



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

## **Y Pwyllgor Deisebau** **The Petitions Committee**

**Dydd Mawrth, 10 Mawrth 2015**  
**Tuesday, 10 March 2015**

**Cynnwys**  
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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included.

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

Russell George	Ceidwadwyr Cymreig Welsh Conservatives
Bethan Jenkins	Plaid Cymru The Party of Wales
William Powell	Democratiaid Rhyddfrydol Cymru (Cadeirydd y Pwyllgor) Welsh Liberal Democrats (Committee Chair)
Joyce Watson	Llafur Labour

**Eraill yn bresennol**  
**Others in attendance**

Rob Curtis	Deisebydd Petitioner
Gill Bell	Deisebydd Petitioner

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

Kayleigh Driscoll	Dirprwy Glerc Deputy Clerk
Steve George	Clerc Clerk
Helen Roberts	Cynghorydd Cyfreithiol Legal Adviser
Kath Thomas	Dirprwy Glerc Deputy Clerk

*Dechreuodd y cyfarfod am 09:03.*  
*The meeting began at 09:03.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon**  
**Introduction, Apologies and Substitutions**

[1] **William Powell:** Bore da, bawb. **William Powell:** Good morning, all.

[2] Welcome to this meeting of the Petitions Committee. We have no apologies this morning—a full complement of Members—and the usual housekeeping arrangement apply.

**Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol**  
**Updates to Previous Petitions**

[3] **William Powell:** We have also no new petitions on this occasion, so we move to agenda item 2: updates to previous petitions. We start with P-04-416, on north-south rail services. The petition was submitted by Neil Taylor and was first considered by this committee back on 2 October 2012 with the support of 19 signatures.

[4] ‘We call on the National Assembly for Wales to urge the Welsh Government to work with Arriva Trains to increase the number of direct express rail services between Holyhead and Cardiff.’

[5] We considered correspondence on the petition from the Minister back on 25 November last year and agreed to seek further comments from the petitioner. We have now received those comments; hence it being on the agenda today. These are available for us in the public pack. The Minister's letter of 10 November is also included for ease of reference and because it ties in with the petitioner's responses.

[6] I would welcome a steer as to how best to go forward with this one. It seems that there is some further clarification we could seek from the Minister that the petitioner would be keen to have. Any thoughts? Russell George.

[7] **Russell George:** Chair, if your suggestion is that we write to the Minister and pass on these further comments that the petitioner has raised with us, I suggest that we do that.

[8] **William Powell:** Yes, okay, because there seems to be some lack of clarity as to the nature of this renewal of the north-south premier service and what exactly that entails. So, I think that would be useful.

[9] **Russell George:** Well, we can ask for an update on that as well.

[10] **William Powell:** Absolutely, yes, if colleagues are happy with that approach. Yes?

[11] Agenda item 2.2 is P-04-459, A direct rail connection from Cardiff Airport to Cardiff central and west Wales. This petition was submitted by Sovereign Wales and was first considered in 2013 with the support of 35 signatures, flagging up the need for better connectivity between the airport and both the central area of Cardiff and west Wales. Now, we last considered correspondence on this petition on 13 May 2014, and we agreed to await an update from the Minister in June, once the metro implementation group had announced proposals in relation to south-east Wales. And, following a reminder, the Minister has kindly provided a further response and the petitioner has commented on that. I think the one issue where there seems to be a gap at the moment is for a specific update with regard to the airport link, because the update we received from the Minister was rather more general in nature, I think. Russell George.

[12] **Russell George:** I think, in that case, then, Chair, if we can ask the Minister specifically on that point, that would support what the petitioner's requested: that we write to the Minister on that.

[13] **William Powell:** I think colleagues are happy with that, and that would be my proposal also. Good. Agreed.

[14] Agenda item 2.3 is P-04-599, Impact of Domestic Rating on Self Catering Accommodation. Now, this petition was submitted by Mr Chris Harris and first considered on 23 September 2014, having collected 23 signatures and calling for a number of actions with regard to the Non-domestic Rating (Definition of Domestic Property) (Wales) Order 2010, and specifically with regard to impact and differential impacts that the petitioner feels his particular kind of business suffers, particularly in the event of extreme weather events, and there are other issues also raised by this petition in later bullet points. We last considered this in the context of a letter from the Minister on 11 September—

[15] **Mr George:** The Minister's letter was actually 10 October, sorry.

[16] **William Powell:** Oh, sorry; there's an error there in my pack—okay, on 10 October. We've also had further correspondence from the Welsh Tourism Alliance, the WTA, which badges itself up very much as the voice of the trade, and they've made some relevant points,

too, which Members will have the opportunity to study. We've got a response from Mr Harris, who clearly is not satisfied with aspects of the response that he's received. Again, it seems that there is some lack of clarity and a need for further clarification with regard to the IRRV report, which has been referenced, and also to specific consultation. And this also is endorsed, not just by the petitioner, but by the tourism alliance. So, I think there is scope for a focused letter to the Minister on these matters, because, clearly, there is concern out there in an important sector of the economy with regard to impacts they're receiving. Were there any colleagues who've got a view there? Joyce Watson.

[17] **Joyce Watson:** In terms of writing further, the petitioner has asked for clarification of certain areas that she doesn't feel have been addressed—or he doesn't feel have been addressed.

[18] **William Powell:** Yes, it's a gentleman.

[19] **Joyce Watson:** Let's just seek further clarification as requested and see how we go from there.

[20] **William Powell:** I'm happy to write in that vein, because, obviously, we're looking now to a fresh season, and the gentleman and his business will have to make their plans, as will others. So, I'm happy to do that. Are colleagues agreed? Good.

[21] Agenda item 2.4, P-04-492, Diagnosis of autism in children. The petition was submitted by the National Autistic Society Pembrokeshire branch and first considered back on 18 June 2013 and it's got the support of 902 signatures. It is calling,

[22] 'upon the National Assembly for Wales to urge the Welsh Government to: ensure timely diagnosis for children with Autism Spectrum Disorder [ASD], regardless of where they live'.

[23] It is also calling for another suite of actions in the context of the Government's refresh of its ASD strategic action plan. We last considered this petition on 21 October last year, and it was agreed that we write to the new Minister who has adopted responsibility within portfolio for this petition and the wider issues, particularly given the active engagement of the previous Deputy Minister for Social Services, who'd very much taken this cause on and done so with considerable energy.

[24] We've got a full response from Mark Drakeford on these matters. Also, there's probably scope, given the response that we've had from the petitioner with regard to a number of concerns that there may have been further slippage now, after initial improvement, with regard to diagnosis times, there's probably scope for an update from the Hywel Dda Local Health Board, which I would be happy to seek on behalf of the committee. We've got a full response from the Pembrokeshire branch of the National Autistic Society and there are a number of actions that they're seeking. They seem perfectly reasonable to me, in the context of taking this forward, given the concerns that have emerged locally. So, if colleagues are happy for me to write in that vein, picking up the points that NAS Pembrokeshire have flagged up, and also to the new chief executive of Hywel Dda Local Health Board, who, I think, probably we will be writing to for the first time on these matters. He has recently come from Cornwall and the Scilly Isles, so he has got experience of service delivery in another deep rural area. I'd be happy to do that if colleagues are—

[25] **Russell George:** Yes, happy with your suggestion, Chair.

[26] **William Powell:** Excellent. And we'll pick up all the points that are referenced in the NAS letter. Good.

[27] Moving now to agenda item 2.5 P-04-494, Robotic assisted laparoscopic prostatectomy must be made available to men in Wales now. That's the title here. The petition was submitted by Professor Kevin Davies MBE and was first considered by us as a committee in our last meeting of the summer term back in 2013. It has the support of 2,090 signatures, calling for greater equity of access to this important technology for those suffering from this and related ailments.

[28] The last time we considered this was on 11 November 2012 and it was agreed to write to the Minister and, indeed, to Adam Cairns, chief executive of Cardiff and the Vale University Local Health Board seeking the assurances requested by the petitioner with regard to that. Now, we've had responses both from the Minister and the health board and we have some brief, focused comments from the petitioner. As you can see, there's a particular concern now in terms of equity of access for patients in north Wales. Currently, provision is made available via the option of being referred to Manchester, and it would seem to me of interest—I don't know whether colleagues would agree—to express, well, not to express concern, but to ask whether there are any medium-term plans for Betsi Cadwaladr health board to actually develop provision in-house, so that that would put it on an equal footing with the other health boards. I'd welcome colleagues' steer on this one. Joyce Watson.

[29] **Joyce Watson:** I think there are two things here. I agree with the first comment that you made, but also, because this treatment's being accessed in Manchester, it would be a really useful piece of information for us to have in terms of how that access is working, I think. It's new technology; it's coming here to Cardiff—it's new to Wales, let's say that.

[30] **William Powell:** Yes, and the south and mid Wales are now enjoying relatively strong access.

[31] **Joyce Watson:** Yes, and it's great, you know; we have got progress and that's fantastic, but we need equal progress. So, I think two things: write and ask whether they're going to move towards provision in Betsi Cadwaladr, and maybe they can tell us when; and how the system that currently refers to Manchester is working.

09:15

[32] **William Powell:** In considering this in preparing for today's meeting, I was also giving some thought to the cost ongoing of referring out of Wales to use that other facility—whether that is beyond our remit and legitimate interest. It obviously would be part of a business case to bring things back into Wales, and giving people that more convenient access.

[33] **Joyce Watson:** I think this might be beyond our remit, although it's relevant.

[34] **William Powell:** I value your advice in that regard. Okay. Are colleagues happy with that approach?

[35] **Joyce Watson:** Yes. We could refer it on, couldn't we, to the Health and Social Care Committee, for them to look at?

[36] **William Powell:** Well, there is that option also.

[37] **Mr George:** If we're writing to the health board, there's no reason why we can't ask the question about what the cost difference is, and see what answer we get.

[38] **Joyce Watson:** But also ask the Health and Social Care Committee.

[39] **William Powell:** Yes. We'll write to David Rees and copy him and his clerking team into this matter. It's useful for them to be aware of our interest in the matter.

[40] **Joyce Watson:** Indeed.

[41] **William Powell:** Agenda item 2.6, P-04-501, Day Centres for the elderly in Wales to be made statutory. Now, this petition was submitted by Pamela Hughes and first considered by the committee on 24 September 2013, having collected 1,240 signatures, calling

[42] 'on the Welsh Government to make Day Care Centres for older people a statutory requirement for the whole of Wales.'

[43] I think it's fair to say that, since this petition was received, the future sustainability of day centres across the whole country has become more exposed to question and budgetary challenge than was perhaps the case at this time. Nonetheless, the concerns remain, and the petition is very much alive. We last considered correspondence on this on 26 November and agreed to highlight the petition to David Rees in his capacity as Chair of the Health and Social Care Committee. We've now got a response from David, and it's in our public papers. We have written to the petitioner and sought views on that response from David Rees, and we haven't as yet received that.

[44] **Russell George:** How long has it been, Chair, since we awaited the—

[45] **William Powell:** Well, the letter from David, from memory, it was—

[46] **Mr George:** It was 25 February.

[47] **William Powell:** Late February.

[48] **Russell George:** So, shall we just wait for the moment?

[49] **William Powell:** I think possibly we should write to Pam again—to the lady in question—and follow up, because it's less than a fortnight.

[50] **Joyce Watson:** Yes, to give an opportunity.

[51] **William Powell:** I think that would be sensible, because they may have some sort of committee structure as well, where they need to wait before they can respond. So, we can await that and maybe chase it, if necessary.

[52] Agenda item 2.7, P-04-527, Campaign for a Special Cancer Drug Fund in Wales. This petition was submitted by Councillor Sean Aspey and first considered by us on 21 January 2014, and has the support of 247 signatures. You will recall the specific circumstances that led to the submission of this petition, and Beth Margetson, a local resident who was in need of specific treatments that were not available, which helped to motivate Councillor Aspey and his colleagues to submit this. We last considered this as a committee on 21 October 2014, and we agreed to seek further comments from the petitioner, and of course this is one of the cases where we had a serious concern about the responsiveness, or lack of it, from the team at Abertawe Bro Morgannwg University Local Health Board. Now, in the correspondence that we've received from the chief executive, we have a pretty comprehensive apology and an undertaking that we will have a greater level of response and courtesy to us as a committee, and, indeed, at least as importantly, to the petitioners in future. So, that is useful. We've also got a guide as to the need to make sure that everything is addressed via the chief executive's office, and that's been our practice anyway. We'll make sure that we keep up to the mark in that regard. The petitioner has been asked to comment, but he had not done so

when the papers closed. I don't think we've had late correspondence either on this matter. So, in that context, it would be wise for us to chase up. I'd welcome, however, any views from colleagues.

[53] **Bethan Jenkins:** Diolch. Rwy'n meddwl y dylem ni aros, ond rwyf jest yn moyn dweud ar gyfer y record, yn anffodus, bu farw Beth Margetson yn weddol ddiweddar ac, felly, jest i nodi yr ymdrech sydd wedi cael ei rhoi ganddi hi, er mwyn rhoi parch iddi hi am yr holl waith roedd hi wedi ei wneud yn yr achos yma. Er nad oes yna *fund* ar gyfer Cymru, rwy'n credu bod yna symudiadau i ystyried yr hyn mae hi wedi bod yn ymgyrchu drosto o ran cael y cyffuriau sydd yn angenrheidiol i bobl sydd yn y sefyllfa yma. Ond byddwn i'n meddwl bod yna bwyntiau, oherwydd y datblygiadau gan y Llywodraeth, i ni eu haros, ac os nad yw'r cynghorydd penodol hynny yn ymateb, yna bydd rhaid i ni gau. Ond roeddwn i jest yn moyn rhoi hwnnw ar y record.

**Bethan Jenkins:** Thanks. I think that we should wait, but I just want to say for the record that, unfortunately, Beth Margetson died quite recently and, therefore, just to note the effort that has been made by her, and in respect to her for all the work that she has done in this case. Even though there isn't a fund for Wales, I think there are movements to consider what she's been campaigning for in terms of obtaining the drugs that are essential for people who are in this situation. But I would think that there are points, because of developments on the Government's side, that we should wait, and if that specific councillor doesn't respond, then we will have to close. I just wanted to put that on the record.

[54] **William Powell:** Diolch yn fawr, Bethan.

**William Powell:** Thank you very much, Bethan.

[55] Thank you very much for sharing that sad news with us. I wasn't aware of that, and I don't think that the clerking team were either, so I'm grateful for you sharing that. If it's appropriate for us to write to any family members, then maybe we can undertake to do that in the context that she was at the centre of this petition that we've been considering. That notwithstanding, I think Councillor Aspey and the cause is still very much one that's alive for the moment, and it would be sensible maybe for us to write to seek clarity on the petitioner's intentions and response with regard to the latest correspondence from Abertawe Bro Morgannwg. It may, in fact, be that matters lead us to closing the petition, but rather than leaving it hanging it would be useful to write to Councillor Aspey, as well as hopefully writing to the family of Beth Margetson. Bethan, if you're able to assist us in making sure that that gets to its destination, then that would be helpful.

[56] **Mr George:** We haven't actually had any direct contact with Ms Margetson; it's been through Councillor Aspey. So, we can express condolences—

[57] **William Powell:** Maybe we can use that as a conduit.

[58] **Bethan Jenkins:** Yes. I don't know what the data protection is in terms of sharing addresses.

[59] **William Powell:** I'm sure that things could be forwarded via his good offices anyway, as an elected official. Thank you.

[60] Agenda item 2.8 is P-04-532, Improving specialised neuromuscular services in Wales. The petition was submitted by Muscular Dystrophy Campaign, first considered by us back on 4 February 2014, calling on the National Assembly for Wales to urge the Welsh Government to implement the investment proposed by the Welsh neuromuscular network vision document for improved services in Wales. We last considered this on 25 November 2014, when it was agreed to ask the Minister to keep us informed of progress, because of the

need to find an appropriate successor to Dr Andrew Goodall who'd moved on to different challenges. Now we've got confirmation that Dr Tracey Cooper is, in fact, the person who is taking on that role. We've got comments from the petitioners on the ministerial response, and both are in the public papers today.

[61] Can I have a steer from colleagues as to how to go forward with this? Bethan?

[62] **Bethan Jenkins:** Jest i ddweud i ddechrau fy mod i'n cadeirio'r grŵp trawsbleidiol ar y mater yma, ac roeddwn i wedi codi'r mater o ddiffyg cadeirydd y rhwydwaith gyda'r Gweinidog. Felly, rwy'n falch bod rhywun yn ei le nawr, oherwydd mi oedd Dr Goodall yn effeithiol iawn fel cadeirydd y rhwydwaith. Ond rwy'n credu bod y pwyntiau yn y llythyr yn iawn i ni fynd yn ôl atynt, sef i ofyn i'r Pwyllgor Gwasanaethau Iechyd Arbenigol Cymru ac i'r byrddau iechyd lleol beth sydd yn digwydd gyda'r pedwar pwynt yn y llythyr rydym yn ei weld o'n blaen ni o ran cefnogaeth seicolegol, cefnogaeth ar gyfer cynghorwyr a chymorth i bobl sydd yn dioddef o broblemau eithaf arbenigol, oherwydd nid oes lot o newid wedi bod ers pan na fu'r cadeirydd mewn lle. Felly, rwy'n credu bod pwynt i ni, fel pwyllgor, i ysgrifennu atyn nhw i gael diweddariad ar y gwaith, achos o ran y grŵp trawsbleidiol, rydym ni wedi bod yn poeni bod dim byd wedi bod yn digwydd pan nad yw'r cadeirydd wedi bod yna. Felly, nawr, gyda Dr Tracey Cooper yna, rydym yn gobeithio bod yna ddatblygiadau am fynd i'w lle, ac rwy'n credu ei bod hi'n mynd i ddod i'r grŵp trawsbleidiol nesaf. Felly, mi allaf i jest sgwennu efallai *bullet points* o beth mae hi'n ei ddweud, neu anfon nodiadau y grŵp trawsbleidiol atoch chi fel bod y pwyllgor i gyd yn gwybod beth sy'n digwydd.

**Bethan Jenkins:** Just to say to begin that I chair the cross-party group on this particular issue, and I had raised this matter of the lack of a chair for the network with the Minister. So, I'm pleased that somebody is in place now, because Dr Goodall was very effective as chair of the network. But I do believe that the points in the letter are good ones that we should return to, namely to ask the Welsh Health Specialised Services Committee and the local health boards what's happening with the four points in the letter that we see before us in terms of psychological support, support for counsellors and support for people who are suffering from quite specialist problems, because there hasn't been a great deal of change whilst the chair hasn't been in place. So, I do think that there is a valid point for us, as a committee, to write to them to have an update on the work that's been undertaken, because in terms of the cross-party group, we've concerned that nothing has been happening whilst the chair hasn't been in place. So, now, with Dr Tracey Cooper in place, we hope that there are developments in train, and I believe that she will be coming to the next cross-party group. So, I can maybe just write bullet points about what she says, or send the minutes of the cross-party group to you so that all of the committee knows what's happening.

[63] **William Powell:** Yes. Diolch yn fawr. It would be really useful to have any notes that arise from recent meetings of the cross-party group. I'm sure the committee would like to pay tribute to the work of the cross-party group in sustaining focus on this particular condition, particularly at a time when there's been something of a hiatus in terms of work elsewhere because of the need to find a successor to Dr Goodall, which has now happened. I'd be very happy to write to WHSSC and the health boards to ask them for an update on the specific actions that are referred to in the petitioner's letter. In terms of the petitioner's wish to see this debated in Plenary, that could well happen, but it seems to me at the moment we need to further bottom out the work if we're going to produce a short, focused report that might then trigger such a Plenary debate. Are colleagues happy with that way of proceeding?

[64] **Russell George:** Yes.

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



[66] **William Powell:** Good. Thank you. Agenda item 2.9 is P-04-568, Public Inquiry into ABMU Health Board. The petition was submitted by ABMU Victim Support Group. It was first considered by the committee on 1 July 2014. It has the support of 87 signatures. It calls upon the National Assembly for Wales:

[67] ‘to urge the Welsh Government to hold a full public inquiry in order to investigate the serious concerns raised about standards of care and complaints handling within ABMU Health Board’.

[68] We last considered this on 9 December, and it was agreed to write to our colleague, Darren Millar AM, Chair of the Public Accounts Committee, to ask that the petition be taken into account in the context of that committee’s work on the health board governance issues in Wales. We’ve had a response from Darren Millar and it’s clear that this piece of work is ongoing. So, in the context of that, and given the wider circumstances that apply in this case, I think probably it would be sensible to await the outcome of that, having referred it or having shared it with that committee. It would probably be sensible for us to await the publication of the PAC report, but I’m open to comments and advice from colleagues. Bethan?

[69] **Joyce Watson:** Chair, can I say—

[70] **William Powell:** Yes, if you wish.

[71] **Joyce Watson:** I think I’ve said in the past that I’m not going to take any part—

[72] **William Powell:** You have indeed. Absolutely.

[73] **Joyce Watson:** I want to put it back on record again that I won’t be taking any part.

[74] **William Powell:** Yes. Okay. That’s clear for the record, Joyce. I should have come to you in that context upfront. Okay. Bethan.

[75] **Bethan Jenkins:** Sori. Rwyf i jest am ddweud fy mod yn deall, achos ces i e-bost gan Gareth, y deisebwr, ar ryw beth arall y bore yma, nad oedd e’n sylweddoli bod angen iddo roi ateb cynhwysfawr i’r hyn sy’n digwydd ar hyn o bryd gyda’r ddeiseb. Felly, os medrwn fynd yn ôl ato jest i ofyn beth y mae’n ei feddwl am yr hyn sydd yn digwydd o ran yr ymchwiliad drwy PAC, rwy’n credu y byddai hynny jest yn helpu. Rwy’n credu bod ganddo farn i’w roi inni, ond nid oedd yn sylweddoli mai hynny oedd yr achos.

**Bethan Jenkins:** Sorry. I just want to say that I understand, because I received an e-mail from Gareth, the petitioner, on something else this morning, that he didn’t realise that there was a need for him to give a comprehensive answer to what is happening at the moment with the petition. Therefore, if we could go back to him just to ask what he thinks about what is happening with regard to the inquiry through PAC, I think that would just help. I think that he has a view to give us but he hadn’t realised that he should give us that view.

[76] **William Powell:** Understood. Okay. I’m very happy to do that and I look forward to receiving his update on that matter while we also await the outcome of the Public Accounts Committee deliberations on the wider governance issues across Wales. Good.

[77] Agenda item 2.10 is petition P-04-571, Treating Pernicious Anaemia. The petition was submitted by the Pernicious Anaemia Society. This was first considered by us as a committee on 15 July 2014. It has the support of 91 signatures. It calls on the Welsh Government:

[78] ‘to change the way Pernicious Anaemia is treated away from the current one-size-fits-all format towards a regimen based on the patient’s individual needs and where the patient is offered a choice of how he or she receives their replacement therapy B12 including self-administered injections.’

[79] This petition was last considered by us on 23 September, and we agreed to await a further response from the Minister, and also to seek comments from the lead petitioner on the letter that we’d already received from the Minister. Now, we’ve got both responses in our public papers, and I think that we’d agree that we’ve got a full and constructive response from the Minister on these matters. But it would be useful to ask him to inform the committee of the outcome of a number of the actions it proposes, including his letter to Jane Ellison MP, the Parliamentary Under-Secretary for health, in relation to the development of a licensed oral preparation regime, and also his request to NICE in respect of developing advice for clinicians in this area. So, there were two issues there that he’s referred to in his letter.

09:30

[80] When we’ve got that response, probably it would be sensible again to return that information to the Pernicious Anaemia Society. If I’m not mistaken, they also owe us a response with regard to the earlier correspondence.

[81] **Mr George:** No, we’ve got it.

[82] **William Powell:** Oh no, we’ve had that in the meantime. Excellent. Yes, it’s quite a full response, but it goes round the houses a little bit in terms of some of the issues. But there is a lot of detail in there, on re-reading, and they name-check some examples of the benefits of a more person-centred approach, don’t they? Good. So, we’re awaiting response from the Minister once he’s got clarification from those couple of correspondents that he’s been in touch with.

[83] Agenda item 2.11 is P-04-583, Ban all Growing and Selling of all GM seeds/Foods and Animal/Fish Feed in Wales. It was submitted by Gruffydd Meredith and first considered by us as a committee on 23 September 2014. It’s supported by 13 signatures. There is a very clear description there of the petitioners’ concerns. We last considered this back in November and agreed to ask the Deputy Minister to respond to the petitioners’ comments and also to clarify what appeared to be, as we flagged at the time, an apparent contradiction between Welsh Government policy to maintain—and I quote—

[84] ‘a restrictive and precautionary approach to GM crop cultivation’,

[85] and the Food Standards Agency’s view that—and again I quote—

[86] ‘there is no reason to suppose that GM feed presents any more risk to farmed livestock than conventional feed.’

[87] Now, we’ve got a response here from Rebecca Evans, the Deputy Minister for Farming and Food. Also, a substantive response has been provided by the Deputy Minister for Health. As with many of these issues around labelling and so on—and we cross over between food and health—we’ve got a sort of shared responsibility. We also got comments back from the petitioner, who doesn’t necessarily see eye to eye with some of those comments. It’s clear here that we’ve got some significant difficulties in terms of the limitations on our own competence. Joyce.

[88] **Joyce Watson:** We haven’t got competence.

[89] **William Powell:** Absolutely.

[90] **Joyce Watson:** It isn't a case of whether the Assembly wants to or doesn't want to. The Assembly simply cannot do it, and because of that we have really come to the end of this petition. It isn't about our views or anybody else's views and I recommend closing the petition.

[91] **William Powell:** I look to colleagues for your views on this. Joyce has put that very succinctly and it's also a view I share. Any thoughts on this one? Are you happy to accept Joyce's recommendation in that regard? Russell George.

[92] **Russell George:** If you're accepting it as well, Chair, that's the view of you both and I'm relaxed, so that's fine.

[93] **William Powell:** It seems to me that we are faced by the facts and we've got to respond to them. Okay. So, we'll write to GM-free Cymru campaigner Gruffydd Meredith in that regard. Good.

[94] Agenda item 2.12 is P-04-603, Helping Babies Born at 22 Weeks to Survive. This petition was submitted by Emma Jones and was first considered by the committee on 25 November 2014. It's got the support of 2,543 electronic signatures and 216 in paper form. We remember the particular poignant circumstances around this petition, and I certainly and those others of us who were present will recall our meeting and opportunity to speak to Emma Jones and her family about this, when we received this last autumn. We last considered correspondence on the petition on 25 February 2015 and agreed to seek the petitioner's further views following her meeting with Government officials, which was to be held on 18 February. We've now got a full description of how that meeting went with Welsh Government officials. There are a number of issues here that I think we could usefully take forward. One thing that we haven't done, which I think we could probably usefully do, as we've done in the context of a previous petition, is to consider asking the Health and Social Care Committee to consider whether or not it would be appropriate to conduct a short inquiry into the specific issues raised by this petition. I would be happy to do that if colleagues are happy with that approach.

[95] **Joyce Watson:** Yes.

[96] **William Powell:** Are there any other issues or any other approaches that colleagues would like to take in this regard? Bethan.

[97] **Bethan Jenkins:** *Jest comment, really, ar beth roedd hi wedi'i ddweud, oherwydd roedd hi'n dweud, er bod y trafodaethau wedi mynd yn dda, nid oedden nhw eisiau trafod y canllawiau eu hunain. Felly, pan ydym yn gofyn i'r Llywodraeth i drafod gyda deisebwyr—. Wrth gwrs ei fod yn dda eu bod wedi agor y drws iddi—nid oes neb yn dweud yn llai na hynny—ond dylen nhw ddeall yn iawn beth yw parameters y cyfarfod hwnnw, achos nid ydych chi'n moyn i'r deisebwyr feddwl bod rhywbeth yn mynd i ddigwydd pan nad yw'r Llywodraeth yn mynd i ymateb yn benodol i'r ddeiseb. Mae'n swinio'n fwy fel eu bod eisiau ei barn hi, ac i wybod beth oedd ei*

**Bethan Jenkins:** Just a comment, really, on what she had said, because she said that, even though the discussions had gone well, they didn't want to discuss the guidelines themselves. So, when we ask the Government to discuss with petitioners—. Of course, it's good that they have opened the door to her—no-one's saying any less than that—but they should understand what the parameters of that meeting are, because you don't want the petitioners to think that something is going to happen when the Government isn't going to respond specifically to the petition. It sounds more as if they want her opinion, and to know what her feelings were, and what the process was for her, rather than to change the

theimladau, a beth oedd y broses iddi hi, yn hytrach na newid y broses i bawb yn genedlaethol. Hefyd, fe wnaeth hi ddweud ei bod wedi cael record o'r hyn oedd wedi digwydd. Efallai y gallem ofyn i'r deisebwram am y record ffurfiol y maen nhw wedi cytuno arno, fel ein bod ni, fel pwyllgor, yn gallu gweld yn gwmws beth oedd natur y drafodaeth yn ei chyfanrwydd, achos—nid yw bod ei hochr hi ddim yn bwysig, ond mae'n dda cael ochr pawb yn hynny o beth.

process for everyone nationally. She also said that she had received a record of what had happened. Perhaps we could ask the petitioner for the formal record that they've agreed, so that we, as a committee, can see exactly what the nature of the discussion was as a whole, because—it's not that her side isn't important, but it would be good to have everybody's side in this regard.

[98] **William Powell:** Absolutely. I think having the transcript of that meeting, or the official notes from the meeting at least, would be really helpful. Also, in what you've said, you've also made the case for there to be a focused inquiry on these matters, I think, and the issues that flow from the petition. I hope that the Health and Social Care Committee will have capacity to undertake that. Of course, if they come back saying that, for workload reasons, or other reasons, they are unable to do that, then, clearly, we have within our remit the possibility of conducting such an inquiry, and subject, again, to our own work programme, we may face the need to consider doing that. But I'm happy to seek the notes and also to be in touch with David Rees and his committee on these matters. Are colleagues happy? Okay.

[99] Moving to agenda item 2.13, P04607, Call for the Welsh government to purchase Garth Celyn: now this petition was submitted by Kevin Bates. It was first considered by the committee on 9 December 2014. It's got the support of 650 signatures. We are aware of the context here of this historic building and its grounds being currently up for sale. We've got quite a significant body of information within the text of the petition and its supporting notes regarding the historic significance of this to the Welsh nation, going back many centuries. Also, I'm sure I'm not alone in having received a significant amount of correspondence on these matters from the petitioners and their supporters. The supporters are not just well-placed individuals, but there are also some major groups such as the Urdd and others that have come out in strong support. So, clearly, there is no lack of interest and support in this matter, but it is quite a complex issue. I look forward to hearing colleagues' views in a moment.

[100] The petition was last considered by us as a committee on 9 December, in our last meeting prior to Christmas, when we agreed to seek the views of Deputy Minister Ken Skates on the further comments that we'd received from the petitioner and, indeed, other third-party correspondence. We've got the Deputy Minister's response in our public pack. We've also got a very significant submission from the petitioner, including further extracts from various historic documents. They are reproduced exactly as submitted—there are one or two formatting issues, which made it a little difficult, maybe, to follow some of it, but I think we've got a strong indication of how important Garth Celyn is in the context of Welsh history, as recognised by the late Dr John Davies in *Hanes Cymru* and in other important works covering Welsh history.

[101] So, I think it's clear here that the Minister's letter is not going to satisfy, and hasn't satisfied, the petitioners, but we've got some significant difficulties around resources available to Cadw to take on what the petitioners are seeking. I'd very much welcome proposals or thoughts from colleagues as to how we might take this matter forward. Bethan, you've indicated.

[102] **Bethan Jenkins:** Rwy'n credu y dylem ni ofyn i'r pwyllgor cymunedau a diwylliant i edrych i mewn i'r peth, oherwydd ni fyddwn eisiau'i gau cyn bod **Bethan Jenkins:** I think we should ask the communities and culture committee to look into it, because I wouldn't want to close it before every effort has been made to look at

pob ymgais wedi cael ei wneud i edrych ar yr hyn sy'n bwysig i'r deisebwyr. Rwy'n deall beth mae Ken Skates yn dweud o ran *open door policy* gydag adeiladau tebyg yng Nghymru, ond nid oes unrhyw beth i ddweud—efallai y gall rywun dweud fy mod i'n anghywir—y byddai rhywun newydd sy'n berchen ar y lle yn cael yr un agwedd bositif â'r fenyw sy'n berchen arno'n barod. Felly, rwy'n cytuno â'r deisebwyr pan ydynt yn dweud, os oes yna ryw beth o bwys hanesyddol mor fawr â hyn, bod e'n rhywbeth y dylem wir ystyried fel ased cenedlaethol. Unwaith nad ydym yn ei gydnabod felly, mae'n agored i gael ei newid i raddau neu—beth wyf yn trio'i ddweud? Efallai na fydd yn cael ei barchu cymaint yn y dyfodol ag y mae yn awr. Mae'r Urdd wedi dweud eu bod nhw'n mynd yno ar ymweliadau ac yn y blaen, ac nid ydym eisiau colli'r diddordeb hanesyddol hynny o ran y bobl ifanc sy'n ymweld ag e.

what is important to the petitioners. I understand what Ken Skates is saying with regard to an open door policy with similar buildings in Wales, but there's nothing to say—perhaps somebody could correct me—that a new owner would have the same positive attitude as the lady who owns it now. So, I agree with the petitioner when they say that, if there's something of such big historic significance as this, it is something that we should really consider as a national asset. Once we don't acknowledge it in that way, it is open to being changed to some extent or—what am I trying to say? Perhaps it won't be as respected in the future as it is now. The Urdd has said that they go there on visits and so forth, and we don't want to lose that historic interest in terms of the young people who visit it.

[103] Felly, rwy'n meddwl dylem fynd at y pwyllgor yn gyntaf ac wedyn, os nad oes gan y pwyllgor hynny amser, rwy'n meddwl efallai y gallem edrych i mewn i'r peth. Rydym wedi cael lot o ddeisebau ar faterion hanesyddol, ac yn delio â Cadw ac yn y blaen, felly pam na ddylem edrych ar hwn hefyd?

Therefore, I think we should go to the committee first and then, if that committee hasn't time, maybe we could look into it. We have had a lot of petitions on historic issues, and dealing with Cadw and so forth, so why not look at this as well?

[104] **William Powell:** Absolutely. I think it's clear that there is a level of protection afforded by Cadw to the structure itself, but I'm clear that you're absolutely right that there's nothing that would prevent this building being purchased by somebody who has no intention of affording public access in the way that is currently the case. I understand the importance that that has to the petitioners, but I think the next step has to be for us to share this with the relevant committee, which is the Communities, Equality and Local Government Committee, and I think it would be right for me to write in short order to them sharing the concerns and maybe sharing some of the additional correspondence that we've had with regard to this so that they're up to speed as to the importance that this has for a significant number of people in Wales. Happy with that approach?

[105] **Bethan Jenkins:** Mae'r Bil treftadaeth yn dod gerbron cyn hir hefyd, onid yw e—y Bil treftadaeth gan y Llywodraeth, tua ddiwedd Mehefin neu Orffennaf. Felly, hyd yn oed os yw'n cael ei ystyried yng nghyd-destun hynny gan y pwyllgor—efallai y gallem ni ei fframio yn y cyd-destun hynny fel eu bod, os yw amser yn brin, yn gallu edrych arno fe yng nghyd-destun y ddeddfwriaeth. Rwy'n credu bod lot o hwn yn gorfod cael ei edrych arno.

**Bethan Jenkins:** The heritage Bill is coming before us soon, isn't it—the Government's heritage Bill, towards the end of June or July. So, even if it's considered in the context of that by the committee—perhaps we could frame it in that context so that they can, if time is scarce, look at it in terms of the legislation. I think a lot of this has to be looked at.

[106] **William Powell:** That's helpful additional advice on that one. I'll make sure that that letter is sent and sent promptly.

[107] Moving now to agenda item 2.14, P-04-500, Call For Regulation of Animal Welfare Establishments in Wales, this petition was submitted by Lisa Winnett and first considered by this committee on 24 September 2013 with the support of 265 signatures. We recall the significant concern that Lisa Winnett and her colleagues felt with regard to the lack of regulation with regard to animal welfare establishments. We'll also recall the significant work that was undertaken by the RSPCA in this regard and significant earlier correspondence.

[108] Now, we last considered this as a committee on 7 October and agreed to await a further response from the Deputy Minister and we've got now in our public papers a further response from the Deputy Minister for Farming and Food. We've got further comments also from the petitioner and a broad welcome for the approach taken by Rebecca Evans in these matters. I think, probably, it's a case of wait and see in this regard, in terms of the outcomes of the steps that the Minister outlines. So, I think we'll probably keep a watching brief on this. Are colleagues happy with that approach? Good.

09:45

[109] Agenda item 2.15, P-04-528, All Primary Schools in Wales taught through the medium of Welsh: this petition was submitted by Phillip Worth and first considered by committee on 21 January last year. It has the support of 13 signatures. Now, the petition was last considered by us back in September of last year and we agreed to seek the Minister's views on the petition and indeed the petitioner's most recent comments. We've got a response now and that's available in our public pack. We have asked the petitioner to comment further but hadn't, at the time that the agenda was closed, received any such comments. It seems to me that, probably, given the clarity of the Minister's comments in the correspondence, we are not far from closing this petition, but probably we should write to the petitioner indicating our intention to close. *[Interruption.]* Joyce had indicated first, sorry.

[110] **Joyce Watson:** I think, you know, that the Minister's quite clear that there isn't going to be a policy change. There is a movement in policy in addressing the availability of education through the medium of Welsh, and there is no question about that. But the Minister is not, and he makes it absolutely clear, going to move towards all education through the medium of Welsh in primary school. So, you know, we can, if you like, get a reply from the petitioner, but the facts are that this is not going to happen and therefore we can respond to the petitioner but we can, I feel—and we need to—tell him quite clearly that, you know, the Minister's decision on this is final and that, therefore, there is nothing else that we can do.

[111] **William Powell:** Yes. It was in that vein that I was proposing to write to the petitioner. Bethan.

[112] **Bethan Jenkins:** Sori, roeddwn jest am ofyn a oedd y deisebwr wedi cael gweld y llythyr penodol yma, achos nid oeddwn yn siŵr a oedd y deisebwr wedi ei weld. Gallem ni ddweud ein bod yn mynd i symud i'w gau, ond o leiaf eu bod yn cael siawns i ymateb.

**Bethan Jenkins:** Sorry, I was just going to ask whether the petitioner had had sight of this specific letter, because I wasn't sure whether the petitioner had seen it. We could say that we are going to move to closing the petition, but at least they should have an opportunity to respond.

[113] **William Powell:** Absolutely. Yes, that's what I was intending to do, if colleagues are happy with that approach.

[114] We've one final update and then we move to the next section of our agenda: item

2.16, P-04-519, which is the Abolition of Park Homes Sales Commission, a petition submitted by the Caerwnon Park residents' association, and first considered by us as a committee on 10 December 2013. It calls upon

[115] 'the National Assembly For Wales to urge the Welsh Government to remove from Legislation the right of Park Owners to demand commission on the private sale of park homes now that they are no longer involved in the selling process.'

[116] Now, it was last considered by us on 21 October and it was agreed to ask the Minister for Communities and Tackling Poverty whether, in the light of declining the opportunity of a meeting with the petitioners, her officials would be in a position to accord a meeting to the petitioners to take this matter forward. We've got a clear letter from Lesley Griffiths, the relevant Minister, but she doesn't feel that that either would be appropriate at this time. We've also got comments back from the petitioner. I would be happy in the context of this, and given the fact that there is to be no meeting, to ask the Minister if she would give due consideration to the petitioners being involved, at least, in any consultation on the review that she's referred to. If colleagues would be happy with my writing in that vein on behalf of the committee then I'm happy to do so. Are colleagues content?

[117] **Joyce Watson:** Yes.

[118] **William Powell:** Excellent. Thank you very much.

09:48

### **Deisebau Anweithredol Inactive Petitions**

[119] **William Powell:** Now, moving on to agenda item 3, we have a review of a small group of petitions that have been inactive mainly in terms of petitioner response for a short period. It seems to me that it would be sensible, rather than going into great detail on the individual ones—for the record I will just check the individual items—if we go for a standard approach—. At least my proposal would be that we write clearly indicating that the petitions have been inactive for a period due to lack of response and that if we don't hear within a defined time we will move to close them all. I think it would be sensible for us to give them that caution. I look forward to having colleagues' views.

[120] **Russell George:** Yes, Chair, I think that we don't need to go into detail. If you could just read the petitions out for the record—

[121] **William Powell:** That's my intention.

[122] **Russell George:** But if I say that we give a defined time of, say, six weeks, I would point out to the petitioner that, if we don't hear back, we'll assume that they don't want to take it forward, and attach a copy of the last correspondence. I think that would be the right way to take this forward.

[123] **William Powell:** I think that would be eminently sensible. Hopefully, that would enable us to have, as an agenda item, maybe in the first meeting of the summer term—. Any that we don't hear from would then be closed as a result of—

[124] **Russell George:** I'm happy, Chair, if we haven't heard back within six weeks, to resolve now that we close them in any case.

[125] **William Powell:** Absolutely. We'd just have that noted at the subsequent meeting.

[126] **Russell George:** There is one issue, Chair. One of the petitions is about elective treatment in Hywel Dda, and just looking at that, I've got constituents recently—two constituents—who have had their operations cancelled three times in a row due to winter pressures, which is exactly as this petition is suggesting.

[127] **William Powell:** And this petition is, obviously, from 18 months, two years ago.

[128] **Russell George:** It is, but my concern is—this is something that we can pick up when we discuss the way that the Petitions Committee works later on—that, clearly, some people may be following these petitions, and have an interest in them, but are barred from actually submitting a petition themselves because one's existing. We've got to find a way of dealing with that, but we can discuss that later.

[129] **William Powell:** I think that makes the case for the approach that we're adopting in terms of delayering ourselves, potentially, of petitions that might in some way act as a block.

[130] **Russell George:** I suppose then they could open it again themselves; fair enough.

[131] **William Powell:** Absolutely. So, just for the record, the petitions in question are: P-04-144, Guide Dogs for the Blind—Shared Space, which was submitted in November 2011; P-04-236, The Charter for Grandchildren, submitted by Grandparents Apart Wales, first considered by this committee in the very first meeting of this fourth Assembly in June 2011 and it had the support of 19 signatures; P-04-263, Town Centre Improvement Scheme for Fishguard, submitted by Councillor Bob Kilmister and first considered by committee in February 2012, with the support of 1,042 signatures; P-04-504, A483 Maerdy bridge Road Junction Safety, submitted by Llandrinio and Arddleen Community Council, and first considered by committee in October 2013 with the support of 740 signatures; Stop the 'Staff reduction proposals' at Cardiff and Vale University Local Health Board, which is petition P-04-512, submitted back in November 2013 with the support of 112 signatures; and finally the petition referenced by Russell George in his earlier comments, P-04-520, Regarding the Cancellation of All Elective Orthopaedic Surgery by Hywel Dda Health Board During the Winter 2013/14, a petition submitted by Kate O'Dell and first considered by us back in December 2013, at that time having the support of 490 signatures.

[132] So, if we've agreed our approach in that regard, and it enjoys unanimous support in the committee, I think that's going to be a sensible way forward. There are some additional inactive petitions that we can put through this same process on an early future agenda. So, if colleagues are happy with that approach, I propose a five-minute recess, because of making arrangements for the evidence session. Are colleagues happy with that? Diolch yn fawr.

*Gohiriwyd y cyfarfod rhwng 09:54 a 09:59  
The meeting adjourned between 09:54 and 09:59*

**Sesiwn Dystiolaeth: P-04-547 Gwahardd Deunydd Pacio Polystyren ar gyfer  
Bwyd a Diod Cyflym  
Evidence Session: P-04-547 Ban Polystyrene (EPS) Fast Food and Drinks  
Packaging**

[133] **William Powell:** Croeso. You are most welcome this morning. We move now to agenda item 4, our evidence session on petition P-04-547, Ban Polystyrene (EPS) Fast Food and Drinks Packaging, submitted by Friends of Barry Beaches and first considered on 29 April 2014. It's got the support of 295 signatures. I'm very happy to welcome Rob Curtis, the



chairman of Friends of Barry Beaches and colleague Gill Bell, to contribute to our deliberations on this petition, which, I think it's fair to say, has captured our imaginations. It is, indeed, a matter that was recently discussed in the margins of a committee meeting by our sister committee, the Environment and Sustainability Committee, looking at issues around marine litter, which is again highly relevant.

10:00

[134] So, I'd ask you please to introduce yourself for the record and to make any opening remarks that you wish. Then we've got quite a number of questions that we'd like to run past you. Over to you.

[135] **Mr Curtis:** Do I just press that, yes?

[136] **Mr George:** You don't need to.

[137] **William Powell:** No, it's absolutely hands-free.

[138] **Mr Curtis:** I'm glad that I've brought the Barrybados weather here as well today. I'd like to start off by just handing out some information. It's from a quality newspaper, *The Guardian*, but one is on New York—if I pass these around—and one is on the cancer concerns of polystyrene. What I would urge you to do is spend some time on the New York information, because that's some of the latest information talking about the city of New York and their commitment to ban polystyrene single-use cartons by 1 July this year. I think that's very, very relevant, because this is the first time that a very major city of 8 million people have committed to doing this policy. Just to make sure that there is no confusion, I've brought some presents from Barry as well, just to show the committee the type of thing that we're talking about.

[139] **William Powell:** The witness is bearing gifts.

[140] **Mr Curtis:** Yes. Barry boys bearing gifts. Now, the first is a compostable food wrapper, and the second item is the polystyrene containers that we're trying to get banned. I think the difference is, when we're on the beaches at Barry—we do our monthly litter picks—time and time again those polystyrene ones are always there. They're always there because the fast food outlets are just packaging everything in polystyrene. But the major players now—the McDonald's of the world, Burger King and KFC—have all converted to cardboard, and that is compostable. That is so important because polystyrene is a finite item. It's made of oil, and lasts tens—if not hundreds—of years in the environment. I know Gill, from the Marine Conservation Society, will talk more about that. So, the petition was brought about mainly because we were just sick and tired of picking up this item, day in, day out. If ever anyone's visited Barry island—

[141] **William Powell:** Happy memories.

[142] **Mr Curtis:** At the end of the day, you will see literally thousands of those polystyrene cartons left on the beach. Now, people might say, 'Why don't the council clear them up?', but the problem is you have people sitting on that beach until way after the sun sets, on good days, such as today. The council then cleans the beaches at 6.00 a.m.—in the morning—but in between that time the tides come in, taking all that rubbish and polystyrene out to the marine environment.

[143] **William Powell:** Absolutely. Yes.

[144] **Mr Curtis:** So, it doesn't disappear. It just goes into that marine environment. We

just felt that it's about time that we could design this waste stream out of the system. You know, what we want you to do is either ban it, as New York is going to do on 1 July, or, as you did with the single-use plastic bags, put a charge on each item. So, the cost to the environment is truly delivered to the traders that are giving away these things. As I said, our aim is to try to design this stuff out of the system. That's the simplest way to do it. Towards zero waste: you've got it in your own policies—that's what you wish to do. I know one of the key reasons that New York is banning polystyrene is because they're trying to compost most of their compostable waste, but if you have chips in a polystyrene carton and you put it into a bin, that's useless, because you cannot separate those two things. Recycling of polystyrene is notoriously low throughout the world, not just in Wales. I don't think there's any active recycling of polystyrene in Wales at the moment. But, if you add cardboard, then that cardboard container could go in with the chips and it's fully compostable. Cardboard, once it goes into the sea or a stream or a river, will compost and just go into tiny bits of wood, and that's a natural material.

[145] I'll finish really just by saying that our aim is to try and get cleaner towns, a cleaner countryside and a cleaner marine environment. I know that this product will either be banned or phased out; I've got no doubt on that. It's whether Wales wants to be one of the leading countries that does that, or whether we follow everyone else. I believe that you should have the initiative and the courage to actually be out there trying to ban this stuff for a start. Thank you, Chair.

[146] **William Powell:** Thank you very much indeed for making such a compelling case, and indeed for bringing some realia here to remind us of exactly what is causing the problem, because there's nothing like having something in hand as a physical reminder of that. I'd just like to ask you to indicate, if you will, your preference as to whether you want to go down the route of a ban, or whether you would advocate more the approach around the implementation of some sort of levy, such as you've referenced in terms of the groundbreaking single-use carrier bag charge? Which do you feel would be your preferred approach, if indeed you have one—or perhaps you're agnostic on that? It would be useful to have a steer from you as to which way you'd like to see Wales going.

[147] **Mr Curtis:** My preference would be as New York and numerous other US and European cities have managed to do, and that's a complete ban on single-use food items, so it's the coffee cups, and the chip containers. So, you just ban them from the system. That would be the simplest. Otherwise, if you just put the 5p tax on it, you will have the difficulty of collecting that tax, and you will have the difficulty of traders still giving out polystyrene and not charging the 5p. So, my preference would be as New York is doing, and I've got no doubt that—it's a city of 8 million people and Wales has 3 million people—we're quite capable of doing that. So, that would be my preference.

[148] **William Powell:** Okay, thank you. Gill?

[149] **Ms Bell:** I would just like to add that we would like it to be compostable. We have to be careful with the word 'biodegradable', because some biodegradable materials do still contain plastic, but the bonds between them break down, so there is still some plastic in some things that are termed 'biodegradable'. So, the alternative should be compostable. We would also add to that not only fast-food wrappers, but also any of the utensils that are used, because a lot of those are plastic, and again that's a resource that shouldn't really be a single-use item because of the length of time it will remain in the environment.

[150] I've got lots of statistics and things for you, if you'd like to know about them. We've got a lot on the impacts, the amounts of litter, and the legislation. From our point of view, we would like to see Wales as in 'The Wales We Want', which was just produced, as you know, last week.

[151] **William Powell:** Absolutely, launched just last week.

[152] **Ms Bell:** It does say in No. 3, 'Living within global environmental limits, managing our resources efficiently and valuing our environment is critical', and I would like to see Wales become a leader and be the first in Europe to ban polystyrene and fast-food waste on single-use items, such as the utensils and the fast-food cups and things like that, because, as Rob says, they're a blight on our beaches. You're aware, as I've presented to you, about the amount of litter on Welsh beaches, unfortunately. It is staggeringly high compared to the rest of the UK, and this would be a real incentive and would put Wales on the map, demonstrating how much commitment you have. You have a commitment now to an ecosystem-based approach and to take a more holistic approach, and so I think that this would demonstrate to Europe that Wales was at the forefront of this.

[153] **William Powell:** Absolutely. It couldn't be more timely that this evidence session takes place today, obviously, in the context of the Well-being of Future Generations (Wales) Bill debate just later this afternoon, and obviously the contribution that 'The Wales We Want' has had to that has been considerable.

[154] One further brief question from me, and then I've got a number of indications from colleagues. My second question is whether, in your view, local authorities are using currently the statutory instruments available to them that were listed by the Minister in his response to the petition, and also whether or not it is your view that there is any effectiveness in that approach. I suspect I know the answer, but I'm asking anyway.

[155] **Mr Curtis:** Well, no. I think that local authorities are doing their best with this tide of polystyrene and plastic and other waste, but I think it really would help local authorities to just design this from the start, so that this waste is not hitting our beaches, not hitting our streets. You walk down Cardiff, and it'll be full of polystyrene. It means that people have got to go out there and pick up that polystyrene. Again, if it was cardboard items, you know, within a few months, they will biodegrade. So, I would definitely go for that. I don't think that local authorities have got enough money and I think they're facing a tough time as it is, and I really feel that if we could design this out from the start, then that would solve the situation.

[156] **Ms Bell:** I think we should go on to the plastic bag levy. Obviously, we could instigate behavioural change and people could take their own bags with fast food, but the idea is that it's fast food, and you don't carry your own Tupperware around to go and get your fast food in. So, it's difficult. Obviously, we want to see the littering decreased, but with fast-food litter, we would like to see the councils instigate more fixed-penalty notices for littering, to decrease the amount of littering. For those who do dispose of the wrappings illegally, and for accidental disposal, then at least if they were compostable, as Rob has indicated, they would then be able to biodegrade. What we're talking about, the polystyrene, will be around in the environment for a very long time and it has serious impacts right the way down the food chain, right the way from the tiny little filter feeders. Polystyrene will break down into smaller and smaller pieces. When it has a bigger surface area, all the toxins and pollutants stick to them and then, when the animals eat them, they then get infected with all the toxins as well. So, it affects right the way down the food chain, and by the time you get up to the top predators, it's concentrated within them.

[157] So, we have the ability now, if Wales could ban polystyrene outright, and then implement, perhaps if need be, a levy, because the alternatives may be slightly more expensive. But, obviously, demand drives that, and if we were to instigate having a ban on polystyrene, then hopefully, the cost of the alternatives would come down. It would then be easier to police because you would have this ban outright rather than having a levy where you

would have to try and investigate who was giving out compostables. If you just had a levy on the polystyrene, that wouldn't actually change behaviour and change them from giving out the polystyrene; they would just pass on that levy to the consumer and it wouldn't actually have an impact. So, if there was to be a levy, it would need to incentivise having a compostable scheme and disincentivise having polystyrene given out.

[158] **William Powell:** So, it's somewhat more complex than was the case in terms of the single-use carrier bag. Joyce Watson has indicated and then Russell George.

[159] **Joyce Watson:** Thank you. Your passion is matched by your enthusiasm in this, which I share actually. I wanted to ask the question about compostable cardboard and plastics, so you've already answered that question for me. I'd like to know what other EU cities have done this, because I think that would be useful for us to know, because that's a bit closer to home for us to examine and to look at. I particularly want to get across this message that the litter that finds itself on the land doesn't stay on the land; it finds its way very quickly into the sea in the way that you've just described. I would like you to make some further comments, if you like, about the effect that that has because, at the same time, we're looking at our marines and fishery policy, and I think we need to do some joined-up thinking here. So, if you would assist with that, please.

[160] **Ms Bell:** Okay. As far as I'm aware, there are no other European countries that have banned polystyrene, so Wales would be the first to do that. There is a little bit about the legislation, in that there's a packaging directive, which indicates that all packaging should be able to circulate freely within the European Union.

10:15

[161] However, within that directive, there is an expression within it that, for community objectives, you can justify certain limitations on the principle of free movement of goods, so you can put limitations within that. So, I don't think any other European country has done this. Oxford City Council recently tried to do it, within, and they were advised that they would be breaking EU law, but I've actually consulted some environmental lawyers, and they have indicated that, although there is this 'to circulate freely' all packaging, so, therefore, if you're banning polystyrene, you're not allowing free circulation within Wales of this material, there is this overriding principle where environmental objectives can be taken, and used as an example, too.

[162] With regard to the plastic bag levy or tax, obviously, you have the ability to apply a levy, and that's not at an EU level. The ban is generally at an EU level, but they're actually amending the packaging directive now to take into account plastic bags, because so many countries have implemented a tax on plastic bags. So, it is slightly more complex, in that none of the European countries so far have implemented it, but I believe that Wales can, and I would think that you should set an example, and be the first to do so.

[163] **Joyce Watson:** I thought you said EU cities. You did say that.

[164] **Mr Curtis:** Could I just add as well that, when we put the petition together, we were doing our research, and we did find some European cities had done it?

[165] **William Powell:** That would be really helpful—thank you.

[166] **Mr Curtis:** I haven't got that list at the moment, but I can certainly forward to the committee the list as well, because that's on the internet. So, that's where we got that information from. So, I'll forward it. But no countries have done it.

[167] **Ms Bell:** Yes, because you can do it at a local level—the packaging directive says it can be done at a local level, but not on a country-wide level, so sorry if I wasn't clear on that.

[168] With regard to the impacts, do you want to be really depressed? We've seen a trebling of the amount of polystyrene fast-food litter on beaches in the last 10 years, from our beach-watch data. Fast food makes up about 5 per cent to 10 per cent of that polystyrene waste, which, on average, for the last 10 years, is about 20 items per kilometre that you walk along on every beach. That's just the fast food that we can identify. Polystyrene pieces—so, the breakdown of this polystyrene—make up between 50 per cent and 75 per cent, and you've got between 120 and 280 items per kilometre of tiny little pieces of polystyrene. Now, obviously, it will break down—it breaks down into smaller pieces.

[169] I don't know if any of you are aware, but, obviously, a lot of the animals can't differentiate between what's a food item. As I've just briefly mentioned, there's a lot of evidence that indicates that the marine debris can impact animals in four main ways. They can get entangled in it, or they can ingest it, and when they ingest it, there are four ways: one, it blocks their stomach, so that they can't actually pass any further food, and that will kill them, because, obviously, they're not digesting anything; it can make them feel full, because their stomach's full of plastic, and then they're eating less, and they get ill; it can pass through the gut, and it damages the gut, because it's a hard material, and your gut's very sensitive, to be able to absorb things; but also there's the toxicity effect. They've been looking at this and it's quite difficult to differentiate in some of the evidence between plastics and polystyrene, which is why we would advocate all plastic fast food and single-use items are banned within this, if we could.

[170] But we do know that it's demonstrated right the way from things from plankton and barnacles to fish. I personally have worked on harbour porpoise blubber, and have seen that they become immuno-compromised, which means that, basically, their immune system is compromised because of all the toxins that they've taken. Now, these things like PCBs, PAHs—all the persistent organic chlorines, persistent organic materials—they're all artificial materials that we've made. They're very difficult to biodegrade, if they do biodegrade, and they have long-term effects. We know that at least 700 species have been affected by ingesting entanglements; 17 of these are on the red list, and, of these, about 92 per cent of those had ingested plastic.

[171] We do see a decrease in reproduction. We see embryonic development issues, abnormalities. They affect the cellular membranes, because the pollutants themselves don't like to be in water, they like to stick to something like the plastic, so they like to stick to cell membranes, which are lipids. So, the whole cell structure gets affected from that. They have neuro-toxic effects, because they're toxins, and, from that, we're then seeing potentially that they have genetic effects, right the way through, so we're talking about right the way from the cellular level of the very bottom of the food chain, and this is then concentrated up.

[172] In the work I did on the harbour porpoise, we saw that what happened was that they were more predisposed to getting an infectious disease that would kill them. Normally, what would happen, when you have a look at these statistics, is that you would say, 'Oh, well, we've got no control on that. We don't know which animals have died from infectious disease mortality, as it's called, or those that were healthy, and how do we know?' But, with the harbour porpoise work that we did, because they were caught as bycatch—accidental catch in fishing nets—those were deemed to be healthy animals, and so we could say conclusively that these were affected by the toxins, and it was particularly PCBs that I looked at. It collects in their fat, and when the fat is metabolised to feed the offspring, it's transferred directly to their offspring. So, the new calves are born with the pollutants already in them before they've even, you know, come out. And then it's passed in the milk as well.

[173] **William Powell:** Thank you very much. Joyce.

[174] **Joyce Watson:** Just one small question, following on from that, and we'll have to have a brief answer, I'm afraid: can it find its way into the food chain? You said that it starts at the very bottom of that food chain, and therefore the fish feed on it, and so it goes on. I've seen some evidence that it's coming into the food chain. Do you concur that that is the case?

[175] **Ms Bell:** We do concur—there's evidence ongoing. One of the things for the regional action plan from OSPAR for marine litter is to:

[176] 'investigate the prevalence and impact of expanded polystyrene in the marine environment, and...to reduce its impacts'.

[177] There is growing evidence that it is impacting, because, as you say, they're looking at—it's difficult, obviously, we're talking about very small animals, but, in laboratory conditions, it's certainly been demonstrated that it would be, and, as they're the bottom of the food chain, this would then move up the food chain. There has been some work done in fish, which are obviously higher up the food chain, and they have been demonstrated to have had effects of ingesting plastic and polystyrene. So, there is a growing body of evidence, but, so far, I would say that there isn't conclusive evidence, but I would say that there's definitely a growing body of evidence to support that.

[178] **William Powell:** Thank you very much. Russell George.

[179] **Russell George:** Thank you, Chair. Your props—the props that were handed around earlier on—I recognise them, unfortunately. I recognise them because I see them in hedges and on roadsides, and sometimes I go and get a takeaway. What I've noticed is that the cardboard ones are what you would find from a national chain company, and polystyrene from a small independent shop. So, that indicates to me it's a local issue. So, it's the big companies that are best reacting to public pressure and changing their ways. I'm always someone who prefers to change things without creating laws, so I'm just wondering whether it is a local issue. Is that your view as well? What could be done, perhaps, to persuade small businesses—small independents—to change their ways, because, clearly, national companies are, so why aren't they doing the same? The reason is because the structure's a bit different and there's not so much public pressure on them, but, maybe if there was local pressure or if help or support was given to them to look at other options, then perhaps that would be a way of addressing this. What are your views on that, really?

[180] **Mr Curtis:** Interesting point, but I've got no doubt that New York went through the same process. I've got no doubt that there was probably—. I don't know what their councillors did, or whoever it is who sit there, but I suspect there were people there pointing out, 'Can we do this in a mild-mannered way and phase it out?' Obviously, New York came to the decision that that is not the effective way to do it and that, actually, they'll keep on using Styrofoam because it is such a cheap alternative. So, we need to get the economies of scale in, so that the compostable alternatives compete directly with that Styrofoam. To me, it's so much better to ban it from the start and then they haven't got the option of using the wrong thing. You rightly point out that the chains have sat there and they've said, 'Environmentally, we can see that this is dangerous stuff. We can see that this is leading down a dangerous road that we don't want to go down.' Because, they can subsequently be taken through litigation and court proceedings. So, they've sat there and they've made the wise decision, where the smaller companies, as you say, on the high street—and it's the only thing that you'll see on the high street—use polystyrene. I'm afraid, if the New York example goes there, I would say it's easier to ban it from the start.

[181] **Russell George:** I'm not disagreeing with you at all; I'm just playing devil's

advocate to work the point through. But, I suppose, if—what you're saying is correct, it's cost-effective, it's cheaper to use polystyrene, so that's what they're doing—that was taken away, if it wasn't cheaper, if either that was made more expensive through some way or the cardboard was made cheaper, then that would go away, in that sense, wouldn't it? That's what I'm putting to you to comment on it, I suppose.

[182] **Ms Bell:** Can I just comment that, several years ago, DEFRA tried to do this with a food campaign, called Food on the Go? It wasn't to ban polystyrene, but it was to try and encourage local vendors to have a bin and to keep outside of their shop fronts clear of litter, because, obviously, of all that litter. It failed quite spectacularly because it was only a voluntary measure. So, my experience of that has been that it needs to be national legislation. I do have concerns, obviously, in these economic times, that there was some research done that it may cost more for the vendors to have compostable, but, as I mentioned earlier, if there is a demand, that should bring the price of it down. Also, if that is a major concern for the committee, you could think about introducing a levy and, again, this could cover their cost, like the plastic bag levy.

[183] What I would hope to see would be, outside of vending places and hotspots where you know that people go, is to have compostable bins. From that, we can look at the whole lifecycle analysis and make sure that this waste—. As Rob quite rightly pointed out, you can't recycle polystyrene waste. I'm lucky to live in Monmouthshire, which has the highest recycling rates in Wales, but you can't recycle polystyrene. Even if you could recycle polystyrene, because it's contaminated with the food waste, you can't use it. So, what I would like to see is that we have compostable bins, and, obviously, the food contamination then is of benefit because it helps with the compostable.

[184] So, I think that Wales can make a real change and be the first to do this. I think that, if there are economic considerations, then the Welsh public were fully behind the carrier bag levy and have accepted it very well. One of the recommendations in the UNEP report suggests that, prior to introducing a tax, you develop an effective communication campaign to advertise the rationale behind the tax. So, if we were, obviously, to go down this, we would need to make sure that the Welsh public were aware why we were going to do it. We don't want to penalise small businesses. They don't have a corporate social responsibility like the larger ones, which is why they've gone down this. So, we need to just make a consideration for them, but we do need to do something about our polystyrene and plastic fast-food single-use wrappers.

[185] **William Powell:** Thank you. Bethan Jenkins.

[186] **Bethan Jenkins:** I'm going to go back a step again and say we need to have much fewer fast-food outlets on our streets. We did have a petition about trying to stop vans parking outside schools and selling. I think that's part of the problem, as well, because planning offices are allowing much more fast-food outlets and then that's creating the possibility of more litter from these particular takeaway outlets. But, that's just my view. I was just asking why you concentrated on fast food, because, for example, I've gone into Neath market and I've had some fish and—being posh now—I've had some scallops and they put them in a polystyrene thing—

[187] **Russell George:** I don't mind having my—[*Inaudible*—if you're having your scallops.

[188] **Bethan Jenkins:** Yes, I know. See, Merthyr girl here—my roots.

[189] They put cling film over it—I know cling film is another discussion for another day. But, for me, it's probably not just fast food, because, you know, supermarkets do the same

with fish, actually—some of them. So, for me, it wouldn't be just a ban for single use, it would be across the board. Because, if the health effects are there for fast food, the health effects are there for other outlets as well. So, I just wonder whether it is because you want to target the fast-food area or whether it was something that—

[190] **Ms Bell:** I would suggest that you buying a scallop is a single use, because you're getting that scallop, you're using it, and then you're disposing of it. So, that is a single use.

[191] **Bethan Jenkins:** But, I don't eat it like there and then.

[192] **Ms Bell:** No, but it is still single use.

[193] **Bethan Jenkins:** So, you just define that as single use.

[194] **Ms Bell:** About 75 per cent of the waste that we throw away is single use from supermarkets and things like that. Seattle, I believe—I would have to check, but I believe it was Seattle—introduced a ban and they had a reduction of down to two thirds of what they were using in the amount of polystyrene, but they said it would be much lower. It was everything that was imported into the city that was food wrapping, like on meat—the polystyrene things that the meat and things are put in. I would certainly advocate, if Welsh Government could do that, that it would be fantastic. Last year, I did a plastic-free month—I tried to live for a whole month without buying any plastic, and it's very difficult to do. I'd advocate you trying to do it even just for a day and see how you get on. If you could implement that not only, obviously, for fast-food waste, but for any store that's dispensing anything—. There's no need for your mushrooms to be in a plastic container.

10:30

[195] **William Powell:** Just a final contribution, Rob.

[196] **Mr Curtis:** I think Friends of Barry Beaches came at it from the angle of what we were finding on the beaches and the frustration of finding that these cartons, day in day out, just completely getting there. Also, in the knowledge that if you ban things, then it's a difficult process and it will take time, and legislation gets more complicated the more things that you try to capture in that net, we felt that by picking on one type of item in our society, which we can all see on our streets, in our countryside and on our beaches, it would be the simplest thing for you to do and in the most effective way. Now, from there, you can go on, but this is the first step, as New York are doing.

[197] **Ms Bell:** And there's the UNEP report—to do with the effect of communication—and the third thing that is recommended is to make sure that, when the tax is designed, it has an inbuilt flexibility to adapt to changing economic climates, but it could also adapt to changes, once people have accepted, maybe, fast food, then you could move on from that, because the Welsh public are very supportive of these measures, and they're very proud, and nobody wants to see this litter. We know that. And if Welsh Government could be demonstrated to be tackling it, I think that it would, you know, they would be in favour of it.

[198] **Mr Curtis:** Ironically, even the vendors that sell these admit to me that, 'Yeah, we know that polystyrene is bad, we now it's bad for the environment, but, hey, we're going to carry on doing it until someone tells us not to do it.'

[199] **Bethan Jenkins:** And would the cost go down for your cleaning operations then? Does it cost you anything to be disposing of the polystyrene over the other types of things that you pick up?



[200] **Mr Curtis:** It does for the councils, because we—.

[201] **Bethan Jenkins:** Not for you?

[202] **Mr Curtis:** As Friends of Barry Beaches, we remove the polystyrene from the beaches and we just put it into the civic waste stream, for which you then have to pay on landfill tax. So, you are paying, as taxpayers, for the privilege of having a throw-away polystyrene carton chucked on your beach. So, there is a cost.

[203] **William Powell:** Diolch yn fawr **William Powell:** Thank you very much for iawn am y sesiwn ddi-ddorol y bore yma. the interesting session this morning.

[204] It's been a really powerful evidence session. I think you've been a great combination of witnesses as well, and I've got a sense that this petition has got quite a lot more life in it. I was going to to speculate as to whether or not you'd be prepared to accept a group of volunteers in the cause of learning more about this, but that may be a subject for another day.

[205] **Mr Curtis:** And there's always an invitation to come down to the beaches of Barry and help us clean up these items.

[206] **William Powell:** Absolutely. You'll receive a full transcript of today's session to check for accuracy. Gill and Rob, you've both referred to additional material that you haven't been able to cover today. If you could share that with us as a committee, we'll give it due study and we'll be back in touch as to how this goes to the next stages of our consideration.

[207] Diolch yn fawr iawn am ddod Thank you very much for coming today. heddiw.

[208] Thank you very much indeed for attending today and for such an excellent session.

[209] **Mr Curtis:** Diolch yn fawr iawn.

[210] **Ms Bell:** Thank you.

10:33

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r  
Cyfarfod**

**Motion under Standing Order 17.42 to Resolve to Exclude the Public from the  
Meeting**

*Cynnig:*

*Motion:*

*bod y pwyllgor yn penderfynu gwahardd y cyhoedd o weddill y cyfarfod yn unol â Rheol Sefydlog 17.42(vi).*

*the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42(vi).*

*Cynigiwyd y cynnig.*

*Motion moved.*

[211] **William Powell:** I move to invoke Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting—agenda item 6. I see no objection. