



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

**Y Pwyllgor Menter a Dysgu
The Enterprise and Learning Committee**

**Dydd Iau, 3 Gorffennaf 2008
Thursday, 3 July 2008**

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

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

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Alun Cairns	Ceidwadwyr Cymreig Welsh Conservatives
Jeff Cuthbert	Llafur Labour
Gareth Jones	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Huw Lewis	Llafur Labour
David Melding	Ceidwadwyr Cymreig Welsh Conservatives
Janet Ryder	Plaid Cymru The Party of Wales
Kirsty Williams	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats

Eraill yn bresennol
Others in attendance

Angharad Davies	Pennaeth Materion Cyhoeddus a Pholisi, BT Cymru Head of Public Affairs and Policy, BT Wales
Huw Roberts	Cyfarwyddwr Materion Cymreig, Grŵp y Post Brenhinol Director of Welsh Affairs, Royal Mail Group
Lee Waters	Cyfarwyddwr, Sustrans Cymru Director, Sustrans Cymru

Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol
Assembly Parliamentary Service officials in attendance

Dan Collier	Dirprwy Glerc Deputy Clerk
Dr Kathryn Jenkins	Clerc Clerk

Dechreuodd y cyfarfod am 1.30 p.m.
The meeting began at 1.30 p.m.

Cyflwyniad ac Ymddiheuriadau
Introduction and Apologies

[1] **Gareth Jones:** Prynhawn da a chroeso cynnes i'r cyfarfod hwn o'r Pwyllgor Menter a Dysgu. Croesawaf yr Aelodau a'r swyddogion, yn ogystal ag unrhyw aelod o'r cyhoedd sy'n digwydd edrych i mewn.

Gareth Jones: Good afternoon and a warm welcome to this meeting of the Enterprise and Learning Committee. I welcome Members, officials, and any members of the public who might be looking in.

[2] Fe'ch atgoffaf i ddiffodd unrhyw ffôn symudol neu ddyfais electronig arall. Nid oes angen cyffwrdd â'r meicroffonau. Nid ydym yn disgwyl ymarfer tân y prynhawn yma,

I remind you to switch off any mobile phones and any other electronic devices. There is no need to touch the microphones. We are not expecting a fire drill this afternoon, so if an

felly, os bydd larwm yn canu, rhaid i ni symud o'r ystafell, dan gyfarwyddiadau.

alarm should sound, we will be expected to leave the room, under instructions.

[3] Bydd y cyfarfod yn ddwyieithog. Mae clustffonau ar gael i glywed y gwasanaeth cyfieithu ar y pryd o'r Gymraeg i'r Saesneg, sydd ar sianel 1. Mae modd chwyddleisio'r sain drwy wrando ar sianel 0. Bydd cofnod dwyieithog ar gael o'r hyn a ddywedir yn gyhoeddus.

The meeting will be bilingual. Headsets are available to hear the simultaneous interpretation from Welsh into English, and that is available on channel 1. It is possible to amplify the sound by listening to channel 0. A bilingual record will be available of what is said publicly.

[4] Mae ymddiheuriadau wedi dod i law oddi wrth Christine Chapman a Sandy Mewies. Nid oes dirprwyon, hyd y gwn i.

We have received apologies from Christine Chapman and Sandy Mewies. There are no substitutions, as far as I am aware.

1.32 p.m.

Ymdrin â Deisebau Handling of Petitions

[5] **Gareth Jones:** Mae dwy ran i'r eitem hon. Mae'r rhan gyntaf yn ymwneud â sut i ymdrin â deisebau. Mae gennym bapur ar gyfer yr eitem hon, ac yr ydym yn ddiolchgar i'r clercc amdano. Hyderaf ein bod i gyd wedi cael y cyfle i'w ddarllen. Mae'r papur yn rhoi cefndir i'r deisebau a anfonwyd at y pwyllgor a chyngor ynghylch sut i'w hystyried.

Gareth Jones: There are two parts to this item. The first part involves the handling of petitions. We have a paper for this item, and we are grateful to the clerk for that. I am sure that we have all had an opportunity to read it. The paper gives the background to the petitions that have been sent to the committee and offers advice on how to consider them.

[6] Mae pum deiseb gerbron. Os yw'n iawn gyda chi, dechreuwn gyda'r cyntaf ym mhapur 1, sy'n ymwneud ag enw ysgol Rhydfelen. Fe'ch gwahoddaf i ystyried yr argymhelliad, a deuw'n i gasgliadau wedyn ynghylch pob un o'r rhain yn eu trefn.

There are five petitions. If it is all right with you, we will start with the first one in paper 1, which is to do with the name of ysgol Rhydfelen. I invite you to consider the recommendation, and we will then reach a conclusion about each one in order.

[7] Y ddeiseb gyntaf yw'r ddeiseb i newid y gyfraith o ran newid enw ysgolion. Mae argymhelliad yn y papur. A oes unrhyw sylwadau ar yr argymhelliad hwn?

The first petition is on changing the law regarding school naming. There is a recommendation in the paper. Are there any comments on that recommendation?

[8] **Jeff Cuthbert:** I have read this paper, and the situation seems to be fairly clear in relation to the first matter. It is within our powers to do what is recommended, and so the recommendation seems to be straightforward and should be supported.

[9] **Gareth Jones:** Are there any further comments on that?

[10] **Kirsty Williams:** I do not think that that recommendation is straightforward; it suggests an either/or response, does it not? Either we do this, or we do that. So, we need to decide and give the clerk some direction on whether we want to influence the Minister or sponsor legislation. They are quite different things.

[11] **Jeff Cuthbert:** What I meant was that the recommendation states that we should consider the legal advice provided. That is what I assumed would happen. I did not know that we would take a decision at this stage.

[12] **Gareth Jones:** My understanding of the background to all this is that we have had legal advice, and I take it that each and every Member has had sight of that legal advice. The easiest path would be for us to try to seek a meeting with the Minister, and she might then consider acceding to this petition in terms of its request. We can try that route if you like; alternatively, there is a possibility of changing the current regulation of the legislation that we have in accord with introducing a third party where there is some kind of a deadlock or some feeling of grievance or whatever in terms of an appeal. That is where we are at, and I would value your comments, generally, on the route that you would prefer us to recommend at this stage.

[13] **Janet Ryder:** Thank you, Chair, and I apologise for being late. If no meeting has been held with the Minister, I suggest that the quickest way that has been recommended is to try to get the Minister to use the powers that she already has. So, the first port of call seems to be to have a meeting with the Minister to see whether that is possible and, if not, we can bring it back to committee to consider the other options.

[14] **Gareth Jones:** Do Members agree with that? I see that they do.

[15] Felly, yr ydym yn cytuno i gael cyfarfod gyda'r Gweinidog i weld a oes posibilrwydd symud ymlaen gyda'r ddeiseb honno. So, we agree to have a meeting with the Minister to see whether it is possible to move forward with that petition.

