represent “sinks of sediment deposition” (page 9,10)

Also reports that the main sediment sink locations for fine sediments are Newport Deep and Bridgwater Bay, and that “sediment sinks also occur around the estuary’s tributaries including the R. Avon and the R. Usk”

The paper contains no reference/discussion of the movement of sediments out of the Cardiff Grounds disposal site area

Campaign Conclusions on the NRW submission:

The papers submitted by NRW provide very little useful or reliable data about the potential fate of radioactively contaminated sediment emplaced into the sea at the Cardiff Grounds disposal site about 2 miles off shore of Cardiff because:

A: all the papers are Severn Estuary wide in scope and none report any site specific (Cardiff Grounds) data investigations.

B: the main subjects for several papers were commercial issues (sand & aggregate resource, barrage proposal) and fine sediments were of little interest to the research.

C: a 1993 paper stated that **“the present state of knowledge is still insufficient to understand fully sediment supply and transport within such a complex system”**: a 2010 paper concludes that **“much of the research and data collection was undertaken several decades ago, hence there is a requirement for further investigation”** : another 2010 paper reports that the study and understanding of Bristol Channel sediments is now additionally **“complicated by large scale ecosystem collapse due to climate change”**.

D: the campaign agrees with CEFAS that the papers confirm

a: a north and east movement of sediment in the Cardiff sector of the Bristol Channel, *The Campaign notes that this means—from the Cardiff Grounds towards the mudflats to the north east, i.e. Gwent levels/Wentlooge Flats and the estuarine and intertidal mudflats fringing the south Wales coast up to the Wye estuary*

b: that the sediments are more likely to remain in the sediment cell and to circulate throughout the cell ***The campaign notes that this is until deposited in sites such as those listed above***

E: CEFAS state that the “general trend of sediment behaviour within the intertidal area around Cardiff and the shoreline closest to Cardiff Grounds has been identified as one of erosion. Therefore it is unlikely that any sediment leaving the cell would settle in those areas.” ***CEFAS offer no other comment on the end fate of the sediments. The Campaign believes it unlikely that no sediment from the dump site would be deposited in a “Cardiff shoreline”. The Campaign notes the failure of NRW or CEFAS to bring forward any data relate to the fate of sediment dumped at Cardiff Grounds.***

F: the Campaign’s concerns about the end fate of material dumped at Cardiff Grounds have always encompassed those of its supporters, and that the entire south Wales coast is the issue. ***The CEFAS commentary above, is plainly inadequate because it comments only on the intertidal area around Cardiff and offers no information on the potential impact on coastlines to the north and east***

G: CEFAS proposes that any “contamination will be further diluted over time through mixing in the water column”. ***The Campaign disagrees with this claim, because although contamination may be diluted through mixing in the water immediately post dumping period, over the longer term the re-concentration of radioactivity in sediments is always shown in the Bristol Channel, where annual monitoring of sea water and sediments demonstrates that unfiltered sea water always shows lower radioactivity concentrations than fine sediment samples. (see RIFE reports)***

H: from the papers offered by NRW, the Campaign concludes that there is a consensus that extensive inter-tidal sites to the north and east of the Cardiff Grounds (R. Usk, Newport Deep, Cardiff Roads, Wentlooge Flats etc..) are depositional and accretion sites where fine sediments entrained in the Severn

Estuary water column and transported north and east from the Cardiff Grounds may be deposited out. *The campaign notes that NRW, the relevant devolved Welsh Government Agency, appear to not have undertaken any review of, or search for, relevant data and are relying on the UK CEFAS, a Westminster Government agency, for information*

l: the Campaign concludes that the NRW submission has NOT allayed the concerns expressed in the original petition text and that the submissions have confirmed that radioactively contaminated sediments proposed for dumping at Cardiff Grounds appear most likely to travel north-east towards the mud flat and estuary depositional environments of the east Glamorgan and Gwent coasts where they may deposit out and remain for uncertain time scales. The Campaign notes that had an exhaustive (site and proposal specific) EIS been carried out these issues could have been settled long ago.

Tim Deere-Jones:

for the Campaign:

April 2018

Agenda Item 3.7

P-05-786 Save our Countryside – Revise TAN 1

This petition was submitted by Cllr Mike Priestley, having collected 706 signatures online.

Petition text:

Changes in 2015 to Technical Advice Note 1 (TAN1) have resulted in unachievable annual housing targets. This has taken planning decisions away from the local democratic planning process and undermined Adopted Local Development Plans (LDPs) across Wales.

We call on the National Assembly for Wales to urge the Welsh Government to reinstate within TAN1 the use of "past building rates methodology" alongside the "residual methodology". This will ensure that Councils are able to undertake intelligent and credible housing land supply needs assessments. Past housing delivery performance reflects economic conditions and local building industry capacity and resilience.

To ensure credible and deliverable land supply, and to balance the need for housing with the need to protect our environment and heritage, it is essential that economic conditions and local building industry capacity are factored into annual calculations of 5 Year Land Supply for Housing.

Changes to TAN1 have forced Local Councils to allow housing developments in excess of what is considered to be local demand. These developments are often large scale and have a detrimental effect on the green belt and the heritage of our County as urban and rural areas over expand. This in turn puts added demands on already stretched services such as GPs, Hospitals, Social Services and Schools.

The withdrawal in 2015 of the past building rates methodology is causing increasing numbers of Local Authorities to declare a 5 Year Land Supply shortfall. This, in turn, is forcing Local Councils, against their will and better judgement, to approve speculative development applications on locally sensitive Greenfield land, land unallocated within their LDPs and, where local approval to these speculative applications is not granted, local democratic decisions are being overturned on appeal, specifically due to the lack of a 5 Year Land Supply for Housing.

Additional information:

In 2014 Conwy Council had a 7+ Year Land Supply when its LDP was examined and approved by the Planning Inspector. Less than 12 months later the changes to TAN 1 reduced Conwy's Land Supply to less than 5 years. This has reduced with successive annual land supply calculations. In 2017, Conwy's land supply now stands at 3.1 years as a direct result of the changes to TAN1, and the Council is receiving speculative development applications for land unallocated within the LDP despite allocated land being available. If the past building rates methodology was still permitted, Conwy would today have an 8.5 year supply.

WG's guidance document TAN1 tells Local Councils how to work out their supply of housing land. All Councils should have enough land to meet the need for 5 years of house building. In the previous TAN1 there were two methods of working out how much land was needed:

1. The residual method based on the total housing need from an adopted Plan
2. The past build rates method, using the house building rates from the last 5 years to project forward for the next 5 years.

The Wellbeing and Future Generations Act requires us to be balance our decisions and actions in terms of impact today and impact in the future. Surely, we should apply this thinking to land planning and land use? Current Welsh Government policy is forcing prime Greenfield land to be concreted over and forever become brownfield land. The imposition and restriction to the use of the "residual methodology" was fiercely contested at the consultation stage and beyond, but Local Councils' voices were ignored. Local Councils need to be able to:

- protect heritage and environment and sensitive Greenfield land use and exercise local discretion, judgement and control of where development is needed and where it is allowed.

Assembly Constituency and Region

- Aberconwy
- North Wales

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-786
Ein cyf/Our ref LG/00436/18

David John Rowlands AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

SeneddPetitions@assembly.wales

6 March 2018

Dear David

Thank you for your letter of 23 February regarding Petition P-05-786 concerning Technical Advice Note 1 (TAN 1).

I am aware of the current housing land supply and housing delivery position across Wales and of the issues raised in this regard by some Local Authorities. The research commissioned by the Welsh Government, carried out by Arcadis, examined this matter and concluded the problems were the result of issues elsewhere in the planning process and were not due to the methodology for calculating housing land supply set out in TAN 1. In particular, the research demonstrated viability is a critical factor in sites coming forward for development and concluded there is a need for the assessment of viability and deliverability issues to be more effectively incorporated into the beginning of the development plan process. The recommendations from the research are being taken forward as part of the current reviews of *Planning Policy Wales* (which is out for public consultation until 18 May) and the *Development Plans Manual*.

Sustainable development and the creation of cohesive communities are central to Welsh Government planning policy. The proposed changes to *Planning Policy Wales* further strengthen the importance of sustainable development and the creation of cohesive communities, in particular the important role which place-making should play in shaping future development.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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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.

Pack Page 125

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, Local Planning Authorities themselves have the opportunity to take action to address housing delivery issues as part of the annual monitoring of their Local Development Plans (LDPs). This could include revising their housing requirement and trajectory to take account of delivery by house-builders.

Under *Prosperity for All* the Welsh Government is committed to increasing housing supply. Therefore, in addition to the revisions proposed in *Planning Policy Wales* and the *Development Plans Manual*, my officials will be conducting further research into the issues raised in connection with the determination of housing land supply as expressed through TAN 1. This will include consideration of matters such as the alternative approach to calculating housing land supply proposed in the Petition. However, to be effective a Local Planning Authority's housing land supply needs to be based on meeting the housing requirement they have identified in their adopted LDP and be deliverable and this will be the basis for considering any alternative approaches proposed.

A handwritten signature in blue ink. The word "Regards" is written in a cursive style on the top line, and the name "Lesley" is written below it, also in a cursive style.

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

P-04-786 Save our Countryside – Revise TAN 1 –

Correspondence from Petitioner to Committee, 04.04.18

Once again thank you for dealing with this very sensitive issue, I thank the committee for listening to my views regarding Tan1 and the difficulties it is causing and allowing for speculative applications in areas outside our Local Development Plans. I would ask that this issue be discussed in plenary (if possible) where every Assembly Member could have the opportunity to discuss this issue.

Once again my thanks to you for discussing this.

Regards

Mike Priestley

Correspondence from Petitioner to Committee, 08.04.18

It is acknowledged that the Arcadis research identified issues with viability as being the cause of delays in a number of sites. However as they were commissioned to look specifically at viability in the planning process, it is inevitable that other problems may not have been considered.

