



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

Y Pwyllgor Deisebau **The Petitions Committee**

Dydd Mawrth, 11 Hydref 2011
Tuesday, 11 October 2011

Cynnwys **Contents**

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

Deisebau Newydd
New Petitions

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol
Updates to Previous Petitions

Tystiolaeth Lafar ar P-03-288 Strategaeth Genedlaethol ar Fyw'n Annibynnol—Y Gweinidog
Cyllid ac Arweinydd y Tŷ
Oral Evidence on P-03-288 National Strategy on Independent Living—The Minister for
Finance and Leader of the House

Papurau i'w Nodi
Papers to Note

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

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

Aelodau'r pwyllgor yn bresennol**Committee members in attendance**

Russell George	Ceidwadwyr Cymreig Welsh Conservatives
William Powell	Democratiaid Rhyddfrydol Cymru (Cadeirydd y Pwyllgor) Welsh Liberal Democrats (Committee Chair)
Joyce Watson	Llafur Labour

Eraill yn bresennol**Others in attendance**

Huw Brodie	Cyfarwyddwr Cynllunio Strategol a Chydraddoldeb, Llywodraeth Cymru Director of Strategic Planning and Equality, Welsh Government
Jane Hutt	Aelod Cynulliad, Llafur (y Gweinidog Cyllid ac Arweinydd y Tŷ) Assembly Member, Labour (the Minister for Finance and Leader of the House)
Jackie Nicholls	Rheolwr Polisi Cydraddoldeb—Anabledd ac Oedran, Llywodraeth Cymru Equality Policy Manager—Disability and Age, Welsh Government

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

Sarita Marshall	Dirprwy Glerc Deputy Clerk
Abigail Phillips	Clerc Clerk
Helen Roberts	Cynghorydd Cyfreithiol Legal Adviser

Dechreuodd y cyfarfod am 9.30 a.m.

The meeting began at 9.30 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon Introduction, Apologies and Substitutions

[1] **William Powell:** Bore da a chroeso **William Powell:** Good morning, and a warm
cynnes i bawb. welcome to everyone.

[2] Everyone is welcome to speak in either Welsh or English throughout the proceedings
of the meeting—*[Interruption.]* That pre-empted my announcement that we should all switch
off our mobile phones. I have complied this time. No fire alarm tests are planned, but, should
an alarm sound, we will be in the hands of the ushers, who will tell us exactly where to go to
reach a place of safety. We have received apologies from Bethan Jenkins; otherwise, we are
all present and correct.

9.31 a.m.

Deisebau Newydd New Petitions

[3] **William Powell:** Our first new petition is P-04-333, Stop neglect and abandonment of horses and ponies by enforcement of microchipping laws. This petition was submitted by the Society for the Welfare of Horses and Ponies and has collected 2,114 signatures. The Society for the Welfare of Horses and Ponies has apparently been inundated with calls for assistance from concerned members of the public, horse owners and the police with regard to horses that have been found abandoned, neglected and injured. Many have been injured from wandering on to roads, causing great risk to motorists. The petitioners will formally present their petition at the grass area to the side of the Senedd tomorrow at 12.45 p.m., and I hope that you will be able to join me on that occasion, which will be a good opportunity to meet the petitioners and their pony in tow. In line with our protocols, I have already written to the Minister for Environment and Sustainable Development, seeking his views on the petition. A call for evidence has already been made. Are you happy with that course of action at the moment?

[4] **Joyce Watson:** Yes, definitely.

[5] **William Powell:** I am looking forward to the Minister's response. I would suggest that, as the call for evidence does not close until 18 November, we should wait to discuss it. Does that make sense?

[6] **Russell George:** That is fine.

[7] **William Powell:** Excellent.

[8] The next petition is P-04-334, Petition for a new renal unit at Prince Charles Hospital. This petition was submitted by Robert Kendrick, a patient at the unit, and he has collected 56 signatures in support. It reads:

[9] 'We call upon the National Assembly to urge the Welsh Government to build a new Renal Unit at Prince Charles Hospital, Merthyr Tydfil. The current unit was built in 1989 to treat up to 16 patients per week but that number has now grown to 52.'

[10] That is on a weekly basis, and is an alarming increase.

[11] 'With the number of renal patients rising annually we feel it is very important that a new unit is built now to cater for the increase.'

[12] You will have read that the petition notes a number of problems, including no isolation area, a single toilet for the male and female patients, significant overcrowding and associated issues. In line with the protocols, I have written to the Minister for Health and Social Services, seeking her views. As yet no call for evidence has been made, because of the nature of the issue. I would appreciate colleagues' comments on this.

[13] **Russell George:** Can we also write to the local health board?

[14] **William Powell:** That would be a very sensible course of action; we must do that. I felt that it could be useful for the committee to undertake a visit. I would welcome your thoughts on that.

[15] **Joyce Watson:** I am quite happy to go, but all that has been stated in the petition needs to be addressed if it turns out that it is as stated, and I am sure that that would be the

case; why else would anyone say anything to the contrary? I would like to see the Minister's response, and I agree that the local health board has to come on board. In terms of gathering evidence, perhaps the community health council also has cases that have been referred to it.

[16] **William Powell:** So, should we also extend it to the CHC?

[17] **Joyce Watson:** That makes good sense, because if there are issues I am sure that they would be the very people to tell us about them, and I assume that they will also have inspected. So, they can also give us their views. Before we take any further action, those things need to be done.