[16] Yr ail ddeiseb yw honno gan Sustrans Cymru. Nid oes angen trafod hwn yn awr oherwydd y bydd cynrychiolaeth gan Sustrans yn ail ran y pwyllgor. Felly, gadawn hynny ar hyn o bryd, a symudwn ymlaen i ddeiseb ysgolion cymunedol Powys. Yr argymhelliad yw: The second petition is from Sustrans Wales. There is no need to discuss this now, as there will be representation from Sustrans in the second part of this committee. So, we will leave that for now and move on to the Powys community schools action petition. The recommendation is:

[17] 'That Members endorse the action of the Chair and where possible support the work of the Rural Development Sub-Committee, which will report its finding to the Petitions Committee.'

[18] I believe that you all know the background to this. It was referred to us and, as a sub-committee had been established to look at rural issues, I felt, at the time, that rather than acquire more work for us, we could pass it on to the sub-committee and that the sub-committee would be quite capable of looking at this specific area, it could report back to us, and its information and evidence-gathering would inform us and would be very important to us in our future deliberations in this area. That was my decision at the time, but I would value your comments on this.

[19] **Kirsty Williams:** I endorse the approach that you took; it was the right thing to do, because that was the appropriate place for the petition to be considered. The Rural Development Sub-committee was happy to take on that work, and I do not think that that would have been a problem had it not been for the interference from the Business Committee, which has raised this whole subject. I endorse the approach that you took. My understanding is that it is now looking for volunteers, potentially from this committee, who would be willing and happy to work alongside members of the Rural Development Sub-committee. I am happy to do that. Hopefully, that will soothe any concerns that certain members of the Business Committee have about this committee not being represented.

[20] **Janet Ryder:** I am happy to second that, if Kirsty is willing to volunteer and to report

back to us.

[21] **Gareth Jones:** As you can see, the final sentence in the paragraph before the recommendation reads:

[22] ‘Members of the Enterprise and Learning Committee have subsequently been invited to participate in the Rural Development Sub-Committee’s inquiry’.

[23] We are perfectly free and entitled to join in with their deliberations and inquiry. So, it would be useful if Kirsty—or anyone else who might be interested—would do that, because it pertains to Powys community schools, and it would mean that we could have a valuable input. Are we all agreed on that petition and recommendation? I see that we are.

[24] We now turn to the Pride in Barry petition. Members understand the nature of this petition, in terms of the £60 million, which was accrued as a result of the sale of Barry dockland, being reinvested in the town. There is a recommendation here, which is that Members request that the Auditor General for Wales investigates the issues raised. Are there any comments on this?

1.40 p.m.

[25] **David Melding:** I will suggest a slightly different approach, if I may. I think that this is something of a political question. The general issue about the redevelopment of Barry and its scope for regeneration is related to the fact that Barry is outside the principal EU structural funds area, although its socio-economic profile makes it typical of the kind of areas that are within the cohesion funding areas. Given that many people in Barry, in the council and the business community, feel that they are not in a position to fully make their case or to draw down funding streams that they think should be available—and they can draw attention to regeneration in Swansea and Newport as examples of something that they would like to emulate—I think that we should hold a hearing in Barry to fully establish the position.

[26] The problem with using the auditor general is that that would imply that it is less a political question and more a question of how moneys have been audited. I am sure that the current practice is within the audit rules and, while the auditor general can be used to investigate matters, I think that the first stage is to scope where we are politically and how the various authorities regard the issue of Barry’s particular challenges in terms of regeneration, given that it falls outside one of the most significant funding streams, namely the European one.

[27] **Gareth Jones:** Are there any further comments on this?

[28] **Jeff Cuthbert:** I do not disagree with that. It is outside the convergence area, but it is within the competitiveness area.

[29] **Kirsty Williams:** I second David’s approach.

[30] **Gareth Jones:** There is a proposal here, which amounts to holding a hearing. We would need to consider that carefully and see how—

[31] **Janet Ryder:** Can I clarify that? Do you mean a committee to which we would invite people to give evidence?

[32] **David Melding:** In essence, I think that it would be preferable to hold a meeting of this committee there, but we may decide to have a little sub-committee or whatever. We could perhaps discuss that outside committee. We could gather evidence in a single session in

Barry, which would probably be enough. It would be a good way of getting the committee outside, and Barry is not so far as to cause huge timetabling problems.

[33] **Gareth Jones:** Fine. To be clear then, there is agreement to our convening a meeting of this committee in Barry. We will invite witnesses, representatives and individuals who want to present some kind of evidence to us. We will then collate and evaluate that and decide as best we can on an appropriate way forward. So, we will be progressing on that.

[34] Diolch yn fawr i chi. Y mater nesaf yw Thank you very much. The next matter is on
hwnnw ar sefydlu grŵp *rappoteur* i establishing a rapporteur group to consider the
gwmpasu'r argyfwng tanwydd. fuel crisis.

[35] The petitioners have expressed concern about the crippling financial impact of rising fuel prices on Welsh haulage businesses and have asked that the Assembly undertake a review. Let us be clear: it is a review that is called for, but perhaps we need to be a bit more specific. It would be a review into the competitiveness and sustainability of the industry. A request for the Enterprise and Learning Committee to consider is imminent. The recommendation is that we elect a rapporteur group to undertake scoping work on a future inquiry and which reports to the full committee as appropriate, in due course. That is similar to the rapporteur group that we had on dyslexia.

[36] **Jeff Cuthbert:** To clarify, would it be,

[37] 'a review into the competitiveness and sustainability of the industry'

[38] as it is affected by fuel prices? Would it only concern itself with the competitiveness and sustainability of the industry as affected by fuel prices, or are we talking about the industry in general?

[39] **Gareth Jones:** It is about the effect on Welsh haulage businesses.

[40] **Jeff Cuthbert:** I do not doubt that it impacts upon the haulage industry, but many businesses are affected by the price of fuel, so I am just wondering what precedent we might establish here.

[41] **Gareth Jones:** That is the nature of the petition that has been referred to this committee, and we will have to work within the specifics of that petition. That is the advice that I have been given.

[42] **Kirsty Williams:** I agree with your reading of it, Chair, and I agree with the recommendation that we could set up a group. It could be a relatively short, focused piece of work, because it is a topic that is exercising many people's minds, and it would demonstrate that this committee is listening to issues that are affecting people and is acting on them quickly. I do not think that it would take up a huge amount of time, and doing it through a rapporteur group would mean that it would not impact on everyone. So, I concur with the recommendations and suggest that we move forward on that basis.

[43] **David Melding:** I also concur.

[44] **Janet Ryder:** I am quite happy to go along with that. However, having heard that we must stick within the realms of the petition, is there scope to look at the extension or the greater use of the rail network for the transport of heavy goods?

[45] **Gareth Jones:** I would tend to agree. The rapporteur groups' analysis and evaluation could possibly lead to a recommendation for future scoping, and so on, specifically for the

committee. I am sure that it would be rich ground for further work to be undertaken by the committee. On that basis, I recommend that we stick to the request in the petition and see where we go from there. So, if we are to create a rapporteur group, we will take nominations. Is it for up to four people?

[46] **Dr Jenkins:** It is for however many Members wish to be involved.

[47] **Gareth Jones:** Mae Janet, Kirsty a David am fod yn aelodau o'r grŵp hwnnw. **Gareth Jones:** Janet, Kirsty and David wish to be members of that group.

[48] **David Melding:** How about Sandy?