It is agreed that the TAN1 JHLAS methodology is not a cause of delays in housing delivery, rather that the residual methodology fails to recognise the effects of the recession, the slowdown in the housing market and reductions in population and household projections. The residual method means that local authorities are still having to chase housing targets that became outdated some 4 years ago. This is the problem which is causing ongoing housing supply shortfalls.

Local authorities can address this issue, however it is not as simple a process as the Minister appears to suggest; LPAs cannot revise housing requirements as part of the LDP annual monitoring reports. This can only come through a review of the LDP which will take a number of years to complete. Conwy have started the review process this process, but until it is complete and the replacement LDP has been adopted, we and many other Welsh authorities are producing JHLAS reports which include absurd and unachievable annual housing requirements. In the mean time, we will continue to have a significant housing land supply shortfall, with our communities risking an increasing number of greenfield, unallocated sites being granted permission on appeal.

Using the residual method of calculation can indicate *'land shortages or surpluses, which do not exist in practice. In such cases, a comparison of available land with*

past build rates can provide a measure of the adequacy of land supply that is more relevant to the achievement of the general objectives of the development plan.' This was recognised in the 2006 edition of TAN1, however the current edition fails to acknowledge, let alone address the shortcomings of the residual method.

The proposed alternative calculation, which would use an LDP's annual requirement as the basis for assessing a 5-year housing land requirement would allow LPAs to aim for a realistic level of housebuilding. This would avoid the present situation where the problem is exacerbated by the backlog of housing under-delivery due to the recession, which in many cases took place prior to LDP adoption but was ignored in the WG household projections included in LDPs.

Despite numerous requests from Conwy and other authorities, WG are continuing to avoid directly addressing the problems mentioned here, citing the need to inflexibly use the residual method based on LDP housing requirements, without acknowledging the unachievable annual requirements that result. We urge the Assembly to consider the issues raised here and to listen to the views of local authorities and their communities, who understand first-hand the consequences of WG continuing to ignore the underlying cause of the problems in housing land supply across Wales.

Agenda Item 3.8

P-04-519 Abolition of Park Homes Sales Commission

This petition was submitted by Caerwnon Park Residents Association and was first considered in December 2013.

Petition Text

We call upon the National Assembly for Wales to urge the Welsh Government to remove from Legislation the right of Park Owners to demand commission on the private sale of park homes now that they are no longer involved in the selling process.

Assembly Constituency and Region

- Brecon and Radnorshire
- Mid and West Wales

Rebecca Evans AC/AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-519
Ein cyf/Our ref RE/00199/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
CF99 1NA

government.committee.business@wales.gsi.gov.uk

07 March 2018

Dear David,

P-04-519 Abolition of Park Homes Sales Commission

Thank you for your letter seeking an update on the consultation on the commission rate. I have appointed independent analysts to review the financial information of the site owners who have agreed to share their business accounts with us. I expect the report before Easter and will then seek to make an announcement as soon as is practicable.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans".

Rebecca Evans AC/AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
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Gohebiaeth.Rebecca.Evans@llyw.cymru

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

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

P-04-522 Asbestos in Schools

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

Petition Text

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

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

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

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

**P-04-522 Asbestos in Schools –
Correspondence from Petitioner to Committee, 26.02.18**

Bore Da

I must apologise for the lateness of this response, which is entirely due to pressure of work.

I am grateful for your supplying a copy of the letter of the Cabinet Secretary of the 6th February.

I note she states:

“Condition and Management of Asbestos in Welsh Schools

As I indicated in my letter of 3 November, information about the presence of asbestos in schools throughout Wales and confirmation that asbestos management plans are in place forms part of our annual condition survey. I am pleased to report that the vast majority of local authorities have confirmed that those schools in their estate with asbestos present also have an asbestos management plan in place. My officials are currently working with local authorities to ensure that this information is current and that any gaps in the information are addressed.

At present I have no plans for my officials to share the data; however once the information has been received, further consideration will be given to the most appropriate way to deal with it.”

I am deeply concerned that there are local authorities who do not have an asbestos management plan in place. This is in breach of Regulation 4 of the Control of Asbestos Regulations 2012. I am also concerned that whilst the Cabinet Secretary indicates that her officials are working together with local authorities to address gaps etc, there is no time scale provided. In my respectful experience, where there are no timescales then matters inevitably. I remain grateful to this Committee for continuing to shine the light of scrutiny upon this issue. It would appear that there are local authorities not adhering to Welsh Government’s guidance as it presently stands.

I must also commend to the Committee the presentation provided by Mr John Evans of Santia to the Cross Party Group on the 9th January. Whilst the

presentation is very valuable to gain a better understanding of the issue, I would refer specifically to slides 12–14 which refer to the FOI responses to Lucie Stephens which revealed inter alia the schools in Wales containing asbestos. I also refer to slides 21–24 where Mr Evans raises considerable concerns regarding the

I refer to his comments on Slide 24

“Given the expected widespread occurrence of ACMs in schools in Wales, the strong recommendation is that this CPG should request the present Cabinet Secretary for Education to require the local education authorities to provide copies of the AMPs governing the management of Asbestos in schools in their administrative areas • Each school should, in line with the advice issued by the Assembly Government in 2014, (Guidance document 138/2014 – Asbestos Management in Schools) have its’ own AMP prepared under the cover of an Education Authority wide Asbestos Management Plan • Arrangements should be made for these AMPs to be subject to independent audit to ensure that they are compliant with legislative requirements and are adequate for preventing all exposures to Asbestos”

In other words whilst the Guidance and its review is very welcome, it is essential that the Guidance is adhered to.

With regard to the other matters in the letter of the Cabinet Secretary, I fail to understand the coyness with regard to the dates and I look forward to being provided with a copy of the Consultation.

Turning to the stakeholders and correspondence, I refer to my email of the 19th February to **Natalie James–Rutledge** (Tîm y Rhaglen i Sicrhau Addysg ac Ysgolion ar gyfer y 21ain Ganrif/21st Century Schools and Education Programme Team), which is attached in full so that the committee may see that I instigated the correspondence. I am yet to receive a response.

“Dear Natalie

Thank you for your email. I must apologise for not responding sooner. I have extremely busy at work since the beginning of January.

In response to who might be invited to contribute as key stakeholders, I have made suggestions to the Petitions Committee over time. This has included on the 6th May 2015

<http://senedd.assembly.wales/ieListDocuments.aspx?CId=218&MID=2917>

“In particular such a group should be led by the Department and include Assembly Members, members representing local authorities, governors, trade unions, health professionals, the HSE and asbestos experts”

The Petitions Committee had previously corresponded with Governors Wales
<http://www.senedd.assembly.wales/documents/s32207/04.09.2014%20Correspondence%20-%20Governors%20Wales%20to%20the%20Chair.pdf#search=asbestos%20governors%20wales>

Subsequently I have also suggested that key stakeholder groups should also include those representing asbestos experts. There are a number of different organisations that can be contacted. Also it is important that Victims Organisations ought to be considered. In particular the Asbestos Victims Support Groups Forum UK <http://www.asbestosforum.org.uk/contact.asp> and also Mesothelioma UK <http://www.mesothelioma.uk.com/contact-us/>

I would be grateful also if the Cross Party Group could be added as a key stakeholder as the Group includes colleagues from a variety of different areas keen to highlight asbestos issues.

Kind regards

Cenric”

Once again I apologise for the lateness of this response which I trust is of assistance. I have copied Dawn Bowden AM into the correspondence in her capacity as Chair of the Asbestos CPG.

Diolch yn fawr unwaith eto.

Cenric

**P-04-522 Asbestos in Schools –
Correspondence from Petitioner to Committee, 05.03.18**

Annwyl Graham

Thank you again for your email. Further to my previous correspondence I have become aware of a significant development from the DfE yesterday that should be drawn to the attention of the Committee and indeed to the Cabinet Secretary (although she may be aware of this from her official who attends the DfE steering group meeting).

I am quoting from one of my JUAC colleagues.

“The DfE has now launched its Asbestos Management Assurance Process (AMAP), which requires ‘Responsible Bodies’, via an online portal, to provide an electronic declaration that their schools are compliant with legislation on the management of asbestos in their education estate. ‘Responsible Bodies’ are the main employer of staff at maintained schools and academies (academy trusts, LAs and in some cases governing bodies). Although it is not described as compulsory, Responsible Bodies are ‘expected’ to comply and the DfE has stated that it intends to publish data which shows which Responsible Bodies have provided assurance declarations. The AMAP will not apply to non-maintained nursery schools or early years providers, FE and HE institutions, sixth form colleges and independent schools.

Although it is the duty of each Responsible Body to ensure that the form is submitted on behalf of all its schools, it can ask individual schools to provide it with the relevant information. However, the Responsible Body remains ultimately responsible for validating and ensuring the accuracy of information submitted by individual schools, and for providing the overall assurance declaration to the DfE.

The AMAP will be open for 3 months (the deadline for submitting assurances is 31 May 2018). During this time the DfE will remind Responsible Bodies of the expectation that responses are submitted.”

The DfE user guide is here

<https://www.gov.uk/government/publications/asbestos-management->

[assurance-process-ama-user-guide](https://onlinecollections.des.fasst.org.uk/onlinecollections_ns/) The AMAP online portal is at https://onlinecollections.des.fasst.org.uk/onlinecollections_ns/

You will note that it is stated on the introductory page.

“The AMAP meets the department’s commitments set out in the March 2015 review of Asbestos Management in Schools, enhancing scrutiny on those responsible for managing asbestos in schools.

You are expected to complete the AMAP if you are a Responsible Body.

