

## Agenda – Petitions Committee

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Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 5 March 2019

Meeting time: 09.00

For further information contact:

Graeme Francis – Committee Clerk

Kath Thomas – Deputy Clerk

0300 200 6565

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### 1 Introduction, apologies, substitutions and declarations of interest

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### 2 New petitions

#### 2.1 P-05-864 Ban the use of 'Hostile Architecture

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### 3 Updates to previous petitions

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## **Transport**

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**4 Evidence Session – P-05-771 Reconsider the closure of the Welsh Independent Living Grant and support disabled people to live independently**

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Julie Morgan AM, Deputy Minister for Health and Social Service  
Gareth Griffiths, Head of Paying for Care, Welsh Government

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

Item 6

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Document is Restricted

# Agenda Item 2.1

## **P-05-864 Ban the use of 'Hostile Architecture'**

This petition was submitted by People Over Profit having collected 120 signatures

### **Text of Petition**

We call on the Welsh Government to ban the use of "Hostile Architecture" by organisations to deter homeless people from seeking shelter and any other street structures designed to impede or hide the homeless.

### **Assembly Constituency and Region**

- Neath
- South Wales West

## Petitions Briefing

Y Pwyllgor Deisebau | 5 Mawrth 2019

Petitions Committee | 5 March 2019

### Research briefing: Ban the use of 'hostile architecture'

Petition number: P-05-864

Petition title: Ban the use of 'hostile architecture'

Petition topic: We call on the Welsh Assembly Government to ban the use of "Hostile Architecture" by organisations to deter homeless people from seeking shelter and any other street structures designed to impede or hide the homeless.

#### Hostile architecture

The term 'hostile architecture' describes the various features used in the design of buildings or public spaces that aim to discourage people from touching, climbing or sitting on them. These features are either intended to avoid damage to the space, or to stop spaces being used for a purpose that is different to the specific purpose intended by the owner (such as rough sleeping).

Hostile architecture features can be categorised as:

- **Physical deterrents** – studs embedded in flat surfaces to make rough sleeping uncomfortable, sloped window sills to stop people sitting, curved or segregated benches to stop people lying on them, and gated doorways to deter rough sleeping.
- **'Wetting down'** – spraying and hosing down doorways and alleyways with water or cleaning products to stop rough sleepers using the space, or installing water sprinklers that come on intermittently to stop rough sleeping.
- **Noise pollution** – sounds, such as loud music, are projected through speakers to deter rough sleepers.

The measures described above do not incur legal penalties or sanctions, but the use of such measures has been controversial, with some such [measures being removed](#) following public criticism.

The national homelessness charity Crisis has identified widespread use of such deterrent measures. A [Crisis survey of more than 450 rough sleepers in England and Wales](#) in the summer of 2016 found that:

- 35% had found it difficult to find anywhere to sleep or rest in the previous 12 months because of defensive architecture;
- 20% had experienced noise pollution in the previous 12 months effecting their ability to sleep and rest; and
- 21% had experienced the street cleansing or ‘wetting down’ of sleeping areas in the previous 12 months.

## Attempts to ban hostile architecture

In November 2017, the Irish political party, Solidarity, proposed a private member’s Bill – [The Planning and Development \(Amendment\) Bill 2017](#). The Bill aimed to amend the Planning and Development Acts 2000 to 2016, to ensure that any development which had the object or effect of deterring homeless people from obtaining shelter from a structure, land or building would not be an exempted development, and would therefore, be subject to planning permission.

Following a [debate in the Dáil Éireann](#), this private member’s legislation was rejected by 98 votes to 40.

## Welsh Government response

The Welsh Government’s response to the Chair of the Petitions Committee noted that the issues faced by homeless people should not be compounded by the design of new developments, and emphasised the role of placemaking:

In December [2018] we published Edition 10 of Planning Policy Wales (PPW) which puts placemaking at the heart of national planning policy. It requires developers and local planning authorities to think about the well-being of people in the design of their schemes and seeks, through the planning system, to create development which feels safe and inclusive and to create places where people want to be and interact with others.

The Welsh Government explained that it is the responsibility of local planning authorities to determine planning applications in their area according to policies in their local development plans, but that PPW is a material consideration in this process. PPW should also be used as a guiding document when local authorities design new areas of public realm. The Welsh Government emphasised that as many ‘hostile architecture’ features could be installed at the post-construction phase, they may not be subject to any planning controls.

The Welsh Government also emphasised the work it is undertaking to ensure that homeless people do not need to seek refuge within or around buildings at all. Its letter noted that tackling

all forms of homelessness is a priority for the Welsh Government and it is investing £30 million in the current, and the next, financial year to tackle homelessness. This funding includes both the additional funding awarded to each local authority to help them support rough sleepers during the winter months, and the additional revenue support grant to local authorities to help continue to meet their statutory obligations in homelessness prevention and improve their trauma-informed practice in Wales.

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

Julie James AC/AM  
Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-864  
Ein cyf/Our ref JJ/05175/19

David J Rowlands AM  
Chair - Petitions Committee.  
National Assembly for Wales  
Cardiff Bay  
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29 January 2019

Dear David,

**Petition P-05-864: Ban the use of 'Hostile Architecture'**

Thank you for your letter of 17 January regarding the petition from People Over Profit regarding the use of 'hostile architecture' in developments which deter homeless people from seeking shelter.

The issues that homeless people face should not be compounded by the design of new development. In December we published Edition 10 of Planning Policy Wales (PPW) which puts placemaking at the heart of national planning policy. It requires developers and local planning authorities to think about the well-being of people in the design of their schemes and seeks, through the planning system, to create development which feels safe and inclusive and to create places where people want to be and interact with others.

Whilst, it is for local planning authorities to determine planning applications for development in their areas according to policies in their local development plans, PPW is a material consideration in this process. It should also be used as a guiding document when local authorities design new areas of public realm. However, many 'hostile architecture' features could be installed at the post-construction phase and may not be subject to any planning controls.

We are working to help homeless people to ensure they do not need to seek refuge within or around buildings at all. Tackling all forms of homelessness is a priority for the Welsh Government and we are investing more than £30m over this and the next financial year to help tackle homelessness. This includes both the additional funding awarded to each local authority in Wales to help them support rough sleepers during the winter months as well as the additional revenue support grant to local authorities to help continue to meet their statutory obligations in homelessness prevention and improve their trauma informed practice in Wales.

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

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

The legislation we introduced under the Housing (Wales) Act 2014 requires local authorities to help everyone who is homeless, or who is at risk of homelessness. Up until September 2018 homelessness had been prevented for 19,600 households as a direct result of Local Authorities implementation of the Act.

We, and local authorities, are funding projects across Wales working with homeless people living on the streets or in other places not intended to provide accommodation - such as in parks, cars, or tents. The aim is to help rough sleepers off the streets, and to help them stay off the streets. Services include Rough Sleepers Intervention Teams (RSIT), which help the most vulnerable and chaotic homeless people on our streets by providing outreach in the form of hot food, advice, referrals and pathways out of homelessness.

Yours sincerely,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol

Minister for Housing and Local Government

**P-05-864 Ban the use of 'Hostile Architecture'; Correspondence- Petitioner to Committee, 25.02.19**

Dear members of the Committee

We write to you ahead of our petition (P-05-864) in which we call on the National Assembly for Wales to put a moratorium on the use of "Hostile Architecture" by organisations to deter homeless people from seeking shelter and any other street structures designed to impede or hide the homeless, we appreciate your time is limited so we shall keep this brief.

Hostile architecture, exclusionary design, or defensive urban design by which ever name you choose amount to the same thing, an appalling attempt to "design out crime" and to hide the homeless. These are design practices made specifically to exclude, harm or otherwise hinder the freedom of a human being. Quite often they aim to remove the vulnerable from a public space all together and should have no place in a society which holds compassion as a founding principle.

Whether through purposeful design or by retrofitting, we feel that the aims of hostile architecture is not one conducive to principles laid out in Edition 10 of the Planning Policy of Wales which in sections 1.8 states that the planning system "should not discriminate against or favour any particular group or members of society" nor of the general policy of placemaking and it's focus on community well-being.

It is a system of displacing what many business and local authorities see as "surplus humanity", hiding the homeless from public view essentially to improve a locations aesthetic and economic value at the expense of the well-being of some of the most vulnerable in our communities.

Both state and non profit sector services which support the homeless community such as the Rough Sleepers Intervention Teams utilise knowledge of the regular sleeping spaces to monitor and provide ongoing aid to specific homeless people and it's in many popular spots that new homeless people are found and subsequently provided with support sooner.

Creating hostile environments that force the homeless to find respite elsewhere puts a direct threat to their lives, increases crime and for the

temporary homeless increases the duration of their time on the streets. This is an act of social violence against the homeless and puts their safety at risk.

We believe that it is to the Welsh Assembly government to implement this moratorium on a national level and to place a strong and firm position on the usage of such infrastructure whether at the hands of local authorities or private organisations.

At the end of the day, no one should have to sleep on benches and doorways, however this is the reality of many people in Wales and we must respond in a caring manner rather than seek to hide people or by inaction allow local authorities or businesses to do so.

We hope you make the compassionate choice and look forward to further progression.

Kind Regards

People Over Profit

# Agenda Item 2.2

## **P-05-865 Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals**

This petition was submitted by Louise Davies having collected 1,109 signatures.

### **Text of Petition**

More people of all ages are making the decision to live vegan, with the number in the UK doubling twice in the last 4 years. More people are also choosing plant-based food for health, environmental and ethical reasons.

Vegans have the same legal protections as people with religious beliefs, because our moral conviction that it is wrong to use and kill non-human animals unnecessarily is protected under law. Service providers have an obligation to provide for vegans and to avoid any discrimination on the grounds of veganism. Sadly, despite this, provision for vegans in the public sector is often lacking, with hospital patients, prisoners and school children often going hungry. The Welsh Government is responsible for ensuring that the Welsh public sector provides for vegans and the proposed legislation would assist in fulfilling that obligation.

Plant-based food can be enjoyed by everyone. The British Dietetic Association recognises that well-planned totally plant-based diets are suitable for every age and life stage. A substantial body of research has linked plant-based diets with lower blood pressure, lower cholesterol, lower rates of heart disease, type 2 diabetes and some types of cancer.

Plant-based diets are better for the environment and can reduce our food related carbon emissions by up to 50%. The UN has urged a global move towards a meat and dairy free diet for the benefit of our planet, and Wales has the opportunity to lead the way.

We would like to see all Welsh public sector institutions providing at least one plant-based food option on every daily menu to ensure vegans' rights are met and to maximise the ethical, environmental and health benefits of vegan diets.

### **Additional Information**

Veganism is defined as a way of living which seeks to exclude, as far as is possible and practicable, all forms of exploitation of, and cruelty to, animals for food, clothing or any other purpose.

The Vegan Society's 'Catering For Everyone' campaign has been encouraging public sector institutions (schools, hospitals, councils and prisons), to increase their plant-based options.

The campaign has been well received with many public sector institutions recognising that improvements can be made and agreeing to increase their provision for vegans.

An English county council, universities in Manchester and London, and a Welsh health board are among the many public sector institutions making positive changes to their menus due to this campaign.

Both the British Dietetic Association and the American Academy of Nutrition and Dietetics recognise that totally plant-based diets are suitable for every age and life stage.

To get the most out of a plant-based diet, it should include plenty of whole grains, fruit, nuts, seeds and vegetables, which are packed full of beneficial fibre, vitamins and minerals.

It's easy to produce tasty options that include these foods, which are rich in fibre and low in saturated fat. The Vegan Society have lots of resources and recipes on their website, which can help organisations ensure they are offering healthy, balanced and tasty plant-based food.

<https://www.vegansociety.com/resources/nutrition-and-health>

Portugal have introduced legislation compelling all public sector canteens to provide a strict vegetarian (vegan) option on their daily menus. This followed a campaign and petition promoted by the Portuguese Vegetarian Society, see: <https://www.vegansociety.com/whats-new/news/new-law-makes-vegan-option-compulsory-portuguese-public-canteens-%E2%80%93-britain-next>

### **Assembly Constituency and Region**

- Brecon and Radnorshire
- Mid and West Wales

## Petition: P-05-865 Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals

Y Pwyllgor Deisebau | 5 Mawrth 2019  
Petitions Committee | 5 March 2019

### Research Briefing:

**Petition number:** P-05-865

**Petition title:** Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals

**Petition text:**

We call upon the Welsh Government to ensure that all Welsh public sector institutions provide at least one plant-based food option on every daily menu to ensure vegans' rights are met and to maximise the ethical, environmental and health benefits of vegan diets.

More people of all ages are making the decision to live vegan, with the number in the UK doubling twice in the last 4 years. More people are also choosing plant-based food for health, environmental and ethical reasons.

