

## Agenda – Y Pwyllgor Deisebau

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Lleoliad:	I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 2 – y Senedd	Graeme Francis – Clerc y Pwyllgor
Dyddiad: Dydd Mawrth, 27 Chwefror 2018	Kath Thomas – Dipwrwy Glerc 0300 200 6565
Amser: 09.15	<a href="mailto:SeneddDeisebau@cynulliad.cymru">SeneddDeisebau@cynulliad.cymru</a>

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### 1 Cyflwyniad, ymddiheuriadau, dirprwyon a datgan buddiannau

(Tudalennau 1 – 20)

### 2 Deisebau newydd

2.1 P-05-801 Rhaid achub y coed a'r tir yng Ngerddi Melin y Rhath a Nant y Rhath cyn iddi fynd yn rhy hwyr

(Tudalennau 21 – 37)

### 3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol

#### Addysg

3.1 P-04-522 Asbestos mewn Ysgolion

(Tudalennau 38 – 40)

#### Yr Amgylchedd

3.2 P-05-733 Dim camau pellach o gwbl mewn perthynas â Pharthau Perygl Nitradau yng Nghymru

(Tudalennau 41 – 44)

3.3 P-05-743 Rhowch Derfyn ar Fasnachu Anifeiliaid Anwes Egsotig yng Nghymru

(Tudalennau 45 – 52)

3.4 P-05-778 Amddiffyn Cyllyll Môr ar Draeth Llanfairfechan

(Tudalennau 53 – 57)



## **Cyllid**

3.5 P-05-740 Deiseb i Warchod Ein Stryd Fawr

(Tudalennau 58 – 60)

## **Yr Economi a Thrafnidiaeth**

3.6 P-05-748 Bysiau Ysgol i Blant Ysgol

(Tudalennau 61 – 66)

## **Iechyd**

3.7 P-05-768 Galwad i ddychwelyd darpariaeth Pediatreg, Obstetreg dan arweiniad Ymgynghorydd ac Uned Gofal Arbennig Babanod 24 awr i Ysbyty Cyffredinol Dosbarth Llwynhelyg

(Tudalennau 67 – 86)

## **Llywodraeth Leol a Gwasanaethau Cyhoeddus**

3.8 P-05-800 Apêl Brys am Gomisiynydd Cyn-filwyr Cymru i ofalu am iechyd a lles cyn-filwyr sydd wedi'u hanafu, sy'n sâl neu sy'n ddigartref

(Tudalennau 87 – 88)

## **4 Sesiwn Dystiolaeth – P-05-736 Gwneud gwasanaethau iechyd meddwl yn fwy hygyrch**

(Tudalennau 89 – 96)

- Vaughan Gething AC, Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
- Liz Davies – Uwch Swyddog Meddygol
- Ainsley Bladon – Arweinydd Strategaeth Iechyd Meddwl

## **5 Cynnig o dan Reol Sefydlog 17.42 i benderfynu gwahardd y cyhoedd o weddill y cyfarfod**

## 6 Trafod Sesiynau Tystiolaeth Blaenorol

Mae cyfyngiadau ar y ddogfen hon

## **P-05-801 Rhaid achub y coed a'r tir yng Ngerddi Melin y Rhath a Nant y Rhath cyn iddi fynd yn rhy hwyr**

Cyflwynwyd y ddeiseb hon gan Tamsin Davies, wedi iddi gasglu 8,700 o lofnodion ar bapur ac ar wefan deisebau arall.

### **Geiriad y ddeiseb**

Fel trigolion lleol, rydym yn credu bod y gwaith arfaethedig i atal llifogydd yng Ngerddi Melin y Rhath a Gerddi Nant y Rhath ym Mhen-y-lan, Caerdydd yn ddinistriol, ac yn ddianghenraid felly.

Rydym wedi gweld y llanast yng Ngerddi Waterloo ac yn gwrthwynebu Cyfnod 3 o Gynllun Llifogydd y Rhath gan Gyfoeth Naturiol Cymru, a fydd yn ehangu'r nant ym Melin y Rhath a Gerddi Nant y Rhath gan arwain at gwmp dros 30 o goed mewn ardal lle na chafwyd unrhyw lifogydd yn y gorffennol.

Rydym am achub y coed a'r tir yng Ngerddi Melin y Rhath a Gerddi Nant y Rhath er mwyn gwarchod cymeriad yr ardal, lleihau'r difrod ecolegol a gwarchod cynefinoedd ein bywyd gwyllt lleol.

Credwn nad yw Cyfoeth Naturiol Cymru wedi ystyried yn briodol yr holl opsiynau sydd ar gael, a'u bod wedi camarwain y cyhoedd â ffigyrau anghywir yn ystod eu cyfnod ymgynghori, a chredwn ei bod, mewn gwirionedd, yn ddianghenraid i chwalu gerddi'r parc er mwyn ehangu sianel y nant gan waredu hen goed yn y broses.

Rydym yn galw ar Lywodraeth Cymru i annog Cyfoeth Naturiol Cymru i roi'r gorau i'r gwaith yng Ngerddi Melin y Rhath a Nant y Rhath ac ystyried yr opsiynau ymarferol eraill sydd ar gael i liniaru'r perygl canfyddedig o lifogydd yn yr ardal hon.

### **Etholaeth a Rhanbarth y Cynulliad**

- Canolog Caerdydd
- Canol De Cymru

## Cynllun Llifogydd y Rhath

Y Pwyllgor Deisebau | 27 Chwefror 2018

Petitions Committee | 27 Februarv 2018

### Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-801

Teitl y ddeiseb: **Rhaid achub y coed a'r tir yng Ngerddi Melin y Rhath a Nant y Rhath cyn iddi fynd yn rhy hwyr**

Testun y ddeiseb: Fel trigolion lleol, rydym yn credu bod y gwaith arfaethedig i atal llifogydd yng Ngerddi Melin y Rhath a Gerddi Nant y Rhath ym Mhen-y-lan, Caerdydd yn ddinistriol, ac yn ddianghenraid felly.

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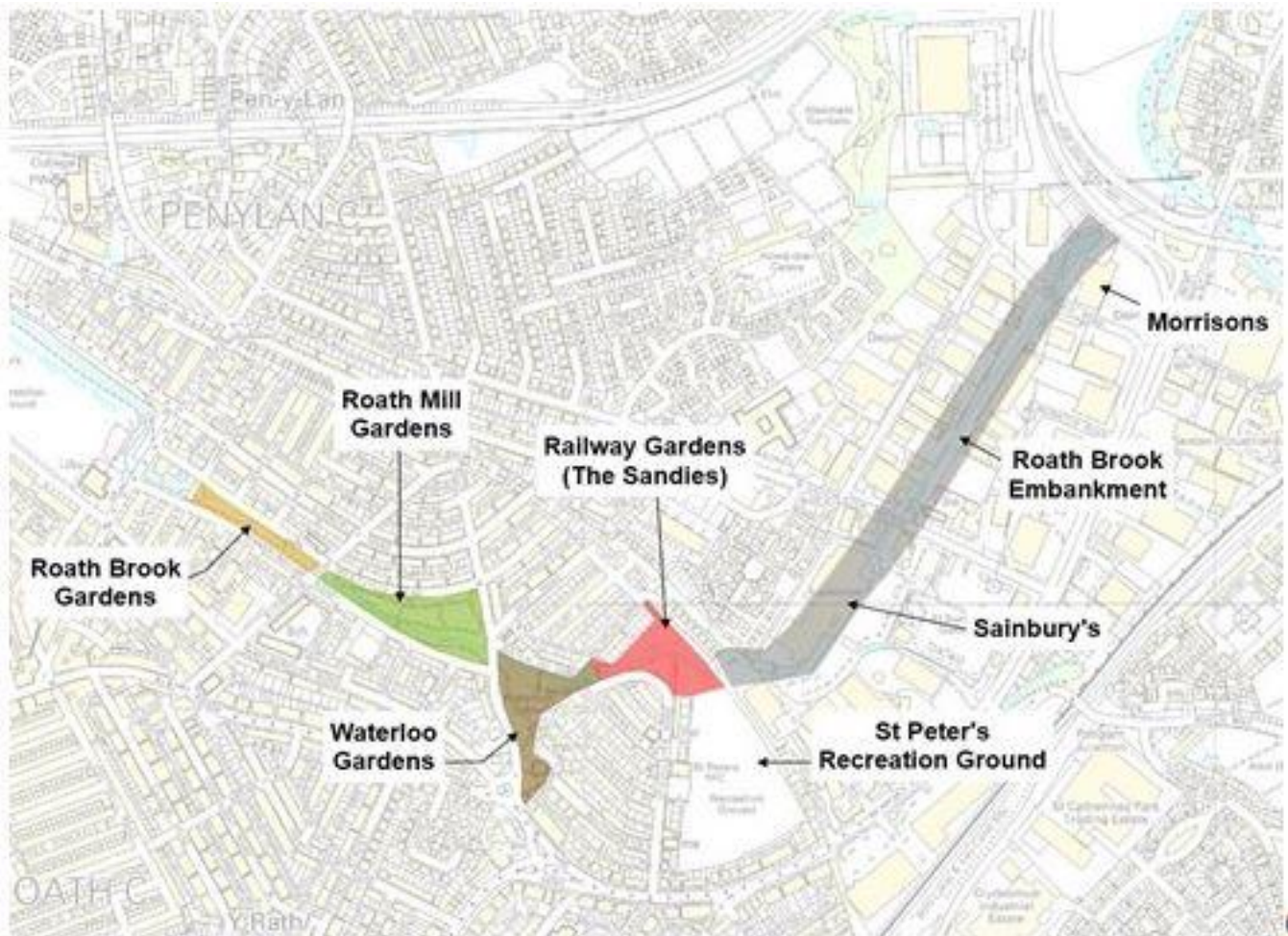
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### Y cefndir

Mae gwybodaeth fanwl am [Gynllun Llifogydd y Rhath](#) ar gael ar wefan Cyfoeth Naturiol Cymru. Mae'r manylion yn cynnwys gwybodaeth am y gwaith o gael gwared ar goed a phlannu coed ac [ymgyngoriad](#) (PDF 85.4KB) a gynhaliwyd fel rhan o'r cynnig.

Ar adeg ysgrifennu'r briff hwn, roedd 8,578 o bobl wedi llofnodi [deiseb ar Change.org](https://www.change.org) yn galw ar Lywodraeth Cymru i ymyrryd yn y gwaith arfaethedig ac annog Cyfoeth Naturiol Cymru i “ystyried yr opsiynau ymarferol eraill sydd ar gael”.



Ffigur 1. Safle Cynllun Llifogydd y Rhath [Ffynhonnell: [Cyfoeth Naturiol Cymru](https://www.naturalresources.gov.wales)]

Mae Nant y Rhath wedi achosi llifogydd mewn eiddo ar sawl achlysur, gan gynnwys digwyddiadau arwyddocaol ym [1979](#), [1995](#), [1998](#) a [2009](#). Gorfiodd y nant ei glannau yn fwyaf diweddar pan gafwyd llifoedd afon uchel yn 2007 a 2009, a phan gafwyd llanw uchel yn [2010](#) a [2012](#). Disgwylir i nifer y digwyddiadau o'r fath gynyddu dros amser am fod lefelau'r môr yn codi ac am fod digwyddiadau dwysach o ran glawiad ar gynydd hefyd, o ganlyniad i newid yn yr hinsawdd.



Ffigur 2. Ardal risg llifogydd y Rhath [ffynhonnell: [poster gwybodaeth Cyfoeth Naturiol Cymru \(PDF11.3MB\)](#)]

Nod y Cynllun Rheoli Perygl Llifogydd, sydd wedi bod yn cael ei ddatblygu ers dros pum mlynedd, yw lleihau'r perygl o lifogydd i dros 400 o eiddo (360 o breswylwyr, 45 o fusnesau).

Dangosir y perygl o lifogydd afonol yn yr ardal yn Nhabl 1 isod:

Risg	Diffiniad o'r risg	Nifer yr eiddo mewn perygl
<b>Uchel</b>	Mae perygl uchel yn golygu bod y posibilrwydd o lifogydd yn yr ardal yn fwy nag 1 mewn 30 (3.33%) bob blwyddyn.	Perygl uchel: hyd at 200 tŷ a 10 eiddo masnachol.
<b>Canolig</b>	Mae perygl canolig yn golygu bod y posibilrwydd o lifogydd yn yr ardal rhwng 1 mewn 100 (1%) ac 1 mewn 30 (3.33%) bob blwyddyn.	Perygl canolig: hyd at 380 tŷ a 50 eiddo masnachol.
<b>Isel</b>	Mae perygl isel yn golygu bod y posibilrwydd o lifogydd yn yr ardal rhwng 1 mewn 1000 (0.1%) ac 1 mewn 100 (1%) bob blwyddyn.	Perygl isel: hyd at 780 tŷ a 165 eiddo masnachol.

Tabl 1. Perygl o lifogydd afonol yn y Rhath. [Ffynhonnell: [Cynllun Llifogydd y Rhath - Cwestiynau Cyffredin, Ebrill 2017](#) (PDF 172.1 KB)]

Nod y Cynllun Rheoli Perygl Llifogydd yw gwella'r amddiffyniad ar gyfer y gymuned fel bod lefel y risg yn gyfystyr ag un digwyddiad mewn 75 mlynedd (tebygolrwydd o 1.3 y cant o lifogydd mewn unrhyw flwyddyn benodol) mewn achosion o lifogydd yn sgil llif uchel afonydd, ac yn gyfystyr ag un digwyddiad mewn 150 mlynedd yn achos llifogydd llanwol (tebygolrwydd o 0.6 y cant mewn unrhyw flwyddyn benodol).

Gellir gweld y cais cynllunio ar gyfer Cynllun Llifogydd y Rhath a'r penderfyniad i'w gymeradwyo ar [wefan](#) Cyngor Dinas Caerdydd.



## Arfarnu opsiynau

Ystyriwyd nifer o atebion i ddechrau mewn ymarfer arfarnu opsiynau, gan gynnwys carthu ac amddiffynfeydd dros dro. Mae manylion yr opsiynau hyn wedi'u harddangos fel [posteri](#) yn yr ardal (PDF 26.1MB), ac yn cael eu trafod yn nogfen [Cynllun Llifogydd y Rhath - Cwestiynau Cyffredin Cynllun](#) (PDF 172.1KB).

Yn ôl ymchwiliad Cyfoeth Naturiol Cymru, y ffordd mwyaf priodol o reoli'r perygl o lifogydd fyddai drwy gadw llifddwr o fewn coridor yr afon.

## Cael gwared ar goed a phlannu coed

Mae Cyfoeth Naturiol Cymru wedi nodi'r angen i gael gwared ar rai coed ar lannau Nant y Rhath er mwyn adeiladu'r cynllun llifogydd newydd. Cynhaliwyd [Asesiad Effaith ar Goedyddiaeth](#) (PDF 8.2MB) gan ymgynghorwyr annibynnol ar goedwigaeth (dan gyfarwyddwyd Nicholas Pearson Associates) ar ran Cyfoeth Naturiol Cymru. Mae'r asesiad yn nodi'r dulliau a ddefnyddiwyd, canfyddiadau a chynigion. Mae hefyd yn dangos dau ddiwygiad i'r asesiad (dyddiedig 28-02-2017 a 27-11-2017, y tynnir sylw atynt drwy'r asesiad) sy'n ymwneud â lleihau nifer y coed a ddewiswyd i gael eu torri i lawr.

Mae'r asesiad yn nodi'r mesurau a gyflwynwyd i leihau effaith y gwaith, gan gynnwys parthau amddiffyn gwreiddiau dynodedig a mannau adeiladu arbennig lle na fydd gwaith palu.

Cynigir cael gwared ar gyfanswm o 141 o goed ac mae 13 ohonynt wedi'u dosbarthu fel 'categori U'<sup>1</sup>, sy'n golygu na fyddai'n addas eu cadw. Bu [Pwyllgor Craffu Amgylcheddol Cyngor Caerdydd](#) yn adolygu'r gwaith o ddatblygu a gweithredu'r cynllun ar 5 Rhagfyr 2017. Dyma a nodwyd yn y [llythyr](#) a anfonwyd at Cyfoeth Naturiol Cymru yn dilyn hynny (PDF 469KB):

approximately eight of the trees were removed on request from the Council, and that these trees would ordinarily have been felled as a part of a one to three year programme. Natural Resources Wales has accepted the financial cost for removing these trees.