[49] **Gareth Jones:** We will leave an opening for a representative of the Labour group. Is that acceptable to you? I see that it is. We can leave it at four Members. I also welcome Alun Cairns. Alun, you were not down in my copious notes, but you are here—

[50] **Alun Cairns:** Diolch, Gadeirydd. Yr oeddwn ar fin ysgrifennu nodyn i esbonio fy mod yn dirprwyo yn lle Andrew R.T. Davies yn y cyfarfod heddiw. **Alun Cairns:** Thank you, Chair. I was about to write a note explaining that I am substituting for Andrew R.T. Davies in this meeting.

[51] **Gareth Jones:** Diolch yn fawr iawn—yr wyf yn falch o'ch gweld. **Gareth Jones:** Thank you very much—I am pleased to see you.

[52] We are agreed then, so we can make progress on the petitions.

[53] Trown at ail ran yr eitem hon ar ddeisebau. Fel y bu inni gyfeirio ato, mae deiseb arall wedi cael ei chyfeirio atom, sef y ddeiseb gan Sustrans Cymru. Yr ydym yn estyn croeso cynnes i gynrychiolwyr Sustrans, sef Lee Waters, cyfarwyddwr Sustrans Cymru, Huw Roberts, cyfarwyddwr materion Cymreig, Grŵp y Post Brenhinol ac hefyd Angharad Davies, pennaeth materion cyhoeddus a pholisi, BT Cymru. We turn to the second part of this item on petitions. As has already been mentioned, another petition has been referred to us, namely the petition from Sustrans Cymru. We extend a warm welcome to representatives of Sustrans, namely Lee Waters, director of Sustrans Cymru, Huw Roberts, director of Welsh affairs, Royal Mail Group and also Angharad Davies, head of public affairs and policy, BT Wales.

1.50 p.m.

[54] Yr ydym yn deall bod trawstoriad o gynrychiolwyr yma y prynhawn, fel yr ydych egluro yn eich papur. Yr ydych wedi cyfeirio'r papur atom. Yr ydym wedi cael cyfle i'w ddarllen ac hefyd materion eraill yn ymwneud â'r cais hwn ar ran Sustrans. Yn unol â'r drefn yr ydym yn ceisio ei mabwysiadu yn y pwyllgor hwn, gofynnaf i chi wneud cyflwyniad byr, os gallwch. Yr ydym yn ddiolchgar wrth gwrs am dystiolaeth ysgrifenedig, sef papur 2. Yr ydym wedi cael cyfle i'w ddarllen felly os cawn gyflwyniad byr tua phump i 10 munud, cawn ninnau gyfle wedyn i ofyn cwestiynau. Drosodd i chi. We understand that there is a cross-section of representatives here this afternoon, as you have explained in your paper. You have directed the paper to us. We have had an opportunity to read it and other matters relating to this petition from Sustrans. Following the procedure that we are trying to adopt in this committee, I ask you to make a brief presentation, if you can. We are, of course, grateful for the written evidence, which is our paper 2. We have had an opportunity to read it, so if we could have a short presentation of some five to 10 minutes, we will then have an opportunity to ask questions. Over to you.

[55] **Mr Waters:** Diolch yn fawr. Thank you very much. I would just like to pick out some of the key themes that I mentioned in our written evidence. First, I would like to stress that our proposal is not about providing facilities for cyclists with a capital 'c'. Existing cyclists account for less than 1 per cent of travellers; our aim is to change the behaviour of those who do not currently walk or cycle for everyday journeys, but who automatically jump into their cars. We have all done it. Over half of all car journeys are for trips of less than three miles and, with the right facilities in place, most of those could be replaced by journeys on foot or by bike. In Denmark, half of all schoolchildren are driven to school, whereas in Wales more than half of children are driven by their parents and just 2 per cent cycle. It need not be that way.

[56] A shift away from the car to active forms of travel would have clear public health benefits. We walk 30 per cent less than we did 15 years ago and the Government's ForeSight report recently forecast that, on current trends, some 60 per cent of us will be clinically obese within 40 years. The cost of that to society will be nearly £50 billion in today's prices from heart disease, type 2 diabetes, strokes and cancer. There are profound economic consequences for continuing our reliance on the car.

[57] The Stern report on the economic impact of global warming warned that unless we take urgent action to cut carbon emissions, we face a downturn greater than the combined effects of both world wars and the great depression—a drop of some 5 per cent in the level of our gross domestic product. The rising cost of oil demands that we make our economy more resilient to energy shocks, as the Chancellor of the Exchequer was making clear this morning. The price of a barrel of oil has risen from \$13 dollars 10 years ago to \$146 dollars this morning. The head of the world's largest supplier, Gazprom, warns us to expect it to double again in the foreseeable future. With 95 per cent of our transport system reliant on oil, the need to reduce demand is clear.

[58] Our proposal to encourage more people to walk and cycle for local journeys must be part of a strategy to deal with the multiple challenges of inflation, oil inflation, obesity and climate change. By taking forward a legislative competence Order, this committee, for the first time, will be helping to frame a practical response to the enormous challenges that I have outlined. It will be giving voice to a unique and unprecedented coalition of Welsh civil society and it would position Wales as a European leader in tackling climate change and in public health. I am very pleased that, joining me today, are representatives from Royal Mail and BT to underline the fact that this is not just something for people who currently cycle. I will ask Huw Roberts just to say something briefly.

[59] **Mr Roberts:** Thank you very much, Lee. I am very grateful for this opportunity to come to demonstrate Royal Mail Group Ltd's support for the petition that Lee has talked about this afternoon. As you would imagine, the Royal Mail Group is a very large consumer of energy. To give you a rough idea, I intend to speak to you for just a few minutes—a rare occurrence, you may say—and in that few minutes we will burn more energy than any one of you are likely to use with your car in a year. That is the scale of our spend: we do 1.8 million miles every day. That means that, for us, energy costs and levels of energy consumption are hugely important to our future. We spend a great deal of time trying to work out how we can reduce our costs and minimise our carbon footprint. The idea that there would never be a carbon footprint from our energy use and our exercises is improbable. We are also hugely concerned for our workforce with regard to health and safety. We spend a great deal of time and money on maintaining the health of our workforce and within the range of things that we are undertaking to reduce our carbon footprint, there is a significant programme to help people with their travelling to work—about 18.7 per cent of the energy that we use is on travelling to work—and to find more sustainable and appropriate means of transport for all of our workforce. For that reason, we are enthusiastic that there is an opportunity for us to break new ground in Wales. To give you an idea, we have about 22,000 motor vehicles across the

UK, but we also have 38,000 bicycles, so we are already significant users of sustainable transport, and we are keen to see whether the ideas that might flow from this legislative competence Order would allow us to implement new, even more effective ways of delivering the product for what we call in our jargon the final mile—it is frequently a different distance. However, we feel that we should be able to find new ways in Wales of further reducing our carbon footprint in a way that is not available to us across the UK at this stage, and that is why the Royal Mail Group in the Welsh context was keen to be here to support what Sustrans is trying to do.