Vegans have the same legal protections as people with religious beliefs, because our moral conviction that it is wrong to use and kill non-human animals unnecessarily is protected under law. Service providers have an obligation to provide for vegans and to avoid any discrimination on the grounds of veganism. Sadly, despite this, provision for vegans in the public sector is often lacking, with hospital patients, prisoners and school children often going hungry. The Welsh Government is responsible for ensuring that the Welsh public sector provides for vegans and the proposed legislation would assist in fulfilling that obligation.

Plant-based food can be enjoyed by everyone. The British Dietetic Association recognises that well-planned totally plant-based diets are suitable for every age and life stage. A

substantial body of research has linked plant-based diets with lower blood pressure, lower cholesterol, lower rates of heart disease, type 2 diabetes and some types of cancer.

Plant-based diets are better for the environment and can reduce our food related carbon emissions by up to 50%. The UN has urged a global move towards a meat and dairy free diet for the benefit of our planet, and Wales has the opportunity to lead the way.

## Background

### Vegan Diet

The Vegan Society [defines veganism](#) as a ‘way of living which seeks to exclude, as far as possible and practicable, all forms of exploitation of, and cruelty to, animals for food, clothing or any other purpose’. The dietary implication of this is that vegans follow a plant based diet, avoiding all animal products including meat, fish, shellfish, eggs, dairy, and honey.

The main reasons cited for adopting a vegan diet include concern for animal welfare, concerns about the environmental impact and sustainability of non-vegan diets, and the perceived health benefits of vegan diets.

The [NHS advice](#) on following a vegan diet states that, with the right planning and understanding of what makes up a healthy and balanced diet, a vegan diet should be able to provide all the nutrients the body needs, although supplements for certain nutrients such as vitamin B12 may be required. Specific advice for expectant mothers and for babies and children is also provided. The British Dietetic Association [Plant-based diet webpage](#) outlines some sources of nutrients required for a healthy diet which are suitable for vegetarians/vegans.

### Veganism in the UK

An [Ipsos MORI survey for the Vegan Society in 2016](#) reported a figure of 542,000 people aged 15+ in Great Britain (1.05% of over 15s) following a vegan diet, an increase of 350% on the [2006 figure of 150,000](#). The BBC reported on the growth of veganism in 2018: [Veganism: Why is it on the up?](#)

### Portuguese Legislation

The Portuguese Parliament [approved legislation in March 2017](#) requiring all public sector canteens to provide a vegan option. This followed a petition by the Portuguese Vegetarian Society (Associação Vegetariana Portuguesa) in 2015 which attracted over 15,000 signatures. The legislation includes a clause that allows an exemption for establishments in which there is insufficient demand for the vegan option.

### Petitions to the UK Parliament

A similar petition is currently collecting signatures on the UK Parliament website: [Require plant-based options suitable for vegans on public sector menus every day](#). At the time of

writing this briefing it had attracted 21,471 signatures. The UK Government responded on 28 November 2018 stating: ‘Public sector canteens are happy to cater for people with special dietary needs including those eating a vegan diet.’ The petition closes on 13 March 2019.

A similar petition – [Put a VEGAN meal on every school, college, university, hospital and prison menu](#) – ran on the UK Parliament website before it closed in April 2017. It attracted 19,012 signatures. The UK Government responded in December 2016 stating: ‘Individual institutions are responsible for the nutrition of their members and being aware of health, religious, cultural and ethical choices: and doing all they can to facilitate that choice.’

If petitions to the UK Parliament receive 10,000 signatures, the UK Government provides a response. If they reach 100,000 signatures, they are considered for a debate in the UK Parliament.

## Welsh Government action

The Minister for Environment, Energy and Rural Affairs, Lesley Griffiths, wrote to the Committee in relation to this petition on 29 January 2019. She said:

Institutions providing food options within the public sector must be mindful of meeting the demands of their customers, however they are not under any obligation to go further than that required by the law. For example, guidance is available to support the mandatory food and fluid nutrition standards for hospital patients [discussed above]. This guidance stipulates that hospitals must consider the needs of minority groups who require special diets early in the menu planning process. There is a requirement to have policies and procedures in place to ensure that these patient groups can meet their nutritional needs through the provision of appropriate and familiar foods. Special diets refer to cultural or religious needs such as halal or kosher diets. It is recommended that menu planning groups consult patients, local communities and their representatives to confirm their needs.

In the case of this petition it would be a positive step forward for the petitioners to put their case to the decision takers in the various public sector institutions delivering catering services if they feel more should be done, and that this direct engagement and use of guidance will be more beneficial in the long term than further mandation.

The [Healthy Eating in Schools \(Nutritional Standards and Requirements\) \(Wales\) Regulations 2013](#) set out requirements for food and drink provided in schools. The regulations do not make any specific requirement on the provision of vegan options, although the [statutory guidance](#) produced by Welsh Government does outline some ‘practical advice’ on ensuring that pupils following vegetarian or vegan diets receive adequate nutrients, such as ensuring vegan alternatives to milk are provided. The regulations do not apply in certain circumstances, such as when food is brought in by parents or pupils, or when food is provided as part of any medically prescribed dietary requirements.

The [All Wales Nutrition and Catering Standards for Food and Fluid for Hospital Inpatients](#) (PDF 464KB) require that a vegetarian option must be available at each meal, but do not require that a vegan option be provided. Chapter 7 – Special and Personal Diets – states that the standard

hospital menu provided will cater to the needs of vegetarians who eat cheese, eggs, and milk, but that variants of this diet will require planning for individual patient need.

On 29 November 2018 the Welsh Government published [new guidance on food and nutrition for childcare settings](#). On vegan diets, the guidance states that providers should work:

... with parents/carers to devise a suitable menu for the child including foods the child is familiar with at home, and which particular foods are to be avoided e.g. gelatine and rennet. You may need to ask families to provide appropriate foods and seek advice from a dietitian.

## National Assembly for Wales action

A similar petition has been before the Committee previously. [P-05-766 Make a Vegan Option Compulsory In Public Canteens](#) ran from July 2017 to January 2018 and collected 118 signatures. The Committee agreed to close the petition 'as it is difficult to see how the Committee can take the petition forward in the absence of contact from the petitioner.' The petition read:

We call on the National Assembly for Wales to urge the Welsh Government to make including a vegan option obligatory for all public canteens or services in Wales where they have the powers to do so.

The Portuguese Parliament has approved an obligatory vegan option in all public canteens (e.g. schools, universities, prisons, hospitals) – a huge step for vegan catering for all. Over 5% of the population is vegan and growing. A vegan diet is healthier, it conserves resources and protects the planet, above all it's cruelty free. United Nations has called upon us to consume more plant based foods. Animal products are linked to the increase in cancer and heart disease.

Other Assembly action in this area is listed below, although it should be noted that vegan options were not specifically considered:

- Petition [P-04-663 Food in Welsh Hospitals](#) was considered by both the current Committee and its predecessor. The petition called on the Welsh Government to examine the standards of food in hospitals in Wales. The petitioner highlighted several areas in which they felt improvements were needed, including the current level of provision for patients with dietary needs. The Committee closed the petition in October 2017 following consideration of hospital catering and patient nutrition by the Public Accounts Committee (see below), and given the satisfaction expressed by the petitioner.
- The Public Accounts Committee carried out a [inquiry into hospital catering and patient nutrition](#) in 2016, as a follow up to a [previous inquiry](#) by its predecessor Committee in the Fourth Assembly. The [Committee's report \(March 2017\)](#) (PDF 625KB) recommends that the Welsh Government 'monitor whether health boards are recording and meeting the cultural, religious and dietary needs of patients'. The Welsh Government accepted the recommendation, but the Auditor General for Wales then wrote to the Committee expressing concern that the Welsh Government's response may not be a guarantee that the Committee's recommendation will be fully implemented.

- During scrutiny of the Bill that became the *Public Health (Wales) Act 2017*, the Health, Social Care and Sport Committee's [Stage 1 report](#) (PDF 962KB) recommended that the then Minister for Social Services and Public Health, Rebecca Evans, examine the potential to introduce measures to tackle obesity and other priority public health issues, including 'making provision for a statutory basis for nutritional standards in early years and care home settings and hospitals'. The Minister [accepted the principle of the recommendation](#) (PDF 186KB) and confirmed that work was underway on the issue of nutritional standards in early years and care home setting (see the guidance on food and nutrition for childcare settings discussed above).

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

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-865  
Ein cyf/Our ref LG/05106/19

David John Rowlands AM  
Chair - Petitions committee.

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January 2019

Dear David

Thank you for your letter of 17 January regarding the petition to ensure that plant-based options are made available on every public sector menu

Institutions providing food options within the public sector must be mindful of meeting the demands of their customers, however they are not under any obligation to go further than that required by the law. For example, guidance is available to support the mandatory food and fluid nutrition standards for hospital patients. This guidance stipulates that hospitals must consider the needs of minority groups who require special diets early in the menu planning process. There is a requirement to have policies and procedures in place to ensure that these patient groups can meet their nutritional needs through the provision of appropriate and familiar foods. Special diets refer to cultural or religious needs such as halal or kosher diets. It is recommended that menu planning groups consult patients, local communities and their representatives to confirm their needs.

In the case of this petition, it would be a positive step forward for the petitioners to put their case to the decision takers in the various public sector institutions delivering catering services if they feel more should be done, and that this direct engagement and use of guidance will be more beneficial in the long term than further mandation.

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

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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.

**P-05-865 Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals: Correspondence – Petitioner to Chair, 25.02.19**

**Background**

There are over 600,000 vegans in the UK and the number has doubled twice in the past 4 years.<sup>1</sup> The availability of vegan options in supermarkets and restaurants has increased recently as consumer demand grows. However, many people struggle to find vegan options in public sector settings, which provide food for some of our most vulnerable citizens. This means that many people, including children, are missing out on free meals and are being denied access to suitable food when they're dependent on the state to provide for them.

In 2017 Portugal introduced a law compelling all public sector institutions to provide a vegan meal on their standard menus, becoming the first country in the world to do so.<sup>2</sup> Steps are being taken in other countries to increase the availability of plant-based options. For example, in Brazil a number of districts are working towards making their school meals fully plant-based in recognition of the environmental, health and financial benefits of doing so.<sup>3</sup> Steps are also being taken in places such as New York and Los Angeles.<sup>4</sup>

**Problems faced by vegans in public sector catering**

A survey on vegan provision in the public sector, confirmed that many schools, hospitals and other state bodies are failing to provide for vegans.<sup>5</sup> School children often miss out on meals and hospital patients reported having to rely on family to bring them food and discharging themselves early to go home and eat.

Many hospitals do not provide for vegans with any consistency, leaving vegan patients having to rely on family or friends, or having to discharge themselves before they are well enough because they are not being provided with food. Not everyone will have friends or family who can bring them food, and many wards do not allow food to be brought in.

Wales' schools do not generally have any meals that are suitable for vegans, often vegetarian options contain dairy, eggs or both.

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<sup>1</sup> Ipsos Mori survey commissioned by The Vegan Society 2018

<sup>2</sup> <https://metro.co.uk/2017/03/10/it-is-now-illegal-not-to-offer-vegan-food-at-prisons-hospitals-and-schools-in-portugal-6501872/>

<sup>3</sup> <https://www.globalcitizen.org/en/content/brazil-plant-based-vegan-cafeterias/>

<sup>4</sup> <http://www.onegreenplanet.org/news/nyc-public-schools-adding-vegan-lunch-option/>

<sup>5</sup> [https://docs.wixstatic.com/ugd/d95b36\\_f4bccc9845854533ba8aea3cf8e590b2.pdf](https://docs.wixstatic.com/ugd/d95b36_f4bccc9845854533ba8aea3cf8e590b2.pdf) Go Vegan Scotland survey on state vegan provision

We have heard multiple examples but one of the most startling came from an elderly woman in West Wales, who told us that she had to survive on crisps for 4 days whilst recovering from an operation in hospital before discharging herself early against medical advice so she could go home and get something nutritious to eat.

The situation in hospitals is so bad that groups of committed volunteers are having to resort to bringing food in to hospitals to feed vegan patients all over the UK – including in Wales.<sup>6</sup>

We are aware from speaking to vegan parents of a number of instances of Welsh schools refusing to provide food suitable for vegans even when pressed to do so for individual vegan pupils, by their parents.

We are aware from discussions with local authority staff that some local authority food providers are under the impression not only that they do not have to provide vegan meals, but they *cannot* do so unless an individual request is sanctioned by the NHS. The NHS acknowledges that vegan diets can provide us with everything we need and so this is not accurate.

There is clearly a lot of misinformation and confusion, which is resulting in vegan children being refused suitable food, including where they're entitled to free school meals in primary schools.