- Responsible Body: the main employer of staff at State-Funded Schools and Academies.
- State-Funded Schools and Academies: maintained nursery schools, maintained schools (including primary, secondary and middle schools), maintained special schools and academy special schools, pupil referral units, academies and free schools and non-maintained special schools.

This guidance is for anyone who is responsible for the management of asbestos in the education estate and compliance with the Control of Asbestos Regulations 2012.”

Seemingly the DfE is providing an online solution for data collection which thus far Welsh Government has been reluctant to embrace.

I am also pleased to advise following further correspondence with the official from the 21st Century Schools and Education Programme Team that I have been advised that the guidance documents for the consultation are being finalised with a view to being sent to key stakeholders as soon as possible. Also my additional recipient suggestions (as referred to in my previous email) have been added to their distribution list.

Diolch yn fawr
Cenric

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-522
Ein cyf/Our ref KW/00768/18

David John Rowlands AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff Bay
CF99 1NA

government.committee.business@wales.gsi.gov.uk

21 March 2018

Dear David

Thank you for your letter of 12 March in respect of your discussions at the Petitions Committee meeting on 27 February about publically sharing asbestos data collected as part of the condition survey.

Further to my letter of 6 February, my officials continue to work with local authorities to ensure that information received is current and that any gaps in the information are addressed.

Although I acknowledge your recommendation to publish this information; I feel I will be best placed to consider the most appropriate way to deal with this, once my officials have completed this validation work.

Yours sincerely

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

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

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

**P-05-522 Asbestos in Schools –
Correspondence from petitioner to Committee, 10.04.18**

Dear Kathryn

Thank you for your further email.

I can confirm that the Cross Party Group on Asbestos is presently considering the consultation on Welsh Government Guidance on Management of Asbestos in Schools with a view to preparing a response. The consultation such as it consists of 2 documents which largely mirror the Department for Education Guidance. Other than the draft Guidance documents there are no questions seeking discussion of issues and it would appear that the documents have only been distribute to those identified as key stakeholders and are not widely available.

I would be grateful if the Petitions Committee might be reminded of the recent report of the Public Accounts Committee at Westminster on 30th March 2018

<https://publications.parliament.uk/pa/cm201719/cmselect/cmpubacc/760/76005.htm>.

I refer in particular to section 6 which seemingly goes beyond Academy Schools in England.

“6. The Department does not have enough information about the extent of asbestos in schools to ensure that the risks are being properly managed. Asbestos is a significant, and potentially dangerous, problem in many schools. In April 2017, we found that the Department did not have a complete picture of the extent of asbestos in school buildings. The Department’s first property data survey did not assess the extent of asbestos. Only a quarter of schools responded to its second survey, in 2016, which aimed to collect data on this issue. We recommended that the Department should set out a plan by December 2017 for how it would fill gaps in its knowledge about the school estate in areas not covered by the property data survey. The Department’s latest property data survey is currently taking place and will provide more information on the presence and management of asbestos. The Department accepted that information on asbestos in school buildings should be available locally and easily accessible

to parents and local communities. ESFA told us that it expected information on asbestos to be available locally for parents to view, and without recourse to Freedom of Information requests. We were concerned to hear of an example where this had not been the case and local communities could not easily access this information.

Recommendation: The Department should publish the results of its ongoing exercise to collect data on asbestos; and make clear to Local Authorities and academy trusts that information should be made available by the end of June 2018.”

The Committee is clearly intent on ensuring that the Department for Education is fully informed about the extent of asbestos in schools in England. I would suggest that we should expect no less with regard to schools in Wales.

As you are aware the right to know about the presence of asbestos in our schools in Wales is central to the petition before the Committee.

I am heartened both by the concern of the Petitions Committee regarding transparency over the issue of the asbestos in our schools in Wales and also by the statement of the Public Accounts Committee (see above) that “*The Department accepted that information on asbestos in school buildings should be available locally and easily accessible to parents and local communities. ESFA told us that it expected information on asbestos to be available locally for parents to view, and without recourse to Freedom of Information requests.*”. In other words the Department for Education in Westminster now accepts the need for openness over the issue. Recent correspondence from the Cabinet Secretary is indicative of wholly different approach. I respectfully ask that the Petitions Committee continues to press for full disclosure of the data relating to asbestos in our schools in Wales. It may be the Cabinet Secretary ought to be reminded of her statement following the closure of Cwmcarn High School in 2012.

<http://www.welshlibdems.wales/en/article/2012/621814/parents-pupils-and-staff-have-a-right-to-know-about-asbestos-in-their-schools-kirsty-williams>

'Welsh Liberal Democrats

***Parents, pupils and staff have a right to know about asbestos in their schools
– Kirsty Williams***

October 16, 2012 1:17 PM

Kirsty Williams, Leader of the Welsh Liberal Democrats, is calling on the Welsh Government to conduct a national audit of asbestos in schools following the closure of a school in Caerphilly.

Cwmcarn High School, which has more than 900 pupils, shut late last Friday after a structural report identified asbestos. Many school buildings in Wales were built between the 1940s and 1980s, when asbestos was used extensively.

Kirsty Williams, Leader of the Welsh Liberal Democrats, said:

"Asbestos is a hidden killer and I am very concerned that pupils, staff and teachers at our schools could be unknowingly exposed to asbestos. Many of our schools that were built between 1940s and 1980s used asbestos during construction for its fire-retardant and insulating properties and the mere act of sticking a drawing pin into a wall could disturb the fibrous crystals. The prolonged inhalation of these fibres can cause serious illnesses including malignant lung cancer, mesothelioma and asbestosis.

"I do not want to cause undue alarm, however when a school of 900 pupils has had to close because asbestos was found in airborne particles, I think that people across Wales have a right to know if asbestos is a danger in their local school. Britain imported hundreds of thousands of tons of asbestos in the last century and we do not know the extent of its use in our schools nor how secure it is in school buildings.

"The welfare of the pupils, teachers and staff at our schools is paramount and I want to Welsh Government to conduct an audit of situation right across Wales. The Welsh Government will try to shift the responsibility onto local authorities and schools however they do not have the sufficient resources or skills to take the lead on this. It's time for the Welsh Government to take

responsibility so that our teachers and pupils can have the confidence that they are teaching and learning in safe surroundings."

Once again I am grateful for the continued interest shown in my petition by the Committee.

Diolch o galon
Cenric

Agenda Item 3.10

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

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

Petition Text

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

Assembly Constituency and Region

- Ceredigion
- Mid and West Wales

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-576 and P-04-606

David J Rowlands AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
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government.committee.business@wales.gsi.gov.uk

8 March 2018

Dear David

P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time / P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010

Thank you for your email of 23 February requesting an update on recent developments relating the above petitions.

The final report of the independent evaluation of fixed penalty notices for regular non-attendance at school was finalised by ICF Consultancy Ltd in February 2018. In accordance with social research project protocols, the report will be published within 12 weeks from this point. I will ensure that the Committee is provided with an update once the report has been published.

The findings of the report will be considered alongside the other evidence my officials have gathered as part of the wider review of attendance policy which is currently underway.

Yours sincerely

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

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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-04-576 Allow Children in Wales to Have a Family Holiday During Term Time – Correspondence from Petitioner to Committee, 06.04.18

This was brought to my attention today, I do hope that Carwyn Jones is not going to look like a hypocrite over this matter, when his Labour colleagues in Plymouth are standing up for good sense and fair play towards parents and children that deserve a holiday and family time for a few days a year

St Budeaux – Plymouth Labour Councillors

April 4 at 11:08pm ·

Holidays in July and August are so expensive and beyond the means of many families. Everyone deserves the chance to get away and spend some precious time together as a family. That's why Plymouth Labour voted to stop the council fining parents, while the Tories voted to keep the fines.



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

This petition was submitted by *Pembs Parents Want a Say / Rhieni Pembs eisiau cael dweud* and was first considered in December 2014 having collected 812 electronic signatures.

Petition Text

We ask the National Assembly for Wales to ensure that schools are free to exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference from bodies such as regional educational consortia and local authorities and without threat of penalisation through school inspection, performance judgement and banding processes.

Local authorities in Wales and their consortia are recommending that schools do not exercise their statutory powers under the above legislation leaving more families exposed to the threat of penalty notices under the Education (Penalty Notices) (Wales) Regulations 2013 than would have been otherwise. These recommendations are made on the basis that they can improve attainment despite the lack of evidence that absence of the type allowed under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 results in poorer attainment.

Currently schools in Wales can be penalised through inspection, performance judgement and school banding processes for authorising legitimate absences such as sickness, family holidays or other events or instances which enable families to participate fully in a normal, private family life.

These recommendations and processes bias schools against the authorisation of legitimate absence and make schools reluctant to exercise

their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010. This can damage the home/school relationship and child well-being. Where a family disagrees with a decision to refuse authorisation of absence on the grounds of equality, human rights or child well-being there is no independent route of appeal. Where a family disregards a decision to refuse authorisation of absence the issue of a penalty notice and potential criminalisation can result. There is an economic impact on the Welsh tourism and leisure industry which provides employment and income to many of our families.

Additional Information

Regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 gives schools the discretionary power to authorise up to 10 days absence during a school year for family holidays and more than 10 days absence in exceptional circumstances.

Schools are being advised against exercising this power by their local authorities. They are feeling pressured to improve school attendance figures by Estyn, the education and training inspectorate for Wales, who can penalise them if attendance falls below a certain level.

The drive to improve attendance is based on an assumption that it will improve educational attainment. This is an over-simplification of a very complex issue. Attendance and attainment are linked but a causative relationship is not proven. Research shows that absence for family holidays does not affect attainment at primary school level, and a small degree of absence is unlikely to have any effect at secondary school level. ("A Profile of Pupil Absence, 2011, DfE").

A school's refusal to authorise an absence which is allowable under the law can seriously damage the home/school relationship, particularly if the family believe that the absence is important to their child's well-being and take their child out of school anyway. The family can receive a penalty notice (fine) or be criminalised.