[18] **William Powell:** So, we will park the idea of a visit for the moment. It occurred to me that renal support organisations such as Kidney Wales would also be a sensible port of call. So, can we add those to the list of the consultee groups? I see that we are agreed on that as a course of action.

[19] The next petition is P-04-335, which calls for the establishment of a Welsh cricket team. It was submitted by Matthew Richard Bumford and he has collected 197 signatures. It says:

[20] 'We call upon the National Assembly for Wales to urge the Welsh Government to support the establishment of a Welsh international cricket team.'

[21] You can see the strength of feeling on this issue. Whereas Scotland and Ireland have gained associate membership of the International Cricket Council, and have gone on to compete in world cups, the petitioners contend that Wales has failed to do so, and this is an issue that they want to be addressed. In line with the protocols that we have, I have written to the Minister for Local Government and Communities to seek his views on the matter. Are there any additional actions that you would suggest at the moment?

[22] **Russell George:** I think that it is a very good petition, and I agree strongly with the principle. However, we should wait until the period for submitting evidence closes on 18 November.

[23] **William Powell:** Okay, so as with the earlier petition, we will hold on until then. It will be interesting to evaluate the full response from our consultees on that one, and we will also see what Carl Sargeant has to say to us in his response.

[24] The next petition is P-04-336, a Welsh-language daily newspaper for Wales. This petition was submitted by Ben Screen and he has collected 37 signatures in support of the petition. It says:

[25] 'We call on the Government to award a grant to the Welsh Books Council that would enable it to support and fund a Welsh-language daily newspaper.'

[26] In line with our protocols, I have written to the Minister for Education and Skills seeking his views on the petition. We will not receive feedback from our consultees until 18 November. Do you have any thoughts on how to take this forward, or are there any observations?

[27] **Joyce Watson:** I remember that the Government put money towards Welsh-language media coverage in the last Assembly, and I think that that included print media. We need to wait for the response to see what it is already investing in, and act accordingly after.

[28] **William Powell:** Okay, so are you suggesting that we proceed with caution on this

one?

[29] **Joyce Watson:** Well, we should wait for the response.

[30] **William Powell:** Indeed. Russell, do you have any other thoughts on this particular issue?

[31] **Russell George:** I will be interested to see what the Minister's response is, because I have had some dealings with the Welsh Books Council before, so I would be interested to see whether it is already working on something in that area.

[32] **William Powell:** We may have quite a significant consultee response on this one, so it would be useful to see what happens post 18 November.

[33] We move on to P-04-337, which is the Tenovus petition that we received last week. Thanks for your attendance at that event, which received quite significant coverage in the print media and on the television. Tenovus has collected approximately 9,500 signatures, making it the biggest petition received to date, and it has obviously put a lot of resource into this one and got a lot of support. The petition states:

[34] 'We call on the National Assembly to urge the Welsh Government to provide free sunscreen for all children under the age of 11 in Wales'.

[35] I have already written to the Minister for Health and Social Services seeking her views. As yet, no call for evidence has been issued. What are colleagues' views on how to proceed with this one?

[36] **Russell George:** We could write to the Children's Commissioner for Wales as well as referring the petition to the Children and Young People's Committee. The children's commissioner gave a presentation to our group just a few weeks ago and was telling us about his work, and I would have thought that this petition would fit in quite well with his remit.

[37] **William Powell:** I would certainly support that. That is an interesting addition to what I was going to propose, which was to refer this important matter to the Children and Young People Committee.

[38] **Joyce Watson:** Does it need to go to the Health and Social Care Committee as well? It might be a children's issue, but it is also a health issue.

[39] **William Powell:** It is cross-cutting between the two, is it not? I would be happy for that to happen. So, basically, we will write to the children's commissioner, the Health and Social Care Committee and the Children and Young People Committee. That would be a useful starting point, would it not?

[40] **Russell George:** Once we have had those replies back, it might be useful to have someone come in and give oral evidence on the effects of putting sunscreen on younger children.

[41] **William Powell:** It would be sensible for us to call for oral evidence at that stage. Let us await the response from the Minister—which we have already agreed to do—along with the referrals to the two committees and to the children's commissioner.

[42] We move on to P-04-338. This is the petition on the sale of the Vyrnwy estate by Severn Trent Water. The petition was submitted by Annette Griffiths, and she collected 188 signatures. I think that we are all aware of this, as Mid and West Wales Members—Russell is

of course the immediate local Member. This is a matter that is causing quite a lot of concern locally, and indeed across Wales. It is probably appropriate to say that I have expressed some concern about this matter when approached, and I believe that may be the case with at least one other member of the committee. I am also a member of the Environment and Sustainability Committee, which is doing a dedicated piece of work on this issue and the implications of the proposed sale.

[43] **Joyce Watson:** So, that is already happening—there is a piece of work going on.

[44] **William Powell:** Indeed there is. That is a study into the implications of this sale, and in terms of process, but nevertheless the petition itself has a much wider-ranging perspective on it, and just for clarity I will go through the wording to give a flavour of that. It states:

[45] ‘We the undersigned are concerned about the failures by Severn Trent Water to maintain corporate responsibility which is deemed integral to maintaining the highest standards of corporate responsibility of a plc’.

[46] It goes on to say that

[47] ‘In failing to consult and be open with the local community, in the sale of the Vyrnwy Estate, Severn Trent Water has failed in its own corporate strategy based on community engagement and making the improvements and ensuring that the economic and environmental impacts of their actions are sustainable’.

9.45 a.m.

[48] They go on to say:

[49] ‘We hereby ask the National Assembly for Wales to immediately investigate the sale of the Vyrnwy Estate by Severn Trent.’

[50] So, at this stage, we have not undertaken any action as a committee, but the Environment and Sustainability Committee has. The sale of the estate is a matter of commercial confidentiality—in fact, this issue was aired at the most recent meeting of the Environment and Sustainability Committee. That puts this into a particular context that we need to be cautious about.

[51] **Russell George:** Have we written back to let the petitioner know that the Environment and Sustainability Committee has agreed to investigate this?

[52] **William Powell:** I have not written at this time, but I think that the petitioner will be separately aware of that. It would be sensible for me to do so on behalf of the committee.

[53] **Russell George:** I would like to add a point to that. I know that high-level representatives of Severn Trent met some of the local residents last week, so some of their fears might have been allayed. It would be useful to write to them to ask them what they thought about the meeting that they had with Severn Trent last week. That would also update us.

[54] **William Powell:** That would be really helpful in guiding us with regard to how to take this particular petition forward. There is an important point to bear in mind regarding the sensitivity and the caution that we need to adopt here. We could also write to the Environment and Sustainability Committee so that we are all clear, whether we are members of the committee or not, as to the exact terms of the study that is being undertaken into this matter.

[55] **Russell George:** That would be very useful, because we could then forward that to the petitioners, who might not have had contact with the committee. My fear is that we will be setting an expectation regarding what will happen. We know that the committee is unable to look at certain areas, but the petitioners may have thought that those areas would be looked at. So, it might be helpful to do that.

[56] **William Powell:** Yes, I think that it would be useful to manage expectation and also to ensure that we are not duplicating work. That is very important. We should also write to Severn Trent to give it the message that there is concern in the community—although it is obviously aware of that—regarding aspects of the circumstances surrounding the sale.

[57] **Russell George:** That would be useful, because the company would give an update following the meeting from its perspective.

[58] **William Powell:** We could then see the situation from both aspects. Joyce, are you content with that?

[59] **Joyce Watson:** Yes. There is sensitivity around this issue. I am a member of the RSPB anyway, which I immediately have to declare.

[60] **William Powell:** Yes, it is important to declare your membership of and support for the organisation.

[61] **Joyce Watson:** Yes, I have to declare that particular interest. I know the area that you are talking about because I have been there many times. We have to take a cautious approach, otherwise it could rebound negatively on the Assembly. I am not sure whether we have taken any legal advice as to how we can proceed and even if we can proceed at this sensitive stage. Have we?

[62] **Mrs Phillips:** I took advice when considering the admissibility of this petition. The petitioners are very aware that the committee has no powers to influence the sale of the estate. They are hoping for an improved consultation process with Severn Trent. That is what they hope will come out of this petitions process.

[63] **Joyce Watson:** That is the only bit that we could even look at. There is a lot in the petition that we cannot look at at all.

[64] **William Powell:** I was conscious of that.

[65] **Joyce Watson:** ‘Caution’ is the first word that comes into my mind. I take on board the community engagement, which is the aspect that we can look at. In that respect, as Russell has said, they have had a meeting, and if that has changed all of this, it would be worth us knowing.

[66] **William Powell:** Yes, we need to hear that from both sides. At the same time, it would probably make sense to write to the Minister for Environment and Sustainable Development. Given the implications for tourism, which we know is a major driver in that part of the region, we should also seek the views of the Minister for Business, Enterprise, Technology and Science to get her perspective.

[67] **Joyce Watson:** But recognising the sensitivity—

[68] **William Powell:** Surely, absolutely. I am sure that the Ministers will both do that in their responses to us. Good. That is a good raft of actions coming out of that. I appreciate the discussion around it. That concludes our consideration of new petitions.

9.50 a.m.

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[69] **William Powell:** The first petition is P-04-321 on Arriva Trains Wales services between south-west and south-east Wales. As you will recall, it was submitted in July this year by Bjorn Rödde, and it collected 162 signatures. It reads as follows:

[70] ‘We call upon the National Assembly for Wales to urge the Welsh Assembly Government to ensure that Arriva Trains Wales provide commuter train services between South West and South East Wales that are timely, convenient, fit-for-purpose and have a suitable number of seats/carriages for passengers to travel in comfort.’

[71] We have already written to the Minister for Local Government and Communities, Arriva Trains Wales and Passenger Focus seeking their views on this petition. It is encouraging to see from the supporting correspondence that the petitioner himself has had a meeting with Arriva Trains to discuss these issues. Our committee staff have also been in touch with Bjorn Rödde to seek his views. In fact, I think that, late last night, e-mail correspondence came through. Because it arrived late, we have not really had an opportunity to take on board the latest state of play. My recommendation would be to keep this petition open to have the opportunity to make due study of the latest feedback from the petitioner. I was really encouraged to see the sort of interaction there has been and the seriousness with which Arriva appears to be treating his concerns. Are there any thoughts on this at the moment?

[72] **Joyce Watson:** My thoughts are just as you have outlined, so I will not add to that.

[73] **William Powell:** Excellent. If we are content with that, we will move on. The next petitions are P-03-220, which calls for lowering the speed limit on the A40 near Abergavenny, and P-03-240, which relates to road safety on the A40 in Llanddewi Velfrey. The petitions have been grouped as they are similar in nature. The first was submitted back in 2009 by Councillor Maureen Powell. Her petition has collected 220 signatures. The second of these was submitted in September 2009 by the community council in Llanddewi Velfrey. It has collected 154 signatures. There is concern in both areas due to increasing levels of traffic, particularly heavy goods vehicles, on the A40. There is concern about the inadequate provision of safe pavements and provisions for pedestrians generally. They demand of the Welsh Government as a matter of urgency the improvement of road safety in that region. As you recall, the committee was in touch with the Minister for local government in the previous Assembly and the then Deputy First Minister on several occasions between September 2009 and March this year. The previous committee agreed to await the outcome of the study that has been undertaken. Do you have any comments, Joyce? You are most familiar with this community and its concerns.