### **Existing Protections**

Vegans hold a fundamental moral conviction, that it's wrong to use and kill animals and as such have protections under human rights and equality law in the UK. Fundamentally held beliefs or convictions that are serious, cogent and worthy of respect, have the same protection as religious beliefs, and veganism has been recognised as such by the European Court of Human Rights<sup>7</sup> and this has been acknowledged by the UK and Welsh Governments.

Vegans have a right to live in accordance with their fundamental conviction, avoiding animal products, and the state or government has an obligation to secure this right. A balance is to be struck between the rights of vegans and the rights of the community as a whole, so if the state is making general provision and refuses to make provision that is suitable for vegans it will need to show that it would be unduly burdensome to do so.

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<sup>6</sup> <https://www.facebook.com/groups/141595326426123/> Vegan Hospital Food Network

<sup>7</sup> <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-1503%22%5D%7D>

To live in a way that avoids participating in animal use and killing, vegans need access to alternatives. In general, that is not an issue in Wales, but when vegans are dependent on the state for provision, for example in hospital or in school, there is often a complete lack of provision. It would not be unduly burdensome to provide vegan food as standard, in the same way that currently vegetarian options are provided every day.

### **Necessity for change**

The Welsh Government has a legal obligation to secure to vegans their rights under Human Rights and Equality law. They cannot simply leave it to local authorities where they know that the local authorities are failing in their duties. It is their responsibility to ensure that necessary measures are taken to secure to vegans their rights. The best way to achieve consistent provision is for legislation to be passed requiring that all state entities provide at least one vegan option to service users. By always having a vegan option, in the same way that currently public entities always have a vegetarian option, and by making it available to all, we would ensure that vegans were always provided for while avoiding waste and encouraging plant-based eating. Offering more vegan food on public sector menus, doesn't just protect the rights of vegans, it also offers wider benefits to public health and the environment from more people choosing plant-based foods.

### **Inclusive**

Offering more vegan food is an inclusive choice as it can be eaten by people from all walks of life, for example, people looking to reduce their animal product consumption for health or environmental concerns, vegetarians and people with religious dietary requirements, like halal and kosher. Vegan food can be a common denominator that everyone can enjoy.

Due to vegan food covering so many of the requirements different people have and the ingredients often being less expensive than animal products, institutions can also benefit from cost savings by offering more vegan food on their menus.

### **Sustainable**

We note the response from Lesley Griffiths AC/AM (Minister for Environment, Energy and Rural Affairs) dated 29 January 2019. We were disappointed that the Environment Minister did not address the environmental arguments stated in the petition:

*"Plant-based diets are better for the environment and can reduce our food related carbon emissions by up to 50%.<sup>8</sup> The UN has urged a global move towards a meat and dairy free diet for the benefit of our planet, and Wales has the opportunity to lead the way."*

In addition to this, animal agriculture is responsible for up to 91% of Amazon destruction (forests are destroyed to grow feed for animals)<sup>9</sup> and for more greenhouse gas emissions than all direct emissions from the transport sector.<sup>10</sup>

In June, researchers at Oxford University concluded that adopting a vegan diet is the *single biggest* way to reduce your impact on planet Earth.<sup>11</sup> This is far bigger than cutting down on flights or even buying an electric car. The United Nations' IPCC report warned us that we have just 12 years to avert catastrophic temperature increases by limiting global warming to 1.5 C.<sup>12</sup> This is something that can only be achieved if there are deep reductions in methane emissions, which would require global and UK diets to move away from animal agriculture towards being more plant-based.

Wales has set itself ambitious greenhouse gas emissions targets, seeking to reduce overall emissions to 80% of 1990 levels and agriculture represents 12.6% of all Welsh emissions.<sup>13</sup>

According to data obtained under the Freedom of Information Act, there were approximately 10.4 million meals served in Welsh hospitals in 2018. If just 10% of these meals were vegan, Welsh hospitals could cut their food related greenhouse gas emissions by 944 tonnes of CO2 equivalents per year, this is the equivalent of driving to the moon and back 4 and a half times or from Land's End to John O'Groats 2,640 times!<sup>14</sup>

If Wales is to meet its climate change targets, it is essential that diets and agriculture are addressed as part of the solution and this could be a huge step towards that.

## **Public Health**

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<sup>8</sup> [https://www.wwf.org.uk/sites/default/files/2017-06/Eating%20for%20%20degrees\\_Full\\_Report.pdf](https://www.wwf.org.uk/sites/default/files/2017-06/Eating%20for%20%20degrees_Full_Report.pdf)

<sup>9</sup> <https://openknowledge.worldbank.org/handle/10986/15060>

<sup>10</sup> <http://www.fao.org/3/i3437e/i3437e00.htm>

<sup>11</sup> 'Reducing food's environmental impacts through producers and consumers' J.Poore & T.Nemecek, 2018

<sup>12</sup> [https://report.ipcc.ch/sr15/pdf/sr15\\_spm\\_final.pdf](https://report.ipcc.ch/sr15/pdf/sr15_spm_final.pdf)

<sup>13</sup> NEI/Greenhouse Gas Inventory

<sup>14</sup> Data on greenhouse gas emissions of average meat-eaters diets and vegan diets taken from "Dietary greenhouse gas emissions of meat-eaters, fish-eaters, vegetarians and vegans in the UK, (Scarborough et al, 2014).

The British Dietetic Association recognises that well-planned totally plant-based diets are suitable for every age and life stage<sup>15</sup> and the NHS have confirmed that you can get everything you need to be healthy from a well-planned vegan diet.<sup>16</sup>

There are benefits to making vegan meals available to everyone. Typically higher in fruits and vegetables, vegan diets tend to contain more fibre and less saturated fat than omnivorous diets, aligning themselves closely with NHS nutrient recommendations.

In addition, some research has linked vegan diets with lower blood pressure and cholesterol, as well as lower rates of heart disease, type 2 diabetes and some types of cancer.

Public health is being negatively affected by the consumption of animal products. Diet-related ill health costs the NHS a whopping £5.8 billion annually<sup>17</sup> – this is more than smoking, alcohol, or physical inactivity. The UK is currently woefully short of meeting the recommended 5 portions of fruit and veg a day<sup>18</sup>, so putting fresh, plant-based foods on menus will build familiarity with all the amazing things that can be done with plant-based foods. This will hopefully lead to healthier (and more sustainable) longer-term dietary choices.

## **Conclusion**

Our proposal aligns with several Government objectives highlighted in relation to the ground-breaking Wellbeing of Future Generations Act, including encouraging a sustainable and globally responsible Wales, tackling health inequalities, long-term disease prevention, and promoting inclusivity.

Wales has the opportunity to lead the way in the UK, in terms of protecting its ever-growing vegan population and taking meaningful action to address climate change and diet-related public health crises. We believe that these issues are of the utmost importance and so the public sector should be leading by example and taking appropriate action now.

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<sup>15</sup> <https://www.bda.uk.com/news/view?id=179>

<sup>16</sup> <https://www.nhs.uk/live-well/eat-well/the-vegan-diet/>

<sup>17</sup> <https://jech.bmj.com/content/jech/59/12/1054.full.pdf>

<sup>18</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/772434/NDNS\\_UK\\_Y1-9\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772434/NDNS_UK_Y1-9_report.pdf)

# Agenda Item 3.1

## **P-04-648 Amendment to Unconventional Oil and Gas Direction 2015**

### **Petition wording:**

We the undersigned call upon the Minister for Natural Resources to amend the THE TOWN AND COUNTRY PLANNING (NOTIFICATION) (UNCONVENTIONAL OIL AND GAS) (WALES) DIRECTION 2015 to call in all Planning Applications for Unconventional Oil and Gas development including exploratory drilling for Shale Gas, Coal Bed Methane and Underground Coal Gasification, to the Minister

### **Additional Information**

At present the Direction only relates to applications involving certain unconventional extraction techniques where the Local Planning Authority is inclined to approve the application.

The current Direction does not apply to Underground Coal Gasification, the impacts of which would be equally damaging to the environment and communities. Nor does it apply to exploratory drilling or test drilling. There are growing concerns about the impact of exploratory drilling, particularly around noise, traffic, disturbance of water courses, the potential for seismic disturbance, industrialisation of the countryside and the impact on house prices.

If there is an effective moratorium on extraction, then what is the purpose of exploration? Allowing exploration to proceed when, at present, extraction will be prohibited is perverse and illogical

**Petition raised by:** Councillor Arfon Jones

**Date petition first considered by Committee:** 22 September 2015

**Number of signatures:** 1,254 online signatures and 293 paper signatures. A further 415 signatures have been handed in after the petition was closed.

Julie James AC/AM  
Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref JJ/05274/19

David John Rowlands AM  
Chair - Petitions committee.  
National Assembly for Wales  
Cardiff Bay  
Cardiff Bay  
CF99 1NA  
Government.Committee.Business@gov.wales

15 February 2019

Dear David,

Thank you for your letter of 28 January regarding Petition P-04-648 Unconventional Oil and Gas Planning Applications.

In December 2018, Lesley Griffiths, Cabinet Secretary for Energy, Planning and Rural Affairs issued a Written Statement stating that to help deliver on her commitment in 2016 to reduce the use of fossil fuels she confirmed Welsh Government will not undertake any new petroleum licensing in Wales. Individual licenses will only be considered to ensure the safe management of abandoned mines or to support scientific research.

Planning policy for onshore oil and gas is contained in Planning Policy Wales (PPW) Edition 10. PPW has been comprehensively re-worked to align it with the Wellbeing of Future Generations Act (2015). PPW states the continued extraction of all fossil fuels including shale gas, coal bed methane and underground coal gasification are not compatible with Welsh Government's challenging targets for decarbonisation. As such, Welsh Government's policy objective is to avoid continued extraction and consumption of fossil fuels.

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

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

The Notification Direction relates to planning applications. It states from 5 December 2018 planning applications for the development of coal and petroleum must be referred to Welsh Ministers, where local planning authorities are minded to approve them. The referral is to enable Welsh Ministers to consider whether they will call-in an application. Any decision on whether to call-in an application, be this referred as a result of a Notification Direction or through a call-in request, will be considered on its merits. In doing so, appropriate consideration will be given to whether proposals are:

- are in conflict with national planning policies;
- could have wide effects beyond their immediate locality;
- may give rise to substantial controversy beyond the immediate locality;
- are likely significantly to affect sites of scientific, nature conservation or historic interest, or areas of landscape importance;
- raise issues of national security; or
- raise novel planning issues.

A fuller explanation of our approach to call-in requests can be found on the Welsh Government website at <https://gov.wales/docs/desh/report/160401call-in-guide-en.pdf>: and you can find more information about the Notification Direction here: <https://gov.wales/topics/planning/policy/dear-cpo-letters/coal-and-petroleum-notification-direction-wales-2018/?lang=en>

Yours sincerely,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government

# Agenda Item 3.2

## **P-05-788 Remove the compulsory aspect of Welsh Bacallaureate**

This petition was submitted by Katharine Drinkwater having collected 60 signatures online.

### **Petition text**

We call on the National Assembly for Wales to urge the Welsh Government to remove the compulsory aspect of the Welsh Bacallaureate and review the structure of the course to ensure it is fit for purpose. Currently it includes a task that encourages underage gambling and fiscal irresponsibility.

Our children deserve the right to excel in a global arena. Around 70% of their studies are already compulsory subjects and the Welsh Bacallaureate takes away opportunities from them as they cannot study all the subjects they want to pursue. This 'qualification' may cater to box ticking exercises but does not help Welsh students achieve their potential (please see excerpt from a WG report that follows). This will have a detrimental effect on the rest of their lives and future career prospects. Give children studying in Welsh schools the same opportunities as those from the other home nations and make Welsh education something to be proud of again.

### **Additional information**

The following is taken from The Welsh Governments own report into the WBQ (The Welsh Bacallaureate Qualification, January 2015) states – The findings of WISERD's report were primarily two-fold. It concluded that the WBQ was enormously valuable in preparing young people for higher education, quite possibly due to the weighting given to it by the UCAS tariff. At the same time, the report supported a previous finding in a 2011 report specifically on Cardiff University that the WBQ Core was not equivalent to an A grade at A-level. Furthermore, it concluded that students with the WBQ were more likely to withdraw from university and less likely to achieve a 'good degree' which is defined as a First Class or Upper Second Class. The report argues that these two findings may be related. It concludes that having the WBQ seems to improve the probability of getting in to university, all other things being equal; but this advantage seems to come at the expense of successful university outcomes.

### **Assembly Constituency and Region**

- Islwyn
- South Wales East

# Agenda Item 3.3

## P-05-805 Fair Deal For Supply Teachers

This petition was submitted by Sheila Jones and was first considered by the Committee in May 2018, having collected 1,425 signatures (997 online and 428 on paper).

