

ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE

Date: Wednesday 9 May 2001
Time: 2.00 to 5.00 pm
Venue: Committee Room 2, National Assembly Building

NANTYGWYDDON: PROGRESS REPORT FROM DAVID PURCHON INDEPENDENT INVESTIGATOR

PURPOSE

1. To advise the committee on progress and activities.

RECOMMENDATION

2. The committee is asked to note that evidence is still being received from corporate bodies and individuals. Hearings have now taken place for well in excess of 200 hours to date. Full transcripts of evidence, questions and answers are available and are published on the web site.
3. In the circumstances the original timetable for reporting cannot be met. It is envisaged that hearings will continue into June 2001. Every effort will be made to complete hearings by mid June as I have limited availability during late June and early July. It is envisaged that hearings may not be practicable during August and I have a busy autumn schedule. It is now clear that a six-month part-time investigation was very ambitious.
4. I now hope it is now possible for my report to be presented to the committee at the first meeting of the autumn term.
5. These delays will increase the length of the investigation, but costs can be met within the overall budget of £300,000.

PROGRESS TO DATE

6. A preliminary report on hydrogeology/geology has been received from the British Geological Survey.
7. The Institute of Environment and Health (Leicester University) have commenced their investigation to an agreed brief.

8. Good progress has been made, since my last report, with Rhondda Cynon Taff Borough Council and with the Environment Agency Wales in the presentation of evidence, the clarification of issues, the answering of many detailed questions and response to the observations of the public. I am very grateful for the open and co-operative attitude of the professional officers concerned whilst appreciating that they are relying on information gleaned from files, rather than on first hand experience. It is becoming apparent that many of the facts are not available in official records and may have to be assumed on the balance of probabilities.
9. In general the evidence and testimony given, the answers submitted and the clarification offered has been to a very high standard. On one occasion however the representatives of Bro Taf Health Authority took grave exception to allegations made by Dr Dick Van Steenis a "medical adviser" and solicitors acting for the Health Authority sought to stop the transcript of that evidence being published. This matter was referred to the Counsel General who has taken the view that there are no legal impediments to the evidence being published. A consequence of this matter is that Bro Taf HA has not given evidence at all as yet. I am seeking to arrange dates with them now, through the Chief Executive, the previous liaison arrangements having been terminated. There is a danger that Bro Taf will not be heard during my investigation if their appearance is conditional upon the outcome of a defamation case. In my view, the public would find such an eventuality unacceptable.
10. Appendix 1 lists the bodies and individuals appearing at the hearings to date.
11. Appendix 2 lists those individuals and bodies who have agreed to appear in public in the future and those invited but who have not yet agreed.
12. Appendix 3 lists those who have been asked to appear but who have declined. Some have submitted explanations or some written material.
13. I should refer in particular to Purolite International Ltd who responded in detail to a letter from Dr Richard Edwards, Chairman of the Committee, who wrote to them requesting co-operation. The company have also offered further information on a confidential basis. I declined this offer but refer it to the Committee for consideration.

RESOURCE CENTRE

14. This facility continues to be well used by the public. I envisage that it will close when the hearings end and the material specific to the Investigation will be transferred to the National Assembly and the reference documents to National Assembly officers. It is envisaged that Local Authority files will remain with them.

BUDGET

15. Expenditure to date is as follows:

CATEGORY	EST. TOTAL SPEND	EXP.TO DATE
	£	£
Pay	72,670	34,400
Travel & subsistence	14,100	10,000
Technical and Legal	50,000	39,500
Transcripts etc.	20,000	10,000
Resource centre	5,000	400
Public Sessions	36,500	17,000
Press Advert	12,500	1,000*
Report	14,000	Nil
Contingency	75,230	Nil
TOTAL	300,000	112,300

*Excludes £16,500 for original "job" advert

CONCLUSIONS

16. The hearings are clarifying the history of the site, the manner of its operation, enforcement, its financial performance and its effects on the local residents.
17. The environmental consequences of the Nantygwyddon site have not been recorded by adequate monitoring and the possible health effects of the site remain in need of a thorough investigation that has not yet been possible or perhaps deemed desirable. Relevant research is due to be published shortly and I believe this is going to highlight the desirability of a thorough longitudinal investigation.
18. Many detailed lessons to be drawn from the site are now clear to me and I will be consulting with others before finalising my recommendations.

David W Purchon

Independent Investigator

APPENDIX 1

List of Bodies and Individuals who have appeared to date

PUBLIC BODIES

National Assembly for Wales – Environment Group

National Assembly for Wales – Health Group

Environment Agency Wales

Rhondda Cynon Taf County Borough Council

Forestry Enterprise for Wales

Health and Safety Executive

Public Analyst

CORPORATE BODIES

Amgen Rhondda

MEMBERS OF RANT

Mr Garrod Owen Mr Graham Wayman

Ms Brenda May Mr and Mrs John Hann

Mr Bill Thomas Ms Belinda Coutts

Mr Gareth Thomas Mr Ron Davey

Dr Dick van Steenis Mr Frank Baker

Ms June Bacon Mr Colin Evans

Ms. Joan Thomas

Ms. Elizabeth Cockerell

Ms. Ann Jones

Mr and Mrs Len Long

Mr Tony Skates

Mr John Nicholas

FRIENDS OF THE EARTH

Mr Max Wallis

Dr Alan Watson

OTHER INDIVIDUALS

Mr Andrew Tree

Ms Yvonne Embling

Ms Alison Campbell

Professor Stephen Palmer

Professor Gary Coleman

Mr Neil Evans

Ms Kerry Huntley

Ms Dawn Forest

Ms Natalie Wendacott

APPENDIX 2

List of those (i) to appear or (ii) approached to appear

(i) Agreed to appear:

PUBLIC BODIES

Bro Taf Health Authority (*Dr Sharon Hopkins and Dr Mark Temple did attend but did not present evidence – see Section 9 of main text*)

District Auditor

LOCAL and NATIONAL POLITICIANS (Approached on an "if you have anything to contribute" basis)

Ms. Jill Evans MEP

Mr Alan Rogers MP – will appear if requested to do so to answer any questions

Cllr. Russell Roberts - Ditto

Ex-Cllr. E Hughes - Ditto

FRIENDS of the EARTH

Mr Eddie Hunt

INDIVIDUALS

Mr Paul Nicholls Jones

Mr Brian Privett

Mr Glyn Thorner

Approached to appear

LOCAL and NATIONAL POLITICIANS (Approached on an "If you have anything to contribute " basis)

Mr Geraint Davies AM

Ex Cllr W L Murphy

Ex Cllr David Lewis

Ex Cllr David Morgan

Ex Cllr E Jones

Ex LOCAL AUTHORITY OFFICIALS

Mr B A Davies – former RBC Technical Officer

Mr M L Clarke – former Borough Engineer

Mr Mansel Mason – former RBC Technical Services Manager

OTHER INDIVIDUALS

Mr Hugh Hoather – Ex Director 3 c Waste and Rhondda Waste Disposal Co Ltd

The Administrator Rhondda Waste Disposal Co in Liquidation

List of those who have declined to appear

INDIVIDUALS

Mr V J Collier – former Director Rhondda Waste Disposal Ltd

Mr M D Evans - Ditto

Mr G Evans – former Chief Executive, Rhondda BC

CORPORATE BODIES

Purolite International Ltd (see ref. in main text – para. 13)