There are many legitimate reasons why children and families need the flexibility to be absent from school during term time which include difficulty obtaining annual leave during school holidays, important family events, geographical remoteness from non-resident parents, grandparents and extended family. Families employed in the Welsh tourism and leisure industry have felt a significant economic impact from the English term time holiday ban this year. The Good Childhood Report 2014 identified school as only ONE of the ten aspects of life with the greatest influence on child well-being. Family, home, finances, friends, health and choice were among the others.

Assembly Constituency and Region (of the petitioners)

- N/A

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-576 and P-04-606

David J Rowlands AM
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8 March 2018

Dear David

P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time / P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010

Thank you for your email of 23 February requesting an update on recent developments relating the above petitions.

The final report of the independent evaluation of fixed penalty notices for regular non-attendance at school was finalised by ICF Consultancy Ltd in February 2018. In accordance with social research project protocols, the report will be published within 12 weeks from this point. I will ensure that the Committee is provided with an update once the report has been published.

The findings of the report will be considered alongside the other evidence my officials have gathered as part of the wider review of attendance policy which is currently underway.

Yours sincerely

Kirsty Williams AC/AM
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Cabinet Secretary for Education

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

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

P-04-564 The Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital

This petition was submitted by Geraint Vaughn Jones and was first considered in June 2014, having collected 2,754 signatures.

Petition Text

Until the Health Minister has had time to consider Prof Marcus Longley's recommendations on rural healthcare in Wales – a study that was commissioned by the Minister himself in January of this year – we, the undersigned, call on the National Assembly of Wales to urge the Welsh Labour Government to delay decision on Betsi Cadwaladr University Health Board's Business Case aimed at downgrading our Memorial Hospital to a mere 'Memorial Centre'.

Assembly Constituency and Region

- Dwyfor Meirionnydd
- Mid and West Wales

P-04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital – Correspondence from Gwynedd Council to the Clerking Team, 19.01.18

Dear Graeme

As chairman of the Gwynedd Care scrutiny committee and chairman of the special meeting on 5 September I am delighted that you agree with our recommendations regarding Ffestiniog Memorial Hospital.

This is a tribute to our support officer Gareth James and the efforts of my committee members.

The issue is on our agenda for the 30th January and I will inform the committee of this e-mail from David J Rowlands chair of the Petitions committee.

Regards

Cllr Eryl Jones-Williams.

Dyffryn Ardudwy.



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6th February 2018

David J Rowlands AM - Chair
National Assembly for Wales's Petitions Committee
BY EMAIL ONLY

Dear Mr Rowlands

Petition P-04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital

North Wales Community Health Council welcomes the January 2018 report of the Petitions Committee.

North Wales CHC strongly supports both of the Committee's conclusions and we also share the view that the local scrutiny process initiated by the Gwynedd Council's Care Scrutiny Committee will be the best way to investigate and address the concerns of the local community and to restore public confidence in the decision-making process.

For its part, the CHC is keen to fully co-operate with any independent report. It is vitally important that Betsi Cadwaladr UHB also engage in this process willingly and openly and is prepared to act on the recommendations and learn from past errors. We would expect that the Health Board's response to the Petitions Committee will give such an assurance.

Yours sincerely

GEOFF RYALL-HARVEY
PRIF SWYDDOG / CHIEF OFFICER



Croesawir gohebiaeth yn y Gymraeg neu'r Saesneg – Correspondence welcomed in Welsh or English
Cyngor Iechyd Cymuned Gogledd Cymru yw enw gweithredol Cyngor Iechyd Cymuned Betsi Cadwaladr
North Wales Community Health Council is the operational name of the Betsi Cadwaladr Community Health Council

Vaughan Gething AC/AM
Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau
Cymdeithasol
Cabinet Secretary for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref :P-04-564
Ein cyf/Our ref VG/00213/18

David John Rowlands AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
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7 February 2018

Dear David,

Thank you for your letter of 19 January on behalf of the Petitions Committee regarding Petition P-04-564 Restoration of in-patient beds, Minor Injuries Cover and X Ray Unit to Ffestiniog Memorial Hospital.

I note the summary report and conclusions of the committee.

I was very pleased to officially open Canolfan Goffa Ffestiniog in Blaenau Ffestiniog on 30 November 2017 which was built with capital funding of £3.9million from the Welsh Government. The new centre is an exciting development, which delivers a range of additional health, social care, wellbeing and prevention services for the local community.

As required by projects which have been financed through the NHS All Wales Capital Finance programme, Betsi Cadwaladr University Health Board will undertake a post project evaluation of the new centre by the end of 2018. This will assess the benefits and results to the local population achieved by the development. In addition, the health board will continue to make the centre available to additional services where requested, and the expectation is that services will evolve and develop over time in line with improving population health and its 'Care Closer to Home' strategy.

I am aware that the health board has responded to the recommendations of the Gwynedd Scrutiny Committee from September 2017 about healthcare in the Ffestiniog area and has confirmed it is committed to working with its partners and stakeholders in the area. I understand that further discussions took place at the council's Care Scrutiny Committee meeting on 30 January.

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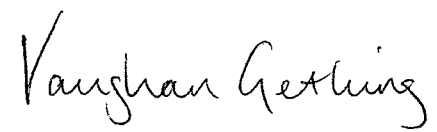
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Pack Page 152

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

I hope this reply is helpful.

Yours sincerely,

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

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
Cabinet Secretary for Health and Social Services



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Bwrdd Iechyd Prifysgol
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David J Rowlands AM
Chair
National Assembly for Wales
Cathays Park
CARDIFF

Via email:
SeneddPetitions@assembly.wales

Ein cyf / Our ref: GD/MO/6290/1455

Eich cyf / Your ref:

☎: 01745 448788 ext 6364

Gofynnwch am / Ask for: Dawn Lees

E-bost / Email: Dawn.Lees@wales.nhs.uk

Dyddiad / Date: 2nd March 2018

Dear Mr Rowlands,

Re: Petition P-04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital

Further to your recent letter dated 19th January 2018 enclosing a short report summarising the Petition Committee's consideration of the petition and requesting the Health Boards views on the two conclusions you have reached, please find our comments as follows:

Petitions Committee Conclusion 1: It is clear from our consideration of this petition that further efforts to build bridges between sections of the local community and BCUHB are required. The opening of Canolfan Goffa Ffestiniog could help to provide an impetus for this. However, we recognise that this Centre has not addressed the underlying motivation behind the petition, namely the provision of inpatient beds, minor injuries cover and X-ray facilities in Blaenau Ffestiniog. Nevertheless, it is our hope that the new Centre can assist in the development of improved relationships and satisfaction with the level of healthcare provided within the community.

As you are aware, Canolfan Goffa Ffestiniog, the new integrated health, social care and wellbeing centre in Blaenau Ffestiniog was formally opened by the Cabinet Secretary for Health & Social Services, on 30th November 2017.

The new Centre is delivering over 35 new, increased and existing regular services from the centre and over 45 clinics across the spectrum of primary, community health, social care, prevention and wellbeing. Informal feedback from patients, the public and staff to date has been very positive. It is a priority for the Health Board to ensure that the new facilities deliver what has been promised. The expectation is that service provision will evolve and develop over time in line with Welsh Governments strategic policy and the Health Boards Care Closer to Home Strategy and that the Health Board will continue to make the centre available to new and additional services where appropriate.



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Betsi Cadwaladr
University Health Board

Developing improved relationships with the local community is important to us and to this end we have implemented an extensive engagement and communication exercise over the past 12 months via the West Area's Engagement and Communication Officers. This has included a number of engagement activities locally in Blaenau Ffestiniog and regular newsletters and updates have been circulated widely and including via social media. Communication with the local community in the Blaenau Area does not stop with the opening of Canolfan Goffa Ffestiniog. The Health Board recognises the importance of continued engagement with local communities and a draft Engagement and Communication Plan has been created for the Canolfan Goffa Ffestiniog for the next 12 months and beyond.

As stated previously and in line with Welsh Government guidance associated with All Wales capital funded schemes, we will be undertaking a post project evaluation of the Blaenau Ffestiniog capital scheme before the end of 2018 (required by Welsh Government within 12 months of opening), with the aim of assessing the benefits and outcomes against a range of measures set out in the approved business case. This will include undertaking specific patient and carer satisfaction surveys with local services. We will also be re-visiting the Equality Impact Assessment of the new Centre in due course to assess the impact of the new Centre on protected characteristic groups.

The Health Board is also pleased to confirm that there have been a number of new appointments over recent months within the GP Practice including a second salaried GP, a new Health Centre / Practice Manager, a new experienced Advanced Nurse Practitioner, new Practice Nurse and the Health Care Support Worker is currently undertaking training to enable her to take on enhanced duties. In addition, a local person has been employed as an apprentice in reception and administration work. This full team is able to take advantage of the benefits of co-location with a wide range of health and social care professionals, as well as accessing third sector organisations all on the same site.

In terms of the statement that this Centre has not addressed the underlying motivation behind the petition, namely the provision of inpatient beds, minor injuries cover and X-ray facilities in Blaenau Ffestiniog, the Health Board has always endeavoured to underline clearly in meetings and correspondence with the Hospital Defence Committee, as well as being detailed within the Health Care in North Wales is Changing (HCiNWIC) documentation, the principles and reasons behind the changes in community service provision across North Wales and Blaenau Ffestiniog. The two key principles being:

- Focusing our resources on providing **reliable healthcare services at fewer hospitals** to make sure that the services provided are consistently available;
- **Providing the same healthcare services with the same opening times within 40 minutes'** drive for as many people as possible in North Wales;

In addition we have explained that focusing resources on providing reliable healthcare services at fewer hospitals is very important to ensure that throughput is higher, ensuring competences are maintained and care is safe.



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Betsi Cadwaladr
University Health Board

The reasons as to why Ffestiniog Memorial Hospital (FMH) was not chosen as one of the ten community Hospital hubs across North Wales (in HCINWiC) have been explained. An analysis of admissions showed that the catchment area for FMH was confined largely to Blaenau itself, with a low level of admissions from the area to the West and little or no activity from the east or the “rural uplands” area. Whereas admissions data for Ysbyty Alltwen showed that it already drew patients from a broader catchment area. The patient throughput numbers for both MIU and X-ray were higher in Ysbyty Alltwen than for Ffestiniog Memorial Hospital. The difficulties of maintaining staff skills and competences with low throughput are well documented.

It is now a widely accepted cornerstone of UK, Welsh Government and BCUHB strategic health policy that patients should be cared for in their own homes rather than admitted to hospital, where this is safe and appropriate to do so. The inpatient service change in Blaenau reflects this principle. People at the end of life are choosing to die in their own homes and this change is borne out by the increasing palliative care workload of district nurses particularly in the Blaenau area over the last few years. These patients would previously have been cared for in an inpatient setting.

Petitions Committee Conclusion 2: We consider that the local scrutiny process now ongoing through Gwynedd Council’s Care Scrutiny Committee represents the most appropriate route for the issues covered by the petition to be discussed and addressed. We endorse the recommendations reached by that Committee and urge all involved to give them careful consideration. In particular we agree that the concerns of the local community may be best addressed by the recommendation for an independent report to be commissioned into health provision in the Blaenau Ffestiniog area.

BCUHB will continue to work closely with Gwynedd Council’s Care Scrutiny Committee to provide information as and when required. As set out in the Health Board’s original response to the Scrutiny Committee’s recommendations, BCUHB re-iterates that it would not be appropriate for it to commission and fund an independent report on the provision of health services in the Blaenau area. The priority for us is to ensure that the new integrated facilities in Blaenau deliver what has been promised in line with Welsh Government and BCU’s Care Closer to Home vision.

At the most recent Care Scrutiny Committee meeting, it was suggested that the North Wales Community Health Council might be best placed to undertake this.

Yours sincerely

Gary Doherty
Prif Weithredwr / Chief Executive

P--04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital – Correspondence from the Petitioner to the Committee, 01.04.18

Dear Mr Rowlands,

We thank you for this further opportunity to respond to BCUHB Chief Exec's latest claims regarding healthcare provision at what is now referred to by the Board as the Ffestiniog Memorial Centre.

Judging from the arguments that he has presented, it is patently obvious that the Betsi Cadwaladr Health Board remain in a state of denial as they stubbornly try to justify past and present failures.

There are several points in his letter that need to be challenged:-

1. His claim of '35 new, increased and existing regular services' now being provided in the Ffestiniog Welsh Uplands.

In July 2017, the Board was listing those same 35 services as '*new services*', a **definition that, at the time, could only have been intended to deliberately mislead the public**. In fact, of the 35 services listed in that newsletter, as many as 23 were already being provided, whilst others on the list included what can only be described as non-essential group sessions such as '*Community Wellbeing Group Mindfulness Courses*', '*Job Centre Plus*', '*Walking Sessions*', '*Disability Employment Advisors*', '*Stop Smoking Wales Clinic*'.

Professor Longley in his study of healthcare services in rural mid-Wales, used a proforma to list the comparative healthcare services available in various wellbeing community. The healthcare services promised by Betsi Cadwaladr in the Welsh Uplands around Ffestiniog fall far short of those listed as suitably comprehensive for the Tywyn and the Dolgellau well-being areas, a fact Betsi Cadwaladr has never denied. Mr Doherty's argument seems to be that he cannot afford to provide more than the primitive service, by international measures, that he has planned to supply, in the Welsh Uplands and the residents there will have to tolerate a service far less comprehensive than provided in places like Tywyn, Dolgellau and Pwllheli.

When eventually an independent assessor examines the service in the Ffestiniog area, that assessor will use a comparative method to illustrate the difference in healthcare services provided between wellbeing areas and demonstrate by epidemiological analysis of patient outcomes the impact of the service downgrade that Betsi Cadwaladr has imposed on the Welsh Uplands residents.

2. The paragraph on page 2 of his letter (*'The Health Board is also pleased ...'*) is typical of the sort of bluster to which we have become so accustomed. For example:-
 - i) The so-called **'new appointments'**, that Mr Doherty takes such pride in, are not new positions at all, but **mainly** replacement appointments. For example, the recent need to appoint a new Practice Manager arose out of the hush-hush sacking of a predecessor in the post, one who had also been appointed by the Health Board!
 - ii) When applauding the appointment of the *'second salaried GP'*, Mr Doherty should surely have clarified that the only other salaried GP in the Practice has been semi-retired since January 2014, having postponed full retirement in response to an earnest request from the Health Board itself!

3. Like his predecessors in the post, Mr Doherty seems intent on presenting a case that **the Ffestiniog area actually deserved to lose such crucial services** and that the region is adequately provided for under the terms of the 2014/15 Well-being Acts. This is far from being the case and his claim that ***'the catchment area for FMH [i.e. Ffestiniog Memorial Hospital] was confined largely to Blaenau itself, with a low level of admissions from the area to the west and little or no activity from the east or the "rural uplands" area'*** is a **blatant misrepresentation of the facts.**

For instance, in 2015, Dolwyddelan Community Council (to the north-east) felt the need to call its own referendum, in which the residents voted 99%+ in favour of a return of the services that are listed in our Petition. A similar referendum held in Blaenau Ffestiniog and its surrounding villages, produced an almost identical result, and for **Mr Doherty to claim that residents are now satisfied with their lot is disingenuous to say the least.**

In fact, in his letter to you, dated *2nd March 2018*, he admits, albeit inadvertently, to the Board's **true intentions** in closing the Ffestiniog Memorial Hospital when he refers to what he calls BCUHB's **two key principles**. i.e. :-

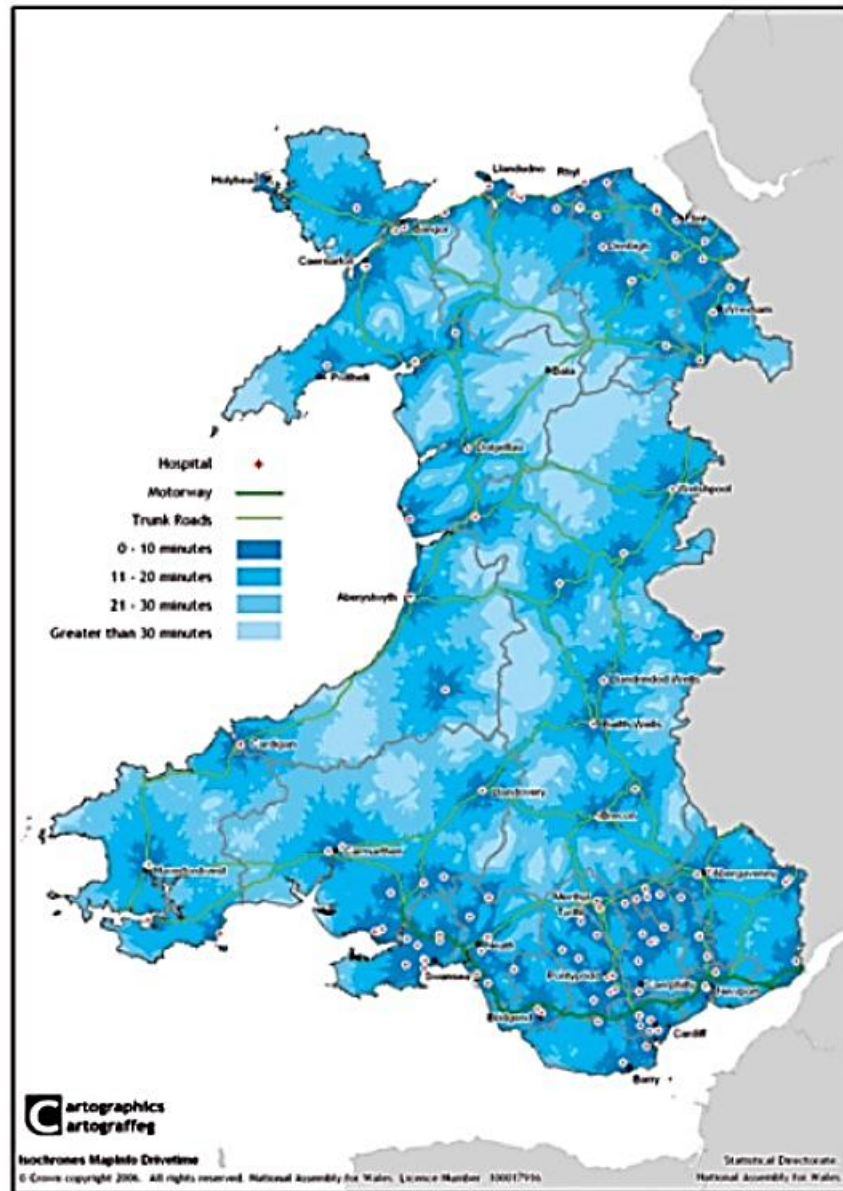
- (i) *'Focusing our resources on **providing reliable healthcare services at fewer hospitals** to make sure that the services provided are consistently available.'*
- (ii) He then compounds his argument by quoting the second of those key principles: *'**Providing the same Healthcare services with the same opening times within 40 minutes drive for as many people as possible in North Wales.**'*

Mr Doherty should be asked to explain the source of his **40 minute** criterion. In fact, such a time scale was **pure invention** by the Health Board itself, during the period when Mrs Mary Burrows was the Chief Executive, and it is surprising, to say the least, that someone in Mr Doherty's exalted position hasn't yet realised that fact. **The World Health Organization makes no reference whatsoever to such a 40 minute timescale in any of its guidance. 40 minutes does not appear in any Welsh or UK regulations.**

The last "Profile of rural health in Wales" conducted for the Welsh Government includes on page 20 a "time and distance analysis to hospitals in Wales". It uses the internationally deployed bandings of 0-10 mins, 11-20 mins 21-30 mins and "greater than 30mins". We include the map below. You will note that without a hospital in the Ffestiniog locality, a wide area of the Welsh Uplandss is now without the 30 minute zone.

