



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

**Y Pwyllgor Deisebau
The Petitions Committee**

**Dydd Mawrth, 8 Chwefror 2011
Tuesday, 8 February 2011**

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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

Christine Chapman	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Veronica German	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Bethan Jenkins	Plaid Cymru The Party of Wales

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Joanest Jackson	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Andrew Minnis	Dirprwy Glerc Deputy Clerk
Naomi Stocks	Clerc Clerk

Dechreuodd y cyfarfod am 9.31 a.m.
The meeting began at 9.31 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Christine Chapman:** Bore da. I welcome everyone to this meeting of the Petitions Committee. I remind everyone to switch off any mobile phones. We have not received any apologies today.

9.31 a.m.

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol
Updates to Previous Petitions

[2] **Christine Chapman:** The first update to be discussed this morning is on petition P-03-136 on parking in Heath and Birchgrove. This petition calls for solutions to parking problems around the University Hospital of Wales, Cardiff. We have had correspondence from Cardiff and Vale University Local Health Board, stating that it does not wish to give oral evidence to this committee. However, in further correspondence, it has indicated that it will respond to the committee's questions in writing. Therefore, do you agree with that response, and, if so, what questions would you like the health board to answer regarding this petition? We have some suggested questions, but it is up to Members to agree them.

[3] **Andrew R.T. Davies:** As someone who proposed that the health board should come in to give evidence, I wish to state for the record that I am disappointed that it has chosen not to. I understand, from legal advice, that we are able to call in its representatives, but that would be an extreme position to take. I am satisfied with the questions that are before us; they seem to cover the aspects, the merit and the sentiment of the petition. Therefore, I agree that we should put these questions to the health board. However, if its answers are not substantial, I propose that we reserve the right to use the power to bring its representatives before us for

oral examination.

[4] **Christine Chapman:** Okay. Is everyone happy with that?

[5] **Bethan Jenkins:** Yes. I am happy with the questions, particularly those on the health board's sustainable travel plan because I was led to believe that, once that plan had been produced, that would address some of the problems, but it is clear from the petitioners' response that it has not done so. Therefore, we need to try to track where the changes are made, and how the travel plan can change in order to address the petitioners' concerns. It is unfortunate that we have to write to the health board again and that it has not taken up our offer as other organisations have done, for example, the Arts Council of Wales came in to give evidence last week. It would have been respectful for the health board to have agreed to do so too.

[6] **Andrew R.T. Davies:** One of the questions deals with permits, which is pertinent, particularly how the health board monitors when a permit becomes redundant. I believe that we have seen in this building that, due to the re-evaluation of parking, the number of permits required has greatly diminished, just because people have been chased up and it has been discovered that certain permits are not required any more. Cardiff and Vale University Local Health Board is a large organisation, and it would be good to see how it collates that type of information, because there seems to be a great discrepancy regarding what is actively in use.

[7] **Christine Chapman:** It is almost double.

[8] **Andrew R.T. Davies:** Yes. If you manage that permit system, one would have thought that it would help with the problem of the overspill of cars.

[9] **Christine Chapman:** Okay, thank you. Therefore, we will send these questions out. What is the timescale on this?

[10] **Ms Stocks:** We hope to get these out later today, or tomorrow. We will request that a response is sent back so that it can be considered before the dissolution of the Assembly.

[11] **Bethan Jenkins:** As Andrew mentioned, if the answers do not satisfy us, is there any chance of the health board coming in before dissolution?

[12] **Ms Stocks:** It depends. We can request that we receive its response in time for it to be considered at our next meeting on 1 March. We also have a meeting on 15 March, so that would give us some flexibility if we needed to call the health board in.

[13] **Christine Chapman:** There is, therefore, some scope for discussion.

[14] **Andrew R.T. Davies:** We also have a meeting in the final week, do we not? I think that we have three meetings after half term. It would be useful if the health board could respond within a fortnight. Looking at these questions, there is no reason why it should not be able to reply to those within 14 days. That seems quite reasonable to me.