### Text of Petition

*We, the undersigned, request that all supply teachers be paid fairly and have full access to training opportunities and other terms and conditions. There should be a qualified teacher in every classroom and taxpayers' money should be going directly into education and not into the pockets of private agencies.*

*Supply teachers are being exploited and teachers are leaving the profession as they cannot afford to be supply teachers.*

*Agencies reduce teachers' pay by forty to sixty percent and teachers lose their pensions, this is public money going into the private sector for profit. Lessons are being covered by unqualified staff.*

### Assembly Constituency and Region

- Caerphilly
- South Wales East

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

Document is Restricted

Kirsty Williams AC/AM  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-805  
Ein cyf/Our ref KW/05272/19

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Chair - Petitions committee.  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

11 February 2019

Dear David

Thank you for your e-mail correspondence of 1 February enclosing further comments from Sheila Jones on behalf of the Fair Deal for Supply Group.

Once appointed the Independent Welsh Pay Review Body will consider all aspects of teachers' pay and conditions as per the terms of the annual remit letter following discussion with stakeholder groups including the teaching unions. The Review Body will comprise independent representatives appointed following a formal public appointments exercise which is currently underway. If remitted to do so, the Review Body will be able to consider and make recommendations on the pay of temporary teachers employed in the maintained sector.

I have set out previously the steps we are taking to support qualified supply teachers who choose to register with commercial supply agencies. The changes included in the revised National Procurement Service's managed service framework specification for agency workers include a number of practicable measures aimed at supporting teachers who work flexibly in this way while also enabling schools to make informed decisions about how they spend their delegated staffing budgets.

We have stipulated that supply teachers must be paid at least the minimum on the qualified teachers' pay scale within the current School Teachers' Pay and Conditions Document. However, there is nothing to prevent teachers being paid more than this; the requirement

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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.

simply ensures that a minimum pay threshold is safeguarded. We will also require supply agencies on the framework to ensure teachers receive adequate and relevant professional learning and publish the fees chargeable including stipulating the temporary to permanent fees permissible when a school wishes to appoint a supply teacher registered with an agency on a permanent basis. We have also removed the use of the Swedish Derogation clause in the Agency Workers Regulations which allowed agencies to offer guaranteed hours work contracts to supply teachers sometimes forfeiting their right to receive equal pay after 12 weeks in the same role.

All of these measures are aimed at ensuring transparency in the arrangements applied, ensuring that hiring schools and agencies take account of our Code of Practice on Ethical Employment in Supply Chains and abide by our *Fair Work Nation* principles.

Teachers' pension arrangements have not been devolved to Wales and therefore Welsh Ministers have no delegated powers in this area. Temporary teachers employed directly by local authorities or schools will continue to access the Teachers Pension Scheme. Those employed by private supply or recruitment agencies are statutorily required to be enrolled under the Westminster Government's NEST pension scheme.

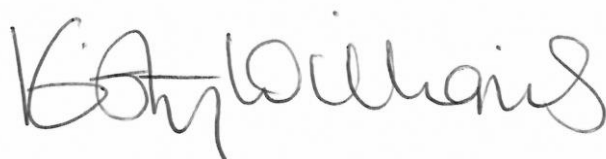
The Teachers' Pay and Conditions Partnership Forum includes representatives from all the teaching unions and employers. The teaching union members attend to represent the views of all their members including supply teachers.

Under the local management of schools arrangement it is for school governing bodies and/or the local authority as the employers of teachers to determine how best to cover for planned and unplanned teacher absence. The school-based supply cluster model currently being piloted by the Welsh Government supports local authorities and clusters of schools to administer direct employment supply model on a local level encouraging employers to work collaboratively to support local and regional supply cover arrangements which meets their needs. A formal evaluation of the pilot is underway with a formal report expected later this year. Best practice case studies will be communicated widely to the sector.

Legislation allows for school governing bodies to employ an effective school workforce as they see fit, including a direct employment model for appointing temporary teachers. In response to concerns raised about whether teachers can be employed directly through payroll I understand that the Welsh Local Government Association has written directly to all Directors of Education within local authorities reminding them that schools have a right to appoint and employ such teachers directly should they wish.

As I have said previously I remain fully committed to ensuring that classrooms are led by a qualified teacher. Other than qualified teachers only a limited number of individuals can undertake specified work, i.e. teach, in certain limited circumstances as defined by the specified work requirements.

Yours sincerely

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

**Kirsty Williams AC/AM**  
Y Gweinidog Addysg  
Minister for Education

Dear Mr Rowlands,

We thank the petitions committee for their support for supply teachers and the Cabinet Secretary for her response to our questions . Progress has been made but it is frustratingly slow . It is a great pity that the pilot scheme could not have been evaluated and rolled out sooner as at best it can only have been of benefit to 50 recently qualified supply teachers.

We know the Cabinet Secretary for Education is committed to ensuring that classes are led by qualified teachers and to driving up standards of education in Wales . Could schools be reminded that

2.14 of effective management of school states:

*Within the context of the school's cover arrangements the headteacher should ensure that where cover is provided by a non-qualified teacher for example cover supervisor or HLTA, no active teaching is taking place, as per the statutory requirements set out in the Education Workforce Council Regulations.*

The NEST pension scheme with agencies that was mentioned by the Cabinet Secretary is a government one where employers' contribution is just 2 % . With Teachers' Pension Scheme the employer's contribution is currently 16.48%. As has been said previously supply teachers not paid directly will be seriously disadvantaged in later life .

Leanne Wood mentioned at the last meeting that about the gender pay gap. Has there been any opportunity to look into that ?

The Cabinet Secretary says Directors of Education have been asked to notify schools that they are able to employ direct . I know of an authority where just 20% of primary schools choose to employ direct . HR sends out supply lists each month but agencies are chosen. Capacity for direct employment by HR needs to be built up so that schools have a proper choice although it is only the direct employment method that is the fair and ethical way.

The petitions committee has agreed that we need a public sector system whereby all supply teachers are treated in the same way. This needs to be properly funded. I urge expediency in getting this system as both a supply officer and a member of the Supply Teacher National Organising Forum for the NEU, as stories of people leaving the profession they love are heartbreaking and unnecessary .

Any further pressure that can be brought would be very helpful .

Thank you once again for your support .

Kind Regards

# Agenda Item 3.4

## **P-05-828 Presumption in favour of rural schools**

This petition was submitted by the Parents and Teachers Association of Ysgol Gymunedol Bodffordd and was first considered in September 2018 having collected 5,215 signatures

### **Text of Petition**

We call on the Government to take steps to ensure that local authorities follow the guidelines within the current School Organisation Code and the new version of the Code (when it comes into force), including that they operate in accordance with the presumption in favour of rural schools. We accept that this does not mean that a rural school will never close, but the recent decision by Anglesey Council's Executive Committee to close Ysgol Bodffordd demonstrates that local authorities are free to ignore the new Code (that they are supposed to act in accordance with its spirit) and close even full and popular schools.

### **Assembly Constituency and Region**

- Ynys Mon
- North Wales



Eich cyf/Your ref P-05-828  
Ein cyf/Our ref KW/05271/19

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

[SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

12 February 2019

Dear David

### **Petition P-05-828 Presumption in favour of rural schools**

Thank you for your letter of 1 February regarding the petition above and further correspondence from Cymdeithas yr Iaith Gymraeg. I understand that you agreed to write to me to:

- Ask what the Welsh Government's intentions are in circumstances where local authorities are considered to not have followed the requirements set out in the School Organisation Code; and
- Seek clarification about the powers you possess to intervene in decisions about school closures, including an outline of at what point, under what circumstances, you are able to do so.

The School Organisation Code (the Code) provides for anyone with an interest to express their opposition or concerns on the proposal, including the process followed, as part of the statutory consultation process.

Individuals are also able to raise objections during the subsequent objection period. The proposer must publish consultation and objection reports summarising each of the concerns raised and responding to these by means of clarification, amendment to the proposal or rejection of the concerns with supporting reasons.

The decision maker must conscientiously consider objections alongside the arguments in respect of the proposals and in the light of the factors set out in the Code. This includes the factors to be considered in respect of the proposed closure of schools designated as rural.

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

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

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

Where they believe that a local authority is failing to comply with the Code, individuals are open to raise a complaint using the local authority's established complaints procedures.

Individuals can also raise their concerns with the Welsh Ministers. However, the complaints process is not intended to be a substitute for the school organisation process set out in the Code and summarised above.

The Code is made under Sections 38 and 39 of the School Standards and Organisation (Wales) Act 2013 (the 2013 Act). It imposes requirements in accordance with which relevant bodies, including local authorities and the governing bodies of maintained schools, must act. Where mandatory requirements are imposed by the Code or the 2013 Act or another statute or statutory instrument, it is stated that relevant bodies must comply with the particular provision.

It includes statutory guidance to which relevant bodies must have regard. Where guidance is given by the Code, it is stated that relevant bodies should follow this guidance unless they can demonstrate that they are justified in not doing so.

The Welsh Ministers have powers to intervene in the exercise of a local authority's education functions. This is set out in Chapter 2 of Part 2 of the 2013 Act. Section 21 of the Act details the grounds for intervention:

- GROUND 1 - The local authority has failed, or is likely to fail, to comply with a duty that is an education function.
- GROUND 2 - The local authority has acted, or is proposing to act, unreasonably in the exercise of an education function.
- GROUND 3 - The local authority is failing, or is likely to fail, to perform an education function to an adequate standard.

The Welsh Ministers have a number of powers of intervention where they are satisfied a local authority meets one or more of the grounds for intervention.

They include the following powers:

- Power to require local authority to obtain advisory services;
- Power to require performance of functions by other persons on behalf of authority
- Power to require performance of functions by Welsh Ministers or nominee
- Power to direct exercise of other education functions
- General power to give directions and take steps

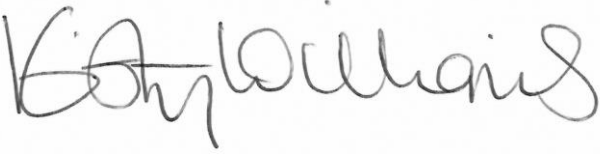
The powers can be used where the Welsh Ministers are satisfied there is evidence that one or more of the grounds for intervention exist and the local authority has failed to comply with a warning notice to the Welsh Ministers satisfaction within the necessary timescale.

There is no restriction on when parents or governors can complain to the Welsh Ministers. However, in most circumstances the Welsh Ministers would have expected complainants to have exhausted the local complaints procedures and that the local authority has had an opportunity to respond to the complaint.

With regard the presumption against the closure of rural schools, the Code is not retrospective. The presumption against closure does not apply to proposals where the consultation commenced prior to the revised Code coming into force on 1 November 2018. There is no statutory requirement for a local authority to comply with provisions that were not yet in force.

Although the presumption against closure of rural schools will not apply to these proposals, proposers must nevertheless comply with the first edition of the Code. This includes ensuring that proposals for the closure of any school is robust and in the best interests of educational provision in the area.

Yours sincerely

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

**Kirsty Williams AC/AM**

Y Gweinidog Addysg  
Minister for Education

**P-05-828 – Rhagdybiaeth o blaid Ysgolion Gwledig: Gohebiaeth – Deisebydd at y Cadeirydd, 22.02.19**

Ysgrifennaf atoch ar ran Cymdeithas rieni ac athrawon Ysgol Gymuned Bodffordd. Hoffwn drafod ein deiseb a fyddwch yn ei drafod ar y 5ed o Fawrth. Ein meddylfryd fel rhieni yw bod Cyngor Ynys Môn wedi anwybyddu ein gofynion fel rhieni, ysgol a chymuned yn eu penderfyniad i gau ein hysgol a hynny mond i leddfu problem ysgol orlawn sy'n dref Llangefni.

Rydym yn cwestiynu pam fod y gweinidog addysg wedi cyhoeddi'r Cod Trefniadaeth Ysgolion os nad yw hi gyda'r hawl i ymyrryd, na chwaith i gwestiynu awdurdodau lleol ar eu penderfyniadau sy'n mynd yn erbyn ewyllys gymuned gyfan. Mae hyn yn hollol amlwg yn ein deiseb gref o 5000+ lofnodion, sut mae cyngor Môn yn gallu anwybyddu hyn? Sut mae'r gweinidog addysg yn gallu anwybyddu hyn?

Rydym yn erfyn ar Kirsty Williams i ddefnyddio ei "grym cyffredinol i gyfarwyddo'r Awdurdod Lleol" i dynnu'n ôl eu hysbysiad i gau Ysgol Gynradd Bodffordd a chaniatau i ni fel rhieni i ddewis anfon ein plant i'r ysgol newydd yn Llangefni neu eu cadw yma yn Ysgol Bodffordd.

Yr eiddoch yn gywir,

Llinos Thomas Roberts,

ar ran Cymdeithas rieni ac athrawon Ysgol Gymuned Bodffordd

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

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**P-05-828 Presumption in favour of rural schools – Correspondence from the Chair of Governors, Ysgol Gymuned Bodffordd to Chair, 25.02.19**

In the first instance I would once again like to highlight the fact that the decision to close Ysgol Gymuned Bodffordd is out of sync with all the other school closures that have taken place under the Authority's "Schools Modernisation Programme". To date the main driver for all the other closures has been the need to tackle the problem of empty places. Consequently small schools with surplus places have been closed to be replaced with a new 21st Century Area School. However this is not the case with the proposed closure of Ysgol Gymuned Bodffordd which currently only has 5 empty places. The driver in this instance is the fact that Ysgol Corn Hir in Llangedfni is overflowing. Unfortunately it appears that under the Welsh Government's "21st Century Schools Programme" the necessary funding for a new school will only be provided if an element of rationalisation is included. Hence the need to close Ysgol Gymuned Bodffordd so that a valid business case can be compiled. It therefore seems patently unfair that a thriving rural school should be closed in order to further the cause for the expansion of a town school.

I am aware that the Committee has received representations stating that the guidance in the previous "School Organisation Code" has not been followed and I strongly support this view. Section 1:7 of the 2013 Code refers to specific factors in the consideration of school closures and states:

**"In some areas, a school may also be the main focal point for community activity, and its closure could have implications beyond the issue of the provision of education. This may be a particular feature in rural schools if buildings are used as a place to provide services to the local community.**

**The case prepared by those bringing forward proposals should show the impact of closure on the community has been assessed through the production of a community impact assessment, and how any community facilities currently provided by the school could be maintained."**

The above section is particularly relevant to Ysgol Gymuned Bodffordd as the school hall, known as "Y Ganolfan", is regularly used by various local

community groups. This is acknowledged by the Authority who state in their submission:

**“The Authority recognises that significant community use is made of the school on a level which appears to be much higher than the community use made of other schools involved and across the county. It is acknowledged that there would be a need to collaborate with the community in order to identify a solution that would allow community activities to continue”.**

The above response from the Authority sounds positive but I have grave reservations as to whether a workable solution can be found. The present position is that a community group has been in exploratory talks with the Authority to see whether an asset transfer of the building is possible. However if such a transfer was agreed it would have to be at the market value of the property, a cost that is very likely to be prohibitive as far as any community group is concerned.

The importance of retaining “Y Ganolfan” for community use cannot be over emphasised and it doesn’t appear that the Authority has paid sufficient regard to this vital aspect. It should also be taken into account that the small playing field attached to the school is the only green space in the village where the children can currently play football and other sporting activities.

The “Well-being of Future Generations (Wales) Act 2015” outlines seven goals one of which is to build a “Wales of cohesive communities”. Ysgol Gymuned Bodffordd (Bodffordd **Community** School) is the glue that binds the village community together. This unnecessary school closure, without guaranteeing an alternative community facility, not only contravenes the guidance in the School Organisational Code but also goes against the aims of the above Act.

Dylan Rees

Chair of Governors for Ysgol Gymuned Bodffordd

**P-05-828 – Gohebiaeth – Cymdeithas yr Iaith Gymraeg at y Cadeirydd,  
21.02.19**

Annwyl Gyfeillion

Ysgrifennaf atoch ar ran Cymdeithas yr Iaith a gydweithiodd â Chymdeithas Rhieni–Athrawon Ysgol Gynradd Bodffordd i drefnu'r ddeiseb a drafodir yn eich cyfarfod pwyllgor ar Ddydd Mawrth 5ed o Fawrth. Fe ddanfonon ni sylwadau manwl atoch ar 6.12.19 yn dangos fel yr oedd Cyngor Ynys Môn wedi peidio â chydymffurfio â gofynion statudol y Côt Trefniadaeth Ysgolion (2013) a oedd yn weithredol ar y pryd (Chwefror–Ebrill 2018) pryd y cymerwyd y penderfyniad i gau Ysgol Bodffordd. Dyna'r prawf fod angen yr hyn y gofynwyd amdano yn y ddeiseb

"sef pa gamau y gallai'r llywodraeth ganolog eu cymryd i sicrhau fod Awdurdodau Lleol yn cadw at ofynion statudol a chanllawiau'r Côt Trefniadaeth Ysgolion"

Y ddadl sylfaenol yw nad oedd diben mewn cyhoeddi fersiwn newydd o'r Côt (Tachwedd 1af 2018 – a sefydlodd egwyddoro blaidd cadw ysgolion gwledig) os oedd Awdurdod Lleol yn gallu anwybyddu'r Côt ac nad oedd modd i Lywodraeth Ganolog sicrhau ei weithredu.

Wrth i chwi ystyried yn eich cyfarfod nesaf a ydyw'r llywodraeth wedi cynnig ymateb difrifol i'r ddeiseb, yr ydych chi wedi gofyn i ni gynnig ein hymateb i lythyr y Gweinidog Addysg atoch ar y 12ed o Chwefror KW/05271/19 yn rhoi ei hymateb hithau i'r ddeiseb "ac i ohebaieth gan Gymdeithas yr Iaith Gymraeg".

Mae llythyr y Gweinidog yn egluro o'r diwedd nad oes unrhyw bwerau penodol ganddi i sicrhau fod Awdurdodau Lleol yn glynu wrth ofynion statudol y Côt, ac mai'r unig rymoedd sydd ganddi yw'r rhai cyffredinol a sefydlwyd yn Neddf Addysg 2013 i ymyrryd os bydd Awdurdod Lleol yn methu mewn dyletswydd addysgol statudol. Ein barn ni yw y byddai'n well ac yn gliriach petai cyflwyno grym penodol i'r Gweinidog fynnu bod Awdurdod Lleol yn cadw'n gydwybodol at ofynion y Côt, a bod hawl gan lywodraethwyr i apelio ati i ddefnyddio'r grym hwnnw os daw yn amlwg nad yw Awdurdod yn cydymffurfio â'i ddyletswyddau. (Mae hyn yn wahanol i'r drefn flaenorol lle

bu hawl cyfeirio unrhyw benderfyniad ar apêl i'r Gweinidog adolygu'r holl benderfyniad).

Fodd bynnag, gan nad oes grym penodol o'r fath yn bodoli yn awr, nac ar y pryd pan gymerwyd y penderfyniad i gau Ysgol Bodffordd, dadleuwn fod penderfyniad i gau ysgol ac anwybyddu barn pobl leol a methu cydymffurfio â gofynion y Côt Trefniadaeth Ysgolion yn fethiant addysgol digon difrifol i alluogi'r Gweinidog i ymyrryd o dan y grym cyffredinol sydd ganddi o dan y ddeddf i ymyrryd pan fo methiant addysgol difrifol. Gyda'r grym hwn, gall ymyrryd trwy ddefnyddio (cymal 5) ei "grym cyffredinol i gyfarwyddo'r Awdurdod Lleol" naill ai (1) i dynnu'n ôl eu Hysbysiad i gau Ysgol Gynradd Bodffordd a chaniatau i rieni'r dewis o anfon eu plant i'r ysgol newydd yn Llangefni neu eu cadw yn Ysgol Bodffordd neu (2) o leiaf fod yr Awdurdod yn ailagor yr ymgynghoriad statudol gan gadw y tro hwn at ofynion y Côt Trefniadaeth Ysgolion. Byddai'r ail lwybr yn creu ansicrwydd ac oediad wrth adeiladu'r ysgol newydd y mae ei angen ar dref Llangefni, ac felly credwn fod y llwybr cyntaf yn well.

Mae'r Gweinidog hefyd yn egluro yn ei llythyr y gall unigolion neu gyrff gyflwyno cŵyn iddi os ydynt o'r farn nad yw Awdurdod Lleol wedi cadw at ofynion y Côt, ond bod disgwyl defnyddio trefniadau cwyno mewnol yr Awdurdod Lleol yn y lle cyntaf. Gwnaeth Cymdeithas yr Iaith gyflwyno cŵyn ffurfiol i Gyngor Ynys Môn nad oedd y Cyngor wedi cadw at eu dyletswyddau statudol yn unol â'r Côt Trefniadaeth Ysgolion wrth benderfynu cau Ysgol Bodffordd. Yr ydym wedi derbyn ymateb swyddogol i'r cŵyn sydd yn ein barn yn gwbl annigonol ac yn brawf pellach fod angen grym penodol ar y Gweinidog Addysg i'w galluogi i fynnu bod Awdurdod Lleol yn cadw at ofynion y Côt.

Gwnawn ni grynhoi felly prif fethiannau'r Cyngor i gadw at y Côt Trefniadaeth Ysgolion wrth benderfynu cau Ysgol Bodffordd a pham bod ymateb y Cyngor yn gwbl annigonol. Methodd y Cyngor â dilyn y canllawiau statudol oedd mewn grym ar y pryd mewn dwy ffordd hanfodol bwysig (1) Diffyg gwerthusiad ystyrion o opsiynau eraill heblaw am gau'r ysgol, a (2) diffyg asesiad ystyrion o'r effaith ar y gymuned o gau'r ysgol. Yr ydym wedi anfon cŵyn ffurfiol at yr Awdurdod am y ddau fethiant sylfaenol hyn, ac

maen nhw wedi ymateb. Eu hymateb yn y bôn yw eu bod wedi cadw at y canllawiau trwy (1) enwi opsiynau amgen heb eu gwerthuso a (2) ddatgan y byddent yn trafod gyda'r gymuned leol, heb wneud asesiad ystyrllon o effaith cau'r ysgol. Byddai derbyn yr ymagwedd hwn yn gwneud y Côt yn destun gwawd. Erys felly prif gwestiwn y ddeiseb, sef sut y bydd y Gweinidog yn gweithredu er mwyn sicrhau fod Awdurdodau Lleol yn gweithredu'r dykletsyddau statudol mewn realiti, nid mewn enw yn unig. Dyma'r manylion –

1) Diffyg Gwerthusiad o'r opsiynau amgen heblaw am gau Ysgol Bodffordd – Mae Adran 1.7 o'r Côt Trefniadaeth Ysgolion 2013 (006/2013) yn dweud fod yn rhaid "rhoi sylw arbennig i (1) a ellid ystyried sefydlu ysgolion â mwy nag un sfale fel ffordd o gadw adeiladau, neu'r rhesymau dros beidio â dewis yr opsiwn hwn", (2) "a ellid ystyried opsiynau amgen heblaw cau'r ysgol, megis clystyru, cydweithredu neu ffedereiddio ag ysgolion eraill (gan ystyried y posibilrwydd o ddefnyddio cysylltiadau TGCh rhwng safleoedd ysgolion), meu'r rhesymau dros beidio ag ystyried y rhain fel opsiwn amgen yn lle cau'r ysgol." Eto mae Adran 3.2 o'r un Côt yn datgan fod yn "rhaid cynnwys yr wybodaeth ganlynol yn y ddogfen ymgynghori (1) manylion unrhyw opsiynau amgen sydd wedi'u hystyried yn lle cau'r ysgol, a'r rhesymau dros beidio â bwrw ati â'r rhain". Yn olaf, mae Adran 3.1 o'r Côt yn datgan "Mae'r gyfraith achosion wedi pennu y dylai'r broses ymgynghori ....(4) sicrhau y caiff yr hyn sy'n deillio o'r ymgynghoriad ei ystyried mewn ffordd gydwybodol pan wneir y penderfyniad yn y pen draw". Methodd y Cyngor â chyflawni ei ddyletswydd cyfreithiol yn ôl y Côt ar y tri chyfri hyn. Cyhoeddwyd y Ddogfen Ymgynghori Statudol ar gyfer yr Ymgynghoriad am ddyfodol Ysgol Bodffordd (ac eraill yn ardal Llangefni) a redsodd o 20 Chwefror hyd 3 Ebrill 2018. Penderfynwyd ymgynghori'n statudol ar ddau opsiwn (A & B) a'r ddau opsiwn yn golygu cau Ysgol Bodffordd. Dyma'r ymgynghoriad statudol a arweiniodd at y penderfyniad a chyhoeddi Hysbysiad Statudol i gau Ysgol Bodffordd, ac nid oes ynddi ymdriniaeth o gwbl ag opsiynau eraill – heb sôn am "fanylion" fel y mae'r Côt yn ei fynnu. Yn eu hymateb i'n cwyn, dywed y Cyngor eu bod wedi cyfeirio at bosibiliad ffedereiddio mewn cyfnod ymgynghori anstatudol blaenorol yn 2016. Mae'r ddogfen yn wir yn cyfeirio at "21 o syniadau" a gododd mewn ymgynghori anstatudol yn 2016 fel rhan o'r cefndir. Ond yr