[60] **Ms Davies:** BT is also pleased to have been invited to support the Sustrans petition, which we are doing for reasons similar to those that Huw has given on behalf of Royal Mail. BT is also a huge consumer of energy; in fact, we consume 0.7 per cent of the UK's electricity output, and, therefore, as a company we have huge costs. Tackling climate change and enabling sustainable economic growth is very much at the heart of what BT is doing as a company. Lee has said that more than 10 per cent of carbon emissions come from cars, and, as a company, we consider all of the ways that we can reduce the use of cars, whether that is by our staff travelling to work or travelling to meetings. We do that in a variety of ways. First of all, we encourage flexible working and we encourage our staff to work from home or in a flexible way, perhaps on the move. We also constantly review office space and ensure that staff are working as close to home as possible, and that they are not commuting long distances. At BT we promote teleconferencing and net meetings, and, by doing that, we have saved 97,000 tonnes of carbon dioxide emissions, we have prevented 860 face-to-face meetings and we have saved £240 million annually on travel costs.

[61] We have an ambitious target in BT to reduce our carbon emissions by 80 per cent by 2020. We have already reduced our carbon emissions by 58 per cent from the 1996 levels, and we very much see this petition for an LCO as a means of reaching those targets. It fits in neatly with our aims and objectives as a company, and we believe that it will have a positive impact on climate change.

[62] **Gareth Jones:** Diolch i'r tri ohonoch, ac yr ydym yn ddiolchgar ichi am gadw at y cyfarwyddyd a'r cais i fod yn gryno. Mae'n amlwg fod hwn yn fater difyr a dwys. Bydd David Melding yn gofyn y cwestiwn cyntaf. **Gareth Jones:** I thank all three of you, and we are grateful to you for keeping to the instruction and request to be brief. This is obviously an interesting and important issue. David Melding will ask the first question.

[63] **David Melding:** First of all, I think that this is an interesting idea, and I know that if we were to support this LCO a lot of practical issues would be dealt with in the subsequent Measure—that is an important distinction. However, I would like some idea of the order of magnitude of the work. Is this more of an urban initiative to change the way that people travel, so that they travel much more by foot and by bike, or is it about completing the Assembly Government's aspiration to provide a cycle network and/or a footpath right around Wales? If it is about changing the pattern of urban life, what sort of outcomes are we likely to see? It seems to me that we would have to reshape considerably the areas that would be accessible to traffic, for instance. So, can you give us some sort of vision of what your endpoint would be if a coherent Measure emanated from this LCO at some point?

2.00 p.m.

[64] **Mr Waters:** Our ambition is a bold one. What we need to respond to the challenges that I have outlined of obesity, climate change and soaring energy prices, is a remapping in our minds of the way in which we make journeys, especially local ones as 60 per cent of all car journeys are for a distance of five miles or under. That is typically the length of a journey on a traffic-free path, such as the Taff trail, for example. So, it is entirely possible—and we look at continental examples with similar climate and topography—that we can shift

dramatically the current modal split for journeys. However, we want to reorder the hierarchy. At the moment, cars are uppermost in the minds of planners, highway engineers, while pedestrians and disabled people are at the very bottom. We want to turn that thinking on its head. It really should be the most convenient form of getting from A to B locally, especially in urban areas, but not exclusively so, as I do not accept that this is simply an urban solution. Local journeys are similarly split in rural areas too. Clearly, there are different challenges, and I would not be so glib as to suggest that they are same. In urban areas especially, there is huge potential, and we reckon, based on our experience of working closely with the English sustainable travel towns, that about half of all car journeys can easily be replaced, without any changes to infrastructure, by public transport, walking or cycling. Our detailed research shows that cycling offers the greatest potential for a shift—about 31 per cent of car trips could be replaced by bike trips in the existing infrastructure, simply by giving people more information.

[65] With a shift in infrastructure, there is far greater potential for people to make journeys more actively. Given the pressures that I outlined, the need for that will become ever more pressing, and not just because it will be more difficult to run a car. It will be more difficult to pay for road schemes, because the effects of the cost of oil are not limited to the amount of petrol you put in your car: they affect the cost of building the infrastructure, too. Tarmac, for example, has gone up in price by about a quarter in the last three months, and the price of steel is shooting up. So, the Assembly Government's assumptions about its capital road building programme will need to be completely reassessed in the light of the soaring impact of oil prices.

[66] In an era of pressure to reduce carbon emissions for climate change reasons, plus the availability of oil making a rethink necessary, we think that this is a practical solution to the challenges, and that is something that Sustrans has as a strength, in that we come up with practical alternatives rather than simply pontificating.

[67] **David Melding:** I am still not quite sure about how fundamental this is. Let us take Cardiff's decision to prohibit private vehicles from using St Mary's Street, High Street and a couple of other streets. Is that the sort of thing that we will see more of? I ask as someone who is puzzled by the general assumption that cars can go anywhere. They seem to own all our urban spaces, and we have to order our lives around them. I am not coming from an aggressive point of view; I just want to get some sense of weight and significance of the change that we need to make in how we think of our urban spaces. It is completely appropriate, but I am still not sure how fundamentally you think it would change the pattern of life. How different would it look?

[68] **Mr Waters:** As you said, these are matters to be addressed in detail at the Measure stage, as the LCO will be broad. The Measure that we have in mind would be relatively limited. It would require the Assembly Government to mirror its duty to develop trunk roads by placing on it a duty to develop walking and cycling paths. At the moment, many local authorities do not consider making provision for pedestrians and cyclists a legitimate function of a highways authority, which is what they are. In practical terms, there are financial disincentives to building paths. For example, when they build a road, they get a set percentage for maintenance, but when they build a path for walking, cycling and use by disabled people, they get nothing to help them maintain that liability. Many local authorities therefore simply do not touch it. Our Measure has in mind quite a practical response to that to give them an instruction that they need to cater for pedestrians and cyclists to link up towns and major employment centres and public transport interchanges for the everyday journeys that people want to make, and it will also put an obligation on them to maintain that provision so that it becomes something roughly similar to the rights of way network, for which there is a pot of money that local authorities can access to maintain paths, and charities such as ours, which spend a considerable amount of charitable money—£1 million a year across the UK—on

maintaining the national cycle network out of charitable reserves, could access money to maintain the paths. That would probably be the limit of the Measure that we have in mind, but we would like that to be part of a much wider shift in cultural attitudes.

[69] In direct answer to your question about Cardiff, we would advocate something that is called ‘filtered permeability’. Some towns on the continent are now split up into a grid, and you cannot go from grid A to grid B directly by car—you have to go the long way around. You can only go directly by public transport, on foot or by bike. As long as the most convenient form of transport to go a mile down the road is to jump in to your car, that is what people will do. I do it—I am not a saint, and I do not expect other people to be saints. We must make cycling or walking the simplest, most convenient thing for people to do, and this proposal is part of that. I certainly do not say that this is the limit of our ambitions, and it needs to be part of a much bolder and broader vision.

[70] **Jeff Cuthbert:** Thank you, Lee. It is good to see Huw and Angharad here as well. I thought perhaps you had come along to say that you were going to pay for all this.