Mrs Burrows was formally censored by the Welsh Assembly Public Accounts Committee in its Decemebr 2013 report on "Governance Arrangements at Betsi Cadwaladr University Health Board". While the report was being prepared Mrs Burrows left the employ of the Wales NHS.

Fig. 17: Time and distance analysis to hospitals in Wales



Source: Welsh Assembly Government

We feel that Mr Doherty needs to specify his source in this respect.

4. The Chief Exec presents other so-called ‘facts’ to strengthen his argument, but none as banal or as clichéd as where he claims that Blaenau people have said that they prefer to die at home rather than in hospital. To seriously present such an argument in support of the decision to close our Memorial Hospital, or any other hospital for that matter, is an insult to any person’s intelligence, leave alone yourselves as members of the Welsh Government’s Petitions Committee.

5. Over the past five years (ever since the hurried closure of our memorial hospital in March 2013), we have presented BCUHB with several examples where patients from the Welsh Uplands have been sent (and are still being sent) from Ysbyty Gwynedd to step-down hospitals and into the care of other unfamiliar doctors many miles distant from their homes - egs. Alltwen (up to c. 20 miles), Bryn Beryl Pwllheli (up to 32 m.), Dolgellau (c. 24m.). In most of those instances, patients will have been out of the care of their own GP for many weeks, if not months, at a time.

Mr Doherty needs to explain whether that is in line with his Health Board's '*Care Closer to Home vision*' (see penultimate sentence in his letter to you.)

We know of other instances, where pressure has been brought to bear on families to transfer their relatives out of those step-down hospitals and into private nursing homes, as a means of alleviating bed-blocking brought about by hospital closures.

In respect to the letter from the Cabinet Secretary, we feel that we should draw to the Committee's attention that on his visit to Blaenau Ffestiniog, the Cabinet Secretary made no effort to meet with the many residents displeased with the downgraded healthcare services that we now have and that the timing of his visit was withheld from us until very late. Clearly the Cabinet Secretary is not very comfortable with meeting with the public.

We thank you again for giving our Petition the continued consideration that it merits.

Yours very sincerely,

Geraint V. Jones (Chair of Ffestiniog Memorial Hospital Defence Committee)

Agenda Item 3.13

P-05-754 Lack of support for children with disabilities at crisis (there is a crisis team but do not support children with disabilities)

This petition was submitted by Rebecca Weale and was first considered in June 2017, having collected 200 signatures.

Text of the Petition

I am trying to highlight the need for the Cwm Taf children's crisis team to recognise there is a vital need for children with disabilities to be supported through crisis and have the right to be treated as any other child would.

I am a mother of four children, my middle son Tom has numerous needs, severe learning difficulties, autism, a mood disorder as well as other additional health issues. Tom hits a crisis point every now and again. Which involves increase in aggression, shouting louder than usual, hurting himself as well as others, as well as many other changes in behaviour. Tom has extremely limited communication skills and is unable to tell us what is wrong or what we can do to help. We have been at crisis point with Tom who is now 15yrs old and on high doses of medications, many times over the years and it's astonishing how things have not progressed with regards to support for children with disabilities while at crisis. Tom is currently at a crisis point and has been for some time. We as a family have had very little if any support to help him through this difficult period. I have been made aware there is a children's crisis team however they do not support children with disabilities! Surely a child at crisis no matter if they have disabilities or not, is still a child at crisis. In fact I may be wrong but in some cases may need more crisis support. I can not believe at this day in age this divide is still acceptable. I am trying to highlight the need for the Cwm Taf children's crisis team to recognise there is a vital need for children with disabilities to be supported through crisis and have the right to be treated as any other child would.

Assembly Constituency and Region.

- Merthyr Tydfil and Rhymney
- South Wales East



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Cwm Taf
University Health Board

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

AJW/TLT
16 March 2018
01443 744803
01443 744888
Allison.williams4@wales.nhs.uk
Chair and Chief Executive

Mr David Rowlands AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear David

Petition P-05-754 Lack of support for children with disabilities at crisis

I write in response to your letter dated 23rd February 2018 regarding petition P-05-754 'Lack of support for children with disabilities at crisis'.

I am sorry that the person that submitted this petition is experiencing the difficulties described. Children with Learning Disabilities would generally receive their care and support from their paediatric clinical team with support the Learning Disabilities (LD) team, led by Dr Amani Hassan. The LD team actively engage with young people and their families to ensure that they are receiving the care that they require, including the available treatment options and the appropriate support package where this relates to Social Services. Should a young person or their family be facing long term challenges then this should be highlighted to the LD team so that they can support a resolution, whether this be directly with the treatment offered or through liaison with other services.

The Cwm Taf CAMHS Crisisteam is made up of 4.0 WTE CAMHS Nurses and has been set up to support young people presenting with emergency mental health issues. Should a mental health crisis occur out of hours then such young people could receive their emergency care and support via the Crisis team (currently working until 8pm Monday-Friday) or the on call CAMHS service, delivered by a middle grade and consultant CAMHS doctor, every night and throughout the weekend. The response time is normally with 24 hours. Should the emergency relate to social issues rather than mental health, however, then this would need to be escalated through the Local Authority responsible for providing the package of care.

Return Address: Ynysmeurig House, Unit 3, Navigation Park, Abercynon, CF45 4SN

I hope that this helps to clarify the role of the CAMHS, Crisis and Learning Disabilities services in such a situation and that this information will support the person that wrote this petition to access the service that is required.

Yours sincerely

A handwritten signature in cursive script that reads "Allison Williams".

Mrs Allison Williams
Chief Executive/Prif Weithredydd

**P-05-754 Lack of support for children with disabilities at Crisis –
Correspondence from petitioner to Committee, 28.03.18**

Hi,

Firstly I would like to thank you once again for your response. However I am fully aware of all services available. My main point of the petition was that, yes there is a crisis team, again yes there is a crisis CAMHs team, but as pointed out in the petition children with learning difficulties (LDs) cannot not access these services due to having additional needs and not just mental health issues.

I have been in contact with CAMHs this AM, to check if the service' had changed over the last few months and that maybe I was uninformed regarding these changes, however this is not the case. I have been advised that the CAMHs crisis team is available up until 9.30pm (week days only) and only really provide support for children with mental health issue, e.g/ suicidal thoughts, self harm, and similar issues. Again no real support for children with LDs. The mental health crisis team is available 24/7, although once again only support children with mental health issues not LDs. Are you aware of the undue stress A&E can cause for a vulnerable child while at crisis? I myself having first hand experience strongly believe this is not really an option.

Dr Hassan has provided advice and some support for Tom, but with very limited resources, staffing levels and no beds available in Wales for children with mental health and learning difficulties, there is only so much Dr Hassan can do.

Social services also can only do so much. They are not medically trained, and resources are limited. Our constant battle to try and get Tom the support he is rightfully entitled to is shocking. It's unfair and causes more unnecessary stress to families when they are already seeing their child suffer.

I would also like to point out this is not a social matter, this is me as a concerted, worried mother of a child who is failed by the system. I am continually being told there are services available, and yes there are services

available to some children, but not for children with both mental health issues, learning difficulties and challenging behaviour.

I have so many questions and issues regarding these services which I feel could be discussed better face to face rather than just briefly highlighting some issues in writing. The petition was brought about almost a year ago and I feel after reading the most recent response from Alison Williams, that we are no more clearer than we were at the start of this petition and nothing has be resolved.

Kind regards,
Rebecca Weale

Agenda Item 3.14

P-05-761 Demand Funding from the Welsh Government to Support Autism Spectrum Connections Cymru

This petition was submitted by Aled Thomas and was first considered in June 2017, having collected 148 signatures on an alternative e-petitions website.

Petition text:

We call for the Welsh Assembly Government to give funding to support Autism Spectrum Connections Cymru.

This charity is unique in Wales. Autism Spectrum Connections Cymru currently receives no government funding. It depends entirely on funding from sources that aren't necessarily able to permanently support it.

This unique open drop-in centre plays an important role in improving the lives of people living with autism in Wales.

We would like to seek reassurance from the Welsh Assembly Government that this charity will always remain open and fully funded.

Assembly Constituency and Region

- Cardiff South and Penarth
- South West Wales

Vaughan Gething AC/AM
Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau
Cymdeithasol
Cabinet Secretary for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-761
Ein cyf/Our ref VG/00683/18

David John Rowlands AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

government.committee.business@wales.gsi.gov.uk

9 March 2018

Dear David,

Thank you for your follow up letter of 23 February regarding petition P-05-761: Demand Funding from the Welsh Government to Support Autism Spectrum Connections Cymru.

The decision to establish the Integrated Autism Service was based on evidence gathered through a scoping exercise undertaken as part of the delivery of the ASD Strategic Action Plan, Interim Delivery Plan in 2015. The purpose was to establish options for future integrated autism support services in Wales and involved consultation with a wide range of stakeholders, advisory groups and professionals to gather data on existing good practice and gaps in service provision. This included a desk top review of current research, relevant NICE guidelines and visits to established autism services across the UK, including the One Stop Shop model introduced in Scotland, to assess the strengths and weaknesses of existing models of care and support. Learning was also taken from the Community and Monitoring and Support project for autistic people which was supported by the Welsh Government between 2010-2014.