Fodd bynnag, mae 37 wedi'u dosbarthu fel coed o safon uchel i safon gymedrol. Yn ôl yr Asesiad Effaith ar Goedyddiaeth:

Although removal of the 37 "A" and "B" category trees is regrettable, this is considered the minimum number of trees that must be removed to implement the flood defence scheme.

Dywed Cyfoeth Naturiol Cymru y bydd 105 o goed newydd yn cael eu plannu yn y gerddi (rhwng 2.5 metr a 5 metr o uchder) yn lle'r coed a gaiff eu torri i lawr. Mae manylion am y mathau o goed a gaiff eu plannu a ble y byddant yn cael eu rhoi yn y [Cynlluniau Plannu Coed](#)

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<sup>1</sup> "Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years" (source: [Yr Asesiad Effaith ar Goedyddiaeth, atodiad c](#) (PDF 8.2MB))

(PDF 3.6MB). Dewiswyd tri math o goed i ategu cymeriad presennol y gerddi ac mae manylion amdanynt yn y cynlluniau.

Caiff dros 200 o goed ifanc eraill eu plannu ar dir hamdden y Rhath.

## Gwallau yn y data

Rhwng 13 Hydref 2016 a 3 Mawrth 2017, roedd deunydd ymgynghori Cyfoeth Naturiol Cymru yn nodi'n anghywir fod dros 400 o eiddo mewn perygl o lifogydd yn ystod digwyddiad â thebygolrwydd o 1:5 h.y. 20 y cant o siawns o lifogydd mewn unrhyw flwyddyn benodol. Mewn gwirionedd, mae 405 o eiddo mewn perygl o lifogydd yn ystod digwyddiad â thebygolrwydd o 1:75 h.y. 1.3 y cant o siawns o lifogydd mewn unrhyw flwyddyn benodol.

Mae Cyfoeth Naturiol Cymru yn [cydnabod](#) (PDF 64.9KB) y gwall hwn ac yn nodi:

We would like to stress that information included in the detailed planning application and in consultation material leading up to this was correct. Therefore, we do not believe that this error impacted the consultation process significantly, as much of project planning was complete by this time, and planning permission had already been granted in April 2016.

## Ymgynghoriad cyhoeddus

Ynghyd â gofynion ymgynghori statudol, mae Cyfoeth Naturiol Cymru wedi cynnal ymgynghoriad cyhoeddus gan gynnwys ymweld â phobl ar stepen y drws, arddangos arwyddion, cynnal sesiynau galw heibio a dosbarthu cylchlythyrau rheolaidd (sydd ar gael [ar-lein](#)). Gweler y ddogfen [Digwyddiadau Ymgynghori Cyhoeddus Allweddol](#) (PDF 87.4KB) i gael manylion llawn.

Yn dilyn hynny, o ganlyniad i ymgyrchu cymunedol pellach, cynhaliodd Cyfoeth Naturiol Cymru gyfarfodydd ychwanegol gyda'r grŵp ymgyrchu ([@RoathBrookTrees](#)) ar 12 a 17 Ionawr 2018, a chynhaliwyd digwyddiadau ymgysylltu cymunedol pellach yn ystod yr wythnos yn dechrau ar 22 Ionawr 2018. Mae'r cyflwyniadau a ddefnyddiwyd yn y digwyddiadau cyhoeddus hyn ar gael ar [wefan Cyfoeth Naturiol Cymru](#).

## Y cyfryngau

Mae'r gwaith arfaethedig wedi cael sylw yn y cyfryngau a chyhoeddwyd erthyglau am y gwaith ar [BBC News](#), a nifer o erthyglau ar [WalesOnline](#).

Rhoddyd sylw i'r [gwaith celf](#) a gomisiynwyd fel rhan o'r gwaith adfywio ar gyfryngau'r BBC hefyd.

## Camau gweithredu'r llywodraeth leol

Cyfarfu [Pwyllgor Craffu Amgylcheddol Cyngor Caerdydd](#) â Cyfoeth Naturiol Cymru ar 5 Rhagfyr 2017 i drafod y gwaith o ddatblygu a gweithredu Cynllun Llifogydd y Rhath. Yn dilyn y cyfarfod, [ysgrifennodd y Pwyllgor at Cyfoeth Naturiol Cymru ar 7 Rhagfyr](#) (PDF 469KB).

Er i'r Pwyllgor nodi nad oedd ganddo'r gallu i orfodi newidiadau i'r cynllun ac *nad oedd yn cymeradwyo'n* benodol naill ai'r cynllun a gynigiwyd gan Cyfoeth Naturiol Cymru nac unrhyw ddewisiadau eraill a gyflwynwyd, gofynnodd am y cadarnhad a ganlyn:

I would be grateful if you could provide confirmation of the overall dry land surface area that will be lost as a result of this scheme at this location once it is available.

The Committee would like assurance that these (scheme) alternatives have been considered and evaluated as a part of the development of the scheme

Atebodd Cyfoeth Naturiol Cymru mewn [datganiad](#) (PDF 64.9KB) dyddiedig 8 Rhagfyr 2017. Daeth i'r casgliad a ganlyn:

the Committee is content the scheme is appropriate and necessary, so we shall continue with our planned work from 11 December.

Mae hefyd yn trafod y gost ychwanegol o oedi'r gwaith ymhellach:

For example, a 4-month delay to undertake an independent review would incur an estimated additional cost of £200,000 of public money and prolong our presence and the disruption in Roath. Additional cost incurred on this scheme means less funding for other flood risk projects required across Wales.

Cyflwynwyd llythyrau yn cefnogi'r cynllun gan ddau gynghorydd lleol fel rhan o'r [cais cynllunio](#).

## Camau gweithredu Llywodraeth Cymru

Yn ei llythyr at y Pwyllgor, dywed Gweinidog yr Amgylchedd, Hannah Blythyn AC, fod Cyfoeth Naturiol Cymru, ar ei chais hi, wedi atal trydydd cam y gwaith torri coed (a gynlluniwyd ar gyfer 11 Rhagfyr) er mwyn rhoi amser i ystyried y cynllun ymhellach. Dywedodd ei bod wedi cyfarfod â swyddogion a Cyfoeth Naturiol Cymru y diwrnod hwnnw i drafod pryderon trigolion yn ogystal â'r opsiynau ehangach a archwiliwyd gan Cyfoeth Naturiol Cymru i fynd i'r afael â'r perygl o lifogydd yn yr ardal.

Cyfarfu Gweinidog yr Amgylchedd ag ymgyrchwyr ar 22 Ionawr 2018. Rhoddodd [y grŵp ymgyrchu ddiweddariad](#) ar Change.org yn dweud:

"The meeting was constructive and positive and we await feedback".

Ers hynny, mae'r Gweinidog wedi ymateb i Bwyllgor Deisebau'r Cynulliad mewn llythyr dyddiedig 2 Chwefror 2018, lle y mae'n cyfeirio at ohebiaeth â Cyfoeth Naturiol Cymru a chynrychiolwyr etholedig. Mae'n ymateb i'r pryderon ynghylch yr effaith ecolegol:

I am assured that NRW have carried out all of the necessary ecological surveys as required for the planning permission from Cardiff Council in order to construct this scheme.

Dywedodd hefyd fod Cyfoeth Naturiol Cymru wedi nodi chwe choeden arall nad oes yn rhaid eu torri i lawr. Daw'r llythyr i'r casgliad:

I will now await the outcome of NRW's public workshops and continue to seek a way forward that alleviates risk and addresses residents' concerns.

## Camau gweithredu ar gyfer Cynulliad Cenedlaethol Cymru

Mae cyfanswm o [13 o gwestiynau ysgrifenedig](#) wedi'u cyflwyno ar Gynllun Llifogydd y Rhath; cawsant eu hateb gan Weinidog yr Amgylchedd. Mae amheuan ynghylch i ba raddau y mae angen y cynllun a pha mor addas ydyw, a chwestiynau ynglŷn â'r [mesurau amgen](#) sydd wedi'u hystyried. Mae'r mater wedi cael ei drafod yn y [Cyfarfod Llawn](#), lle rhoddodd Weinidog yr Amgylchedd y wybodaeth ddiweddaraf am drafodaethau Llywodraeth Cymru â Cyfoeth Naturiol Cymru.

Mae Cyfoeth Naturiol Cymru wedi ysgrifennu at y Pwyllgor Deisebau mewn llythyr dyddiedig 24 Ionawr 2018 sy'n cyfeirio at bob un o bwyntiau'r ddeiseb yn eu tro. Er bod Cyfoeth Naturiol Cymru yn cydnabod effaith tymor byr y gwaith, mae'n dod i'r casgliad:

We should like to stress that we are confident that our proposals will provide the flood protection required, the least impact on the environment, whilst maintaining the Edwardian heritage of the parks and gardens for future generations.

## Rhagor o wybodaeth

[Adroddiad Amgylcheddol Cynllun Llifogydd y Rhath](#) (mewn tair rhan)

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.

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

24 January 2018

Dear Mr Rowlands,

Thank you for your correspondence on the above petition. We are obviously aware of the high interest in the proposed part of our flood scheme in Roath Mill and Roath Brook Gardens, including the petition. For several months, we have engaged with residents of Penylan and representatives of the #RoathBrookTrees campaign group to try to understand, address and resolve their concerns. In addition, and in order to try to move forward on those concerns, we have also held meetings with local elected representatives and the Welsh Government Minister for the Environment and her officials.

A number of issues are raised in the petition. For reasons of clarity and completeness we aim to address each point in turn using the text of the petition.

***As local residents, we believe that the planned flood works in Roath Mill Gardens and Roath Brook Gardens in Penylan, Cardiff are unnecessarily destructive.***

We do understand the concerns that have been raised. Our aim is to give the same level of flood protection to the people and properties in Roath Mill Gardens and Roath Brook Gardens as will be provided to others in the wider community at risk from flooding. We have always recognised that there would be a short-term impact from the construction works and have done our utmost to minimise that impact. We believed that in undertaking an extensive options appraisal exercise for the whole scheme, followed by what we considered to be extensive public consultation - before submitting and receiving planning permission from the local planning authority - we had shown that our proposals were needed and proportionate. We do not share the view that our scheme is 'unnecessarily destructive' and in fact we believe it is the least that needs to be done in order to give the required level of protection from future flooding. As part of gaining planning permission there is an agreed level of restoration of the park in line with the character and nature of the Edwardian park/gardens.

***We have seen the devastation of Waterloo Gardens and oppose Phase 3 of Natural Resources Wales' Roath Flood Scheme, which will widen the brook in Roath Mill and Roath Brook Gardens and see the felling of over 30 trees in an area where there has never been any flooding in the past.***

At the outset of this project we undertook a thorough investigation of many options to achieve the desired levels of protection before we concluded that the most effective, and least impact option, was to widen the brook. In widening the brook and to put in place replacement banks, it is inevitable that we would have to fell a number of trees. However, we have kept the number to an absolute minimum, whilst trying to protect as many of the best quality trees in the park as we can.

Turning to the point about historical flooding, it is correct to say that we are not aware of any flooding inside properties but there have been a number of what we term 'near misses' where water has risen to the height of the existing banks. Our approach to managing floods is not one where we react to flooding that has occurred, but to use the best available information and flood models to predict where flooding is likely to occur in the future and to put schemes in place (risk management approach) to prevent this. That is the approach that we have adopted here in Roath and it is consistent with approaches elsewhere in Wales. It is also in line with Welsh Government policy and approach.

***We want to save the trees and ground in Roath Mill Gardens and Roath Brook Gardens in order to preserve the character of the area, minimise ecological damage and protect the habitats of our local wildlife.***

As the leading environmental body in Wales we have great empathy with this statement. We have always recognised the need to preserve the special character of the area and have strived to incorporate within our design ways of minimising the impact on wildlife and nature. Although there is inevitably an impact, we believe that some of this will be short-term and whilst it is not possible to re-introduce trees that are decades old, our replanting scheme and maintenance thereafter will be done to give the best chance possible for the park and gardens to recover and flourish. Whilst we do not under-estimate people's current connection to the park and particular trees, and recognise there will be short-term disruption, it is our belief that the park will maintain its character, ecology and wildlife and will be sustained for future generations to enjoy.

***We believe that Natural Resources Wales have not properly considered all options available, have misled the public with inaccurate figures during their consultation period and that it is, in fact unnecessary to bulldoze park grounds in order to widen the channel of the brook and remove mature trees in the process.***

Through working with our own staff and external consultants we believe that we identified and considered all options before commencing this scheme. Of course, we recognise that others hold a different view. But at no time within our discussions have others been able to identify an alternative that is viable and that will not have greater impacts within the general area. At no time have we intentionally misled people. Some of our publications contained an error of data, *for a limited time*, but we want to re-emphasise that all information prior to October 2016 and within the planning application was correct.

To reiterate earlier statements, we believe that our scheme is proportionate, necessary, with minimal impact and will give the same level of flood protection within the community.

***We call on the Welsh Government to urge National Resources Wales to stop work at Roath Mill and Roath Brook Gardens and consider the other viable options available to mitigate the perceived flood risk to this area.***

As has been said earlier, we believe we have considered all viable options. In our professional opinion our scheme remains the best with the least impact. Through our discussions with the community no other options have been identified that can give the required level of protection to the people and properties at Roath Mill and Roath Brook Gardens.

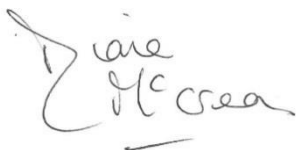
I hope the above addresses the points that have been raised in the petition. I would now like to turn to how we are attempting to engage with the community and its representative via the campaign group.

This matter is obviously current and so the position is one that changes. However, we would advise that the meetings held on 12 and 17 January 2018 with the campaign group have been, we believe, constructive and positive and enable us to better understand concerns. These meetings have also provided the opportunity for the campaign group to understand why we are undertaking the works. We remain hopeful that we will be able to agree a way forward with the campaign group, but recognise that there will be others who are likely to continue to object and protest against our flood scheme. We are holding further engagement events during the week commencing 22 January 2018.

Whilst it is important to recognise that everyone has a right to protest, it is equally important to highlight that we have been through the due process in developing the flood scheme, including public consultation, planning permission and final design.

In conclusion, we have always recognised that there will be a short-term impact as a result of our work on the parks and we have taken this into account in designing our scheme, developing the landscaping and re-planting proposals, as well as in our public consultation and elements of the scheme have evolved as a result of this consultation. We should like to stress that we are confident that our proposals will provide the flood protection required, the least impact on the environment, whilst maintaining the Edwardian heritage of the parks and gardens for future generations.

Yours sincerely,



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

Hannah Blythyn AC/AM  
Gweinidog yr Amgylchedd  
Minister for Environment



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-801  
Ein cyf/Our ref HB/00059/18

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

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

2 February 2018

Dear David,

Thank you for your letter 12 January 2018 regarding the petition to *“save the trees and ground in Roath mill and Roath Brook Gardens before it’s too late”* and the latest position.

Over the past month I have received numerous pieces of correspondence from residents in Roath regarding the matter. This is a scheme which has been designed and is being delivered by Natural Resources Wales (NRW).

Residents have written to me opposed to what has been called “Phase 3” of the Roath Flood Alleviation Scheme. The scheme should be seen as one whole scheme including the works in Waterloo Gardens and Railway Gardens. The scheme was not originally considered as three separate phases, the phasing has been for operational purposes set out by the contractor to plan the sequencing of the works.

The main concern of residents has been around the felling of trees in the Park to accommodate the widening of the brook. In order to allow the scheme to be constructed and to manage the flood risk for residents of Roath, the removal of trees within the parks has been necessary across all 3 phases, with 122 being replanted within the Park Gardens and 200 saplings in the wider area. The majority of these trees have already been removed for the first two phases of work. Phase 3 in Roath Brook Gardens and Roath Mill Gardens will see the removal of a further 32 trees, with 41 being replanted.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

[Gohebiaeth.Hannah.Blythyn@llyw.cymru](mailto:Gohebiaeth.Hannah.Blythyn@llyw.cymru)  
[Correspondence.Hannah.Blythyn@gov.wales](mailto:Correspondence.Hannah.Blythyn@gov.wales)

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

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

Tudalen y pecyn 32



In terms of the ecological damage mentioned in the petition letter, I am assured that NRW have carried out all of the necessary ecological surveys as required for the planning permission from Cardiff Council in order to construct this scheme. Once complete, the scheme will provide additional ecological benefits such as soft, sloping banks which could provide improved habitat for wildlife and nesting boxes for kingfishers.