[71] I have obviously read your paper. It is something that I want to support, particularly from the healthy living angle, as you have mentioned. There could be benefits in terms of helping to reduce obesity, and therefore type 2 diabetes, cancer, and some of the other lifestyle illnesses that are all too worrying here in Wales, as well as in other parts of the UK. However, can you reassure me that we are not just talking about a network of paths in the traditional tourist areas, important though they are? We should also be talking about communities like mine, which have areas of serious disadvantage where health is worse, on average, than in the more affluent parts of Wales—poor eating habits, smoking and drinking tend to be more prevalent in such areas. The network of paths should include those areas, because you mentioned abandoned railway lines, for example, and paths alongside riverbanks, which are certainly possibilities for communities like mine. So, can you reassure me on that point?

[72] You pointed out that Guide Dogs for the Blind has objected to the proposals, and we have had literature from that organisation. Your written evidence says that Guide Dogs for the Blind can foresee difficulties with cyclists colliding with people who are blind, or have poor sight. I assume that the objection is on the grounds of health and safety, and you can expand on that if I am wrong. It leads to ask: what are the typical dimensions of these paths? When I think of a path, I think of something about 1m wide. Are we talking about something like that, or about something more substantial, that would allow cyclists and walkers to pass in either direction with a degree of safety and comfort? I will leave it there.

[73] **Mr Waters:** There were two big questions there, and I will answer them as briefly as I can. On the first point, about which communities will benefit, we hope that every community will benefit, because everyday journeys need to happen in a more sustainable way. We should not dismiss the tourism benefits, because we have an economic impact assessment report on the Celtic trail, which is an Objective 1—

[74] **Jeff Cuthbert:** I said that the tourism benefits were important.

[75] **Mr Waters:** Absolutely, but it worth underlining the economic impact of Wales having a better-quality path network. A study just completed for us, which looked at the Celtic trail funded under Objective 1, showed that, last year alone, 1.5 million people used it, bringing in an income of over £8 million from outside Wales; that is with minimal marketing. So, there is huge potential for bringing in visitors, and as the price of oil goes up and the pressure increases for people to holiday more locally, it would undoubtedly be a huge asset for tourism. However, I will not dwell on that.

[76] In terms of health, you rightly say that many communities like the one that you represent have locked-in patterns of sedentary behaviour for people who have been trapped in a spiral of ill health. We need to break that mindset, and we are currently working to do so. Having the infrastructure in place is critical. The chief medical officer has acknowledged that the best way to reduce obesity levels is to promote exercise that people can do in their everyday lives; it is not about sport—it is more about the A to B, everyday journeys. I have certainly found that in my own experience. So, I hope that that answers that part of your question.

[77] In terms of the objections of Guide Dogs for the Blind, it is a source of great frustration for me. I first approached that organisation about a year ago, along with Disability Wales, to try to get it to sign up to this. We have had a long and ongoing dialogue with Guide Dogs for the Blind, and I thought at times that we had overcome its problems, but it has some fundamental objections. As you know, it is a well-respected and well-funded organisation, and runs a big campaign against shared space. There is a petition before the Petitions Committee on that at the moment, and I believe that Guide Dogs for the Blind sees this as a way of furthering that campaign.

2.10 p.m.

[78] It has serious issues that I am keen to resolve, and I think that they are best resolved at the Measure stage. I will simply say, at this point, that we are committed to working with Guide Dogs for the Blind, and we have come forward with suggestions that I thought it was pleased with. For example, we have taken all reference to shared space out of this draft and inserted the reference to taking into account the needs of all users, as requested. We have also made some other changes of language. We have discussed inserting an equality impact assessment at the Assembly Measure stage. That would mean that, in planning a new path, just as we routinely test for health and safety issues, undertaking a risk assessment before we do anything, so we could make an assessment of what is practical within a particular context, taking into account proportionality, cost, and practicality. The Guide Dogs for the Blind position is that, in all circumstances, it wants a separate path for walkers and cyclists. Disability is a spectrum, and as I make clear in the paper, the needs of a family with an autistic child are different to the needs of someone with sight problems. In fact, the charity Pedal Power—which does sterling work in Cardiff with families with disabilities, taking them out into the countryside on specially adapted bikes—sees the value of shared paths, because they are conducive to family outings, which are more difficult if you split people up.

[79] So, it is not a straightforward issue, and our position is that we prefer to take a more selective view and say that, where it is suitable to have a separate facility, that is clearly sensible, but it is not suitable in all circumstances. Briefly, Chair, we are currently trying to develop a path between Gowerton and Penclawdd on the Gower peninsula. It is along a narrow, fast and busy road, with a narrow pavement obstructed by bushes that push people out onto the road. It runs along the Gower marshes, so land is at a premium. When the marsh floods, there is a very limited amount of land for the sheep to shelter on. We have built a path most of the way, but there is a landowner who is understandably reluctant to give up his land, because he needs it for farming. We hope to overcome that—we have lots of experience of working with landowners to overcome objections—but if you were to say, in that circumstance, that you had to have a separate path for walkers and cyclists, it would simply not be practical, and no path would be built. In that case, vulnerable users like the elderly, children and those with a disability would either be forced onto the narrow pavement or, more likely, would not make the journey by bike or on foot—they would go by car instead.

[80] Therefore, I understand and absolutely respect the point of view of Guide Dogs for the Blind and, at the Measure stage, we must find a suitable compromise. However, this is a far more nuanced situation than its objection signifies.

[81] **Jeff Cuthbert:** I asked for the typical dimensions of a path.

[82] **Mr Waters:** Sorry—you did. We aim to have paths around 4m wide, although it obviously depends on the amount of land available. However, 4m is wide enough for two wheelchairs to pass one another, and for walkers and cyclists to mingle happily.

[83] **Jeff Cuthbert:** May I ask a supplementary question?

[84] **Mr Roberts:** I was just going to add that, in terms of the Royal Mail Group's support, I may have been brief to the point of being cryptic. It is important on one level that our workforce should be healthy and fit, and in that regard, their use of these paths in their leisure time is valid. However, we are primarily interested in what might happen in urban areas that would help us to improve and change our delivery systems, because of easier means of access. In our case, that might mean that postal staff could use trolleys rather than sacks. So, there are circumstances where we would be enthusiastic to see these pathways extended into more typical urban areas of the kind that you are talking about.

[85] **Jeff Cuthbert:** My additional point was that 4m is quite wide—that is wider than many small roads, I think, so there would be room for people to pass in reasonable safety. However, that leads me to the issue of policing such a network. For example, how would you prevent the paths being churned up, either by horses or by motorcycles, which are, presumably, meant to be excluded?

[86] **Mr Waters:** We try to work with horse-riders where we can. Where there are no objections from landowners, and where land is available, we provide for horse-riders. For example, in Pembrokeshire, we work closely with them and provide separate paths at the side. Motorcycles are a more difficult issue, but clearly, where there is high usage, it is not an attractive option for motorcyclists. You do not see many motorcyclists on the Taff trail because there are lots of people about and they do not have much fun scrambling up and down it. In more rural areas it is more difficult. Many councils typically put up barriers, which we are not keen on, but they are often a condition of having the land. Barriers often stop wheelchairs, young families with buggies, and so on, and trailers. So, one thing that I hope would come out of the Measure, although it does not need to wait until that stage, would be some consistent guidance across Wales for design guidelines, and for barriers, where they are necessary.