[74] **Joyce Watson:** I drove through there yesterday and I will drive through there on the way home. I keep driving through there more than I ever thought I would in a previous life. I am very familiar with it. There are, as the Minister has described, things that have happened. My observations are that, for the most part, people adhere to the speed limits and some do not, as is always the case. In terms of taking it forward, we have had a fairly comprehensive reply from the Minister, Carl Sargeant, which says that an overall review of speed limits is currently taking place. The Welsh Government is responsible for the A40, so this is the right place for the petition to be. The Minister is looking at a priority-based speed limit review. If we have that fairly soon and we see where this particular issue fits within it, it is at that point that we will take any further action, if we need to. At the moment, we have probably done

everything that we can. We just need to let the petitioners know, if we have not done so already, that we have had this response. So, perhaps we should keep the petition open.

[75] **William Powell:** Yes, we should keep it open until the review has been completed. It would also be sensible to relay the most recent correspondence that we received over the summer from Carl Sargeant. That is probably the way forward on that one.

[76] We now move to P-03-205, Keep Abergavenny Livestock Market, which was submitted in May 2009 by Barry Greenwood. It has been a contentious issue in Abergavenny and the surrounding communities and it has collected 4,757 signatures. The petition states:

[77] ‘We call upon the National Assembly for Wales to preserve Abergavenny’s historic character as a market town by not repealing or amending the Abergavenny Improvement Acts 1854 to 1871, thereby preserving all the associated economic, social and cultural benefits of a market town.’

[78] The committee has sought legal advice on this issue and, in 2009, our predecessor committee heard oral evidence from the petitioners. We have also written to Monmouthshire County Council on two occasions in the previous Assembly, in June 2009 and March 2011. We have also written to the National Farmers Union, the Farmers Union of Wales and the potential developers of the site. We wrote to the then Minister for Social Justice and Local Government on three occasions, in 2009 and, more recently, in January 2011. I would like to open it up to the committee as to which way you feel we should go on this. You have had a chance to read the correspondence from Carl Sargeant with regard to the issues around the repeal of the Acts that are referred to in the petition. Do Members have any observations or thoughts on this one? Russell, do you have anything to add?

[79] **Russell George:** No, I do not have anything in particular to say.

[80] **William Powell:** The Minister’s stance was clear in the response that he gave, but the review that was referred to in the correspondence is still going ahead. It would probably be inappropriate to close the petition before its completion.

[81] **Joyce Watson:** I think that it would be inappropriate.

[82] **Russell George:** We should just keep it open for the time being.

[83] **William Powell:** When the outcome of that is clear, we can get back in touch with the petitioners and let them know. It would also be sensible for us to pass all evidence that we have gleaned on this matter to the Minister for Local Government and Communities, as requested by the petitioner, to inform his future actions in this matter. Are you happy with that? I see that you are.

10.00 a.m.

[84] We now move to the next petition, which covers an issue that is very familiar, particularly to one member of the committee, which is P-03-261, Local Solutions to Newtown Traffic Congestion. This was submitted in January of this year by Garry Saady and he collected 37 signatures. The petition states:

[85] ‘We call on the National Assembly for Wales to urge the Welsh Government to defer a decision on the proposed bypass of Newtown until it has developed and trialled a set of sustainable measures in the town itself to address traffic congestion.’

[86] The committee wrote to the Minister for Environment, Sustainability and Housing—

which was the portfolio at that stage—in January 2010; to the Enterprise and Learning Committee in the last Assembly in January of last year; to the Deputy First Minister; and, to the Finance Committee in March of last year. So, it would be useful to have a steer as to which way you would like to go on this, if I could defer to you firstly.

[87] **Russell George:** I am just a bit concerned because there is a bit of a mix-up on the letter here. On page 25, the letter refers to a second petition that we are looking at, which supports a bypass; this petition is calling for the bypass to be deferred. Is there a letter that we have not seen somewhere?

[88] **Joyce Watson:** So, this letter—

[89] **Russell George:** We are currently looking at two petitions: one that, in short, supports the bypass and one that does not. The letter that is referred to here is the letter that supports the bypass, on page 25.

[90] **William Powell:** So, there is a cross-referencing issue here.

[91] **Russell George:** I have not seen the letter from the Minister on this one.

[92] **William Powell:** Of course, the decision in principle has been taken, so events have moved on.

[93] **Russell George:** Yes, that is right. This petition was received from Gary Saady, but the letter on page 25 talks about the petition received from Paul Pavia.

[94] **William Powell:** You are referring to the correspondence dated 29 July, the letter from Carl Sargeant to me as Chair.

[95] **Russell George:** Is the other petition in support of the bypass included in the update? I could not see it in the papers when I was reading them last night.

[96] **William Powell:** There is an issue there that you have usefully flagged up and we need to resolve it.

[97] **Russell George:** Shall we defer both to the next committee meeting?

[98] **William Powell:** I think that would be a sensible course of action because there is not just traffic congestion, but a degree of congestion on the issue of the petitions. We will resolve that and deal with it at our November meeting. Thank you for flagging that up and that is certainly the best way to go forward.