At my request, NRW paused the third phase of tree felling works, planned for Monday 11 December, to allow for further consideration of the scheme. I met with officials and NRW on that day to discuss the concerns of residents as well as the wider options that NRW explored to address flood risk to the area.

I have since met with NRW alongside elected representatives on Tuesday 9 January 2018. This provided the elected members the opportunity to voice residents' concerns and for NRW to answer their questions and explain the different options which had been considered.

NRW held a public meeting on Friday 12 January to explore whether more trees could be saved without compromising the level of protection required for the whole community. They have now identified a further 6 trees which could be saved from felling whilst still delivering this scheme.

I then met with residents of Roath on 22 January to listen to their concerns around the final phase of work.

Most recently, NRW ran a series of workshops on 23 and 24 January to discuss the Roath scheme with residents, I understand these were well attended and an additional meeting is being finalised.

I will now await the outcome of NRW's public workshops and continue to seek a way forward that alleviates risk and addresses residents' concerns.

Yours Sincerely,



**Hannah Blythyn AC/AM**  
Gweinidog yr Amgylchedd  
Minister for Environment

## Response for Petitions Committee - Roath Brook Flood Scheme: Phase 3 Works

### 1. Introduction & Update

- 1.1. We, as members of the Roath Brook Trees campaign group, are campaigning against Phase 3 of the Roath Flood Scheme, which we believe involves unnecessarily destructive works to Roath Brook and Roath Mill Gardens including the removal of what the Minister refers to as 32 trees<sup>1</sup> and the widening of the brook which will have consequential effects on the local wildlife and eco-systems.
- 1.2. Works commenced on Monday 18<sup>th</sup> December and a small number of trees have been felled. The progress of works was significantly curtailed due to peaceful campaigning in the parks by local residents. Our concerns were set out in a letter to the chair of NRW, Diane McCrea (Appendix 1) on 2<sup>nd</sup> January. An interim response was received on 5<sup>th</sup> January (Appendix 2) promising a full response “as soon as possible”. Over 6 weeks has passed and no further response has been received.
- 1.3. Eventually NRW agreed to meet with representatives of the campaign in mid January (and on an ongoing basis since) and the Minister agreed to meet representatives in late January. Whilst recent meetings with NRW have been constructive NRW have only agreed a number of temporary pauses to tree felling with the latest such pause to allow us to submit a plan for considering their model and potential alternatives (at our own expense). Contrary to the impression given in the letter from NRW the first time they met with the campaign group was w/c 8<sup>th</sup> January. The Minister engaged at a later date (despite numerous requests to engage since early December). We believe that we only secured engagement from either party because the progress of the works was being frustrated.
- 1.4. The issues raised by this petition should not however be considered as local isolated issues. The petition contains over 8,700 signatures (mostly from those who make use of the parks but also from further afield). The felling of trees, and particularly those in urban areas, is an issue of increasing importance and public opposition globally and throughout the UK, most notably in Sheffield. At a Welsh level the petition raises a number of important issues which should be investigated and/or debated at Assembly level including:
  - The manner in which the limited resources available for flood protection are allocated by NRW<sup>2</sup>;
  - How the damage to the environment and our ecosystems is measured and accounted for as part of any cost/benefit analysis for works carried out by public bodies; and
  - The conduct of consultations relating to flood defence works including the clarity and content of information;
- 1.5. This is particularly so if the Welsh Government and public bodies in Wales are to pay more than “lip service” to important and progressive legislation like the Environment Wales Act (which has at its heart the protection and promotion of our ecosystems) and the Wellbeing of Future Generations Act (with the mental health benefits of urban trees and wildlife well documented).
- 1.6. The Committee are referred to Appendix 1 for more detail about the issues raised although pertinent issues are addressed further below.

### 2. Letter from Hannah Blythyn dated 2<sup>nd</sup> February 2018

- 2.1. The suggestion that the scheme should be considered as a “whole” with the works in Waterloo Gardens and Railway Gardens is something which both NRW and the Minister have relied upon throughout our discussions. The phases formed part of the planning permission application

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<sup>1</sup> Although this figure keeps changing. Originally 38 trees were to be felled. An additional 3 trees were left off the list and are to be felled. NRW then re-considered the position to attempt to save additional trees, however, NRW tell us that Cardiff Council seek to fell 4 of them anyway.

<sup>2</sup> The chair of NRW specifically stated in December 2017 that NRW need clarity from Welsh Government on how reduced resources should be prioritised given changing ways of working under the Environment Wales Act and the Future Generations Act

<http://www.bbc.co.uk/news/av/uk-wales-42341278/natural-resources-wales-can-be-everywhere>

submitted by NRW before a contractor had presumably been appointed, and therefore cannot simply be an operational requirement of the contractor.

- 2.2. However the fundamental problem with treating Phase 3 works as part of the “whole” is that, other than physical proximity, there is no connection whatsoever between Phases 1 and 2 and Phase 3:
  - Phases 1 and 2 protect a finite number of properties from tidal flooding, fluvial flooding or a combination of both arising in Waterloo Gardens and Railway Gardens;
  - Phase 3 protects a completely different set of properties from fluvial flooding which may occur in Roath Brook Gardens<sup>3</sup>.
- 2.3. The only operational convenience is that of NRW in “bundling” the works together with Phases 1 and 2. If treated separately there would be no justification for using a significant amount of the limited funds available to provide flood protection (at least £500,000) on Phase 3 (see 4.1 to 4.6 below).
- 2.4. It is noteworthy that the Minister, after saying that the scheme needs to be treated as a whole, goes on to quote the tree statistics for Phase 3 (in fact if treated as a whole more trees are being felled in the gardens than are being replanted). Whilst it is correct that in Phase 3 numerically more trees are being planted this does not give any accurate indication of the actual “value” of trees to the local environment. It is the tree canopy coverage which governs their ability to improve air quality, provide shade and weather protection (including against flooding), support wildlife and improve the appearance of the area. Many of the trees being felled are mature trees (some around 100 years old) and provide a canopy coverage many times greater than that of the young trees replacing them.

### 3. **Letter from Diane McCrea dated 24<sup>th</sup> January 2018**

#### Necessity for the Works

- 3.1. The letter does not address the first, and most fundamental, question which is whether works are necessary at all and/or why they are being prioritised over flood defence works desperately needed in other higher priority areas in Wales. There are a significant number of properties in Wales which suffer either from a greater risk of flooding, historical flooding issues or in most cases, both. Funds should be spent on these higher risk areas (where associated environmental harm is also likely to be negligible or significantly less destructive).
- 3.2. NRW, and the Minister, have consistently relied on the fact that the “Community” of Roath is 17<sup>th</sup> on the Communities at Risk Register<sup>4</sup>. However, this rating is almost entirely a result of the separate, and far greater, flood risk addressed by the work in Phases 1 and 2. Since early December 2018 NRW have been asked to provide details of those homes and communities at higher risk within Wales, why works in those areas have not been prioritised and where the “community” would sit on the register once Phase 1 and Phase 2 works are complete. NRW have refused to provide the information on the basis that they do not hold the same<sup>5</sup>.
- 3.3. It has emerged over the last two months, as a result of requests made of NRW, that the Phase 3 works are designed to protect a discrete flood risk to 60 properties (located on Alma Road, Cressey Road, Sandringham Road and Blenheim Road):
  - 3.3.1. 20 properties with a flood risk of between 1 in 30 and 1 in 50 in any given year; and
  - 3.3.2. 40 properties with a flood risk of between 1 in 50 and 1 in 75 in any given year.Such a flood risk is categorised by NRW as “medium risk” (any flood risk between 1 in 30 and 1 in 100). After the works are completed the flood risk to these properties will be greater than 1 in 75 in any given year (still classed as “medium risk”).

<sup>3</sup> NRW, in their response, admit they are not aware of historical flooding

<sup>4</sup> See NRW response at Appendix 2

<sup>5</sup> Appendix 4 – Summary of FOI Requests and Responses - Items 4, 5 and 8

- 3.4. Following a further request, a copy of the Communities at Risk Register was provided on Friday 16<sup>th</sup> February. It is difficult to fully interpret the data (as the underlying software is needed). However, it is clear that once Phase 1 and 2 works are complete the risk of tidal flooding will be almost entirely removed and the risk posed by fluvial flooding (in the area of the Phases 1 and 2 works) similarly mitigated. The likely position of the community after such works is between 100<sup>th</sup> and 150<sup>th</sup>. Appendix 5 is a copy of the 150 communities most "at risk". It is likely that there are no plans currently for flood protection works in many of these communities, particularly beyond the top quarter of the table.
- 3.5. NRW's response when questioned on this is that it would not be correct to leave some homes in the community at a greater risk of flooding than others (those protected by Phase 1 and 2 works). This approach must be fatally flawed as it would certainly not be correct to protect these homes at the expense of homes in other areas of Wales at a far greater risk.
- 3.6. We believe that NRW should be required to recalculate the Communities at Risk Register in light of the work to be completed on Phases 1 and 2 and explain, in light of that, why the Phase 3 works should be prioritised over other areas at greater risk within Wales.

#### Objective Assessment of effect on Local Environment and Ecosystems

- 3.7. We understand that prior to commencing any flood defence project it is normal for a flood risk benefit map to be created to understand both the positive and negative impacts (presumably including the impact on the environment) of carrying out works. We have asked for a copy of such a map for Phase 3 works and have been told that no such map exists.<sup>6</sup>
- 3.8. We have also requested details of whether environmental issues, and the fact that an area is a conservation area, are taken into account at the stage works are contemplated or only at the stage of assessing which works are done, together with a copy of any guidance as to how these matters should be taken into account. Other than a generic answer that such factors are taken into account we have not been provided any further.<sup>7</sup>
- 3.9. It therefore appears that there is little or no objective assessment of the environmental impact, and associated cost, of tree felling (even within NRW the body charged with protecting our natural resources) despite the fact that NRW themselves are studying such benefits and acknowledge:
- "Urban trees are a valuable source of ecosystem services in towns and cities, providing cost-effective solutions to many of the environmental issues facing urban society. Quantifying the services that trees provide in improving local air quality, capturing and storing carbon and reducing flooding reveals the significant monetary benefits that trees deliver year on year."*<sup>8</sup>
- 3.10. There is also a cost to wildlife, many of which include species protected to the highest standard by law. To take kingfishers as an example (which have the highest level of protection). Kingfishers are very rare and our area is one of the only urban areas in Cardiff they are seen. Both the male and female have recently been sighted which indicates they are getting ready to breed. Kingfishers on average live for 2 years and breed after year 1. The works are likely to disturb their habitat. Whilst this is not itself a crime<sup>9</sup>, it will prevent the kingfishers from building their nests to breed. The likely consequence of these works, at best is that they will move out of the area, and at worst, because they cannot breed, they could die out depending on their age. They are unlikely to return to the area as the new sloping of the banks will not support their nests.
- 3.11. We believe that a system should be implemented within public bodies, and particularly NRW, to ensure that the destructive impact of such works to the environment is objectively valued.

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<sup>6</sup> Appendix 4 item 1

<sup>7</sup> Appendix 4 item 2

<sup>8</sup> <https://naturalresources.wales/guidance-and-advice/environmental-topics/your-neighbourhood/green-spaces/urban-trees/?lang=en>

<sup>9</sup> Damage or destruction to their nests, eggs, young or the kingfishers themselves is a criminal offence punishable by fines and/or imprisonment.

## Less Environmentally Destructive Options

3.12. Bearing in mind the apparent failure to consider the above, and the failure of the consultation (see below) we do not believe that NRW has actually carried out an accurate appraisal of alternative options (or a combination of them) as a specific alternative to phase 3<sup>10</sup> including:

- temporary storage of flood water upstream including at Roath Park Lake;
- individual property protection;
- temporary barriers on the South Side of Roath Brook and/or Sandringham Road;
- raising the footpath within the parks; and
- weighted valves under bridges to allow controlled back up;

3.13. NRW state that no other options have been identified by the Community. However, it is the community's view that there was a complete failure to consult both on the risks and the alternative options and had that taken place they, in conjunction with NRW experts, could have identified more suitable alternatives. We are continuing discussions with NRW over the options available although this is likely to involve significant expense on behalf of the campaign group.

## Failure of Consultation

3.14. NRW state that they have carried out "extensive public consultation". It is a fundamental principle of consultation that "*People involved in the consultation need to have enough information to make an intelligent choice and input into the process*"<sup>11</sup>. However, it is clear that the consultation, however extensive in terms of size, has failed due to the failure to provide the most basic information (examples of which are set out below).

3.15. It is agreed by NRW that the consultation failed to include the following<sup>12</sup>:

- any details whatsoever of the flood risk the Phase 3 works are designed to protect against (including the size of the flood risk and the number of properties affected);
- the fact that there is no evidence of Roath Brook ever flooding in the area of the Phase 3 works;

3.16. Further in relation to the scheme as a whole, which given the above is the only information people were provided with, NRW (despite their suggestions to the contrary):

- provided little or no information about the actual flood risk (Appendix 4 item 4 & Appendix 6);
- during a 6 month period from at the latest September 2017<sup>13</sup> exaggerated the actual flood risk by 1300% (stating a 1 in 5 risk of flooding to 400 homes rather than 1 in 75) as part of a concerted press campaign.

As a result, even now, many local residents have no idea of the actual flood risk which NRW are protecting against in any of the phases. This is unsurprising given that those employed or engaged by NRW, including the project manager, failed to understand the actual flood risk for at least a 6 month period.

3.17. Should works be found to be necessary in relation to Phase 3 we believe there should be a proper consultation on the need for the works and the alternative options available.

Roath Brook Trees Campaign Group

19<sup>th</sup> February 2018

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<sup>10</sup> Appendix 4, Item 3

<sup>11</sup> Gunning Principles

<sup>12</sup> Appendix 4, Item 4 and the example quoted (which is equally applicable whether or not the works in phase 3 are carried out) and Item 6

<sup>13</sup> The statement in the NRW letter is incorrect as their land agents were writing to residents quoting the incorrect flood risk of 1 in 5 in September 2017

# Eitem 3.1

## P-04-522 Asbestos mewn Ysgolion

### Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i roi mesurau ar waith i sicrhau bod rhieni a gwarcheidwaid plant yng Nghymru yn gallu cael mynediad rhwydd at wybodaeth am bresenoldeb asbestos mewn adeiladau ysgolion a beth a wneir i'w reoli.

O ystyried y risg i iechyd sy'n gysylltiedig â phresenoldeb asbestos mewn adeiladau cyhoeddus, credwn fod gan rieni a gwarcheidwaid yng Nghymru yr hawl i:

- gael gwybod os oes asbestos yn ysgolion eu plant;
- cael gwybod, os oes asbestos yn yr ysgol, ei fod yn cael ei reoli yn unol â Rheoliadau Rheoli Asbestos 2012;
- cael mynediad rhwydd at y wybodaeth honno ar-lein.

**Prif ddeisebydd:** Cenric Clement-Evans

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 10 Rhagfyr 2013

**Nifer y llofnodion:** 448

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-522  
Ein cyf/Our ref KW/00147/18

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

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

06 February 2018

Dear David

Thank you for your letter of 25 January in respect of your discussions at the Petitions Committee meeting on 9 January; to which you attached correspondence from your petitioner, Mr Cenric Clement-Evans.

For ease of reference, I will address the issues you raise in the order in which they appear in your letter and that of Mr Cenric Clement-Evans.

### **Condition and Management of Asbestos in Welsh Schools**

As I indicated in my letter of 3 November, information about the presence of asbestos in schools throughout Wales and confirmation that asbestos management plans are in place forms part of our annual condition survey.

I am pleased to report that the vast majority of local authorities have confirmed that those schools in their estate with asbestos present also have an asbestos management plan in place. My officials are currently working with local authorities to ensure that this information is current and that any gaps in the information are addressed.

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

### **When is the consultation referred to by her to commence and close?**

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

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

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

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

My officials contacted key stakeholders in December, to inform them that the forthcoming review of our asbestos management in schools guidance would begin early in 2018.

The intention is that the guidance review period will begin before the end of February and last for 12 weeks, so that all feedback and findings can be considered.

**When will the results of the consultation be released?**

In order to ensure that all stakeholder views are considered, a consultation response document and the revised guidance will be released as soon after the 12 week review period as it is practicable to do so.