[87] **Janet Ryder:** I believe that this is a very good idea. I like the emphasis in the paper on putting active forms of transport on an equal footing with motorised transport—that is an excellent aim. In Canada, for example, if pedestrians even look as if they are going to cross a road, cars have to stop, because the pedestrian has precedence. I believe that we have got the priorities wrong. I accept what David says, in that it will take a total mind shift among planners and transport departments, as well as the public, about how it will come about. As Jeff said, this will certainly add to Wales's pull as a tourist attraction, but it must also come into the urban areas and the small towns—everywhere, really—as far as possible.

[88] I share the concerns about shared facilities. One example is close to your home, Chair, in Colwyn Bay. The cycle path along the seafront there is shared, and is only delineated by colour; toddlers, for example, do not know any different, and can run across. Therefore, there will have to be education on both sides—for pedestrians and cyclists, as well as motor vehicle drivers. I also have concerns when cycle paths are introduced in cities as just a narrow strip, especially when they cut across roundabouts. I have concerns about that, but I know that that would be dealt with at the Measure committee; this is just looking at whether we as a committee would like to propose this. I believe that it is very much worth exploring, and I hope that the committee supports it.

[89] **Gareth Jones:** I remind the committee that, once we have taken the evidence, we will consider that in terms of a recommendation, or whichever way we want to go. However, we are now simply discussing, and being enlightened on any aspect of this.

[90] **Janet Ryder:** What was said in response to Jeff's question about shared footpaths is the main concern for me. I am happy with that answer.

[91] **Mr Waters:** May I respond to something that Janet Ryder said? There are clearly many bad practice examples out there. Existing cyclists like to use paths on the side of roads. However, if we are going to have the sort of shift that we need in order to respond to climate change, it is not existing cyclists that we should be thinking about—it is how we get people, like us, who are not committed lycra wearers, onto bikes. All the monitoring shows that the typical length of a journey on a path next to or on a road is about two and a half miles, whereas the typical length of a journey on a path away from traffic, with benches and trees, or along the riverside, is about five miles. That is why we talk about traffic-free paths in this petition; in terms of behaviour change, which is surely the name of the game, that is what is necessary to get people who are not confident cyclists, or who would not normally do it, to change the way that they travel.

[92] **Gareth Jones:** Diolch. Trown yn awr **Gareth Jones:** Thank you. We turn now to at Kirsty Williams. Kirsty Williams.

[93] **Kirsty Williams:** I believe that Lee has just answered the question that I was going to ask about how important traffic-free routes are, as opposed to routes next to roads, in encouraging the shift that you are talking about. However, I believe that we have just heard the evidence, that there is significant distance between them.

[94] **Huw Lewis:** I believe that everyone shares the ambition of this proposal. Changing habits, and promoting the infrastructure to get those changed habits sustained, is laudable. However, two questions occur to me. First, is a new law the best way of doing this?

2.20 p.m.

[95] Secondly, is the kind of framework of change, within the law that we are talking about here, workable and will it produce the change that everyone desires? I have some questions around that and I am a little unclear in my mind how you could trace the lines of responsibility when putting together a coherent transport solution for, let us say, Swansea. However inadequate the present situation might be, at least there is clarity: the Assembly is responsible for the trunk road system, and the highways authorities are responsible for the rest. So, it would be a relatively simple matter for Swansea, in theory, to sit down and say, 'This is a coherent transport solution for our area; we will do this with the trunk roads, do that with the other roads, and we will look at the pedestrian solutions' and so on.

[96] As I read it, what you are suggesting is that the responsibility for the trunk roads would lie with the Assembly, the responsibility for the rest of the road network would lie with the highways authorities—that is, local councils—and then the responsibility for the non-vehicular path solutions that you are talking about would be back with the Assembly again. How does the finance flow, and how would the lines of responsibility pan out? That is what worries me. It strikes me that it would be much more simple if we changed the law and placed the duty on local authorities to do this rather than the Assembly—bearing in mind the financial responsibilities that would flow from that, as the Assembly would have to recognise and recompense local authorities for that new responsibility, and so on. Am I making myself clear? I am not sure how the branches have responded, but I am worried that this makes things a little more complicated, and complexity in planning is a fine excuse for doing

nothing.

[97] **Mr Waters:** A difficulty that I have had in trying to get a civil society response to the Assembly's new powers over the past year is in knowing what to do. There is nowhere for me to go to get free legal advice on how to frame these things, although I know what I want to try to achieve. Fortunately, Alan Trench from the University of Edinburgh and David Lambert from Cardiff Law School have been very generous with their time, and the advice that I have received from them is that, to create a duty, a new law is required and extra powers are needed. That is why we have come down this path. That does not mean that there are not things that the Assembly Government could and should already be doing; of course there are. However, to impose a duty and send a message to all parts of Government, you need to consider that the needs of pedestrians and cyclists are equal, and you need to plan on that basis and maintain the facilities. The aim of the duty is to send a clear and strong signal.

[98] As for which part of Government administers that, I hope that the LCO is broad enough for that to be decided at the Measure stage. Given that local government is the primary delivery agent of government in Wales, I do not think that there is anything under the LCO as currently framed that would stop the Assembly Government deciding to impose a duty on local government. I have not done that at this stage, because I did not want to narrow down the options, but that would seem to be an entirely sensible thing to do. I have had preliminary discussions with the Welsh Local Government Association on this, and it seemed to be quite relaxed about it, although it is mindful of the principle that, if responsibilities are passed over to local government, the finance should follow, and that seems to be entirely sensible. I am not sure whether that answers your point.

[99] **Huw Lewis:** I am still a little unclear as to why the Minister for transport could not just do this now, with the powers that we already have, if decisions were made to require local authorities to get on with this kind of work.

[100] **Mr Waters:** I would be interested to see his response to that, and I would be pleased if he would do that. The intention is to send the signal that authorities should systematically do that and regard pedestrians and cyclists as equal users, because, as highways authorities, they do not currently. There is a symbolic value to it for sure. I am sure that there is scope to do a lot more without this, but that is the legal advice that I have received. If you can get a commitment from the Minister for transport to achieve this without fresh legislation, I would be delighted, because this process is like pulling teeth.

[101] **Huw Lewis:** Leaving the Minister for transport acting as dentist out of it, I have had a similar experience of—no, let us not extend this analogy any more.

[102] I accept your point and I am not making a point about a particular Minister for transport and a particular set of ministerial priorities. Well, I am trying not to anyway. However, I cannot quite grasp fully the need for new law here. I cannot see how a new law adds value, given the powers that we already have, given the use of financial incentives, and through the good offices of Assembly Members working through committees and so on.

[103] **Mr Waters:** It is because the current system is a hotchpotch and a Minister for transport, through formal and informal pressure, could achieve much more, I am sure. As it currently stands, there would not be a consistent approach, nor would there be a mechanism for maintenance. The legal advice that I received was that, to impose a duty, you need fresh powers. So, it is just about coherence. I am sure that you could do a lot more, but to have a coherent, systematic approach that will last, it would be a lot tidier and more powerful to have a framework.

[104] **Gareth Jones:** Mae hwnnw'n bwynt **Gareth Jones:** That is a complex point and

dyrys ac efallai y dylem edrych i mewn iddo perhaps we should look into it further.
ymhellach.

[105] We need to pursue that point, but I think that Janet Ryder wants to come back on that.

[106] **Janet Ryder:** I want to make a point on that issue. It could be argued that the relevant Ministers already have the powers sought by many of the LCOs that have been proposed so far, but, as Lee pointed out, by making a bid for a proposed LCO, there will be a duty on the Minister to exercise that power. It is as though the Assembly is saying, 'This is our priority now, and we would like you to move down that path'. Similar arguments have been made against passing the Measure on protecting playing fields, and we heard the same response to the Orders on domestic fire safety and on additional learning needs. It says to Government, 'This is what we want to do and we want to ensure that we have those powers, so we will round this off with the LCO, get the powers, and see them being used'. It is a signal that we should send out. We want to see that shift in Wales from motorised to more active forms of transport, and this would be an excellent way of doing that. I certainly hope that the committee takes this forward as a bid.

[107] **Gareth Jones:** I think that we need to consider this, but I can see the argument from both sides and the point needs to be developed further. We will take due note of it this afternoon. The final question is from Alun.

[108] **Alun Cairns:** My questions follow on from Huw Lewis's. Can you tell us whether there are good examples anywhere else in the UK of the objectives that we are seeking to achieve being delivered? I am trying to take the legislative requirement out of it for the moment, and I just want to find out whether this has been delivered in a local authority area, perhaps in England or Scotland or somewhere else. How have they managed to do it, and do we need to test that by having a legislative requirement to deliver it?

[109] I agree that a legislative requirement would be far more straightforward and would demonstrate something as a priority, and so there would be high expectations of it, but I also understand that, within that context, many calls for LCOs will be made by many organisations, and I think that it is up to us—and I am not sure of the process, of whether it is done by the committee or the Assembly Government along with Westminster colleagues—to decide the priorities and which LCOs are to succeed in the next 12 months.

[110] **Mr Waters:** I think that we are trying to achieve a change of mindset and culture. At least two generations of transport planners and highway engineers have treated the car as the most important form of transport, and that is what we need to try to shift. Through doing that, just as the Assembly Government has a duty to promote sustainable development—and, of course, it does not need a duty to take steps to promote sustainable development, but it sends out a powerful signal—it could send out a signal that Wales is a European leader on this, given that we have that duty and we are trying to frame practical responses to climate change, which we all agree is a grave and urgent threat.

2.30 p.m.

[111] There is good practice across the UK. For example, Scotland spends about 70 per cent of its transport budget on sustainable forms of transport, while the Assembly Government spends roughly the same on roads. Scotland directly funds a third sector body—Sustrans, as it happens—to deliver a network of walking and cycling routes for it and to tackle the school run in particular. So, that is an example of a Government placing a far greater priority on promoting walking and cycling. However, Scotland faces similar problems of local authorities taking an inconsistent approach and attitude.

[112] When you scratch the surface, you find that there is a feeling among many highway engineers that pedestrians are not that legitimate a consideration and that they should get out of the way. For example, we won a lottery project just before Christmas for schemes worth £50 million across the UK to try to put in these urban interventions. We have a road bridge from Penarth into the sports village, but it is illegal for pedestrians to walk on it. However, families are still negotiating the traffic on that bridge, because they want to get to the swimming pool. That situation is repeated all over the country. How can we have a system where bridges are built for car users, but pedestrians, cyclists or people with pushchairs or wheelchairs are not even considered? We could get the Minister for transport to spend more money on promoting walking and cycling and to put in extra measures, and we must do so, but that does nothing to touch the generational mindset that has set in that the car is king and everyone else needs to step aside. That is what we are trying to address with this.

[113] **Alun Cairns:** Going back to the good examples that you mentioned in Scotland, which I am sure we would be interested to hear more about, is the legislative framework different in Scotland in this area to allow them to deliver that? We are calling for legislative powers to act in a certain area to deliver this. Has Scotland acted within its legislative competence—although it clearly has far more powers than the Assembly or we would not need the LCO in the first place—to deliver that best practice that you talked about?

[114] **Mr Waters:** As I understand, it is not a matter of legislation in Scotland; it is a matter of priorities in the transport spend. Nevertheless, Scotland faces the cultural problems that I have outlined.

[115] **Gareth Jones:** Diolch yn fawr i chi am eich cyflwyniad ac am ateb y cwestiynau. Bu'n sesiwn hynod o ddiddorol, ac yr ydym yn deall pwysigrwydd yr hyn yr ydych yn amcanu i'w wireddu. Awn ymlaen yn awr i drafod y Gorchymyn ymhellach, ond diolch i chi am ddod atom y prynhawn yma.

Gareth Jones: Thank you for your presentation and for answering the questions. It has been a very interesting session, and we understand the importance of what you are seeking to realise. We will now go on to discuss the Order further, but thank you for being with us this afternoon.

[116] Fy nealltwriaeth yw bod angen i ni drafod ein penderfyniad o ran ceisio Gorchymyn am y mater hwn fel ein bod yn deddfu arno. Beth yw eich syniadau o ran hynny? Efallai mai dyma fydd yr unig gyfle a gawn fel pwyllgor i gael Gorchymyn arfaethedig, oherwydd yr amseru.

My understanding is that we must discuss our decision on whether to seek an Order on this matter, so that we can legislate on it. What are your views on that? This may be our only opportunity to have a committee proposed Order, given the timing.

[117] **Alun Cairns:** Pam felly? A yw'r rheolau wedi newid?

Alun Cairns: Why is that? Have the rules changed?

[118] **Gareth Jones:** Mae oherwydd yr amserlen, deallaf.

Gareth Jones: It is because of the timetable, as I understand it.

[119] **Alun Cairns:** Felly, pryd gawn ni'r cyfle nesaf?

Alun Cairns: So, when will we next have an opportunity?

[120] **Gareth Jones:** Mae pwynt arall, felly gofynnaf i Gwyn am gyngor.

Gareth Jones: There is another point, so I ask Gwyn to give advice.

[121] **Mr Griffiths:** Yr unig fater y dylai'r pwyllgor fod yn ymwybodol ohono yw Rheol Sefydlog Rhif 22.44, sy'n dweud mai,

Mr Griffiths: The only issue of which the committee should be aware is Standing Order No. 22.44, which states that,

[122] ‘Dim ond un Gorchymyn arfaethedig pwyllgor neu Orchymyn drafft pwyllgor a gaiff fod ar waith gan bwyllgor ar unrhyw adeg’.

‘A committee may only have one committee proposed Order or committee draft Order in progress at any one time’.

[123] Felly, os yw'r pwyllgor yn penderfynu gwneud hyn, mae'n annhebygol y bydd ganddo amser cyn etholiad nesaf y Cynulliad i ystyried ail Orchymyn.

So, if the committee decides to do this, it is unlikely that it will have the time to consider a second Order before the next Assembly elections.