The findings and recommendations of the scoping exercise resulted in the Welsh Government's commitment to introduce an Integrated Autism Service (IAS) across Wales. The service is based on best practice advice contained in relevant NICE Guidelines¹ which recommend that services for children, young people and adults should be provided by specialist community based multi-disciplinary teams. Also as stakeholders frequently raised concerns about inconsistencies in service provision, it was important to take a national approach to service delivery. An independent evaluation of the delivery of the ASD Strategic Action Plan has been commissioned, the interim report was published on 1 March, which I attach. One of the key findings stated:

¹ Autism: The management and support of children and young people on the autism spectrum (NICE Guideline CG 170) and Autism: recognition referral, diagnosis and management of adults on the autism spectrum (NICE Guidelines CF142)

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Vaughan.Gething@llyw.cymru
Correspondence.Vaughan.Gething@gov.wales

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

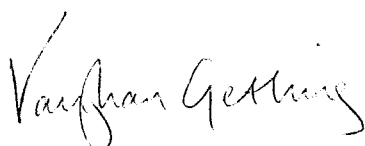
Pack Page 168

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.

Weaknesses and inconsistencies in both assessment and diagnostic services for adults with autism and in support services for adults and children with autism provide a strong case for national action to drive up standards and ensure good practice is adopted across Wales. All stakeholders interviewed support this view.

The IAS is funded through the Integrated Care Fund (ICF) which promotes integration and innovation. Funding is allocated to regional partnership boards, which comprise of health boards, social services and third sector organisations. A competitive tendering process is not required as ICF funding is allocated to health boards on behalf of the regional partnership boards. The boards should collectively determine how ICF funding is utilised. The IAS is intended to increase skills and capacity, not to replace existing services including those already provided by third sector organisations. In each region it has been developed by working in partnership with local stakeholders including the third sector, to minimise duplication. We have also established a national IAS Leads group to ensure that the service continues to develop and improve through collaborative working and best practice.

Yours sincerely,

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

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
Cabinet Secretary for Health and Social Services

David J Rowlands AM
Chair, National Assembly for Wales Petition Committee
Cardiff Bay
Cardiff
CF99 1NA

21 March 2018

Dear David

Petition P-05-761 Demand Funding from the Welsh Government to Support Autism Spectrum Connections Cymru

Further to your letter of 23rd February 2018, I am writing on behalf of the Cardiff and Vale of Glamorgan Regional Partnership Board to update you on our Integrated Autism Service (IAS).

Cardiff and Vale of Glamorgan were identified by the Welsh Local Government Association (WLGA) as one of the four early implementation areas for the Welsh Government's Integrated Autism Service in 2016/17.

At this time Cardiff and Vale University Health Board had an existing service – the Cardiff and Vale Autism Spectrum Service (CAVASS) – which was hosted within Mental Health Services and provided diagnostic assessment to adults presenting with suspected Autism. In addition, CAVASS also delivered a range of post-diagnostic support groups to individuals following diagnosis. This was delivered in partnership with the local third sector service and led by a Clinical Nurse Specialist in Autism.

Alongside this, Cardiff and the Vale of Glamorgan local authorities were providing information, advice and assistance to individuals presenting at first point of contact pre-and post-diagnosis. In addition, the Councils were running informal groups and supporting other services working with individuals with Autism spectrum disorder.

The proposals for the new service delivery were informed by the guidance produced by Welsh Government on implementing a National IAS. This included staffing the service with the key professionals identified, in addition to securing staff with an appropriate skill mix to support delivery of the service as set out within the guidance. The Cardiff and Vale of Glamorgan proposal was subsequently approved in October 2016 and enabled local service managers to begin recruitment to key posts within the service.

It was also agreed at this time that the two existing services would merge into the IAS to create one service. Therefore Cardiff and the Vale of Glamorgan have an enhanced version of the IAS which includes wider information, advice and assistance services to individuals,

with information and signposting for individuals presenting pre-diagnosis, and existing diagnostic links to mental health services and diagnosing psychiatrists.

The service has been operational in part from April 2017 (using existing services to maintain delivery) and was then launched in September 2017. All practitioners are now in post as of March 2018 and the service is currently operational, although still developing.

On-going activity to support full operational delivery includes training the IAS team in diagnostic assessments and developing further links with other ASD services to enhance the local offer. A review of the current post-diagnostic training has taken place, led by the clinical lead within the IAS and in partnership with Autism Spectrum Connections Cymru (ASCC). The intention is to maintain the existing arrangement in delivery of this post diagnostic training in partnership between the IAS and the ASCC practitioners.

More recently in 2018, the Cardiff and Vale of Glamorgan IAS Programme Board identified opportunities to work more closely with the third sector through reallocation of slippage within the IAS budget, as a direct result of staffing delays. This was facilitated by Cardiff Third Sector Council and supported four voluntary sector organisations to deliver additional benefits to individuals with ASD between January and March 2018. It is unlikely that this opportunity can be revisited into the next financial year, as all resources within the IAS have been allocated to the staffing team required, as set out within the original IAS guidance.

We hope this provides you with an update on how the Cardiff and Vale of Glamorgan Integrated Autism Service is working locally, but if you require any further information, please do not hesitate to contact us.

Yours sincerely



Cllr Susan Elsmore
Cabinet Member for Social Care, Health and Well-being, Cardiff Council; and
Chair of Cardiff and Vale of Glamorgan Regional Partnership Board

**P-05-754 Demand Funding from the Welsh Government to Support Autism Spectrum Connection Cymru –
Correspondence from petitioner to Committee, 05.04.18**

Dear Petitions Committee.

I'm writing a response to the latest information sent to me regarding my petition under the reference number P-05-761.

I'm concerned that the latest responses from the Welsh Government do not address many of the questions raised in previous responses.

The response from the Cardiff and Vale of Glamorgan Integrated Health and Social Care Partnership does not demonstrate how they are truly working in partnership with Autism Spectrum Connections Cymru (ASCC). It mentions working in partnership. How can a partnership and services for people with autism be maintained without funding for them?

I am interested in knowing who the membership of the regional partnership boards are. Also, which third sector organisations are included as part of the boards and are ASCC being consulted or have they been consulted in any way in the development of the autism strategy and/or the Integrated Autism Service (IAS) and if not, why not?

It is clear from the previous letter from Autism Spectrum Connections Cymru that requests for funding from people involved at a grass roots level within the NHS/ Council to support rather than replicate existing services have been refused. Who has refused them? How much control over the Regional Partnership Boards is there from the WLGA/ Welsh Government? In the Interim evaluation of the IAS it shows that there has been an over reliance upon one person's vision. Where is the oversight and partnership working needed to truly deliver something which meets the needs of people with autism. What qualifies this one person employed by the WLGA to set government policy and many millions of pounds of public money?

It is clear from the literature and press releases that whilst the interim evaluation states that the IAS is not "the" autism service, Welsh Government and the WLGA have marketed it exactly as such. I am aware that a number of the things promised have not yet materialised and accessing these services is problematic for some others with autism who I have spoken with.

I have recently become aware that the individual who led the autism strategy on behalf of the Welsh Government and was employed by the WLGA has left her role and has set up a private consultancy and is being commissioned by statutory services including the IAS to provide groups and training for professionals and people with autism which already exists through the services of Autism Spectrum Connections Cymru. This is the same person who the Evaluation report states has led the design and delivery of the IAS. This seems corrupt to me.

The web address for this company is www.auspicious.wales.

Do you have details of how much money has been paid to this consultancy?

Can I have all documents and emails pertaining to the development of the proposals for the IAS? The FOI that I have seen shows no proposal for the scoping exercise– instead it shows that the WLGA received additional funding to carry this out based upon a telephone conversation.

Who decided that an IAS needed to happen in the first place? And where did the proposal for the scoping exercise come from? And why was the WLGA the chosen private company selected to undertake this exercise? How much money do the WLGA receive without a procurement exercise? And why is it acceptable not to have a procurement exercise when commissioning a private company with hundreds of thousands of pounds of public money?

Are the large sums of money being given to the WLGA part of the money that is being given to the Integrated Care Fund?

What procurement exercise was undertaken in funding the WLGA associated posts and what appears to be duplication of funding for staff and projects?

According to an FOI, for every member of staff there is a £10,000 management charge paid to the WLGA by the Welsh Government. Is this standard practice? Does this represent best use of public funds? Per year that amounts currently to seventy thousand pounds in management charges alone!

From reading the Freedom of Information (FOI) requests, there seems to be salary and project costs which appear to show duplication in funding from Welsh Government.

You gathered data as part of your scoping exercise which justifies the development of this form of support. Who was engaged, what were the numbers of people engaged and what were the outcomes? Do you have this data? How many people with autism were involved in this scoping exercise?

Many of the responses from the government mention working in partnership with the third sector. Where is the partnership working with the third sector within the autism strategy? Which third sector organisations are they? What funding is given to the third sector through the autism strategy and the IAS?

The government mentions that the One Stop Shop model in Scotland was considered as part of the scoping exercise, why did it not occur to the Welsh Government and the WLGA to consult with the One Stop Shop that exists in Wales run by Autism Spectrum Connections Cymru?

I am very concerned about this evidence which shows that this whole process is procedurally improper and shows favouritism and bias against the third sector.

Yours Sincerely,

Aled Thomas.

Agenda Item 3.15

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

This petition was submitted by Nathan Lee Davies, having collected 324 signatures online and 307 on paper – a total of 631 signatures.

Petition Text

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

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

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

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

Additional information

Why we oppose this decision:

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

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

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

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

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

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

Assembly Constituency and Region

- Wrexham
- North Wales

Huw Irranca-Davies AC/AM
Y Gweinidog Gofal Cymdeithasol a Phlant
Minister for Children and Social Care



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-771
Ein cyf/Our ref HID/00170/18

David J Rowlands AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

government.committee.business@gov.wales

20 March 2018

Dear David,

Thank you for your letter of 23 February following the Committee's recent further consideration of Mr Nathan Davies' petition (P-05-771) regarding the Welsh Independent Living Grant (WILG).