unig gyfeiriad at "ffedereiddio" yw un cymal lle dywedir fod rhywun wedi codi syniad o ffedereiddio ysgol newydd (hynny yw WEDI CAU Ysgol Bodffordd) gydag Ysgol arall. Dywed ymateb y Cyngor i'n cŵyn fod dogfen ymgynghori anstatudol flaenorol o 2016 am ardal Llangefni wedi cyfeirio at "41 opsiwn" a saith ohonynt yn berthnasol i Ysgol Bodffordd a'r ail oedd "Ffedereiddio gydag ysgol(ion) eraill". Ar y gorau, enwi pob posibilad damcaniaethol sydd yma – does dim gwerthusiad o gwbl o fanteision ac anfanteision creu ffederasiwn nag ystyriaeth o ddifri, ac mae hyn yn gwneud y gofynion statudol yn destun gwawd. Yn eu hymateb pellach i'n cŵyn, dywed Cyngor Ynys Môn nad yw ffedereiddio "yn newid y sefyllfa o ran ol-groniad cynnal a chadw a chyflwr ysgol". Wrth gwrs nad yw e ddim ! Mekanwaith i resymoli defnydd adnoddau a gwella addysg yw ffedereiddio, nid i wella adeiladau ! Os dyna'r llinyn mesur, ni byddid byth yn ystyried ffedereiddio fel opsiwn amgen, a byddai canllawiau'r Côt wedyn yn ddiystyr. Nid dyna fwriad Llywodraeth Cymru ar y pryd. Ar ben hyn, yn ein hymateb yn y cyfnod ymgynghori statudol, cododd Cymdeithas yr Iaith gynllun amgen o greu Ffederasiwn rhwng Ysgol Uwchradd Llangefni a'r ysgolion cynradd sy'n ei bwydo fel ateb amgen, gan greu uned addysgol gref a rhesymoli'r defnydd o adnoddau. Yn eu hadroddiad i'r Pwyllgor Gwaith ar ganlyniadau'r ymgynghori, wnaeth y swyddogion ddim hyd yn oed crybwyll y cynllun hwn "a ddeilliodd o'r ymgynghoriad" (Adran 3.1 uchod) heb sôn am "ei ystyried mewn ffordd gydwbybodol" a'i gwerthuso. Mewn gair, ni wnaeth y Cyngor ystyried manylion yr opsiynau amgen ac aethpwyd ymlaen i gymryd y penderfyniad difrifol i gau ysgol yn groes i ddymuniad rhieni a llywodraethwyr heb ystyried hyn. Does dim mekanwaith i sicrhau fod Awdurdod Lleol yn cadw at y Côt – sef testun y ddeiseb.

(2) Diffyg ystyriaeth o effaith cau'r ysgol ar y gymuned. – Trown yn ôl at Côt Trefniadaeth Ysgolion 2013, a dywed Adran 1.7 eto "Mewn rhai ardaloedd, efallai mai ysgol fydd y prif ganolbwynt ar gyfer gweithgarwch cymunedol hefyd, a gallai ei chau arwain at oblygiadau y tu hwnt i ddarparu addysg. Gall hyn fod yn nodwedd penodol mewn ardaloedd gwledig os defnyddir adeiladau ysgolion fel man i ddarparu gwasanaethau i'r gymuned" (Ni allai fod disgrifiad gwell o Ysgol Bodffordd, gan fod y Ganolfan Gymunedol yn rhan o adeiladau'r ysgol ei hun). Mae Adran 1.7 yn parhau y

dylid "dangos fod effaith cau'r ysgol ar y gymuned wedi'i hasesu drwy lunio Asesiad o'r Effaith ar y Gymuned, a dangos sut y gellid cynnal unrhyw gyfleusterau cymunedol a ddarperir gan yr ysgol ar hyn o bryd", ac ailadroddir hyn yn isbwynt (4) o'r adran. Mae Adran 3.2 yn datgan hefyd fod yn rhaid i'r Ddogfen Ymgynghorol (ymhlith pethau eraill) drin "effaith y cynigion ar y gymuned leol, yn enwedig mewn ardaloedd gwledig..." Nid oes yn y ddogfen ymgynghori ei hun unrhyw astudiaeth o effaith cau'r ysgol (a pheryglu'r unig ganolfan gymunedol yn y pentre) ar y gymuned, ond mae Atodiad 5 yn cyfeirio at "ddefnydd cymunedol" o adeilad yr ysgol newydd yn Llangefni. Yr awgrymn amlwg yw y dylai triogolion Bodffordd drosglwyddo eu gweithgareddau cymunedol i Llangefni !. Yr un pryd, cyhoeddwyd dogfen (i'w gweld yma <https://www.anglesey.gov.uk/documents/Dogfennau-Cy/Cyngor/Ymgynghoriadau/2018/Llangefni/Asesiadau-Effaith.pdf>) o "Asesiadau Effaith" gweithredu'r cynlluniau i gau Ysgol Bodffordd. Bu 4 gwahanol asesiad yn yr un papur o 4 tudalen. Yr adran olaf (5) yw'r asesiad effaith ar y gymuned. Yn dilyn datganiad "methodoleg" sy'n datgan fod y Cyngor yn ystyried yn ofalus effaith cau ysgol ar gymuned, eir ymlaen i ddisgrifio lleoliadau daearyddol yr ysgolion, niferoedd y disgyblion a chyfeiriadau cwta at ymgynghori anstatudol blaenorol – ond dim cyfeiriad o gwbl at y ffaith y byddai cau Ysgol Bodffordd yn golygu nad oedd sicrwydd am unig ganolfanfan gymunedol y pentre sy'n rhan o adeiladau'r ysgol. . Mewn gair nid oes unrhyw ymgais at asesiad difrifol o effaith cau'r ysgol ar y gymuned. Yn eu hymateb i'n cŵyn, dywed y Cyngor fod y Pwyllgor Gwaith, wrth benderfynu cau'r ysgol, hefyd wedi penderfynu "bod trafodaethau yn cael eu cynnal gyda Chyngor Cymuned Bodffordd a chyda chymuned Bodffordd er mwyn diogelu a chadw'r neuadd gymuned". Yn lle astudiaeth effaith y mae felly drafodaethau yn unig gyda'r gymuned leol i weld a ellir cael hyd i ryw ffordd o arbed y ganolfan gymunedol. Hyd yma, ni ddaeth llwyddiant ac mae'r Cyngor yn apelio i unrhyw un sydd ag adnoddau i gymryd drosodd yr adeiladau. Dyw trafodaeth ddim yn sybstitiwt am asesu'r holl niwed a wneir i gymuned Gymraeg wrth gau'r ysgol, ac felly methwyd â chydymffurfio â'r gofynion statudol eto.

I grynhoi felly, ni allai fod achos cliriach o Awdurdod yn methu yn ei ddyletswydd addysgol a democrataidd i gadw at ofynion y Côt Trefniadaeth.

Os na all y Gweinidog ymyrryd mewn achos fel hwn, go brin fod unrhyw bwrpas o gwbl gyhoeddi canllawiau y gall Awdurdodau Lleol eu hanwybyddu. Yn wir, mae'r un Awdurdod Lleol – Cyngor Ynys Môn – wedi torri'r Côt newydd o fewn dau ddiwrnod i'w gyhoeddi ar Dachwedd 1af 2018. Mae'r argraffiad newydd o'r Côt yn sefydlu rhagdyb o blaid ysgolion gwledig. Ond mae dogfen gychwynol a gyhoeddwyd ddeuddydd wedyn gan y Cyngor ar addysg yn ardal Amlwch yn cyfeirio'n syth at gau ysgolion gwledig sy'n amlygu nad oes unrhyw newid agwedd o gwbl, ac yn sicr dim rhagdyb o blaid ysgolion gwledig. Dyma brawf ar y drefn bresennol. Naill ai y gwna'r Gweinidog Addysg ymyrryd ynghylch Ysgol Bodffordd a rhoi cyfarwyddion i'r Cyngor yn y modd a amlinellwyd ganddom ar y dechrau, neu bydd angen pwerau newydd ar y Gweinidog. Dyw llythyr y Gweinidog ddim yn amlygu sut y gall ddefnyddio ei grymoedd cyffredinol mewn achos fel hyn, ac nid yw testun y ddeiseb felly wedi ei ateb.

Yn gywir

Ffred Ffransis, ar ran Cymdeithas yr Iaith Gymraeg

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# Agenda Item 3.5

**P-05-812 We call for the Welsh Government to encourage trusts to implement the NICE guidelines for Borderline Personality Disorder or justify why they do not do so**

This petition was submitted by Keir Harding and was first considered by the Committee in May 2018, having collected 812 signatures.

## **Text of Petition**

No Longer A Diagnosis of Exclusion, a document that highlighted the mistreatment of those diagnosed with personality disorder was published in 2003.

The NICE guidelines for Borderline Personality Disorder were published in 2009. 9 years on less than half of Welsh trusts provide services that comply with the guidelines. This compares to 84% of trusts in England.

People with this diagnosis have frequently come from backgrounds of maltreatment, neglect and abuse.

1 in 10 people with this diagnosis will die by suicide.

The National Confidential Inquiry into Suicide and Homicide found that of the 1 in 10 people who ended their lives over the period of their study, none were receiving NICE recommended care.

Experts in the field warn that trusts without specialist services will be over reliant on out of area private treatment. This view was supported by representatives of trusts without specialist services at the Personality Disorder Cymru conference in Cardiff in 2016.

We must do more to support the survivors of abuse who have been let down enough already.

We must do more to protect the Welsh tax payer by providing effective community services rather than expensive out of area placements.

We call for the Welsh Government to direct trusts to implement the NICE guidelines for Borderline Personality Disorder or justify why they do not do so.

## **Assembly Constituency and Region**

- Wrexham

- North Wales

**P-05-812 – We call for the Welsh Government to encourage trusts to implement the NICE guidelines for Borderline Personality Disorder or justify why they do not do so. Correspondence from the Petitioner to the Chair, 06.02.19**

Dear David,

Once again can I thank you and the petitions committee for your continued interest in this matter. At the PD Cymru conference in Cardiff in 2016 it was clear that over half of trusts in Wales were not providing what NICE would recognise as a service that would meet the needs of those with a PD diagnosis. 3 years on it is heartening that over half have some kind of service that recognises the needs of this client group.

I note that the response from Betsi is not included in the correspondence but from what I could glean from the summary, it feels its current provision could be improved. I hope that the petitions committee can ensure that the trusts who do not currently meet the needs of this population feel obliged to do so. No Longer A Diagnosis of Exclusion was published 15 years ago and surely providing effective services for those diagnosed with personality disorder is no longer optional.

I note the trusts responses that out of area placements are used as a last resort, but without effective community services that last resort will be reached much earlier. It is noteworthy that one of the trusts put together a specialist team for under £300,000 - around the cost of a year in a private hospital for 2 people. It is this investing to save that I hope the committee can strongly encourage.

Where the summary states that trusts are focusing their resources on DBT as per NICE guidelines, it is important to remember that the NICE guidelines only recommend DBT for people who seeing giving up self harm as a priority. The NICE guidelines also tell us to offer people a choice of intervention. Too often I have seen people living in misery who currently do not see stopping self harm as an option, left with nothing. I applaud trusts in investing in probably the most researched therapy in this area, but specialist services need to offer different levels of help - not DBT or nothing.

I'm aware that when talking of the problems of out of area placements, the scale of the problem is very difficult to quantify. This may be an extension of my original petition but I wonder if it would be possible to ascertain the number of people from Wales compelled to receive treatment in private hospitals? My efforts to do this were scuppered when a freedom of information request responded that trusts didn't keep this level of information about people. It astounded me that trusts could pay £150,000 a year and more for someone to be in a private hospital and not record the reason they had been sent there. If this was to be done I suspect the results would reflect the literature that trusts with less community provision use OOA placements more. Perhaps the size of the expenditure compared to trusts with adequate community provision would be a stronger motivator for

trusts to change the way that they respond to people with this diagnosis than any other factor. Obviously anecdotes are not data, but I have spoken to many commissioners across Wales and have been told that some areas will commission 5 or more placements a month. This isn't far off committing to pay £1,000,000 a year every month. If this is accurate we cannot afford the costs to peoples lives or the public purse.

Many Thanks,

Keir

# Agenda Item 3.6

## **P-05-854 Make learning disability training mandatory for hospital staff**

This petition was submitted by The Paul Ridd Foundation, having collected 5,654 signatures.