[124] **David Melding:** I think that, to really add value, devolution has to demonstrate that some things can be done differently, and we can set an example for others to emulate. We did that with the Children’s Commissioner for Wales. There is a huge cultural problem out there—putting aside all the arguments about the price of oil, which is very high at the moment, although it may come down a bit in the future; who knows? In terms of getting control of our urban spaces, thinking about how we want to live and, in particular, increasing physical activity, which is a huge challenge—and I believe that if that is going to be done across the population, it will be not through sport but through everyday activities and changes in behaviour—I think that it would be appropriate for us to take this LCO forward to promote a more sustainable outlook in terms of the various transport modes. I do not think that there is huge competition at the moment for us to look elsewhere as far as an LCO is concerned. I think that this is a fairly significant one. There are quite a few practical issues that we could address in our evidence taking. When it comes down to what will be quite distinct problems, like shared use and how far that goes, I presume that those would be dealt with at the Measure stage, so we need not prejudge the way in which shared use would develop. I am quite keen for us to take this forward; I think that it really gives us a chance to add value.

[125] **Jeff Cuthbert:** I broadly support what David has just said. I think that the time is right for this matter to go forward. The whole issue of healthy living—and I do not say this just because of my particular interest in it—is gathering momentum. We need to take steps to support a better lifestyle and this is one way of doing that. It is very difficult. We do not have a crystal ball. I know that Members can propose their own LCOs and that the Government can propose its own, and I have noticed that three Members have similar LCOs in the ballot. However, I take the point that our doing it might reinforce it, give it greater impetus and enable us to do it faster. For those reasons, I would be supportive of our taking it forward.

[126] **Janet Ryder:** I would certainly support this as something that the committee might want to put forward. I think that it would look good if the committee put this forward because it would signal that, as a committee, we are going to prioritise a shift in how we move around places. It has to be a shift to more active forms of transport—walking or cycling. I must admit that I prefer walking. The Standing Order says that there may be one committee proposed Order or committee draft Order in progress at any one time, so it does not mean that we would not be able to put an Order forward in the future, even before the end of this term; it is just that you can only do one at a time, which makes sense. I would be very happy if the committee were to take this forward.

[127] **Gareth Jones:** We accept that there is a time element, but we have to accept that there is one in progress.

[128] **Huw Lewis:** I am worried about this. I share the sentiments behind all the proposals that we have heard, but I am worried about whether this is about an LCO. What competence are we seeking to draw down from Westminster? The briefing that we have here says that we would be adding a sentence to field 10 of the Government of Wales Act 2006, which is the highways and transport field. We would be putting in a sentence on provisions relating to

highways and other paths for the sole or shared use of cyclists and pedestrians or to facilitate the use of highways by cyclists and pedestrians. Surely we have that power already. I cannot imagine that we do not.

[129] **Gareth Jones:** Perhaps we can ask our advisor about this.

[130] **Huw Lewis:** Should we not be talking about a Measure instead of an LCO? That is my point.

2.40 p.m.

[131] **Mr Griffiths:** No, I am afraid not. You will be familiar with field 10, which deals with highways and transport—

[132] **Huw Lewis:** It is bedside reading.

[133] **Mr Griffiths:** Currently, there are no matters included on which the Assembly can legislate under highways and transport. There are extensive ministerial powers under highways legislation, and I can prepare a paper on that for the committee to consider at some stage, but there are currently no powers for the Assembly to legislate in relation to highways.

[134] **Huw Lewis:** Well, that is very clear then.

[135] **Kirsty Williams:** As Members have just alluded to, three of my colleagues have been pursuing, over several ballots, similar proposals to this, but to date their names have not been drawn out of the ballot. I accept David's point that we have not been inundated, nor has our work to date highlighted lots of other competing LCO opportunities. The only other proposal on such a subject that the committee has considered is that on learner travel, and we have heard this morning that that is not needed because the Minister is pursuing it and that he is of the opinion that we can park the threat that this committee had previously used that if the Minister was not prepared to do it, the committee would. Given the inordinate amount of time that it will take to get any of this done, we are pushing up against the buffers in terms of using an opportunity in this Assembly term for this committee to act. This proposal has widespread support in my party, therefore, you will not be surprised to hear that I would be happy to see this committee take it forward.

[136] **Gareth Jones:** I interpret from the comments that have been made that the committee feels that we should proceed with this. A presentation and papers have been prepared, for which I am grateful to Gareth. There was an almost continual reference to shared use and the problems with other interested parties, if I may refer to them in that way. I believe that we should invite the people who have expressed concern about this, namely the blind and partially sighted. Is it your wish that we should invite them to give evidence?

[137] **David Melding:** They tell us that they do not want the LCO to proceed. I do not regard that as an argument that I would support at the moment, but I think that they should give evidence to us as an LCO committee, and that would become a body of evidence. We would have heard what they had said and that could get referred to whatever Measure committee would eventually emerge in this process. I have read thoroughly what they have written and I have been lobbied by them and I feel that what they raise is specifically for the Measure stage.

[138] **Kirsty Williams:** It is incumbent on organisations like that to flag up any concerns that they have at the earliest stage possible, because at least we are then all aware when taking an LCO forward that this is a big concern that will need to be addressed. However, the time to address this is when we look at detailed proposals rather than at the LCO stage, as David said.

At this stage, we are just drawing down the power potentially to act in this particular area. I am glad that we know about it, because it will not sneak up on us and we will not suddenly find out that we have caused an unintended problem. It is worth while knowing about it up front, so that we can address it in our deliberations and hear further from the group about its concerns and whether it thinks that they can be addressed in any way. At the moment, they feel that the problem cannot be addressed successfully unless there are two separate lanes, but it would be right to explore that at a later stage than this.

[139] **Gareth Jones:** Felly, fel bod pob un ohonom yn glir, ein penderfyniad yw i symud ymlaen i weithio tuag at Orchymyn cyn belled ag y mae'r cais yn y ddeiseb yn y cwestiwn. A ydym yn gytûn mai dyna'r ffordd ymlaen? Gwelaf ein bod, diolch yn fawr.

Gareth Jones: So that we are all clear, our decision is to move forward to work towards an LCO as far as the request in the petition is concerned. Are we all agreed that that is the way forward? I see that we are, thank you very much.

[140] **Janet Ryder:** This week and next week, I have engagements in north Wales, so I have to get the 3.20 p.m. train, which means that I have to go now, I am afraid. I apologise that I will miss the input into the committee review.

[141] **Gareth Jones:** Diolch, Janet. **Gareth Jones:** Thank you, Janet.

2.45 p.m.

Cynnig Trefniadol Procedural Motion

[142] **Gareth Jones:** Mae dymuniad ein bod yn symud i sesiwn breifat am yr amser sy'n weddill. Mae dau fater i'w drafod. Gwahoddaf aelod o'r pwyllgor i gynnig, o dan Reol Sefydlog Rhif 10.37(vi), ein bod yn cynnal y rhan nesaf o'n cyfarfod yn breifat.

Gareth Jones: We would like to move to private session for the remainder of the meeting. There are two matters for discussion. I invite a member of the committee to propose under Standing Order No. 10.37(vi) that we conduct the next part of our meeting in private.

[143] **Jeff Cuthbert:** I propose that

[144] the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).

[145] **Gareth Jones:** Gwelaf fod y pwyllgor yn gytûn. **Gareth Jones:** I see that the committee is in agreement.

*Derbyniwyd y cynnig.
Motion carried.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 2.45 p.m.
The public part of the meeting ended at 2.45 p.m.*