**When will the meeting take place to which key stakeholders will be invited?**

In the letter sent to key stakeholders in December 2017, my officials indicated that we would welcome a joint meeting with them for discussions on the consultation document. My officials are mindful that all stakeholders should have adequate time to review the revised guidance information to inform discussions, so this date will be arranged in agreement with all involved once the consultation is underway.

**Who are the proposed key stakeholders and how has this been determined?**

Key stakeholders were identified by the Asbestos Management in Schools Working Group (of which HSE Wales and Public Health Wales are part).

Decisions about stakeholder involvement were initially guided by the participants of the steering group in England, but also included those groups specific to Wales.

Information about the review has currently been distributed to all school based unions in Wales and committees such as: British Lung Foundation; JUAC; ColegauCymru; and the WLGA. The Cross Party Group, GovernorsWales and Further Education unions, as well as head teachers, through our Dysg Newsletter, will also be asked to provide comments for this review.

My officials have also been in separate correspondence with both Mr Cenric Clement Evans in his role as Secretary to the Cross Party Group on Asbestos and Dr Joseph Carter as Head of British Lung Foundation Wales, to detail the current key stakeholder list and asking for any additional stakeholder suggestions they may have.

Yours sincerely



**Kirsty Williams AC/AM**

Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education



### **P-05-733- Dim gweithredu pellach ar Barthau Perygl Nitradau (NVZ) yng Nghymru o gwbl**

Cyflwynwyd y ddeiseb hon gan Nicola Savage ar ôl 30 o lofnodion ar-lein a dros 400 o lofnodion papur. Casglodd deiseb gysylltiedig 497 o lofnodion ar wefan e-ddeiseb amgen

#### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i beidio â chymryd camau pellach o ran NVZ yng Nghymru. Byddai cyflwyno'r gyfarwydddeb hon yn rhoi pwysau aruthrol ar ddiwydiant llaeth sydd eisoes yn crebachu, ynghyd â chymunedau gwledig yn ehangach. Ni yw asgwrn cefn economi Cymru, Dim Ffermwyr, Dim Bwyd.

#### **Etholaeth a Rhanbarth y Cynulliad**

- Preseli Sir Benfro
- Canolbarth a Gorllewin Cymru

## **Datganiad Ysgrifenedig – Ymgynghori ar Barthau Perygl Nitradau**

**Diweddarwyd 13 Rhagfyr 2017**

### **Lesley Griffiths, Ysgrifennydd y Cabinet dros dros Ynni, Cynllunio a Materion Gwledig**

Llynedd, cynhaliodd Llywodraeth Cymru ymgynghoriad ar yr Adolygiad o'r Ardaloedd Dynodedig a Rhaglen Weithredu i fynd i'r afael â Llygredd Nitradau yng Nghymru. Gofynnwyd i bobl fynegi barn ar yr opsiynau ar gyfer dynodi Parthau Perygl Nitradau yn y dyfodol ac am farn pobl am fesurau'r Rhaglen Weithredu a roddwyd ar waith o fewn y Parthau hynny. Cafwyd 256 o ymatebion oddi wrth unigolion a sefydliadau, gan adlewyrchu pa mor bwysig yw ansawdd dŵr i Gymru. Roedd bron 60% o ymatebion o blaid dynodi tiriogaethau cyfan. Caiff y Crynodeb o ymatebion ei gyhoeddi yn y Flwyddyn Newydd.

Mae gwarchod ansawdd dŵr yn un o'r prif flaenoriaethau sydd wedi'i nodi yn y Strategaeth Ddŵr i Gymru. Er bod nitrogen yn faethyn hanfodol sy'n helpu planhigion a chnydau i dyfu, mae gormod ohono yn gallu bod yn niweidiol. Y defnydd amaethyddol o nitradau yw un o'r prif ffactorau sy'n gyfrifol am lygru ein dŵr. Mae rhwymedigaethau rhyngwladol, megis Nod Datblygu Cynaliadwy y Cenhedloedd Unedig, yn ei gwneud yn ofynnol inni gymryd camau i wella ansawdd ein dŵr erbyn 2030 drwy leihau llygredd.

Mae'r ffordd wael y mae maethynnau'n cael eu rheoli yn dal i fod yn broblem fawr ledled y wlad. Mae modd atal y math yma o lygredd ac ni ddylem weld rhannau helaeth o afonydd heb bysgod mwy neu lai yn yr 21ain ganrif. Roedd y rhan fwyaf o ymatebwyr wedi cydnabod yr effaith sylweddol y mae llygredd nitradau yn ei chael, ac roeddent yn cytuno bod angen cymryd camau pellach.

Rwyf wedi ystyried yr ymatebion i'r ymgynghoriad, gyda barn rhanddeiliaid o'm Grŵp Bord Gron Gweinidogol ar Brexit a'i Is-grŵp Rheoli Tir, ac Is-grŵp Fforwm Rheoli Tir Cymru ar Lygredd Amaethyddol. Rwyf am sicrhau y gall pobl Cymru barhau i elwa ar ein hadnoddau naturiol. Er mwyn gallu gwneud hyn, mae'n rhaid gwella'r ffordd y caiff ein dŵr ei warchod rhag llygredd amaethyddol. Rwyf o blaid cyflwyno dull cenedlaethol i ymdrin â llygredd nitradau sy'n deillio o waith amaethyddol.

Dros y misoedd nesaf, byddaf yn gweithio mewn partneriaeth â'n rhanddeiliaid i daro'r cydbwysedd cywir rhwng mesurau rheoleiddiol, mentrau gwirfoddol a

buddsoddiad. Rwy'n bwriadu edrych ar opsiynau er mwyn medru rhoi hyblygrwydd i reolwyr tir, lle y byddai'r opsiynau hynny yn arwain at yr un canlyniad neu ganlyniadau gwell na dull rheoleiddiol. Mae hyn yn cynnwys edrych ymhellach ar gynnig gan y diwydiant amaethyddol sy'n seiliedig ar brosiect First Milk i leddfu effaith maethynnau.

Rwy'n croesawu'r gwaith sy'n cael ei wneud gan Is-grŵp Fforwm Rheoli Tir Cymru ar lygredd amaethyddol a pharodrwydd y diwydiant i gydweithio â ni i ymdrin â'r broblem hon. Byddwn yn parhau i gydweithio â'r grŵp hwn a'r Is-grŵp Rheoli Tir y Ford Gron Gweinidogol i sicrhau bod y drefn reoleiddiol yn ddigon cadarn i gyflawni'r canlyniadau y mae eu hangen ar Gymru, gan gynnig hyblygrwydd ar yr un pryd.

Mae gennym rai o'r ardaloedd gwledig a'r afonydd mwyaf ysblennydd yn Ewrop ac mae dyletswydd arnom i'w gwarchod a'u gwella. Bydd y ffordd newydd hon o weithio yn ein helpu i wneud hynny.

**P-05-733 No Further Actions on Nitrate Vulnerable Zones (NVZ) In Wales At All –  
Correspondence from the Petitioner to the Committee, 19.02.18**

Hi Kayleigh

No I won't be responding I feel that it was a fair decision.

Thank you

Nicola

### **P-05-743 Rhowch Derfyn ar Fasnachu Anifeiliaid Anwes Egsotig yng Nghymru**

Cyflwynwyd y ddeiseb hon gan David Sedley ar ôl casglu 222 llofnod.

#### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gymryd camau gweithredu yn erbyn masnachu mewn anifeiliaid egsotig sy'n cael eu dal a'u magu ar gyfer y fasnach anifeiliaid anwes yng Nghymru. Dylai hefyd wahardd trwyddedu pob busnes sydd ynghlwm â'r fasnach ddinistriol, greulon ac anfoesegol hon, gydag eithriadau clir ar gyfer canolfannau achub a chanolfannau achub trwyddedig.

Rydym hefyd yn annog Llywodraeth Cymru i ddilyn esiampl Llywodraeth yr Alban, sydd wedi ymrwymo i adolygu masnachu a mewnfario anifeiliaid egsotig ar gyfer y fasnach anifeiliaid anwes yn yr Alban ym mis Chwefror 2015, dan arweiniad Ysgrifennydd y Cabinet dros Faterion Gwledig a'r Amgylchedd. Er mwyn i Gymru gael ei chymryd o ddifrif yn y gymuned gadwraeth fyd-eang, rydym o'r farn na allwn gael ein gweld yn caniatáu i'r fasnach hon barhau yn ein gwlad ein hunain. Mae hyn yn amlygu pryderon Cymdeithas Milfeddygon Prydain (BVA), y Federation of Veterinarians of Europe (FVE) a'r RSPCA. Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod unrhyw newidiadau a gaiff eu gwneud i raglen Cymunedau yn Gyntaf yn gwarchod Canolfan Ieuencid Forsythia rhag cael ei gau.

#### **Gwybodaeth ychwanegol**

Mae anifeiliaid fel mwncïod, 'meerkats', ymlusgiaid a chrwbanod yn anifeiliaid gwyllt sy'n perthyn i'w cynefin naturiol, ac ni ddylent fod mewn cewyll a thanciau gwydr yng nghartref rhywun. Caiff dros 1000 o rywogaethau o famaliaid, adar, infertebratau, ymlusgiaid, amffibiaid a physgod eu magu a'u dal ar gyfer y fasnach anifeiliaid anwes egsotig. Ein dadl ni yw mai dim ond yn eu cynefinoedd naturiol y gellir bodloni anghenion cymdeithasol, corfforol ac ymddygiadol cymhleth yr anifeiliaid hyn. Hefyd, ceir tystiolaeth gref sy'n cysylltu'r fasnach mewn anifeiliaid egsotig â dinistrio cynefinoedd a difodiant rhywogaethau yn y gwyllt. Ochr yn ochr â dioddefaint anifeiliaid o'r fath wrth deithio – gan gynnwys llawer o gofnodion am farwolaethau – gall anifeiliaid ifanc dyfu i fod yn oedolion peryglus a all fynd dros

ben llestri mewn amgylcheddau domestig nad ydynt yn addas i fodloni eu hanghenion lles am fwy o le a bwyd.

### **Etholaeth a Rhanbarth y Cynulliad**

- Gorllewin Abertawe
- Gorllewin De Cymru

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-743  
Ein cyf/Our ref LG/00218/18

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

[government.committee.business@wales.gsi.gov.uk](mailto:government.committee.business@wales.gsi.gov.uk)

6 February 2018

Dear David

Thank you for your letter of 25 January on behalf of the Petitions Committee regarding petition P-05-743 on ending of the exotic pet trade in Wales.

The Scottish Government has advised they have completed their desk-top review on exotic pets and it is being considered alongside other matters relating to the breeding, sale and keeping of pets as part of their wider pet welfare review.

Defra is in the process of finalising draft animal welfare regulations, which cover the licensing of activities involving animals, including pet sales in England. The regulations will outline the updated animal welfare standards licence holders need to comply with and will also include a number of specific provisions aimed at improving the care of exotic pets.

We are developing a licensing scheme for mobile animal exhibits in Wales, many of which include exotic species. Officials are also updating a number of our animal welfare codes of practice and are working with RSPCA Cymru and Animal Welfare Network Wales to discuss priorities for revising or creating new species-specific welfare codes where the greatest need is identified.

There is a duty on all animal keepers to protect the welfare of animals in their care, whether on a permanent or temporary basis, in the Animal Welfare Act 2006. The codes explain what a person needs to do to meet the standards of care the law requires. Essentially, if you own or are responsible for an animal you have a legal duty to take reasonable steps to ensure its welfare needs are met. Better information sharing before point of sale is also essential to ensure responsible decisions are made when considering ownership of an animal.

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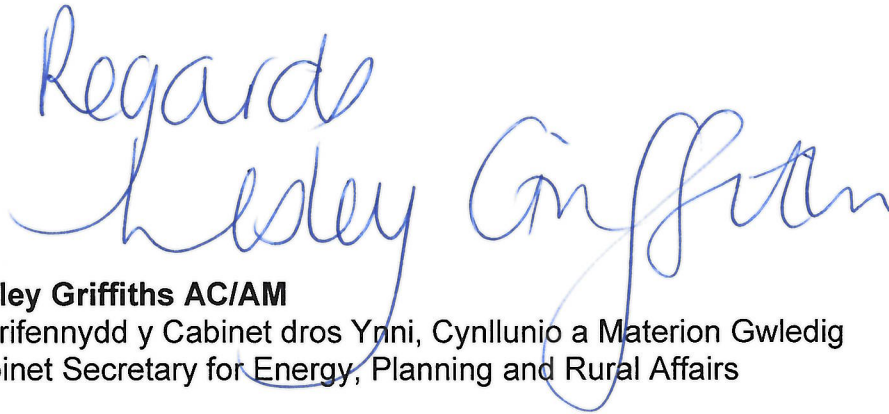
Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400  
[Gohebiaeth.Lesley.Griffiths@llyw.cymru](mailto:Gohebiaeth.Lesley.Griffiths@llyw.cymru)  
[Correspondence.Lesley.Griffiths@gov.wales](mailto:Correspondence.Lesley.Griffiths@gov.wales)

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

Tudalen y pecyn 47

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

At this point in time there is nothing further to share on this particular issue. It may be of interest to note we have agreed to the UK Parliament legislating by Act for England and Wales to increase the maximum sentence for animal cruelty offences from six months to five years. This will apply to all kept animals including exotic pets. Maintaining a comparative sentencing regime across England and Wales is important to ensure clarity for enforcement agencies, the Courts and the public alike. This will bring maximum sentences for animal cruelty in England and Wales into line with Northern Ireland and the Republic of Ireland. The Scottish Government has also committed to increase the maximum penalty.

Regards  


**Lesley Griffiths AC/AM**

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





## **Response to Petition P-05-743: End the Exotic Pet Trade in Wales**

**Pet fish are good for people, their health, and the Welsh and UK economy. The trade supports the livelihoods of people in some of the world's poorest countries**

We note that one of the main requests by this petitioner is for pet shop licences to be withdrawn from businesses to stop them trading. We would like to put some further context to that call.

We carried out Freedom of Information requests to local councils in 2014 and 2016 looking at pet shop licensing. From our 2016 report we found there were 145 shops in Wales being licensed by 20 councils. Of these 118 sold fish (just over 80% of licensed pet shops in Wales). That is a lot of shops to shut and livelihoods to lose (and it would be more if other exotic pets like reptiles and small furies are included).

It is worth remembering, what is not counted in any pet shop licensing statistic is the number of 'pet' shops that do not sell animals but everything else a pet owner needs. And behind all those are the companies which manufacture and supply food, accessories, tanks and medications. Cut off the supply to a significant proportion of pet animals and these shops and businesses will equally suffer from lack of trade.

Unfortunately we don't have figures for Wales but in the UK we estimate that:

- 4 million households own fish (that's 14% of the population).
- There are 100+million fish kept in aquariums and ponds (making fish the most populous pet).
- Fishkeepers spend £400 million a year on their hobby while pet owners in general spend around £6 billion a year on their pets (that's all pets) including foods, accessories and veterinary care.
- That generates taxes of more than £2 billion annually.
- 50,000 people are employed by the pet industry within the UK (we estimate around 12,000 are employed by aquatic-related businesses).
- Pets are good for our health and are estimated to save the NHS at least £2.45 billion every year (which could be a conservative estimate). Therefore the benefits of pet ownership in general, in terms of tax generated and NHS spending spared, is about £4.45 billion a year.

Our point is that stopping the trade in exotic pets, whether it's tropical fish, birds, reptiles or small furies like gerbils and hamsters, takes out a significant proportion of the trade which ultimately affects all pet owners. Popular though they are, dogs, cats and rabbits alone cannot keep the pet industry going. We believe that the pet industry – including those importers,

wholesalers, manufacturers and retailers involved in exotic species – make a valuable contribution to Goal 1 of the Welsh Government’s Wellbeing of Future Generations Act. These businesses provide jobs and livelihoods to people in Wales – and indeed people in other parts of the world too (Goal 7).

We would also ask you to consider the unheard voice in the exotic pet debate – the people who catch tropical fish. We enclose a copy of [OATA’s Wild Caught Ornamental Fish: the trade, the benefits, the facts](#) which examines the benefits that tropical fish caught in the wild can bring to some of the remotest and poorest parts of the world. The people who catch wild fish do not have a voice in developed countries in a debate that threatens their livelihoods and the well-being of their families. What’s rarely discussed is the fact that, if best practice is followed as is the case across much of our industry, fish mortalities are low, welfare standards are high, and the benefits can be huge in terms of revenue, infrastructure, carbon fixation and in the lives of many people.