[99] The next petition is P-03-156 on sleep apnoea. The petition was submitted a while back in October 2008 by the Welsh Sleep Apnoea Society, and was signed by the organisation. The committee has written on a number of occasions in 2008, 2009 and 2010, and most recently in 2011, to the relevant Ministers, and also a piece of research was commissioned on the services currently available. The compliance levels that have been reported by the Minister most recently in her correspondence suggest that a possible course of action for us would be to close the petition. I wonder what your views are. Joyce, you seem to favour that.

[100] **Joyce Watson:** I am in favour of that.

[101] **William Powell:** I would tend to that view also, but it might be sensible for us to flag up the issue to the Health and Social Care Committee in relation to implications for this

particular area of care in the forthcoming budget round. That was my only concern about closing it, because we have good news on the compliance rates.

[102] **Joyce Watson:** If we do what you have said, and put it through, we will have done everything that we can. As you said earlier, Russell, it is about managing expectations. We would only be keeping it open for the sake of it as we really cannot go any further.

[103] **Russell George:** I agree.

[104] **Joyce Watson:** We need to be responsible, as well as responsive. So, closing it, saying that we have had this letter, these are the compliances and that we have referred it is as much as we can do. I do not know whether Russell agrees.

[105] **Russell George:** Yes, I agree.

[106] **William Powell:** In that case, we will write that letter and, following that final piece of correspondence on the issue, we will close the petition. That would make sense and would keep our proceedings in order.

[107] We will now look at the environment and sustainability section of our agenda, and at petition P-03-260, proposed by the Campaign for Dark Skies, which was submitted in March 2010. It collected 1,643 signatures. The committee in the previous Assembly asked a number of bodies and organisations to respond to this one. There has been correspondence from the Minister for Environment, Sustainability and Housing in the previous Assembly, the Welsh Local Government Association and Carbon Trust Wales, and we have been in contact with particular local authorities that have been active on this. It is worth observing that Russell and I, as members of Powys County Council, are aware that Powys was in the vanguard in terms of the street-light switch off, and was joined by Blaenau Gwent and Ceredigion councils fairly soon afterwards. We got in touch with those authorities in the previous Assembly to check the impact of switching off street lights. The committee also wrote to the Deputy First Minister and Minister for the Economy and Transport, flagging up the issue, which was flagged up to a number of us, given our earlier involvement on the disconnect between the local roads and those under the trunk road agency. Often, that is not well understood by local residents when you seem to have extensive street lighting on the one and a fairly severe cut back on the other. So, what do committee members feel would be the sensible way forward? We have the correspondence from the Royal Society for the Prevention of Accidents in our papers, which is important.

[108] **Joyce Watson:** The first question is: what more can we do? That always has to be the first question. Is there any more that we can do? If there is not, you close the petition.

[109] **Russell George:** I think that it is time to close the petition. We have done all that we can do.

[110] **William Powell:** We have noted RoSPA's views. The Campaign for Dark Skies is informing the course of action of a growing number of local authorities now. So, if that is the will of the committee, I propose that we do that and move forward.

[111] I am conscious that we need to progress with our ministerial hearing. The Minister is due to arrive in about 10 minutes. So, we need to be aware of that. We will move on to petition P-03-305 on statutory school libraries, which was submitted in November 2010 by Alison Bagshaw, with the support of 313 other signatories. It states:

[112] 'We the undersigned, call on the National Assembly for Wales to urge the Welsh Government to accept in principle that it will make schools libraries statutory and run by

suitably qualified staff, and to prepare the necessary legislation in consultation with the appropriate professional associations and trade unions.’

[113] It was received back in November 2010 and there has been significant correspondence on it. The then Minister for Children, Education and Lifelong Learning and Skills stated there were no plans to make the school library service a statutory provision. Also, the Welsh Local Government Association stated that school libraries are inspected by Estyn and that there would be major budgetary and cost implications in changing these arrangements. What are your views as a committee on how to go forward with this, given the clarity of the ministerial position, which has been reiterated recently? My sense is that we need to consider closing this petition.

[114] **Joyce Watson:** It does not seem that we are going anywhere with it.

[115] **William Powell:** I think that that is clear in the ministerial response that we have had.

[116] **Russell George:** We have had the response, so we should close the petition.

[117] **William Powell:** Let us do that then.

[118] The next petition is P-03-263, List Stradey Park, and was submitted in 2009 by Mr V. Jones. It collected 4,383 signatures and calls

[119] ‘upon the National Assembly for Wales to urge the Minister for Heritage to grant listed status to Stradey Park, in order to protect the heritage of this world famous rugby ground’.

[120] A major development in this story was the subsequent demolition of the buildings at Stradey Park, but we still have the call for the listing of the ground and I am keen to know your views on how to proceed with this one, given the way that things have developed.

[121] **Joyce Watson:** ‘Developed’ being the appropriate word. There is still a live element to this. We just need to work with it and take the appropriate action. We cannot close it at this stage, that is for sure.

[122] **William Powell:** We could produce a short report drawing the strands together.

[123] **Joyce Watson:** That might be useful.

[124] **William Powell:** Particularly given the opportunity that still exists to afford protection to the ground itself. I see that we are happy with that.

[125] We move on to P-04-322, which is a call to revise Cadw’s policy with regard to churches and other ecclesiastical buildings. It is from June 2010 and was submitted by Graham John, with the support of 147 signatories. It calls upon the National Assembly for Wales to investigate what is described in the petition as

[126] ‘the inflexible way in which Cadw enforces its regulations’

[127] in this regard. Previously, the committee wrote to the Minister for Housing, Regeneration and Heritage. We now have the response, which is included in our papers. I would welcome your views as to how to take this one forward. We have an extensive response from the Minister; he goes into a lot of helpful detail.