[15] **Christine Chapman:** Okay, that is what we will do. The second update is on petition P-03-211, which called for sufficient and appropriate provision of specialist care homes and centres for people with dementia. We have had correspondence from the Minister for Health and Social Services. Are there any responses from Members?

[16] **Bethan Jenkins:** I think that we should close the petition now. The Minister has stated where she intends to go and what she has done in this area. Until the Government has more money, three cycles would—

[17] **Christine Chapman:** Sorry, Bethan, we are on the petition on dementia care homes at the moment.

[18] **Bethan Jenkins:** Sorry; I thought that we were looking at the petition on IVF treatment. I am getting ahead of myself.

[19] **Andrew R.T. Davies:** The Minister has allocated additional funding, so it might be useful to see whether that is just a stopgap or whether it will buy a genuine capacity increase. We need to understand how much more capacity has been acquired with this new money that has gone in. If we were in possession of that information, we could, I hope, bring the petition to a conclusion.

[20] **Christine Chapman:** Are you happy with that, Bethan?

[21] **Bethan Jenkins:** Yes.

[22] **Christine Chapman:** We now move on to petition P-03-216 on IVF treatment, which calls for three IVF cycles to be provided on the NHS. We have had correspondence from the Minister for Health and Social Services and the petitioners. Bethan, were you suggesting that this one should be closed?

[23] **Bethan Jenkins:** Yes. I think that, given the budget constraints, the Minister has gone as far as she is able, although the aspiration would be to provide three cycles.

[24] **Christine Chapman:** Are Members happy with that? I see that you are. There will be a summary report as well.

[25] The next update is on petition P-03-219 on pharmacies in Barry. It calls for protection for high street pharmacies in relation to the restriction on relocation of pharmacies. We have had correspondence from the Minister for Health and Social Services. Are there any responses on this one?

[26] **Andrew R.T. Davies:** The Minister has a task and finish group on this. Obviously, that group is looking at the terms relating to pharmacies and the opening of pharmacies. However, I am not quite sure how the group is structured. Would it be possible to write to the Minister to try to find out what the terms of reference are and when the recommendations of the task and finish group will be with the Minister or her successor so that they may be enacted?

[27] **Christine Chapman:** Are Members happy with that? I see that you are.

[28] The next update is on petition P-03-239 on lifelong learning at Cardiff University. It calls for a requirement to be placed on Welsh universities to provide a lifelong learning programme. There is correspondence from the petitioner as well, which Members will have read. Are there any responses on this?

[29] **Bethan Jenkins:** I am not sure. I was led to believe that we had contacted the Minister. Is that the case?

[30] **Ms Stocks:** Yes, we have had correspondence from the Minister previously. The correspondence from the petitioner is in response to that.

[31] **Bethan Jenkins:** We could contact the Minister again in light of the information that we have received.

[32] **Christine Chapman:** Yes, it is quite a long letter from the petitioner.

[33] **Bethan Jenkins:** I cannot think of anything else; I think that we can only write to the Minister asking for a response to the petitioner. I am trying to think of another avenue, but I cannot.

[34] **Christine Chapman:** I think that that would probably be sensible.

[35] **Andrew R.T. Davies:** I think that what the petitioner has sent in almost brings it to a conclusion. If the Minister responds to that, it will be a question of weighing up the merits of keeping the petition open.

[36] **Christine Chapman:** The next update is on petition P-03-254 on third-party representations are planning meetings. This calls for third parties to be given rights to speak at planning meetings. We have had correspondence from the petitioner. Members will know that the GVA Grimley study of the planning application process, which was commissioned by the Welsh Government, made two recommendations that could be relevant to our consideration of this petition. That is a thought, as a starting point.

[37] **Andrew R.T. Davies:** Obviously, local authorities have complete discretion with regard to how they run their affairs because of local democracy. However, there is a role for the Minister here with regard to the guidance that might be sent out to help shape planning policy and the structure of the decision-making process. It would be worth seeing whether the Minister with responsibility for planning is minded to take the recommendations of the GVA Grimley report on board in any guidance that might be issued to local authorities. However, local authorities run their planning meetings completely at their own discretion.