Our industry gives people living in Small Island Developing states, Least Developed Countries and countries classified by the UN as ‘countries of low human development’ the chance to develop a sustainable livelihood from the marine or freshwater resources on their doorstep, helping to meet UN Sustainable Development Target 14.7 which says: “By 2030, increase the economic benefits to Small Island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism.” This in turn actually encourages communities to preserve the environment where they live because it protects their livelihood. If these communities do not receive an income from these low volume, high value sustainable fisheries they are likely to turn to more environmentally damaging activities such as food fishing, slash and burn agriculture, logging or even mining.

### **Educating people to pick the right pet for their lifestyle and care for it properly is the key to happy and healthy pets**

This petitioner calls ‘at the very least’ for an introduction of a positive list which seeks to limit the species that people can keep as pets. All animals have specific husbandry requirements which need to be understood by their owner, regardless of whether they are dogs, cats, small furrries, birds, reptiles or fish. That’s why we believe educating people to pick the right pet for their lifestyle and care for it properly is the key to happy, healthy pets. Reducing the number of animals that can be legally traded and kept as pets will only prejudice responsible businesses and keepers. We believe the solution lies in educating people in how to look after the animals they share their homes with, exotic or otherwise, while ensuring the law to manage illegally traded species is effective and properly enforced.

There is no justification for a positive list approach and it is a disproportionate approach in light of current evidence. There are no identified issues of concern with the species our industry imports. Species should only be restricted where it can be properly demonstrated, based on a scientific risk assessment, that they constitute some form of risk. Tropical fish present no risk because they cannot survive in the temperate climate of the UK and temperate fish are already subject to adequate controls and risk assessment.

The evidence for a problem is often exaggerated by NGOs and is not supported by wider scientific evidence and practical experience. Belgium has introduced a positive list of mammals but that list has been ignored by many owners that simply keep their animals undercover, selling any surplus quietly in Belgium or more openly to clients in other EU Member States. You might also be interested to know that when the Belgians undertook their assessments for a positive list of mammals, dogs and rabbits could not make it on the list. Clearly this was not considered politically acceptable so the criteria was reviewed and a further

assessment undertaken which enabled them to be included on the list. Such lists are therefore not necessarily representative of how hard it is to keep a particular species – which frankly calls into question the credibility of positive lists.

Before Sweden acceded to the EU reptile ownership was banned but upon accession, and a lifting of the ban, many reptiles came to light. Norway has also recently lifted a 40-year ban on reptile ownership and even the Norwegian Government acknowledged there has been a healthy private ownership of reptiles (estimated to be around 100,000) in the country. So there is evidence that these bans, including bans arising as a consequence of positive lists, do not stop ownership. Instead they drive it underground. We do not endorse illegal activity but any law that cannot get the majority of stakeholders to comply is not good law. And it also does nothing to protect animal welfare because sick animals may be denied veterinary attention if they are being kept illegally.

### **High standards for pet shops are to be welcomed and need to apply to ALL businesses to ensure good welfare**

OATA has long campaigned to improve pet shop licensing across the UK (hence our FOI reports in 2014 and 2016). We are aware of the Scottish review, although we are not sure what, if any, progress has been made with this. In England, there is already a well-established review of animal establishment licensing (including pet shops), which includes developing mandatory model licensing conditions based on Chartered Institute of Environmental Health guidelines.

We have worked with fellow pet trade associations and Defra on this review because we want an outcome that sets high standards for ALL businesses which deal with animals – whether that's a 'bricks and mortar' shop or online. ALL businesses selling pets should face the same scrutiny, whether that's about meeting the same high standards of animal welfare, staff training to ensure they know about the species they sell and provision of high quality care information to customers who buy animals. Online businesses need to demonstrate this to the same standards as shops.

Another point we make repeatedly on this subject is that having well-trained inspectors who can enforce the legislation is equally important. Better enforcement of improved mandatory conditions will drive up standards for all businesses, which can only be a good thing. We would urge all UK administrations to follow Defra's lead in introducing an equivalent and consistent approach. As a UK representative body, you will understand that we hope high standards are mandatory across the whole of the UK so there are not different standards based on postcode.

### **Fish welfare and mortalities**

Like any trade that exports and imports live animals, the welfare and mortality rates of exported ornamental fish is a highly emotive issue, and rightly so. Our industry relies on the provision of LIVE and HEALTHY stock. Where best practise is followed, mortalities at all stages along the supply chain have been reduced to very low levels, often achieving mortalities below 1% from exporters to importers, as confirmed by a Ministerial statement in the UK.

As an example, a 2014 report by Wabnitz & Nahacky examined fish collection in the Federated States of Micronesia, a set of small islands in the Pacific. These collectors and exporters had all received training in best practice in collection, handling, transport, holding and shipping from the Secretariat of the Pacific Communities (SPC), an international development organisation. It reported mortalities of less than 1% from collection to export and less than 1.4% at the importer in the United States. There's no reason to believe this level of survivability cannot be achieved across the globe if best practice methods are routinely

followed. In the UK many companies such as Maidenhead Aquatics and Tropical Marine Centre work with their supply chains to provide this type of training.

### **Codes of Practice**

We note from the Wales Animal Health and Welfare Framework implementation plan that Codes of Practice for species are under review. You might be interested to know that we are currently working on a Good Practice Guide for Fishkeeping for Defra and would be very happy to send this to the committee. We will happily assist in any work that is done in this area though our preference would be for codes of practice that are consistent across the whole of the UK. Anything that drives up standards for all businesses involved in the sale of tropical fish is to be welcomed and you will find our industry plays its part in educating customers about the flora and fauna they sell.

### P-05-778 Amddiffyn Cyllyll Môr ar Draeth Llanfairfechan

Cyflwynwyd y ddeiseb hon gan Vanessa L Dye, ar ôl casglu 225 o lofnodion ar-lein a 234 ar bapur – cyfanswm o 459 lofnodion.

#### Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i wneud y canlynol:

- comisiynu astudiaeth ymchwil i ganfod cyflwr gwelyau'r cyllyll môr a'u hyfywedd fel adnodd naturiol hirdymor, a rhoi moratoriwm ar waith ar gyfer pysgota cyllyll môr hyd nes y gall yr ymchwil adrodd ar ei ganfyddiadau;
- cadarnhau tymor 'caeëdig' ar gyfer cynaeafu cyllyll môr sy'n cyd-fynd â'r tymor silio h.y. mis Mai i fis Medi;
- llunio rheoliadau yn ogystal â'r maint glanio lleiaf o 10cm i gynnwys cwotâu penodol y mae unigolion yn cael eu casglu; a
- chyflwyno deddfwriaeth a rheoliadau i amddiffyn y cyllyll môr ar draeth Llanfairfechan.

"Mae'r cynaeafu ar raddfa fawr o gyllyll môr ar draeth Llanfairfechan wedi bod yn destun pryder i lawer o drigolion a chadwraethwyr ers nifer o flynyddoedd." (Cyf: llythyr at Lesley Griffiths AC, Ysgrifennydd y Cabinet gan Janet Finch Saunders AC 28 Gorffennaf 2017.)

Ar hyn o bryd yr unig reolaeth reoliadol ar gyllyll môr yw bod yn rhaid iddynt fod â maint glanio lleiaf cyfreithiol o 10cm, ac mae gwiriadau sy'n ymwneud â rheoli'r hyn sy'n dod yn rhan o'r gadwyn fwyd. Mae llawer o drigolion yn pryderu am y diffyg ymddangosiadol o weithdrefnau a/neu reoliadau sy'n llywodraethu'r broses o gasglu cyllyll môr yn enwedig o ran dynodi tymor 'caeëdig' yn ystod silio, y cwotâu a ganiateir, a'r angen am gynnal gwaith ymchwil ar y cyllyll môr i ganfod yr effaith ar yr ecosystem a'r amgylchedd lleol.

Ers 2013 nodwyd gan nifer o ffynonellau fod cyllyll môr yn cael eu cynaeafu mewn niferoedd mawr o draeth Llanfairfechan. Mae tystiolaeth i gefnogi'r honiad hwn wedi cael ei dogfennu ar sawl achlysur yn y cyfryngau cymdeithasol. Mae cais diweddar ar Hysbysfwrdd Llanfairfechan ar gyfer unrhyw luniau neu fideos o'r rheini sy'n casglu cyllyll môr yn dangos yn glir bod nifer fawr o bobl yn ymwneud â'r gweithgarwch hwn. Mae'r broses o gasglu'r cyllyll môr fel arfer yn digwydd ar ôl llanw uchel.

### **Gwybodaeth ychwanegol:**

Dyma rywfaint o gefndir hanesyddol am y mater hwn. Yn 2013 amlygwyd y cynaeafu gan bapur newydd Weekly News gan Tom Davidson pan nodwyd fod 'criw o dros 100 o bobl yn cynaeafu llawer iawn o gyllyll môr...' Roedd pryderon hefyd fod gweithwyr anghyfreithlon yn cael eu hecsbloetio a bod y cyllyll môr yn cael eu pysgota at ddibenion masnachol. Ar y pryd, dywedodd un o'r trigolion ei fod 'wedi gweld golygfeydd tebyg yn ymwneud â nifer cynyddol o gasglwyr yn ystod yr ychydig wythnosau diwethaf. Mae'r trigolion yn flin oherwydd y nifer fawr o gynaeafwyr gydag ofnau y gallai'r cynefin lleol gael ei ddifrodi yn anadferadwy, gyda channoedd o gyllyll môr yn cael eu casglu oddi ar y traeth yn rheolaidd.'

Er bod yr ofnau o ran bod y casglwyr yn cael eu defnyddio fel rhan o gaethwasiaeth fodern a'r pysgod cregyn yn dod yn rhan o'r gadwyn fwyd wedi cael eu tawelu gan ymdrechion parhaus yr heddlu a'r Asiantaeth Safonau Bwyd, mae canlyniadau amgylcheddol y broses gyson a systematig o gasglu cyllyll môr yn parhau i fod yn broblem fawr, a all effeithio ar fywyd adar môr ac eraill yn yr ardal, ynghyd ag achosi newidiadau posibl yn y dwysedd o dywod ar y traeth. Mae rhai pryderon ynglŷn â'r tywod yn ansefydlog mewn mannau a gallai pobl sy'n anghyfarwydd â'r traeth yn hawdd fynd i drafferthion e.e. mae rhai o'r casglwyr yn cynaeafu'r cyllyll môr gryn bellter i ffwrdd oddi wrth ddiogelwch y tir.

Mae wedi bod yn eithaf diraddiol a rhwystredig i ddinasyddion cyffredin wylio'r ysbeilio o adnodd amgylcheddol ac yn cwestiynu pam mae sefydliadau sydd â chylch gwaith i warchod yr amgylchedd yn ymddangos i gael eu llyffetheirio oherwydd y diffyg gweithdrefnau/deddfau priodol. Mae hyn yn syndod o gofio bod traeth Llanfairfechan wedi'i dynodi'n Safle o Ddiddordeb Gwyddonol Arbennig, Ardal Gwarchodaeth Arbennig ac Ardal Cadwraeth Arbennig. 2013. Mae'n rhaid bod rheoliadau o fewn y cyrff hyn o wybodaeth i fanteisio arnynt fel ffynhonnell i ddiogelu'r anghydbwysedd hwn mewn ecosystem o'r fath?

### **Etholaeth a Rhanbarth y Cynulliad**

- Not provided

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-778  
Ein cyf/Our ref LG/00259/18

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

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

7 February 2018

Dear David

Thank you for your letter of 31 January, regarding petition P-05-778 Protect the Razor Clams on Llanfairfechan Beach and for sharing the comments provided by the petitioner.

NAFC Marine Centre, Shetland, won the contract for the research study into the biology, ecology and distribution of razor clams around Wales.

There is currently no agreed best practice for razor clam stock assessments in scientific or fisheries management in the UK or EU. The report will review potential methods and techniques for razor clam stock assessment and will provide recommendations for stock assessment methods to be used by the Welsh Government.

This report is to be completed by 31 March 2018. Welsh Government will then consider its recommendations to enable the development of the most appropriate stock assessment methodology for subsequently assessing the razor clam population at Llanfairfechan.

Regards

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

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Caerdydd • Cardiff  
CF99 1NA

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

[Gohebiaeth.Lesley.Griffiths@llyw.cymru](mailto:Gohebiaeth.Lesley.Griffiths@llyw.cymru)  
[Correspondence.Lesley.Griffiths@gov.wales](mailto:Correspondence.Lesley.Griffiths@gov.wales)

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

**Tudalen y pecyn 55**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

**P-05-778 Protect the Razor Clams on Llanfairfechan Beach –  
Correspondence from the Petitioner to the Committee, 18.02.18**

Dear Petition Committee Members,

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

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

Firstly, may I draw the Committee members' attention to the fact that, as yet, no prominent Bye law notices have been placed at the beach entrances, to indicate that the razor beds are closed until December 2018.

In respect of the Cabinet Secretary for Energy, planning and rural affairs letter (February 2018), which states that the NATC Marine Centre has been given the contract for the researching razor clams around Wales. It is interesting that the letter notes there is currently no agreed best practice for assessing stocks of razor clams. This point echoes comments made by some of the Llanfairfechan residents attending the Public meeting held by Janet Finch-Saunders(AM) last July, when concerns were raised about the apparent total lack knowledge regarding the types/extent/density/overall health and potential environmental effects of over fishing of the razor clam beds on Llanfairfechan beach.

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

In addition; as evidenced in Cabinet Secretary's letter; the lack of a current strategy for assessing razor clam stocks means that whoever conducts this research will be in the unrivalled position of being 'map makers' rather than 'map readers' in collecting evidence and setting benchmarks and



recommendations which will inform 'fisheries' practices to help maintain this precious environmental area for the future.

Once again, I wish to thank the Petition Committee for continuing to take appropriate action towards dealing with some of the concerns within the initial remit of the petition.

Yours faithfully

Vanessa L Dye

# Eitem 3.5

## **P-05-740 Deiseb i Warchod Ein Stryd Fawr.**

Cyflwynwyd y ddeiseb hon gan Sally Stephenson ar ôl casglu 939 llofnod ar lein â 729 llofnod papur.

### **Geiriad y ddeiseb**

Rydym ni, sydd wedi llofnodi isod, yn credu bod cynllun rhyddhad ardrethi trosiannol Llywodraeth Cymru yn annigonol o ran diwallu anghenion busnesau yr effeithir arnynt gan ailbrisiadau diweddaraf adeiladau, ac rydym yn galw ar Lywodraeth Cymru i ddatblygu pecyn o fesurau rhyddhad ardrethi parhaol i ysgafnhau'r pwysau ariannol ar fusnesau bychain.

### **Etholaeth a Rhanbarth y Cynulliad**

- Bro Morgannwg
- Canol De Cymru

## **Datganiad Ysgrifenedig – Torri trethi ar gyfer busnesau bach: cynllun rhyddhad ardrethi parhaol i fusnesau bach ar gyfer Cymru**

**Diweddarwyd 13 Rhagfyr 2017**

### **Mark Drakeford, Ysgrifennydd y Cabinet dros Gyllid**

Mae Llywodraeth Cymru eisoes wedi nodi ein bwriad i gyflwyno cynllun ardrethi parhaol i fusnesau bach o 1 Ebrill 2018. Bydd hwn yn rhoi sicrwydd i fusnesau bach yng Nghymru, gan dorri trethi i'w helpu i ysgogi twf economaidd yn y tymor hir. Heddiw, rwy'n falch o gyhoeddi manylion y cynllun parhaol hwnnw.

Yn 2017–18, rydym yn rhoi mwy na £110 miliwn o gymorth i fusnesau bach i'w helpu i dalu eu hardrethi. Bydd ein cynllun parhaol, a fydd ar waith o 1 Ebrill 2018, yn cynnal y buddsoddiad hwn gan Lywodraeth Cymru. Yn unol â'n hegwyddorion treth, o dan y cynllun newydd hwn, bydd y cymorth yn cael ei dargedu'n fwy effeithiol tuag at y busnesau hynny a fydd yn elwa fwyaf. Bydd yn cefnogi swyddi a thwf ac yn cyflawni manteision ehangach ar gyfer ein cymunedau lleol.

Ymgynghorwyd yn eang â rhanddeiliaid wrth gynllunio'r cynllun parhaol hwn ac ystyriwyd hefyd safbwyntiau talwyr ardrethi, cynrychiolwyr o fyd busnes, trethdalwyr eraill ac awdurdodau lleol. Rwy'n ddiolchgar i bob un a gyfrannodd mewn modd gwerthfawr ac adeiladol i'r ymarfer hwn.