While I appreciate the apprehension Mr Davies has, both about the implementation of the Social Services and Well-being (Wales) Act 2014 and the change in which WILG recipients will be supported to live independently in future, I do not recognise the extent of the concerns he raises. The decisions we have taken have not sought to prevent disabled people in Wales from living independently at home, or to reduce the support for which they are entitled. As a government we have sought to support this right to live independently through the 2014 Act, where we are changing the emphasis upon the way people are supported to give them more voice and control over the care and support they require to meet the wellbeing outcomes they wish to achieve.

We are taking tangible action to deliver this aim. For example, Social Care Wales is working with a range of key stakeholders and partners in the delivery of the 2014 Act including employers, local authorities and the voluntary and third sector. This includes undertaking a programme of learning with the social care workforce and the wider sector on the requirements and expectations of the Act to ensure this is delivered on the ground, covering such issues as expert classes on advocacy, co-production, direct payments and supporting the workforce to move to delivery of outcomes focused practice.

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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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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 true to say it will take time for this change in direction to completely bed down. However, there are many signs of this becoming standard practice across Wales to the benefit of those who rely on support, which in turn will have a positive effect on the future support packages which are being agreed for WILG recipients.

As regards monitoring of the implementation of the 2014 Act, we have committed previously to a formal independent evaluation of the Act. A stakeholder evaluation group was established in 2017 to help guide the evaluation and includes a range of external representatives, some of whom were actively involved in the development of the Act.

The evaluation will commence this autumn and will last a minimum of three years. It will consider the implementation of the Act and its delivery, the outcomes delivered so far and the impact it has had on the well-being of those who need care and support, as well as their carers. It will also provide a rich source of evidence to support continued improvement in the sector. I am also seeking to capture care recipient's experience, through a complimentary evaluation project, on how local authorities provide care under the new provisions. I am issuing a Written Statement regarding the evaluation shortly which will contain more information and which will be available at:

<http://gov.wales/about/cabinet/cabinetstatements/2018/?lang=en>

A handwritten signature in black ink that reads "My Kind Regards, Huw". The signature is written in a cursive style with a horizontal line underneath the name "Huw".

Huw Irranca-Davies AC/AM

Y Gweinidog Gofal Cymdeithasol a Phlant
Minister for Children and Social Care

**P-05-771 Reconsider the closure for the Welsh Independent Living Grant and support disabled people to live independently –
Correspondence from petitioner to Chair, 05.04.18**

David J Rowlands AM
Chair
Petitions Committee
National Assembly for Wales

SeneddPetitions@assembly.wales

5th April 2018

Dear Mr Rowlands,

Thank you for giving me the opportunity to respond to the letter you received from Huw Irancca- Davies AM regarding the planned closure of the Welsh Independent Living Grant (WILG).

I feel like a broken record having to repeat myself time and again. Whatever evidence I provide regarding the disastrous effects of transferring Independent Living funds to local authorities in England, the Minister for Children and Social Care seems to be burying his head in the sand. At the bottom of this letter, I have included links to DWP and Inclusion London studies on the impact of the closure of the Independent Living Fund (ILF). These need to be read and digested to fully appreciate why we should not follow the irresponsible and dangerous path taken by the UK Government.

Please excuse me for having to repeat myself, but I made several key points and raised important questions in my last letter which were totally ignored. Subsequently, I find myself having to raise these questions and observations once again.

Please find attached my previous letter to Huw Irranca-Davies that has not been addressed. With this in mind, I am going to try and make things as clear as possible, in order to emphasise just how serious and important this is:

1. With respect to Mr. Irranca–Davies when he says he “appreciates my apprehension”, he **cannot** possibly do so. Unless you have to go through this yourself, you cannot even begin to comprehend the difficulties and shear frustration of having to expend all your energy, campaigning for what is right while being ignored by those in power.
2. WHY are Welsh Labour making this dangerous change to start with? DEMONSTRABLY this change is not, will not and cannot be an improvement for existing WILG recipients.
3. As things stand, even under WILG, I, and every other recipient I know, already believe we have too much responsibility and too much to worry about before we even have to deal with our health conditions on top. The new proposal will mean this level of responsibility will significantly increase. Not only this, but HID seems to not recognise at all that most recipients of WILG will not be in a position to take on these extra responsibilities, worries, admin etc. This seems to have been completely ignored.
4. Why not wait until any independent investigation has come to it’s conclusions BEFORE subjecting vulnerable people to even more confusing, and unnecessary, change?
5. Mr. Irranca–Davies seems very confident, no matter how it is worded or defended, that losing the ‘third arm’ of the support triangle (the other two being local authorities and the contribution of the recipient themselves) is nothing to worry about. Recipients should not be made to have to battle with hostile local authorities who are only concerned with their budgets. Disabled people deserve independent representation so that they can move forward with their lives with confidence instead of trepidation. Demonstrably, local authorities are wildly inconsistent, and therefore, the consequences of these changes will be highly erratic and terrifying without the support of a third party.

6. If HID and his team are working with Social Care Wales, as a WILG recipient, I'd expect consultation for our input and consideration. Disabled people should not be treated as mere objects that need dealing with, but should be involved in matters that will impact on their lives.
7. I would like to ask Mr. Irranca-Davies why it is that as a passionate Welsh Labour party member and campaigner, he thinks I should have to suffer like this? Why is it that our own MPs, AMs and EVERY SINGLE PARTY MEMBER CONSULTED, TO A PERSON, is vehemently against the scrapping of WILG? These people are willing to support me consistently, in order to reverse a decision that should NEVER have been made.
8. HID admits that he expects these new changes to take time to bed-in. Well, I am afraid time is a luxury I, and many WILG recipients, do not have. As you are aware, I live with Friedreich's Ataxia. The average life expectancy for someone with my condition is 35 years of age. I am 41. I am having to spend what ever time I have left fighting against my own party, against a decision no one outside of the authorities agrees with. That is not fair. Yet, I HAVE to do this as my principles will not allow me to simply sit back and watch, while Welsh Labour ignore all the evidence in front of them and make a grave mistake that will severely damage the disability rights movement in Wales.

This is unbelievably difficult to write. I genuinely hope it is hard to read, too. This is because I am afraid that the people who desperately need to understand, simply do not get it. I think another meeting with Mr. Irranca-Davies is urgently needed. I cannot, and will not, give up the fight.

I look forward to Huw Irranca-Davies' response. Thank you very much indeed for facilitating things Mr. Rowlands, I am grateful to you for doing this.

Yours in hope,

Nathan Lee Davies

Please find below links to three different reports into the effects of the ILF closure in England:

<https://www.gov.uk/government/publications/independent-living-fund-post-closure-review>

<https://www.inclusionlondon.org.uk/campaigns-and-policy/facts-and-information/independent-living-social-care-and-health/ilf-one-year-on/>

<https://www.disabilitynewsservice.com/independent-living-fund-shocking-drop-in-support-after-ilf-closure/>

In addition, I have added some links below concerning my own fight for the continuation of WILG:

<http://www.leaderlive.co.uk/news/2015/07/07/gallery/our-fight-to-fund-independent-lives-in-flintshire-and-wrexham-74959/#.VZu96zMTWf4.twitter>

<http://www.disabilitynewsservice.com/welsh-government-has-sold-disabled-people-down-the-river-on-post-ilf-plans/>

<http://www.bbc.co.uk/news/uk-wales-politics-38385381?SThisFB>

<https://nathanleedavies.wordpress.com/save-wilg-campaign/>

<https://www.disabilitynewsservice.com/disabled-activist-is-fighting-for-his-life-as-he-hands-petition-to-welsh-government/>

Agenda Item 3.16

P-05-731 Land & Access Lane Sale at Abercwmboi.

This petition was submitted by Sue Waterson, which is collected 66 paper signatures.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to halt their sale of the land and access road to the rear of properties numbered 1 to 67 Park View Terrace, Abercwmboi until representations from the local community have been heard and other options are explored. This sale is being negotiated without prior consultation or notification to parties who will be affected by such a sale.

Assembly constituency and Region.

- Cynon Valley
- South Wales Central

Ken Skates AC/AM
Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-731
Ein cyf/Our ref KS/00590/18

David John Rowlands AM
Chair - Petitions Committee

government.committee.business@wales.gsi.gov.uk

19 March 2018

Dear David,

I understand you are reviewing the petitions currently under consideration.

On the matter of the land to the rear of Park View Terrace, Abercwmboi, I believe Rhondda Cynon Taf County Borough Council is leading the discussions in respect of the redevelopment of the adjacent Phurnacite land with a potential developer. My officials are playing a supportive role in the sale and have informed me that the discussions are still ongoing.

It is proposed that the land referred to will be retained until these discussions conclude.

Yours ever,
Ken

Ken Skates AC/AM
Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy 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.

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-05-731 Land & Access lane at Abercwmboi –
Correspondence from petitioner to Committee, 28.03.18**

Thank you for your recent email & attachment. I note that discussions with regard to the development of land adjacent to the land in question are on going.

I am disappointed that even at this stage the Minister is unable to indicate, even provisionally, that his department will consult with the residents directly affected by the proposed sale of the land to rear of 1-67 Park View Terrace, Abercwmboi. It is my understanding that initially this land sale was halted until negotiations re access to the proposed development land (The old Phurnacite site) was concluded. This would have taken a strip of land, running parallel with the existing access road into the Aberamen Industrial Estate which is on the far side of the land to the rear of 1-67 Park View Terrace & thus in no way impacts directly on the residents. The sale of the remaining land would impact negatively for reasons already identified in previous correspondence.

Thank you to the Petitions Committee for following this matter through with such diligence.

Yours

Sue Waterson

Agenda Item 5

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

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