### **Text of Petition**

Paul Ridd was our brother. He had severe learning disabilities and died in Morriston Hospital in 2009. The Public Services Ombudsmen report into the circumstances leading to Paul's death said that neglect, lack of training and ignorance were contributory factors leading to Paul's death. The Government must ensure all healthcare professionals get mandatory training to address the huge health inequalities facing people with autism and a learning disability.

1 in 4 healthcare professionals has never had training on learning disability or autism. This is unacceptable. Two thirds want more training, and 1 in 3 think a lack of government leadership is contributing to the problem of avoidable deaths (statistics from survey conducted by YouGov for Mencap: <https://www.mencap.org.uk/press-release/concerns-over-lack-clinical-training-causing-avoidable-learning-disability-deaths>).

### **Assembly Constituency and Region**

- Aberavon
- South Wales West



Eich cyf/Your ref P-05-854  
Ein cyf/Our ref VG/05386/19

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

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

19 February 2019

Dear David,

Thank you for your letter of 1 February regarding Petition P-05-854 Make Learning Disability (LD) training mandatory for hospital staff from the Paul Ridd Foundation.

The Improving Lives Programme worked in partnership with key stakeholders to establish the key priorities for action across key policies and services which impact upon the lives of people with a learning disability. The overall aim of the health actions is to reduce health inequalities, avoidable and preventable deaths and increase wellbeing and quality of life for people with a learning disability.

This cross-government programme of work contains the following actions which aim to improve the health outcomes of people with a learning disability in a general hospital setting:

Health Secondary Care:

- To ensure reasonable adjustments are made for people with a learning disability through using care bundles, having LD champions, system flagging and increasing the number of learning disability liaison nurses across Wales; and,
- To ensure traffic light systems / health passports are put in place and roll-out of the health equalities framework.

To support the delivery of these actions work is currently being developed to:

- Ensure reasonable adjustments are made in hospital settings to support people with learning disabilities and their families to access mainstream services;
- Undertake the systematic reviews of deaths, adverse events and near misses to learn lessons and contribute to the continued reduction of health inequalities.
- Develop and embed LD specific healthcare standards into the NHS Wales Health and Care Standards and the NHS Outcomes and Delivery Framework;

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
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[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

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

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

- Support the roll-out of the Health Equalities Framework across the NHS in Wales; and,
- Review and strengthen specialist service provision across NHS Wales to improve access to appropriate provision (step up/down and secure accommodation) closer to home.

I hope to be in a position very soon to announce funding to support this work.

To underpin the achievement of these actions I am committed to supporting the improvement in knowledge and skills of health care staff to ensure the needs of people with learning disability are met within general hospital settings.

Work has begun to scope out an educational framework, similar to that developed for staff caring for people with dementia, as part of the Improving Lives Programme. I want to ensure we have considered all opportunities to ensure a positive impact on the health outcomes of people with a learning disability is achieved, rather than simply to consider the merits for and against mandating awareness training of staff. To this end, I expect the work to consider providing comprehensive information on meeting the needs of people with a learning disability in NHS Wales induction training (this would in effect provide mandated training for all new employees); developing and mainstreaming a range of quality assured learning and development materials available for all staff; and providing targeted training for staff in key roles.

The Paul Ridd Foundation has developed awareness training for hospital staff wishing to become learning disability champions. The team undertaking the work, located in the 1000 Lives Improvement Team in Public Health Wales, are working with the Foundation to build on their approach.

I am aware that other parts of the UK are also considering the educational needs of its health and social care staff, including an eight-week consultation currently underway in England. We will look with interest at the outcome of these activities to consider any applicability to the Welsh health and care system.

I am fortunate to be supported by the Learning Disability Ministerial Advisory Group. There is representation on the group from many health related bodies including the Royal College of Psychiatrists in Wales, Welsh Therapies Advisory Committee, Welsh Nursing and Midwifery Committee, Public Health Wales and Learning Disability Nursing as well as people with a learning disability, their families and carers and other key stakeholders. I will look to them, in the coming months to provide me with guidance in relation to how we best support learning and development of staff in general and achieve the health improvement outcomes sought by the Paul Ridd Foundation.

Yours sincerely,



**Vaughan Gething AC/AM**

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



## Paul Ridd Foundation

19 Mardon Park,  
Baglan Energy Park,  
Port Talbot,  
SA12 7AX  
E: [info@paulriddfoundation.org](mailto:info@paulriddfoundation.org)

February 25<sup>th</sup> 2019

Dear David

Thank you for forwarding us Vaughan Gething's letter.

As a Foundation we were consulted on the issue of the Improving Lives Campaign and are very pleased with the recommendation and the strategies to achieve equal health care for people with a Learning Disability (LD). We still see mandatory training as a Key Stepping Stone to achieving these aims.

Mandatory training would explain **what a learning disability is**. This is essential as we have a lot of contact with different individuals in Secondary Care who are **STILL** unaware what a learning disability is.

The content would inform the NHS Staff of the existence of the **Care Bundle** and what it covers. Implementation of this essential document is key to its success, and there is still extreme sporadic awareness of its existence, we believe training would ensure the use of this resource.

We also see that Mandatory Training would also inform Health Care Professionals what a **reasonable adjustment** is and what their responsibilities are around implementing these.

Utilising the Care Bundle, use of reasonable adjustments, and implementing flagging system such as the Traffic Lights, are all noted in the first aim of the Improving Lives Campaign. It is clear that by creating mandatory training for Learning Disabilities, these aims would be achieved.

We welcome the minister's views about induction training and see its value but we feel it needs to be mandatory to make it effective. **Induction training is only available to new employees** and the downside to this is that existing employees would slip through the training net. If we are serious about delivering equal healthcare and want to avoid premature deaths of people with LD we need to ensure all healthcare professionals receive learning disability training.

Thank you for time in considering this matter.

Kind regards

Jayne Nicholls & Jonathan Ridd (Brother and sister of Paul Ridd)

# Agenda Item 3.7

## **P-04-667 A Roundabout for the A477/A4075 Junction**

This petition was submitted by Pembroke Town Council and was first considered by the Committee in January 2016, having collected 597 signatures (115 online and 482 on paper).

### ***Text of the Petition***

*We call on the National Assembly for Wales to urge the Welsh Government to replace the Fingerpost Junction on the A477/A4075 with a roundabout – The current road configuration has not resolved the problems on this dangerous stretch of road.*

### **Assembly Constituency and Region**

- Carmarthen West and South Pembrokeshire
- Mid and West Wales

Date · Dyddiad 19<sup>th</sup> February 2019  
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[www.sir-benfro.gov.uk](http://www.sir-benfro.gov.uk)



## Pembrokeshire County Council Cyngor Sir Penfro

IAN WESTLEY, M.A. B.Eng.(Hons), C.Eng., M.I.Mech.E., M.C.I.B.S.E.  
*Chief Executive / Prif Weithredwr*

DARREN THOMAS  
*Head of Infrastructure  
Pennaeth Isadeiledd*

Pembrokeshire County Council,  
County Hall, HAVERFORDWEST,  
Pembrokeshire, SA61 1TP

Cyngor Sir Penfro,  
Neuadd y Sir, HWLFFORDD,  
Sir Benfro, SA61 1TP

Telephone / Ffôn 01437 764551  
DX 98295 HAVERFORDWEST

**Please ask for  
Os gwelwch yn dda gofynnwch am**

**Darren Thomas**

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

Dear Sirs,

### **Petition P-04-667 Roundabout for the A477/A4075 Junction**

Thank you for your letter dated 29 November 2018, and chase up email dated 18 February 2019. I apologise for the delay in responding.

As noted, the Fingerpost Junction on the A477 is on trunk road, for which the Highway Authority is Welsh Government. This Authority has been aware of some serious and fatal accidents at the junction and have been approached on several occasions by local members, Pembroke Town Council and some local employers (Collins and the former Texaco – both mentioned in the Petitions Committee work), who have raised with us their concerns about road safety at the junction. We, in turn, have indicated they should contact Welsh Government as the Highway Authority, in order the concerns can be reviewed and responded to.

It is worth mentioning that the road leading off the Fingerpost Junction is a highway maintained by this Council – the A4075. This provides access to Pembroke Town, but more significantly onward to the major energy sites on the Angle Peninsular – that of Valero and Pembroke Power Station, but also access to the Firing range at Castlemartin, which also attracts abnormal and heavy loads. To this end, the junction does receive frequent instances of large vehicles turning – oil tankers, chemical carriers, cranes, and other large maintenance vehicles. That said, it has been our understanding that these types of flows have been previously examined and reviewed by Welsh Government. Perhaps this issue could be re-examined though, and assurance sought in terms of the nature of the traffic using the junction, coupled with fluctuating levels of flows, associated with shutdowns and the like, which at times can be substantial.

We welcome correspondence in Welsh and English, and will respond within a maximum of 15 working days. We will respond in the language in which the correspondence is received (unless you ask us to do otherwise). / Rydym yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn ymateb cyn pen 15 diwrnod gwaith fan bellaf. Byddwn yn ymateb yn yr un iaith â'r ohebiaeth a dderbyniwyd (oni bai eich bod yn gofyn i ni wneud yn wahanol).

For a copy in large print, easy-read, Braille, or in an alternative language, please contact Pembrokeshire County Council on the number above. / Os am gopi mewn print mawr, fformat hawdd ei ddarllen, Braille, sain neu mewn iaith arall, cysylltwch â Chyngor Sir Penfro ar y rhif uchod.

I would also highlight that the A4075, and the B4319 / B4320 are on what the Council termed the "Southern Strategic Route" (SSR) – a strategic road corridor linking the energy sites with the trunk road system at Fingerpost. A number of significant improvements have been carried out along this route over the last few years. The total budget approved budget for all the works was £9.555M. The specific aims of the SSR were:

- To improve the route between the A477 trunk road and the energy / development sites to mitigate the impact of the proposed Power Station and future energy developments.
- To produce general highway and development benefits by improving the accessibility of the energy / development sites on the southern shore of the Haven with the A477 trunk road network.

The community benefits of the project were envisaged as:

- To invigorate the local economy.
- To improve the link between the development site on the south bank of the Haven and the Trunk Road Network.
- Improve accessibility for visitors, emergency vehicles and other transport users, and link with the integrated transport agenda.
- Promote and provide facilities for sustainable transport.
- Provide a good standard route for heavy goods vehicles which avoids them passing through the historic core of Pembroke.

It is worth highlighting the emphasis on accessibility, improved transport linkages and provide a good standard route for heavy goods vehicles.

I am aware that the local member that covers the locality of this junction (also our Cabinet Member for Social Services – Cllr Hodgson) wrote to Welsh Government in July 2018. She highlighted that the stretch of A477 from Slade Cross to the Fingerpost Junction is a very busy arterial route serving locals, holidaymakers and the vital ferry port at Pembroke Dock. Cllr Hodgson raised concern that recent improvements to the Fingerpost Junction were considered to have failed to improve safety and her understanding is that accidents both minor and major had increased at Fingerpost since the improvement work was undertaken. Cllr Hodgson called on Welsh Government to look at this busy stretch of road and examine ways to make some road safety improvements. She suggested a roundabout at the Fingerpost, as this was considered a much safer option. She also explored the idea of improved signing and lining, as she had seen some measures similar to this on a recent road scheme the County Council had undertaken – in the form of warnings painted on the road and red tarmac to alert drivers to vehicles turning right.

Cllr Hodgson also wrote to the Minister, Ken Skates in November 2018 to further raise her concerns. I further understand that, given the high concerns in the local community, that an alliance of local members, MP, AM and Town Council has met to further discuss their concerns, with a view of raising them with Welsh Government. Although this Council were not directly involved in that meeting process, having limited access to the detailed technical information regarding road safety audits, highway management data, etc, for this particular section, following their meeting to discuss the current concerns, it is understood those parties agreed next steps, including gathering more evidence, publicity through social media and at a future date a meeting with representatives from Welsh Government. We would be happy to be involved and support such engagement.

In terms of the way forward, if this were a PCC Highway, we would be undertaking the following the activities:

1. Review of accident record.
2. Recorded of Speed Record.
3. Review of Historical design data and highway management information.
4. Consideration of the comments and complaints.
5. All with a view to providing a response to address the concerns raised, which might involve some consideration to additional or new measures to address concerns.

In this particular situation, a specific aggravating factor is the nature of the traffic using the junction: its importance as a strategic route to key Energy Sites, and as a result, the nature and type of traffic using it. I understand these factors have been considered by Welsh Government previously, but given the high level of concerns raised, would appear worth reviewing further. In addition, the perception of risk should also be considered further and addressed.

I hope this feedback is of assistance.

Yours sincerely

A handwritten signature in black ink that reads "D. Thomas". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke at the end.