Er mwyn ein galluogi i dargedu rhyddhad ardrethi yn fwy effeithiol, bydd y cynllun newydd hwn yn cyfyngu ar nifer yr eiddo sy'n gymwys ar gyfer rhyddhad ardrethi i fusnesau bach i ddau eiddo fesul busnes ym mhob awdurdod lleol. Mae hyn yn rhyddhau tua £7m a fydd yn cael ei ail-fuddsoddi mewn meysydd eraill o ryddhad.

Bydd y cronfeydd hyn yn cael eu defnyddio fel a ganlyn:

- Rhoi cymorth ychwanegol ar gyfer y sector gofal plant, gan gynyddu'r trothwy uchaf ar gyfer hawlio rhyddhad ardrethi i ddarparwyr gofal plant o £12,000 i £20,500. Bydd mwy na 100 o ddarparwyr gofal plant yn elwa ar hyn ledled Cymru.
- Darparu cefnogaeth gwerth £5 miliwn i barhau Cynllun Rhyddhad Ardrethi'r Stryd Fawr i 2018–19.
- Darparu £1.3m arall o gyllid i awdurdodau lleol, er mwyn iddynt ei ddefnyddio ar

gyfer arfer eu pwerau disgrisiwn i roi rhyddhad wedi'i dargedu i gefnogi busnesau lleol a fyddai'n elwa fwyaf ar gymorth ychwanegol.

- Rhoi cymorth wedi'i dargedu i brosiectau ynni dŵr bach.

Bydd y cynllun rhyddhad newydd yn cael ei gyflwyno ar sail barhaol o 2018, ond byddaf yn dal i ddatblygu'r cynllun i sicrhau ei fod yn bodloni anghenion Cymru yn y ffordd orau posibl.

Bydd y meysydd eraill yr ymchwilir iddynt yn cynnwys:

- Targedu cymorth at sectorau neu fathau penodol o fusnes sy'n cefnogi'r gwaith o gyflawni amcanion polisi Llywodraeth Cymru, er enghraifft, gofal cymdeithasol a'r blaenoriaethau a nodwyd yn y Cynllun Gweithredu Economaidd.

- Targedu cymorth at y sector gofal plant, gan gynnwys ystyried Adolygiad Barclay o Ardrethi Busnes a gynhaliwyd yn yr Alban yn gynharach eleni. Bydd y gwaith hwn yn helpu o ran rhoi cynllun y gweithlu gofal plant, chwarae a'r blynyddoedd cynnar ar waith drwy helpu darparwyr gofal plant i weithredu mewn modd sy'n fwy cynaliadwy, ac yn unol ag uchelgais y Cynllun Gweithredu Economaidd.

- Y posibilrwydd o derfynu'r cyfnod rhyddhad cyffredinol, er mwyn ailgyfeirio adnoddau i roi mwy o help i fusnesau yn ystod y cyfnod sefydlu a thwf cynnar.

- Asesu pa mor ymarferol ydyw bod cymhwysra busnes i hawlio rhyddhad ardrethi yn cael ei gysylltu â thalu'r cyflog byw.

- Gweithio i fynd i'r afael â thwyll ac achosion o osgoi talu ardrethi annomestig.

- Ystyried lle y gellid eithrio rhai busnesau rhag cael rhyddhad ardrethi, os nad ydynt yn gweithredu'n unol ag amcanion polisi Llywodraeth Cymru.

Rwy'n bwriadu mabwysiadu agwedd flaengar, deg a thryloyw tuag at drethi lleol yng Nghymru sy'n dal i ddarparu cyllid hanfodol ar gyfer gwasanaethau lleol. Mae cyflwyno cynllun rhyddhad ardrethi parhaol i fusnesau bach yn allweddol i wireddu'r weledigaeth hon.

### **P-05-748 Bysiau Ysgol i Blant Ysgol**

Cyflwynwyd y ddeiseb hon gan Lynne Chick ar ôl casglu 1,239 llofnod – 502 ar bapur a 737 ar-lein.

#### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau y rhoddir blaenoriaeth i ddiogelwch pob plentyn wrth iddynt deithio yn ôl ac ymlaen i'r ysgol.

Rydym am gael bysiau ysgol penodedig â sedd a gwregys diogelwch i bob plentyn, fel y gall plant deithio yn ôl ac ymlaen i'r ysgol yn ddiogel, ac ni ddylai unrhyw blentyn gael ei orfodi i deithio ar fysiau cyhoeddus gorlawn. Mae'n rhaid rhoi blaenoriaeth i ddiogelwch plant.

Mae gan ein plant yr hawl i deimlo'n ddiogel. Gall bysiau cyhoeddus fynd yn orlawn. Nid oes gennym ddim syniad pwy allai fod yn teithio ar fws cyhoeddus. Bysiau at ddefnydd y cyhoedd yw bysiau cyhoeddus ac nid cludiant i'r ysgol. Nid ydym yn gofyn am wasanaeth di-dâl. Nid ydym yn gofyn am gael rhywbeth am ddim, dim ond tawelwch meddwl bod ein plant yn ddiogel pan fyddant yn teithio yn ôl ac ymlaen i'r ysgol. Rydym yn dysgu ein plant bod pobl ddieithr yn beryglus ac eto mae disgwyl i ni eu hanfon ar fws cyhoeddus yn llawn pobl ddieithr bob dydd.

Bu farw fy merch ar ôl iddi gael ei tharo gan fws cyhoeddus a ddefnyddiodd i deithio adref o'r ysgol. Rwy'n teimlo ei bod hi'n anochel y bydd rhiant arall yn wynebu'r un hunllef â mi os na wneir rhywbeth i sicrhau bod gan blant ddull diogel o deithio yn ôl ac ymlaen i'r ysgol.

#### **Gwybodaeth Ychwanegol**

Bydd llawer o bobl yn cofio fy merch Louise a'r ffordd ofnadwy y bu farw. I'r rhai nad ydynt yn cofio, roedd Louise yn 11 oed ac ond megis dechrau yn yr ysgol uwchradd. Roedd fy mhlant yn dibynnu ar fws cyhoeddus oherwydd y pellter i gyrraedd yr ysgol. Ar 19 Mawrth 2001, roeddwn i'n disgwyl i Louise ddod adref o Ysgol Uwchradd Cei Connah ar yr amser arferol, ond roedd y bws yn hwyr y diwrnod hwnnw. Dechreuais boeni, ac wrth i mi adael y tŷ gwelais ffrindiau Louise a ddywedodd wrthyf ei bod hi wedi cael ei tharo gan gerbyd. Rhedais at ben y stryd i weld fy merch brydferth yn ymladd am ei bywyd yn y ffordd, â phlant ysgol gofidus o'i hamgylch. Roeddwn i'n methu â deall beth oedd wedi digwydd. Yn y misoedd

wedyn, daeth i'r amlwg bod y bws yr oedd Louise yn teithio adref arno yn orlawn. Roedd oedolion yn sefyll yn siarad â'r gyrrwr. Soniwyd am wthio, a bod ei bag wedi'i ddal yn y drws neu yn yr olwyn, gan achosi iddi gael ei llusgo o dan y bws yr oedd hi newydd ddod oddi arno. Profwyd bod manau dall nad oedd modd eu gweld yn y drychau ac roedd hynny wedi cyfrannu at y ddamwain.

Yn dilyn penderfyniad i gau ysgol leol, Ysgol Uwchradd John Summers, mae llawer o rieni wedi siarad â mi am eu pryderon ynghylch diogelwch eu plant wrth deithio ar fysiau cyhoeddus yn ôl ac ymlaen i'r ysgol. Codwyd pwyntiau sydd wedi codi ofn arnaf, felly rwy'n arwain ymgyrch yn enw fy merch er mwyn sicrhau na fydd unrhyw blentyn yn cael ei orfodi i ddefnyddio bysiau trafnidiaeth gyhoeddus fel cludiant i'r ysgol.

### **Etholaeth a Rhanbarth y Cynulliad**

- Alun a Glannau Dyfrdwy
- Gogledd Cymru



Eich cyf/Your ref P-05-748  
Ein cyf/Our ref KS/00262/18

David John Rowlands AM  
Chair - Petitions committee.

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

31 January 2018

*Dear David,*

Thank you for your letter of 25 January regarding petition P-05-748 - School Buses for School Children.

The Welsh Government undertook a recent review of learner travel policy. This resulted in the publication of the revised Learner Travel Statutory Provision and Operational Guidance in 2014 which included more information about education policies which related to or impacted upon learner travel. The Welsh Government also produced new guidance on the risk assessment of walked routes to school which extended the criteria by which walked routes are judged to be unsafe by including social dangers. Last year, the Welsh Government produced the revised All-Wales Travel Behaviour Code ('the Code') which set out the standards of behaviour learners aged 5-19 are expected to adhere to on the journey between home and school regardless of the mode of transport. The Code also includes advice on safe travel. The Welsh Government will keep learner travel policy and legislation under review on an ongoing basis.

Under current learner travel legislation, primary learners are entitled to free home to school transport if they live 2 miles or further from the nearest suitable school while secondary learners are entitled to free transport if they live 3 miles or further from the nearest suitable school. Local authorities decide which school is the nearest suitable school by referring to a range of criteria, such as age, ability, aptitude, including any learning difficulties. Local authorities operate a spare seat policy under which learners who are ineligible for free transport may purchase a seat on dedicated learner transport; however, such seats have to be surrendered to those learners who are eligible for free transport once they start using or re-using the service.

The Safety on Learner Transport (Wales) Measure 2011 includes the provision that seat belts must be fitted to every seat on dedicated learner transport buses used to transport

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

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

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


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

learners between home and school. This provision had to be met by local authorities by 1 October 2014. There are learners who travel between home and school on public service buses, however the Assembly may not legislate in relation to public service vehicles. This is the responsibility of the UK Parliament at present.

Under the Safeguarding Vulnerable Groups Act 2006, the drivers of buses used for dedicated learner transport must be checked by the Disclosure and Barring Service ('DBS'). The DBS only covers those who may have regular or close contact with children and vulnerable adults - such activities are described as 'Regulated Activities' in the legislation, that is, work that a barred person must not do in relation to children.

All vehicles used for learner transport are required to comply with UK road safety and transport legislation requirements. The Welsh Government's learner travel guidance recommends that local authorities and the Governing Bodies of maintained schools liaise with the Driver and Vehicle Standards Agency, the Health and Safety Executive and the Traffic Commissioner about any suspected or alleged breaches of legal safety standards. This guidance also recommends that local authorities should put in place robust monitoring and evaluation procedures to ensure that all current legislative requirements are met and clearly set out in their contracts.

In 2016-17 local authorities in Wales spent £117,409,000 on home to school transport.

*Yours ever,*  


**Ken Skates AC/AM**

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth  
Cabinet Secretary for Economy and Transport



## **P-05-748 School Buses for School Children – Correspondence from the Petitioner to the Committee, 13.02.18**

Dear Sir/Madam.

I thank Ken Skates for his response however it is very focused around learner transport, my concerns are for those Children that do not qualify for dedicated school buses/learner transport and their only way to school being commercial buses as their form of transport to and from school, there are no thoughts for their safety it seems? Surely seat belts should be provided in all buses standard, all drivers should be DBS checked and no Children should be stood up in a moving bus of any kind nor should they be sat in the luggage space ( please see attached photos) I request that the attached photos are shown to each committee member due to meet at the next meeting and also shown to Ken Skates.

I appreciate that to have dedicated school buses for every school would come at a cost and budgets are not at their best in Wales but if we could have some changes to prevent another death isn't that a good positive outcome for all? No child should be standing! Seat belts are law in cars so why not buses? And DSB checks need to be standard for all bus drivers, even if this cost comes to the driver themselves. What if you are the last child on that commercial bus or last vulnerable adult it can happen right? I previously pointed out the case of murdered school boy Jamie Lavis this is just one example why we shouldn't be compromising Children's safety.

The number 10 Arriva bus runs two buses now at school times, one is marked as a school bus I question has that driver been checked? This is a commercial service bus displaying as a school bus? .

I stand by what I said in my past email points being

1. DBS checks on all bus drivers
2. Seat belts on all buses
3. Every child to have a seat if dedicated or commercial bus
4. All buses to be checked they are up to standard.

Kind regards

Lynne Chick



### **P-05-768 Galwad i ddychwelyd darpariaeth Pediatreg, Obstetreg dan arweiniad Ymgynghorydd ac Uned Gofal Arbennig Babanod 24 awr i Ysbyty Cyffredinol Dosbarth Llwynhelyg**

Cyflwynwyd y ddeiseb hon gan SWAT (Save Withybush Action Team), ar ôl casglu 759 o lofnodion ar-lein a 2,773 ar bapur – cyfanswm o 3,532 lofnodion.

#### **Geiriad y ddeiseb:**

Mae SWAT wedi ymladd i gadw gwasanaethau gofal iechyd eilaidd diogel, effeithiol a hygyrch i bobl Sir Benfro ers 2005. Methodd deiseb flaenorol i gadw darpariaeth Pediatreg, Obstetreg dan arweiniad Ymgynghorydd ac Uned Gofal Arbennig Babanod yn Ysbyty Cyffredinol Dosbarth Llwynhelyg. Heb gyfiawnhad, cafodd y Gweinidog dros Iechyd a Bwrdd Iechyd Hywel Dda wared ar ddarpariaeth Pediatreg, Obstetreg dan arweiniad Ymgynghorydd ac Uned Gofal Arbennig Babanod yn Ysbyty Cyffredinol Dosbarth Llwynhelyg yn 2014 a adawodd pobl Sir Benfro gydag opsiwn iechyd trydydd dosbarth anniogel, annheg ac anhygyrch i famau, babanod a phlant yn arbennig. Ar ran SWAT a phobl Sir Benfro rwy'n galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod y ddarpariaeth Pediatreg, Obstetreg dan arweiniad Ymgynghorydd ac Uned Gofal Arbennig Babanod yn dychwelyd ar unwaith i'r lefelau cyn 2014. Nid yw SWAT a phobl Sir Benfro yn cytuno â chanoli gwasanaethau i safle Glangwili.

Roedd yn rhaid i'r Bwrdd Iechyd gynnal asesiadau o effaith ar gydraddoldeb ac mae'r rhain wedi dangos yn glir bod carfan gyfan o'r bobl sydd fwyaf agored i niwed yn ein cymdeithas wedi bod ac yn cael eu rhoi mewn perygl oherwydd y newidiadau hyn. Yn benodol, mae'r rhai sydd fwyaf agored i niwed, yr ifanc iawn, menywod beichiog, y rhai sydd wedi'u herio'n economaidd a'r rhai ag anabledau wedi cael eu heffeithio'n sylweddol ac yn parhau i gael eu heffeithio gan hyn. Mae gan y Bwrdd Iechyd hyn i gyd wedi'i ddogfennu yn ei asesiadau, ond ymddengys ei fod yn methu neu'n anfodlon dod o hyd i atebion ar gyfer y materion hyn.

Rwy'n gofyn ichi ddychwelyd gwasanaethau i'r gwasanaethau o'r radd flaenaf yr oeddent yn arfer bod. Byddai hyn yn ail-ddarparu gwasanaethau teg, hygyrch, diogel a chynaliadwy yn hytrach na'r trefniant presennol sy'n anfantais difrifol i'r bobl sydd fwyaf agored i niwed yn Sir Benfro.

## **Etholaeth a Rhanbarth y Cynulliad**

- Gorllewin Caerfyrddin a De Sir Benfro
- Canolbarth a Gorllewin Cymru



Bwrdd Iechyd Prifysgol  
Hywel Dda  
University Health Board

Eich cyf / Your ref:  
Ein cyf/Our ref: CEO.2290.1117  
Gofynnwch am/Please ask for: Emily Davies  
Rhif Ffôn /Telephone: 01267 239579  
Ffacs/Facsimile:  
Dyddiad/Date: 5 February 2018

Swyddfeydd Corfforaethol, Adeilad Ystwyth  
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job  
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building  
Hafan Derwen, St Davids Park, Job's Well Road,  
Carmarthen, Carmarthenshire, SA31 3BB

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

Dear Mr Rowlands

**Re: Petition P-05-768 - A call for the return of 24 hour Consultant led Obstetrics, Paediatrics and SCBU to Withybush DGH.**

Thank you for your letter of 24 October 2017. Please accept my sincere apologies for the delay in responding to you.