9.40 a.m.

[38] **Veronica German:** Some authorities allow that, do they not?

[39] **Andrew R.T. Davies:** Yes.

[40] **Christine Chapman:** We will write to the Minister to ask for an update.

[41] The next update is on petition P-03-261 on local solutions to Newtown traffic congestion. It calls for the decision about a bypass in Newtown to be deferred until sustainable measures have been trialled to address traffic congestion. We have received correspondence from the petitioner, which you will have read. As you know, the planned route was announced by the Welsh Assembly Government in October last year. Do Members have any thoughts on this one?

[42] **Andrew R.T. Davies:** The petitioners suggest a different model to the one that other people have been suggesting. The petitioners' view is legitimate, because they are asking for sustainable solutions to be looked at. It would be worth asking the Deputy First Minister whether, in arriving at a decision, or in future consultation, he would engage with the petitioners to see whether their view could be incorporated or taken on board when trying to solve some of the problems that Newtown faces. Anyone who has been through Newtown will realise what a horrendous situation it is facing at the moment, as there are delays there of an hour and a half or two hours.

[43] **Christine Chapman:** Thank you.

[44] The next petition, P-03-266, calls for Mold railway to be reopened. We have received

correspondence from Taith. Do Members have any comments?

[45] **Veronica German:** From Taith's letter, it seems pretty clear that that is not one of its priorities. It is an ongoing episode, as it were; it wants to open more and more lines, even though Mold is not one of its favourites at the moment. Perhaps we could ask Taith to keep the petitioners informed and have a dialogue with them, because it is Taith that puts priorities forward with regard to the reopening of lines, and so the best way forward might be for the petitioners to correspond directly with Taith.

[46] **Christine Chapman:** Okay. Are Members happy to do that?

[47] **Andrew R.T. Davies:** That referral could be done with a mind to closing the petition, because, in essence, we have got the information together and it is hoped that those two parties can now engage in discussions. So, we should be minded to do that.

[48] **Christine Chapman:** The next petition, P-03-268, calls for Ysbyty Aneurin Bevan to have accident and emergency facilities. We have received correspondence from Aneurin Bevan Local Health Board. Are there any responses on this one?

[49] **Veronica German:** The response from the health board is about minor injuries units—I happen to know something about this, because I have been dealing with it—but the petition is about accident and emergency facilities.

[50] **Christine Chapman:** They are very different.

[51] **Veronica German:** They are very different, and while the task and finish group will inform the petitioners of the kind of service that they are likely to have in their area, the letter does not directly answer the question about accident and emergency facilities. There may be very good reasons why there cannot be a full-blown accident and emergency department there, but that is what the petitioners asked for, and I do not think that the letter answers the petitioners' point. The petitioners need to be informed that the work of the task and finish group is going on, but it would also be useful for the Aneurin Bevan Local Health Board to lay out, if it is not even considering having an accident and emergency department, why it is not possible and why it is looking at the things in the letter instead.

[52] **Christine Chapman:** It does not say why in the letter.

[53] **Veronica German:** I have read it all the way through, and it does not, unless I have read it in the wrong way.

[54] **Christine Chapman:** We need to go back to the health board, but we must also await the findings of the task and finish group. We need to remind the health board that the response does not address what we asked about.

[55] **Ms Stocks:** The correspondence from the health board is in direct response to the committee's questions about the minor injury unit. That is the last correspondence that we have received from it.

[56] **Veronica German:** I see; has it already responded on the accident and emergency department?

[57] **Ms Stocks:** Yes. We have received correspondence about the specific issue of the accident and emergency department so that we could find out what the service will be.

[58] **Veronica German:** So, the petitioners have already had that answer.

[59] **Ms Stocks:** Yes.

[60] **Christine Chapman:** Okay. So, we shall await the findings of the task and finish group.