Darren Thomas  
**Head of Infrastructure**

cc: Councillor David Simpson, Leader  
Cllr Phil Baker, Cabinet Member for Planning & Infrastructure  
Cllr Tessa Hodgson, Cabinet Member for Social Services  
Ian Westley, Chief Executive



# Agenda Item 3.8

## **P-05-748 School Buses for School Children**

This petition was submitted by Lynne Chick and was first considered by the Committee in April 2017, having collected 1,239 signatures – 502 on paper and 737 on-line.

### **Text of the Petition**

We call on the National Assembly for Wales to urge the Welsh Government to ensure every child's safety is put first when traveling to and from school.

We want designated school buses so children can travel safely to and from school, each with a seat and seat belt, with no child forced to travel on overcrowded public buses. Children's safety must come first.

Our children have a right to feel safe. Public buses can become over crowded. We have no clue who may board a public bus. Public buses are for public use not school transport. We are not asking for this service to be free, We don't want something for nothing, Just peace of mind that our children are safe when traveling to and from school. We teach our children about stranger danger yet we are expected to send them on a public bus full of strangers daily.

Having lost my daughter under the wheels of a public bus she had travelled home from school in, I feel it's only a matter of time before another parent lives my nightmare if something isn't done to ensure children have a safe means of transport to and from school.

### **Additional Information**

A lot of people will remember my Daughter Louise and the horrific way she lost her life. For those that don't, Louise was 11 years old and had not long started high school. Because of the distance to get to school my children relied on using a public bus. On the 19th March 2001 Louise was due home from Connah's Quay High school at her normal time, only this day the bus was late. I started to worry as I headed out the door I was greeted by Louise's friends telling me she had been run over. I ran to the end of my street to find my beautiful Daughter clinging to life in the road, distressed school children

all around. I couldn't understand what had happened. Over months it emerged the bus Louise had travelled home from had been over crowded, adults had stood talking to the driver, there was an alleged push, also a mention her bag had got caught in the door or wheel causing her to be dragged under the bus she had just alighted from, it was proven the mirrors had blind spots that had been a contributing factor.

After the decision to close a local school, John Summers High School, a lot of parents have spoken to me with concerns for their Child's safety travelling on public buses to and from school. Points have been raised that totally alarm me, So I'm heading a campaign in my Daughter's name to make sure no Child is forced to use public transport buses as school transport.

**Assembly Constituency and Region.**

- Alyn and Deeside
- North Wales



Department  
for Transport

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

From the Parliamentary  
Under Secretary of State  
**Nusrat Ghani MP**

Great Minster House  
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Our Ref: MC/230593

13 JUL 2018

*Email: [SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales).*

Dear David,

Thank you for your letter of 21 June, about Petition P-05-748 School Buses for School Children.

National legislation requires all coaches and minibuses, carrying groups of children of 3 to 15 years of age on organised trips, to be equipped with seat belts. The legal requirement to fit seat belts does not apply to other types of bus, including those authorised to carry standing passengers, and typical of the type used in commercial bus services. These tend to travel relatively slowly, over short distances, with frequent stops. It is recognised that on urban routes, the benefits of seat belts may be lower than on rural or high speed routes and the design of many urban buses makes it technically difficult for adequate seat belts to be fitted retrospectively.

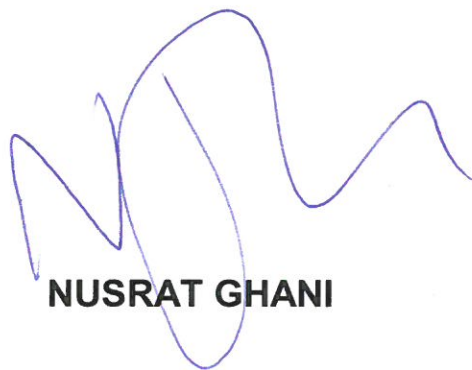
The petitioner suggests that all bus drivers should be required to obtain a criminal record certificate from the Disclosure and Barring Service. The legislative framework covering the disclosure of criminal records and eligibility for criminal record certificates is centred on Part 5 of the Police Act 1997 and is designed to allow appropriate levels of checks where these are necessary to protect vulnerable groups. Not all roles where there will be some contact with children and other vulnerable people are eligible for checks that disclose spent convictions or cautions.

It is for the employer or organisation regulating a particular activity to decide whether the role is eligible for a criminal record check. Further guidance regarding eligibility is available online at:

<https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance>.

Recruitment decisions rest with the employer and the provision of criminal information is intended to assist employers to make safer recruitment decisions. Where a role is not eligible for a criminal record check the employer or organisation can request a potential employee to obtain a basic certificate which anyone can apply for. This will show details of convictions and conditional cautions that are considered to be unspent under the terms of the Rehabilitation of Offenders Act 1974.

Yours sincerely,



**NUSRAT GHANI**

Document is Restricted

# Agenda Item 3.9

## **P-05-833 Improve rail services for Chepstow**

This petition was submitted by Richard Lemon, having collected 260 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to reconsider the franchise agreement for the new Wales and Border Rail operator to improve the level of service being offered to Chepstow. This is particularly important as Cross Country Trains will be withdrawing their present service from Chepstow. To provide only one train an hour to a town of the size and strategic importance of Chepstow – rail head for the Wye Valley – is poor indeed, compared with other towns in our Country and the Valley Lines. Two an hour each way should be a minimum. We recognise the need to get people out of their cars and on to public transport to help the environment. Improved rail services are a step towards this.

### **Additional Information**

A submission to this effect was made prior to the granting of the new Wales and Borders franchise. This appears to have been ignored.

### **Assembly Constituency and Region**

- Monmouth
- South Wales East



Eich cyf/Your ref P-05-833  
Ein cyf/Our ref KS/03569/18

David John Rowlands AM  
Chair - Petitions committee

Government.Committee.Business@gov.wales

5 February 2019

*Dear David,*

Thank you for your letter of 7 December regarding Petition P-05-833 - Improve rail services for Chepstow, requesting more detail on the availability of rolling stock, and seeking an assurance that Transport for Wales (TfW) and the Welsh Government are utilising all possible approaches to secure additional rolling stock.

Fleet availability will remain a challenge for the fleet team throughout the coming year. As was seen during the autumn, damage caused by poor wheel-rail adhesion created a bottleneck in the short term and availability has now recovered. Next autumn, modifications such as wheel slide protection should help prevent this damage from occurring.

Day-to-day fleet availability is a balance between scheduled maintenance (inspection and preventative component changes), units undergoing the required PRM accessibility works (mandatory before December), and the unpredictable nature of faults on trains built in the 1980s. TfW are investing £40 million in our current fleet, including fitting Wheel Slide Protection to make our trains more resilient to extreme weather conditions

TfW will be introducing 84 carriages over the coming year, including 5 additional Class 153 units, 5 Class 769 units and 5 Class 230 units, which are all due to enter service in April/May, as well as 12 Class 170 units and 12 Mark IV carriages which will enter service by the end of the year. Many operators across the country are currently waiting for newly built trains and are therefore hesitant to release their existing units in case of delays, but to further bolster availability before the new fleet arrives, TfW are currently negotiating commercial arrangements for up to 32 additional carriages (on top of the 84) and hope to be able to announce the result of the negotiations soon.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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[Correspondence.Ken.Skates@gov.wales](mailto:Correspondence.Ken.Skates@gov.wales)

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

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

The rail services contract we have let is designed to be able to change to reflect a growth in services over time. Welsh Government and TfW officials are working with their colleagues in local authorities to identify where these growth opportunities are and how they can be delivered in combination with local and regional transport investments.

*Yours ever,*  
*Ken*

**Ken Skates AC/AM**

Gweinidog yr Economi a Thrafnidiaeth  
Minister for Economy and Transport

**P-05-833 Improve rail services for Chepstow: Correspondence - Petitioner to Committee, in response to correspondence from Cabinet Secretary for Economy and Transport to the Chair, 15.02.19**

This appears to be a standard PR type response!

It does not address the poor service we have at Chepstow and the gaps in service. I'd be happy for the Pacers to be kept in use to fill the gaps!

# Agenda Item 3.10

## **P-05-818 Introducing a Register of Lobbyists in Wales**

This petition was submitted by Centre for Welsh Studies – Think Tank, having collected 55 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to to introduce a Statutory Register for Lobbyist in Wales.

This Petition follows a trend in both Scotland and Ireland towards increased openness around political lobbying.

Lobbying is a legitimate and valuable activity. It is a crucial part of a healthy democracy. The words lobbying and lobbyist can have negative connotations, implying deals done behind closed doors. The reality is that the more voices that inform the Government and the Assembly's thinking in Wales, the more informed politicians are to legislate, to develop new policy and to scrutinise. For this reason, and on the basis that the Assembly is founded on principles of openness and accessibility, lobbying should be actively encouraged. It is positive how open and accessible and willing to engage the Assembly and Government already are. No action should be taken that will change this or indeed put people off approaching politicians on any issue.

### **Assembly Constituency and Region**

- Neath
- South Wales West

**P-05-818 Introducing a Register of Lobbyists in Wales: Correspondence -  
Petitioner to Chair, 18.02.19**

We at the Centre for Welsh Studies find this response by the Assembly commission very disappointing. There is a need to introduce a Statutory Register for Lobbyist in Wales now. It would be extremely damaging to Welsh democracy if this Assembly simply kicks the can down the road. Wales is in danger of being left behind, as institutions across Europe move towards increased openness around political lobbying. By introducing Statutory Register for Lobbyist it would help with public trust in the Assembly and provide need accountability. We believe it is important that the petitions committee continue to explore and allow debate on this much needed and vital proposal.

Llyr Powell  
*Co-Director,  
Centre for Welsh Studies*

# Agenda Item 3.11

## P-05-813 Ban the USE of LARSEN TRAPS (Multi Corvid Traps)

This petition was submitted by Action Against Wildlife Persecution having collected 1,943 signatures.

### Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to BAN the USE, Sale & Manufacture of LARSEN TRAPS (Multi Corvid Traps).

The Larsen trap is a cage bird trap where a live wild decoy bird, (call-bird), is kept trapped inside one compartment to encourage another bird to come down to it. When another visiting bird lands on top s/he falls through a one way gate or false floor into a compartment, where s/he awaits their fate.

Larsen traps were invented in Denmark but are now BANNED in that country, as they are now considered inhumane and extremely cruel.

Larsen traps are mostly used by gamekeepers & smallholders to trap magpies, crows & other corvids. The bird suffers a terrifying ordeal by being trapped day and night without food, water or any shelter from the elements, which causes extreme distress.

Because they use a captive wild bird (technically contrary to the 1981 Wildlife and Countryside Act) these traps have to be used under the terms of a "General Licence" issued by Natural Resources Wales, where magpies, crows, jays, jackdaws and rooks can be trapped.

The wild "decoy call-birds," with their most vital instincts frustrated & abused by confinement, suffers a most terrible fate. Close to the ground they are terrorised by predators and watch as fellow birds are brutally killed in front of them. A number end up being found dead through neglect. Legally, the trapped decoy call-bird should have food, water, shelter & a perch & the 'trap' inspected at least every 24hrs, but, this is not the case. We have witnessed crows left to die without food & water and found dead rotting corpses of the previous decoy call-birds, who are permanently wired inside until they die of starvation or stress.

We have witnessed birds with broken beaks and cut heads where they have tried to escape. We have witnessed brutality, mutilation & maiming where the gamekeeper has cut wing flight feathers to stop the decoy bird from escaping.

### **Additional information**

The trapping continues throughout the summer months, consequently thousands of chicks starve to death in their nests due to their parent birds being trapped.

Larsen traps are indiscriminate and can trap non target birds or mammals. Although illegal, Pigeons are sometimes used to attract birds of prey who are also then killed.

Trapping wild birds in live bird traps & the use of live decoy call-birds causes untold stress to the unfortunate birds.

We urge that this persecution of wildlife be stopped.

### **Assembly Constituency and Region**

- Cardiff West
- South Wales Central

**P-05-813 Ban the USE of LARSEN TRAPS (Multi Corvid Traps): Correspondence**  
**– Petitioner to Committee, 22.02.19**

Most of the stakeholders who have contributed their views on this matter all have a vested interest & are pro hunting, snaring, shooting organisations apart from the RSPCA.

The RSPB however is an organisation who protect some birds - not all birds and annually purposely kill many thousands of mammals & birds (see attachment ).

My views have not changed on the cruel, horrific & indiscriminate nature of Larsen traps. I hope that they will soon be banned in Wales.

# More than 8000 animals killed by RSPB in 5 years



**WILDFACT**

# Agenda Item 4

## **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 and was first considered by the Committee in October 2017, having collected 631 signatures.

### **Text of Petition**

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

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

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