The Health Board has been requested to provide further information on specific areas which have been addressed in the reports enclosed.

I trust that this has provided you with a full and comprehensive response to the specific areas identified in your letter. If there is any further detail you require please do not hesitate to contact me.

Yours sincerely

**Steve Moore**  
**Chief Executive**

Swyddfeydd Corfforaethol, Adeilad Ystwyth,  
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job,  
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building,  
Hafan Derwen, St Davids Park, Job's Well Road,  
Carmarthen, Carmarthenshire, SA31 3BB

Cadeirydd / Chair  
**Mrs Bernardine Rees OBE**

Prif Weithredwr/Chief Executive  
**Mr Steve Moore**

## Tudalen y pecyn 69

Bwrdd Iechyd Prifysgol Hywel Dda yw enw gweithredol Bwrdd Iechyd Lleol Prifysgol Hywel Dda  
Hywel Dda University Health Board is the operational name of Hywel Dda University Local Health Board

Mae Bwrdd Iechyd Prifysgol Hywel Dda yn amgylchedd di-fwg Hywel Dda University Health Board operates a smoke free environment

Hywel Dda University Health Board Comments in response to Welsh Government Petitions Committee Request for Further Information

The All Wales Perinatal Survey

The All Wales Perinatal Survey (AWPS) report presented data on stillbirths, infant deaths by the seven Health Boards in Wales by residency of the mother, and by individual hospitals. The majority of the mortality rates were presented unadjusted for variables, such as social deprivation and case mix, which are known to influence mortality rates, therefore, caution was required when interpreting the data. It was advised that any increase noted in mortality rates, either at Health Board level or at individual hospital level should be further explored locally.

From 2015 onwards MBRRACE-UK (Mothers and Babies: Reducing Risk through Audits and Confidential Enquiries across the UK) and Each Baby Counts superseded AWPS report and recommended, local reviews should be facilitated. It was also agreed and recommends that Wales required a robust system to assess both stillbirth and neonatal death. Therefore Hywel Dda University Health Board (HDUHB) no longer refers to AWPS data set.

HDUHB routinely collects and monitors data (including rates of perinatal mortality and intrapartum stillbirth) for both local review and for submission to a number of national surveys inclusive of MBRRACE and Each Baby Counts programme. The latest available data from both MBRRACE and Each Baby Counts demonstrated that the perinatal mortality and intrapartum stillbirth rates in HDUHB compare favourably with other UK Maternity units of comparable birth numbers.

The data below in table 1 (included in our previous Health Board response), addresses the stillbirth rate  $\geq$  to 24 weeks gestation. MBRRACE data advocates stillbirth rates  $\geq$  to 22 weeks. This differentiates from the historical data set of AWPS which reported data in triennia, and differs to the Annual reports published by MBRRACE and Each Baby Count which was highlighted as a concern by Mr Overton.

<b>STILLBIRTH SUMMARY REPORT FOR HYWEL DDA HEALTH BOARD PEMBROKESHIRE DATA: 2015-2017</b>					
<b>Period</b>	<b>Stillbirth ≥ 24/40</b>	<b>Therapeutic Terminations ≥24/40</b>	<b>Gestation(=n)</b>		
<b>2015</b>	<b>13</b>	<b>3</b>	<b>24-30: 11</b>	<b>31-36: 1</b>	<b>37-42: 4</b>
<b>County of Residence</b>			<b>CERED: 1 CARMS: 6 PEMBS: 4 (25%)</b>	<b>CERED: 1 CARMS: 0 PEMBS: 0</b>	<b>CERED: 1 CARMS: 1 PEMBS: 3 (18.7%)</b>
<b>2016</b>	<b>19</b>	<b>2</b>	<b>24-30: 9</b>	<b>31-36: 6</b>	<b>37 – 42: 6</b>
<b>County of Residence</b>			<b>CERED: 0 CARMS: 5 PEMBS: 4 (19%)</b>	<b>CERED: 0 CARMS: 4 PEMBS: 2 (9.5%)</b>	<b>CERED: 1 CARMS: 2 PEMBS: 3 (14.2%)</b>
<b>2017 (1<sup>st</sup> Quarter)</b>	<b>2</b>		<b>24-30: 1</b>	<b>31-36:1</b>	<b>37-42:</b>
<b>County of Residence</b>			<b>CERED: 0 CARMS: 1</b>	<b>CERED: 0 CARMS:1</b>	<b>CERED: 0 CARMS:0</b>

			PEMBS: 0	PEMBS: 0	PEMBS:0
<b>All Reported Deaths</b>	<b>34</b>	<b>5</b>			

Contrary to the concerns highlighted by Mr Overton, the above data is accurate as there were no stillbirths for Pembrokeshire residents during January 2017 and no early Neonatal deaths. This has been confirmed and verified by cross reference with data via the Child Health Records Department. The reference made by Mr Overton to a neonatal death in Ceredigion on the 13<sup>th</sup> March is correct however the data in the table above (and reflected in our previous response) referred specifically to stillbirths and not neonatal deaths and was clearly referenced as such.

Although the report/ data included in our previous response clearly referenced the first quarter of 2017, Mr Overton's subsequent comments referred to the period April 2017 onwards quotes a further three cases without defining whether they were stillbirths or neonatal deaths. We can confirm that during the second quarter of 2017 (April to June 2017) there were a total of 4 stillbirths inclusive of:

- 1 medical termination of pregnancy (Carmarthenshire),
- 1 x Road Traffic Accident (Carmarthenshire ) and
- 2 x Antepartum Stillbirths (Carmarthenshire).

Mr Overton's referred to Datix HD32358. The clinical review has revealed that this was an antepartum stillbirth where clinical advice was not followed resulting in an unexpected admission to A&E at Withybush general Hospital. It is imperative that conclusions regarding individual cases are based on reviewed evidence.

Mr Overton referred to a further six stillbirths in August 2017. During the third quarter of 2017 (July to September) there were 6 stillbirths within the Health Board. Five cases occurred in August and all have been individually reviewed in line with national guidance and graded accordingly. Detailed review of all cases highlighted relevant maternal clinical factors in the antenatal period and they were not associated with the place of birth. Antenatal care provision in HDUHB has not changed since reconfiguration of maternity services in 2014. Withybush General Hospital continues to provide Consultant Led antenatal care with additional satellite Consultant Led clinics in Pembroke Dock, Tenby and Cardigan. In addition there has been no change of service to the established Day Assessment Unit at Withybush General Hospital.



In total during 2017, there were 17 recorded stillbirths across the HDUHB area compared to 21 stillbirths in 2016. This number is not excessive and below the total number of stillbirths in 2016 for the same period.

Mr Overton referenced a 50% reduction in midwives employed within Pembrokeshire following reconfiguration of services in 2014. The Midwifery Led Unit at Withybush General Hospital and community midwifery services and staffing levels within Pembrokeshire were reviewed during the reconfiguration to accommodate the required level of service provision. We can confirm that all clinical areas are staffed according to Birth Rate plus a National workforce tool.

HDUHB actively supports national and local initiatives and have embraced the Welsh Assembly Government (WAG) Flying Start initiative whose remit is to support vulnerable families within the community. Furthermore HDUHB has embraced and is at the forefront for driving perinatal mental health initiatives in Wales, supporting these vulnerable groups.

For information, the table below summarises the key learning actions and recommendations progressed and implemented by the Health Board following routine review of all stillbirth cases during 2017.

### HDUHB Maternity Review of Stillbirths Recommendations & Learning Actions 2017

RECOMMENDATION	ADDITIONAL CONTROL MEASURES	RESPONSIBILITY	TARGET DATE	ACHIEVED
<b>Review of Antenatal Referral Criteria for High Risk Women</b>	Review of antenatal service provision in WGH, Pembrokeshire on-going.	HoM, DHoM, Obstetric Lead, Operational Lead for Community, Antenatal and MLU Services	December 2017	Completed Referral criteria implemented In WGH ANC and disseminated to Pembrokeshire Community Midwifery Team Leaders –audit commenced 31.8.2017

	Update training of GAP/GROW for all Obstetric and Midwives. Initial completion October 2016	HoM, DHoM, Obstetric Lead, Operational Lead for Community, Antenatal and MLU Services.	November 30 <sup>th</sup> 2017	Completed
<b>Review of Antenatal Record</b>	Organisation of antenatal notes to include repeat admissions to DAU and inpatient admissions	HoM, DHoM, Obstetric Lead, Operational Lead for Community, Antenatal and MLU Services, Operational Lead for GGH and BGH	30 <sup>th</sup> November 2017	Completed
<b>Training Needs Analysis (TNA) for all community midwife</b>	CPD leads to disseminate TNA to all community midwifery teams.		31 <sup>st</sup> August 2017	Completed
<b>Review process for admission for elective caesarean</b>	Elective Caesarean Section/ Peri-operative Proforma to be amended	HoM, DHoM, GGH/ BGH Operational Leads, Clinical Risk Midwife; Obstetric Lead Consultant; Labour Ward Lead Consultant.	5 <sup>th</sup> October 2017	Completed
<b>Review process for postponement of elective CS, ECV, IOLs</b>	Maternity Trigger list to be circulated throughout the HB in line with All Wales Maternity Trigger List.	HoM, DHoM, Obstetric Lead for Clinical Risk, Clinical risk Midwife, Operational Leads.	July 2017	Completed
	Dissemination of updated Trigger		July 2017	Completed

	list in Labour Ward Forum; monthly Band 7/ Team-leader's Meetings; HB Maternity Unit Meetings; quarterly Maternity Risk Newsletter			
	<p>Monthly review of Datix to ensure compliance with reporting and robust investigatory process using IR3 proforma; pathway for Datix investigatory responsibility to be finalised</p> <p>MDT Learning event following Maternity Clinical risk Committee Review.</p>	HoM, DHoM, Obstetric Lead for Clinical Risk, Clinical risk Midwife, Clinical Midwifery Leads	Scheduled to take place in HB Labour Ward Forum 4 <sup>th</sup> October 2017	Completed

**Year Three Review  
of the  
Dedicated Ambulance Vehicle  
(for emergencies)  
D.A.Ve**

**Women & Children's Services WGH / GGH**

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## 1.0 Situation & Background

Hywel Dda University Health Board (HDUHB) launched the consultation on future service configuration on 6th August 2012. The consultation; *Your Health –Your Future: Consulting our Communities*, ran for 12 weeks until 29 October 2012. A number of mechanisms were put in place to ensure that staff, patients, the public and key stakeholders were given a range of opportunities to feed their views back to the Health Board<sup>1</sup>.

The Health Minister subsequently released a statement of 21<sup>st</sup> January 2014 confirming that the provision of specific services (Neonatal, Paediatric & Obstetric) currently provided at Worthybush General Hospital (WGH) in Pembrokeshire would be consolidated at Glangwili General Hospital (GGH) in Carmarthenshire.

Recent research supported a model of care in which the most critically ill children would be transferred to a tertiary Paediatric Intensive Care Unit (PICU). The 2003 Welsh Government report on care of the critically ill child states that “*the hazards of transport do not appear to confer added risk in terms of mortality outcome*”<sup>2</sup>, and so a Dedicated Ambulance Vehicle for EMS (DAVe) was proposed by the Welsh Ambulance Services NHS Trust (WAST) as the safest way to ensure timely and safe access to services in Carmarthen.

The DAVe service became fully operational on 4<sup>th</sup> August 2014, based within the Midwifery Led Unit (MLU) at WGH with the remit to provide safe, appropriate and timely ambulance transfers for Women and Children<sup>3</sup> who require on-going care which, due to the necessary re-configuration of services, was no longer sustainable at WGH.

This review provides a summary of the DAVe activity over the first three years of the service.

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<sup>1</sup> Your Health, Your Future, Consulting our Communities (2013) Hywel Dda Health Board

<sup>2</sup> Improving Health in Wales: Caring for Critically Ill Children (2003) Welsh Government

<sup>3</sup> Gynaecology, Maternity, Obstetric & Paediatric Services

## 2.0 Purpose of Review

The intention of this review is to present the activity data of the DAVE in a variety of formats to demonstrate the range and number of transfers (and other activity) being undertaken by the DAVE crews.

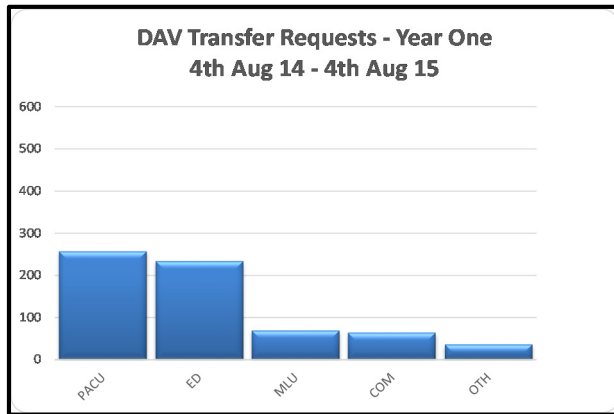
Please note:

1. Additional data has been included to evidence where the DAVE crew have responded as part of the hospitals' Medical Emergency Team (MET). This data also includes significant activity where DAVE crews have responded as Hospital Ambulance Liaison Officer (HALO) to support activity in the Emergency Department (ED)
2. Some examples of where the category '*Other*' has been used in the 'Departments' section are; GP Out-of-Hours, Theatres, Ante Natal, Hospital car park.
3. Examples of where the category '*Other*' has been used in the patient group section are; male patient treated, and patient was a woman but also a child (<18yrs)
4. The category '*Community*' refers to situations where the DAVE has been requested to respond to Women or Children in the community (Midwife call, GP or 999 where DAVE is closest appropriate resource), or where the DAVE has come upon an incident when returning to WGH and had stopped to assist.
5. The numbers shown are numbers of requests and do not reflect the number of hours spent engaged in that request.

## 3.0 Key to Tables

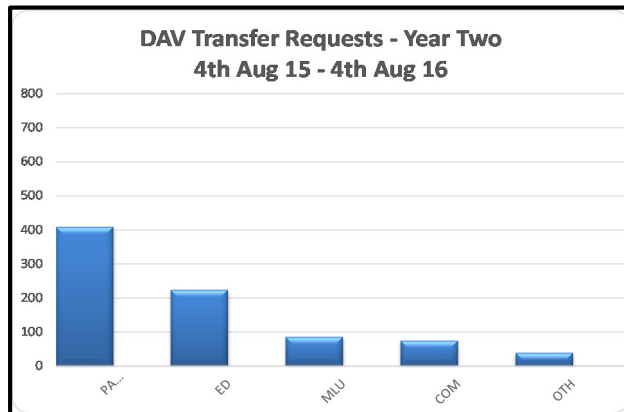
Abbreviation	Meaning
PACU	Paediatric Ambulatory Care Unit
MLU	Midwifery Led Unit
COM	Community
ED	Emergency Department
OTH	Other service areas / Other patient
MET	Medical Emergency Team
HALO	Hospital Ambulance Liaison Officer

Table One: Activity by Department 4<sup>th</sup> August 2014 to 4<sup>th</sup> August 2015



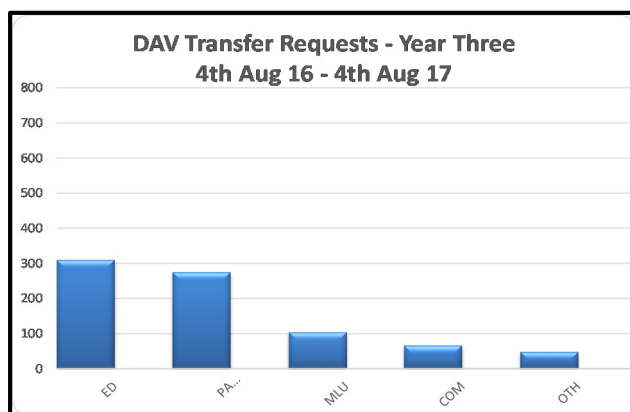
Data	Count	Percentage
PACU	257	39%
ED	234	35%
MLU	69	10%
COM	64	10%
OTH	36	5%
<b>Total</b>	<b>660</b>	

Table Two: Activity by Department 4<sup>th</sup> August 2015 to 4<sup>th</sup> August 2016



Data	Count	Percentage
PACU	409	48%
ED	244	29%
MLU	86	10%
COM	75	9%
OTH	39	5%
<b>Total</b>	<b>853</b>	

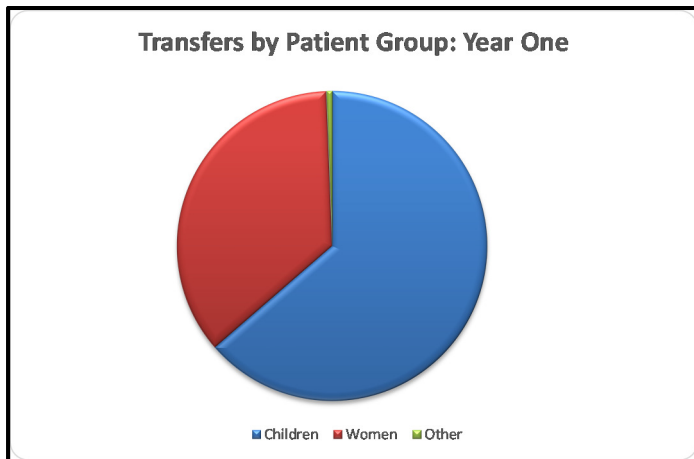
Table Three: Activity by Department 4<sup>th</sup> August 2016 to 4<sup>th</sup> August 2017



Data	Count	Percentage
ED	310	39%
PACU	275	34%
MLU	104	13%
COM	66	8%
OTH	48	6%
<b>Total</b>	<b>803</b>	

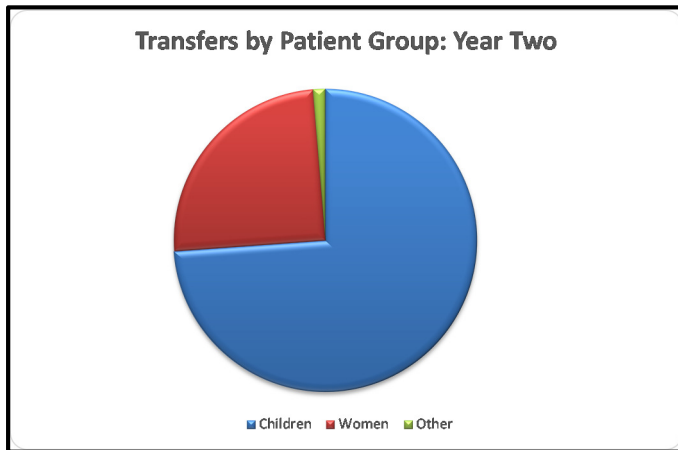


Table Four: Transfers by Patient Group: Year One



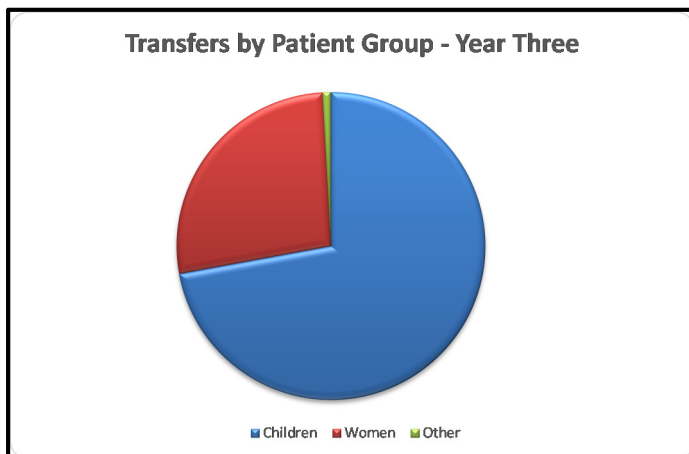
Data	Count	Percentage
Children	420	64%
Women	236	36%
Other	4	1%

Table Five: Transfers by Patient Group: Year Two



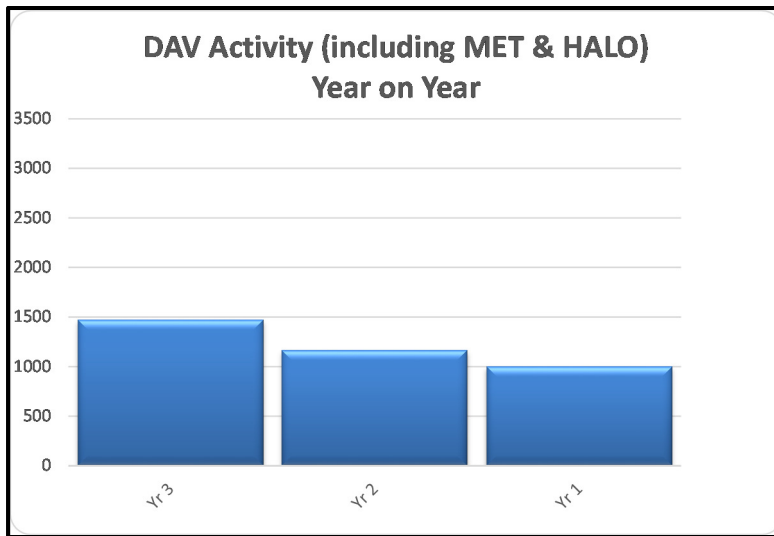
Data	Count	Percentage
Children	630	74%
Women	212	25%
Other	11	1%

Table Six: Transfers by Patient Group: Year Three



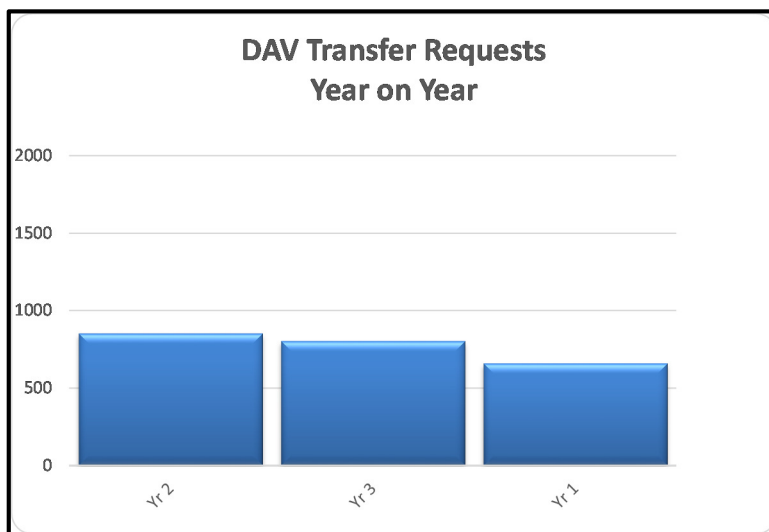
Data	Count	Percentage
Children	579	72%
Women	217	27%
Other	7	1%

Table Seven: DAVe Activity Including MET & HALO - Year on Year



Data	Count	Percentage
Yr 3	1474	40%
Yr 2	1168	32%
Yr 1	1003	28%

Table Eight: DAVe Transfer Requests - Year on Year



Data	Count	Percentage
Yr 3	803	35%
Yr 2	853	37%
Yr 1	660	28%

## 4.0 Key Findings

Table Nine: Year-on-Year Activity Comparison

Activity	Three Year Data	Year One	Year Two	Year Three
Average Daily Responses	3.3	2.7	3.2	4
Average Daily Transfers	2.1	1.8	2.3	2.2
Premium Service User	PACU	PACU	PACU	ED
Premium Patient Group	Paeds	Paeds	Paeds	Paeds

Table Ten: Combined Three Year Data<sup>4</sup>

PACU	MLU	Com	ED	Other	Transfers Only Total	MET HALO	Women	Child	Other	Combined Total (with MET/HALO)
941 (41%)	259 (11%)	205 (9%)	788 (34%)	123 (5%)	2316	1329 (36%)	665 (18%)	1629 (45%)	22 (0.6%)	3645

## 5.0 Summary of Three Year Activity Data

- 70% of transfer requests are to convey children
- 11% of transfer activity is generated through the MLU
- 41% of overall 3 year activity was undertaken on behalf of the PACU, with ED being the second biggest user at 34%
- 36% of all DAVE combined 3 year activity was for MET and HALO support during times of increased demand

## 6.0 Notable Practice

- MDT working within WGH
- No DATIX or SAI (specifically relating to the DAVE service) have been recorded over the three year duration of the service
- Positive year one RCPCH<sup>5</sup> review findings in relation to DAVE service
- Details of the DAVE service are being shared in both England and Wales as an example of current 'best practice'<sup>6</sup> for other HB undergoing service reconfiguration.

<sup>4</sup> For explanation of categories, please refer to 'caveat' on page 2

<sup>5</sup> Royal College of Paediatric and Child Health HDUHB Invited Review (2015)

<sup>6</sup> Cumbria, North of England and Aneurin Bevan HB in Wales.

## 7.0 **Recommendations**

1. There is significant data to evidence that the DAVe service is fulfilling its key objective which was: '*To provide a safe and timely ambulance transfer service for Women and Children between WGH and GGH*', and it is recommended that this vital service be maintained.
2. Due to the volume of data now being stored, an on-line electronic recording spreadsheet is recommended. This would improve accuracy and simplify analysis.
3. Please note that following clarification of some activity detail in year one, this necessitated some minor amendment to previously submitted data.

**P-05-768 A call for the return of 24 hour Consultant led Obstetrics, Paediatrics and SCBU to Wthybush DGH – Correspondence from the Petitioner to the Committee, 20.02.18**

Dr C Overton

Chairman SWAT

David Rowlands AC/AM

Chair Petitions Committee

National Assembly for Wales

Cardiff Bay

Cardiff

CF99 1NA

Dear Mr Rowlands

Re Petition P-05-768

I note the lateness, as usual, of Mr Moore's response.

It is unfortunate that the Health Board seek to mislead and confuse us with their new approach to reporting the figures. It is also notable that the figures pre August 2014 have been lost when the whole point of the audit was to show how much worse the figures have become post service changes which happened at that time. Remaining at a similar level in recent years is no comfort when the figures were so much better prior to the changes.

No matter. I, no longer, can delve into the data entry, which I found during my audit was very poor with a number of occasions where the type of baby death was incorrectly recorded, and so it would be prudent of me to not waste your time repeating what I have already stated. It would require the committee to sanction an independent Inquiry to get to the truth about baby deaths in Hywel Dda, and Pembrokeshire in particular, and the comparison before and after the service changes.

Of much greater interest to me on reading the Hywel Dda documents was the data from "Dave", the extra ambulance they employed originally to be dedicated, but which quite clearly from the report isn't. Not only that but the use of "Dave" seems

to be increasing, year on year. At first glance it appears to be the opposite but once I realised that year 3, the most recent, was put on top of 2 and 1 it made sense to me from the feeling on the ground. Why, you must ask, did they present the numbers in this way?

So, there we have it, the Health Board's own statistics show that Pembrokeshire women and families have been and are being disadvantaged since the maternity, SCBU and Paediatric wards were moved to Glangwili. The large number of transfers is also just the tip of the iceberg as far as how these changes have impacted on women and their families because many more have had to travel to Glangwili under their own steam, sick children and mums in the back of cars being driven 33 miles or more by distraught relatives. Many visitors are also having to make the long round trip in order to provide support for their loved ones.

Hywel Dda had to carry out Equality Impact assessments on the run up to the service changes but the rules dictated that's all they had to do, recognise the problems and strive to find solutions but there is no requirement that solutions are found. Hywel Dda recognised in their EqIAs that almost every person in Pembrokeshire would be disadvantaged by the service changes and to make matters worse they are currently considering further service change to the detriment of the people of Pembrokeshire.

On behalf of the SWAT Team and the people of Pembrokeshire I ask you to stop this madness and reverse the original service changes before any more damage is done. Centralisation works in cities but not in very rural areas.

Regards

A handwritten signature in black ink that reads "Chris Overton". The signature is written in a cursive, slightly slanted style.

Dr Chris Overton

Chairman SWAT

### **P-05-800 Apêl Brys am Gomisiynydd Cyn-filwyr Cymru i ofalu am iechyd a lles cyn-filwyr sydd wedi'u hanafu, sy'n sâl neu sy'n ddigartref**

Cyflwynwyd y ddeiseb hon gan Nicola Hester, ar ôl casglu 50 o lofnodion ar-lein.

#### **Geiriad y ddeiseb:**

Yma yng Nghymru, roeddwn i'n falch mai ni oedd y cyntaf i gael Comisiynydd ar gyfer Plant a Phobl Ifanc a Chomisiynydd ar gyfer Pobl Hŷn. Yn anffodus, mae'r Alban wedi achub y blaen arnom i gael Comisiynydd ar gyfer Cyn-filwyr.

Rydym ni gyn-filwyr angen rhywun i fod yn llais a chynrychiolaeth ar ein rhan i lywodraeth Cynulliad Cymru. Nid beth mae'r "uwch-swyddogion" eisiau i chi ei wybod.

Rydym angen rhywun a all gwrdd â ni, a fydd yn gwybod ein safbwynt a'r hyn yr ydym ei angen. I gefnogi'r sawl anffodus sy'n cael eu hunain yn y carchar yn hytrach nag eu bod derbyn triniaeth iechyd meddwl am Anhwylder Straen Wedi Trawma (PTSD).

#### **Etholaeth a Rhanbarth y Cynulliad**

- Torfaen
- Dwyrain De Cymru

**P-05-800 Urgent Appeal for a Welsh Veterans Commissioner for the Health & Wellbeing of Wounded, Injured, Sick and Homeless veterans – Correspondence from the Petitioner to the Committee, 18.02.18**

Response to the letter from the Cabinet Secretary for Local Government and Public Services

The letter appears ambivalent to me even though this is about the lives of those who fought for Queen and Country.

What was the result from the debates completed by both the Armed Forces Group and by the Conservative AM's towards a Veteran's Commissioner?

It is now February, has the Secretary met with both Expert group (who are these?) and the cross party group. If he has what is the result of these meetings?

I would like to meet with the Secretary, and the Expert groups, to discuss and explain what it really is like to be a veteran.

Myself and fellow veterans have more information and knowledge gathered that we have gained from Veterans from all of Wales, which we would like to meet show all and are willing to discuss our findings.

Nicola Hester



## **P-05-736- Darparu Gwasanaethau Iechyd Meddwl Mwy Hygyrch.**

Cyflwynwyd y ddeiseb hon gan Laura Williams ar ôl casglu 73 llofnod.

### **Geiriad y ddeiseb**

Er mwyn darparu gwasanaethau iechyd meddwl mwy hygyrch, dylai Llywodraeth Cymru wneud yn siŵr nad oes neb sy'n gofyn am gymorth gan wasanaeth iechyd meddwl gael ei droi ymaith heb help. Os oes unrhyw un yn mynd at eu meddyg teulu neu unrhyw weithiwr gofal iechyd proffesiynol i ofyn am gymorth ar gyfer problem iechyd meddwl, dylid eu cyfeirio'n awtomatig at y Tîm Argyfwng a dylai'r tîm hwn gymryd camau ar unwaith i'w helpu. Nid yr unigolyn ddylai fod yn gyfrifol am gysylltu â'r Tîm Argyfwng ei hun. Dylid cynnig therapi un i un, yn hytrach a therapi grŵp, bawb.

Fel y gŵyr nifer, nid yw fy mywyd i wedi bod yn hawdd ac rwyf wedi cael problemau iechyd meddwl; rwy'n cael pyliau o iselder, gorbryder, anhwylder straen wedi trawma (PTSD) ac OCD. Cyrhaeddais y gwaelod un yn ddiweddar, a sgrechian am help ond, er i mi gredu y byddai'r gwasanaethau iechyd meddwl yn fy helpu, cefais fy siomi'n arw ganddynt.

Rwyf am i'm profiad i helpu eraill yng Nghymru i gael y cymorth sydd ei angen arnynt.

### **Etholaeth a Rhanbarth y Cynulliad**

- Gorllewin Caerdydd
- Canol De Cymru

Mae cyfyngiadau ar y ddogfen hon

**P-05-736 To Make Mental Health Services More Accessible – Correspondence from the Petitioner to the Committee, 09.02.18**

My comments which are for the cabinet secretary Vaughan Gething,

Why is there a 18 month waiting list to see someone from the ptsd clinic when people need these services.

Why aren't there one to one therapies?

You say there's a ring fence around mental health budget but there isn't services are being cut and so are children mental health services, leaving adults and children very vulnerable.

Mental health services need to be improved majorly, I will not give up until I have made sure that every single person in wales gets the correct amount of support and treatment from our mental health services instead of being let down by our welsh government.

I will look forward to your answers.

Laura Williams