[128] **Joyce Watson:** He does. Have the petitioners received this response?

[129] **Mrs Phillips:** They are aware that we are looking at this today so, yes, they will have seen it.

[130] **William Powell:** They will have seen it in the public papers. We have not written separately to them, as yet.

[131] **Russell George:** Can we write and ask them how they would like us to proceed?

[132] **William Powell:** Yes. Given the fact that the Minister has gone into quite significant detail on this issue with regard to Cadw and religious buildings overall, it would make a lot of sense for us to write to the petitioners to seek their views on the issue and to keep it live for the moment, because there is some way to go with this one.

10.15 a.m.

[133] We move on to P-03-308, Save Gwent Theatre. Also associated with this are P-03-311, Spectacle Theatre, and P-03-314, Save Theatr Powys and Mid Powys Youth Theatre. They have been grouped because of the obvious linkage between them. We have an extensive number of signatories to all three of these petitions, submitted in response to the decision made during the previous Assembly by the Arts Council of Wales to withdraw revenue funding for these theatre-in-education companies as part of its investment review. We also have the correspondence from Nick Capaldi from the Arts Council of Wales, which states that it is not inclined to open up its business case documentation regarding the investment decisions that were made. We have the ministerial review ongoing, so I suggest that we cannot close the petitions at this stage. That is probably the best way to proceed, and once we have the outcome of the review, we will engage again with the petitioners on the issue. I see that there are no further thoughts on this one.

[134] We move to P-04-328, MCA Modernising Coastguard Proposals, which will have come to all of our attentions, I am sure. It was submitted in May of this year by Graham Warlow and it collected 293 signatories. It notes:

[135] ‘We the undersigned call upon the National Assembly for Wales to urge the Welsh Government to conduct independent risk impact assessments on the safety of coastal tourists, of the closure of MRCC Milford Haven, MRCC Holyhead, and the downgrading of MRCC Swansea to “daylight hours”.’

[136] I am sure that we are all aware of the subsequent developments on this one, and the rather surprising turn of events. In many ways, it would be a suitable for us to call for oral evidence from the petitioners. Given the way that things have moved on, it would be useful to have an update from them. What are your views?

[137] **Joyce Watson:** Yes, absolutely. I was involved heavily in lobbying to keep Milford Haven Maritime Rescue Co-ordination Centre open and all the others as well. We cannot close the petition, because Swansea, surprisingly, has come in to focus now.

[138] **William Powell:** Exactly, that is right.

[139] **Joyce Watson:** So, I think that the way forward is as you have described.

[140] **Russell George:** I agree.

[141] **William Powell:** Okay, so let us do that and to call them to submit evidence at the earliest opportunity within our timetable.

[142] Finally, we move on to P-03-262, Wales Peace Institute. This was submitted by the Welsh Centre for International Affairs and a coalition of other groups. It collected 1,525 signatures in support. We have had quite a significant amount of discussion of this petition in recent meetings. You will recall that there was concern that our predecessor committee had considered the make-up of various peace institutes, but had not investigated the potential and practicality of a Wales peace institute. That was the strong view that came back to us from the petitioners. As you will recall, there was also the request from the petitioners that the Assembly should commission research on the issue from the Flemish Peace Institute. In agreement with the Presiding Officer, the committee felt that it was not appropriate for us to commission such research, as the Assembly Government has made it clear that it is not currently in a position to support the development of such a peace institute. However, as a committee, we could recommend that the petitioners approach other peace institutes that are independent of their parliaments to commission such research as would be relevant. I think that there would be a case for us to call for evidence on this one, to draw in wider views that may be relevant to the development and possibly supporting the petitioners in their objectives. What are your thoughts on that?

[143] **Joyce Watson:** Yes, that would be fine.

[144] **William Powell:** Are you happy to proceed on that one in that way? I see that you are. I hope that that will be well received by the petitioners, who have taken a keen interest in our response to them, and I think that that would be a move in the right direction. If that finds favour, it would be a good way forward.

10.20 a.m.

**Tystiolaeth Lafar ar P-03-288 Strategaeth Genedlaethol ar Fyw'n
Annibynnol—Y Gweinidog Cyllid ac Arweinydd y Tŷ
Oral Evidence on P-03-288 National Strategy on Independent Living—The
Minister for Finance and Leader of the House**

[145] **William Powell:** The petition was submitted by Disability Wales and collected 284 signatures. Good morning, Minister. Thank you for agreeing to give evidence to us on this important petition. We look forward to hearing what you have to say.

[146] **The Minister for Finance and Leader of the House (Jane Hutt):** Thank you, Chair. I agreed with the Deputy Minister for Children and Social Services that I would come to the committee today, because, as Minister for equality, I recognise that independent living is key to achieving equality of opportunity for disabled people and their full inclusion in society. If we are to make progress in making independent living a reality for disabled people then we need cross-departmental action, as is clear from the petition. In order to ensure that, I am pleased to announce today that a framework for action on independent living will be developed by the Welsh Government. A written statement to that effect is being issued as I speak. I will take responsibility for leading this within my portfolio. The framework for action on independent living will underpin the actions taken to advance equality of opportunity for disabled people, eliminate discrimination and foster good relations under the Welsh specific equality duties. I am also pleased that a senior civil servant, Carys Evans, has been appointed to lead on developing the framework. Carys will develop the detail of our framework for action, she will identify areas where action is needed, and ensure that we bring together a coherent delivery plan for the many policies and strategies across the Welsh Government that already support independent living. Some of that was indicated in my evidence paper to the committee.