[61] We now look at P-03-271, on business rates in Narberth, and P-03-286, on Ceredigion business rates—we are looking at both petitions because of the related nature of the issues raised. They call for an impact assessment to be undertaken in Narberth and Ceredigion to understand the impact of business rates on local communities and businesses. The evaluation of the small business rate relief scheme has been published. Are there any responses?

[62] **Andrew R.T. Davies:** I think that we need to find out whether the Minister is minded to take on board the information from the evaluation report in relation to business rate relief and the scheme that has been put in place. Is that an internal report, or could it be made available to our good selves as a committee?

[63] **Ms Stocks:** The executive summary is included with the papers.

[64] **Andrew R.T. Davies:** I see; it is in the pack. Therefore, we need to challenge the Minister as to how he is taking that report forward, and whether he is minded to take any of the views on board.

[65] **Veronica German:** The petitioners could also be made aware of the report.

[66] **Andrew R.T. Davies:** Yes.

[67] **Christine Chapman:** Okay. Is everyone happy with that? I see that you are.

[68] The next petition is P-03-272, which campaigns for equines not to be used underground. This petition calls for the code of practice for the welfare of equines to include reference to equines not being used underground. We have had correspondence from the Minister for Rural Affairs.

[69] **Andrew R.T. Davies:** I think that we should close the petition and produce a summary report. I think that it has been taken as far as it can go. I believe that previous correspondence indicates that no horses are currently working underground.

[70] **Christine Chapman:** There could be, potentially, but there are none working underground at present.

[71] **Andrew R.T. Davies:** Thankfully, there are no horses working underground at present. Hopefully, the code of practice will help to clarify that situation.

[72] **Christine Chapman:** Yes. Is everyone happy with that? I see that you are.

[73] The final update is on P-03-275, which asks whether Wales should partner Uganda. It calls for the human rights records of countries to be considered when aid is awarded. There is quite a long response from the First Minister.

[74] **Bethan Jenkins:** He is saying that the Government here is not working with the Ugandan Government, but with a region of Uganda, and that it pre-dates this particular issue with regard to a private Member's anti-homosexuality Bill. I take that point on board. I wonder whether it is worth us looking at the remit of the petition. The First Minister

addressed that point, but did not address the point about working with Governments with questionable human rights records, in terms of collective values and so forth. I think that he too quickly dismisses that. I do not think that the petition is saying that we should work with countries that are exactly like us. Human rights are enshrined in our policies—for example, the policy for children—and the petition is talking about looking to countries that are doing the same. The First Minister has addressed the point about how this scheme is working, but I would like a more comprehensive response on working with Governments.

[75] **Christine Chapman:** Would that be outside the remit of the petition?

[76] **Veronica German:** It is in the petition, is it not?

[77] **Bethan Jenkins:** The petitioners have said that they would want to work with countries that would have the same type of values as us. It depends on what other people think.

[78] **Veronica German:** However, the petition relates specifically to homosexuality, does it not?

[79] **Christine Chapman:** Shall we seek the petitioners' views first?

[80] **Veronica German:** Yes.

[81] **Bethan Jenkins:** Okay; that is fine.

[82] **Christine Chapman:** It will be a starting point, and we will then see what happens. Is everyone happy with that?

[83] **Andrew R.T. Davies:** The petitioner calls for a different region or nation to be identified. The narrative is that, if it is found that we should not be supporting the region in Uganda, we move to other countries or regions. Do you think that you might be straying outside the spirit of the petition? The last sentence refers to moving from one country, because we find what is being done there reprehensible, to another country, because it is more in keeping with what we are looking to be doing. There is no harm in asking the petitioners, but I think that we might be straying outside the wording of the petition.

[84] **Christine Chapman:** Let us get the response and another discussion about it.

9.49 a.m.

Cynnig Trefniadol Procedural Motion

[85] **Christine Chapman:** I move that

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

[86] I see that the committee is in agreement.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 9.50 a.m.
The public part of the meeting ended at 9.50 a.m.*