[147] There is a major concern about the pace and scale of the UK Government's welfare reform agenda and its impact on disabled people and their incomes, and on local authorities' budgets. Taken together, they could act as a major constraint on disabled people's ability to live independently. The committee will be interested to hear that the Welsh Government has established a ministerial task and finish group to keep a close eye on the impact of welfare reform. It goes without saying that, as Minister for equality, I want to see all citizens in Wales respected and included as equal members. I want everyone to have the opportunity to fulfil their potential. For many disabled people, that vision can seem far removed from the reality of their lives. So, by supporting disabled people through the framework for action on independent living, and by promoting greater access to services and providing greater opportunities to enable them to participate and contribute fully in society, I hope that the overarching objectives that I have outlined, and which are included in the petition for a strategy on independent living led by Disability Wales, will be fulfilled by our framework. Key to this, as well as for our public sector duties, is the engagement and involvement of disabled people in developing our framework for action. Having met Disability Wales to discuss these issues, I know that disabled people are keen to be involved in this work with the Government.

[148] **William Powell:** It is timely that the announcement is to be made today. We have a number of areas that we would like to explore. First, will you give us a little bit more of an insight into the timescales that you anticipate with regard to the implementation of the disability framework?

[149] **Jane Hutt:** That is a fair question. Ensuring that we have the resource within Government and the civil service is a key step going forward. As I said, we have appointed someone to lead on our framework for action, who is starting imminently—on Monday, in fact—and we will be ensuring that there is robust engagement and involvement with disabled people. I am, in fact, speaking at a Disability Wales conference next week. We anticipate that we will be able to deliver the framework for action and a delivery programme for it within the year. We will not be able to deliver it until 2012, but I hope that, by this time next year, or, indeed, by the summer, we will be able to bring it back to this committee.

[150] **William Powell:** That is excellent; thank you. How will the voices of disabled people be most effectively heard through the development of the framework? Which strategies will be most effective?

[151] **Jane Hutt:** There are two routes to that. I have already mentioned close engagement with representative organisations like Disability Wales. I also chair a disability equality forum and, as you may recall, I made a statement a few weeks ago on equalities. So, we are looking to have ongoing dialogue, not just with the disability equality forum, but also with the race and women's fora. The disability equality forum was set up for a short time and purpose, but we are now going to extend that, and I envisage that this framework for action will be a key agenda item on that forum. In addition, given that we have steered this into the discussions on public sector equality duties, where we have a commitment to involvement and engagement, this will also come as a key point of discussion with disabled people.

[152] It is important to recognise that what we develop as a framework must also be delivered at a local level, by many local authorities, the NHS and other agencies. So, using the public sector equality duties is useful, because those bodies are also developing their own public sector equality duties, and we are obviously producing the guidance and the overall framework for that. So, as far as I am concerned, representative groups will be at the forefront of the development of this framework for action.

[153] **William Powell:** Are there particular ways in which disabled people, particularly in more rural communities, can be safeguarded, given that issues around isolation and the lack

of a critical mass of representational groups are sometimes of particular concern in those communities?

[154] **Jane Hutt:** That goes back to the issue of public sector equality duties. All local authorities, rural and urban, will be engaged with us in developing public sector equality duties and the engagement of disabled people. However, with regard to the points made in the petition, the six priority areas in the manifesto for independent living will be our guide to how we develop this. Although it is early days, I envisage that we will have events across Wales to consider this, so that we can reach out in rural areas—in north, south, east and west Wales.

[155] **William Powell:** Russell, I believe that you have some points to explore.

[156] **Russell George:** My question has already been answered in part. In the last Welsh Government, the Minister stated that there was no intention to develop a specific strategy for independent living for Wales, and you have confirmed that that is not the case now.

10.30 a.m.

[157] **Jane Hutt:** We have considered carefully how we can take this forward. It is cross-departmental. I am working closely with the Deputy Minister for Children and Social Services, but independent living is not just about health and social care; it is also about housing, transport, access to culture and heritage, and every aspect of Government policy and responsibility. Since April, we have had this public sector duty, and we feel that what is needed is a framework for action. We talked about this with Disability Wales in particular, and Disability Wales has been very positive so far on our direction. Leading from an equality perspective is important, and overcoming barriers is critical to inclusion. Also, it is useful to say, as I did in my opening statement, that we fear that there will be increasing pressures on disabled people because of public funding constraints and welfare reform changes. That has also increased the case for a really co-ordinated framework for action.

[158] **Joyce Watson:** Good morning, Minister. I am sure that we all welcome your announcement today, which is fantastic, and shows that you really have listened. I also welcome the fact that you are leading from the front on this as an equality issue, which it clearly is, and are working right across the piece. I congratulate the Government on the fact that we have specific equality duties here in Wales, which really sets us apart. Disability Wales previously said that it thought that there might be some inadequacies in that particular approach if it is taken on its own. It said that that particular legislation was limited in its ability to address the complexity. You have recognised that, in and of itself, this will not address those complexities. Could you, therefore, expand a little on the fact that you have taken that on board and will be working more widely than the public sector duty?

[159] **Jane Hutt:** The public sector duty is an added impetus, and provides a framework for us to look at responsibilities and duties across the public sector. Clearly, the delivery of a framework for action on independent living goes beyond that. It is also important that it is cross-sectoral in terms of responsibilities, relationships and overcoming barriers, particularly in relation to a barrier-free transport system that includes all modes of transport, and indeed the priority area that Disability Wales's manifesto identified in terms of economic and cultural inclusion. That also takes us beyond the public sector duty remit. So, I can only assure you that we want to see a root-and-branch look at independent living. I do not know whether Huw Brodie, the director of strategic planning and equality, would like to say something on that point.

[160] **Mr Brodie:** I think that the way to understand it, as the Minister has said, is that under the statutory obligation that we have, and the specific duties, we will be specifying the equality objectives and the related strategic equality plan. That will provide the overall

framework for everything that we need to be doing in terms of the top-level priorities on equality across the Welsh Government. The framework for action on independent living will sit underneath that umbrella, enabling us to go into much more detail on what we need to do across all the different departments and, of course, in working with all the different partners externally to address the issues raised in the manifesto that Disability Wales has produced.

[161] **Joyce Watson:** On drawing that wider and deeper, you said that a ministerial task and finish group had been set up to look at the impact of reduced public expenditure and welfare reform. Will that be feeding into this whole review of independent living?

[162] **Jane Hutt:** The ministerial task and finish group is just looking at the impact of welfare reform. Clearly, as Minister for Finance, I am responsible for looking at and developing budgetary responses to constraint in public spending. The ministerial task and finish group on welfare reform is clearly going to be mindful of the framework that we are developing. I think that you are probably aware that the Deputy Minister for Children and Social Services met with the UK Minister for Disabled People to raise issues about the impact of welfare reform. Changes to disability living allowance was one of the issues that she raised with her. We need to ensure that that ministerial group, which is looking at a whole range of impacts, is fully engaged in the development of the framework for action for independent living.

[163] **William Powell:** Minister, we are extremely grateful as a committee that you have taken time out of your busy schedule to come here with your team this morning, particularly given that it coincides with your announcement. That will be of real interest to the petitioners. In a way, you have taken the wind out of our sails by addressing some of these concerns this morning. Thank you for coming to answer our questions. I am particularly grateful for the announcement that you have shared with us as a committee. Thank you.

[164] **Jane Hutt:** Thank you, Chair.

[165] **William Powell:** In light of what we have just heard, we need to consider our next moves. That was a more wide-ranging announcement than we had perhaps anticipated. Colleagues, how do you feel we should now proceed?

[166] **Joyce Watson:** The petition called on the Minister to do what she has said she is going to do.

[167] **William Powell:** Indeed, yes.

[168] **Joyce Watson:** So, I think that it is a win. Is that what you would say?

[169] **Russell George:** I would say that we should write to the petitioners to let them know.

[170] **William Powell:** Indeed, and to seek their responses. I am sure that there are elements on which they might have wished that things had gone further and there will be further items of detail. However, it would be sensible for us to get their considered response to what the Minister has shared with us this morning once they have had the opportunity to study it in detail.

[171] **Joyce Watson:** The petition asks for what the Minister has said she is going to deliver. In that respect, they have got what they asked for, as far as I can see. The bits that you describe, in the sense of the devil being in the detail and how those things will be worked through, will, I suspect, be another conversation between the Minister and the various bodies engaged to achieve that. However, those things are not what the petition asked for. With regard to what the petitioners have asked for and what the Minister has agreed to, we have an

exact match. That is my interpretation. I do not know whether anyone has a different one. That being the case, we should close the petition, although there has been a good response to it. If things flow that Disability Wales or any other organisation does not agree with, they are at liberty to come back to us. However, we have to deal with what is on the paper, and what is on the paper has been delivered. That is my interpretation. Does anyone else want to add anything?

[172] **William Powell:** My sense is that that is the direction that we are heading in. I would favour writing to them to seek their response, but my sense is that we are quite close to what you describe, in that it is a pretty close fit.

[173] **Russell George:** I would hope that they would write back in response, agreeing with what Joyce has just said. At that point, the petition could be closed.

[174] **William Powell:** That is the direction of travel that I would anticipate.

[175] **Joyce Watson:** That is great.

[176] **William Powell:** Yes, indeed. Thanks for that; that was a concentrated session with some announcements that will be seen as good news.

Papurau i'w Nodi Papers to Note

[177] **William Powell:** The particular papers to note are the terms of reference of the two studies, namely the inquiry undertaken by the Enterprise and Business Committee—which you sit on, Joyce—into the regeneration of town centres. The detail is there. We also have the terms of reference for the Environment and Sustainability Committee's inquiry into energy planning policy, which Russell and I sit on. They will be helpful in informing the way in which we go forward in those areas. Are there any observations or comments on those? I see that there are none. Having briefly been a member of the Enterprise and Business Committee, I was interested to see the way in which that inquiry has been framed. The regeneration of town centres inquiry will be extremely relevant to places across Wales.

[178] The next meeting of the Petitions Committee is due to take place on Tuesday, 1 November. However, more immediately, I hope that we will all be available to attend the presentation of the petition on horse and pony welfare tomorrow at 12.45 p.m.. That will take place on the grass area just to the side of the Senedd entrance. A risk assessment has been undertaken as to the best position to hold the presentation, and we very much look forward to meeting the petitioners and their pony.

[179] **Russell George:** Is that tomorrow, Chair?

[180] **William Powell:** Yes, on Wednesday at 12.45 p.m.. If you are able to join me, that would be excellent. Thank you very much for your attendance.

*Daeth y cyfarfod i ben am 10.43 a.m.
The meeting ended at 10.43 a.m.*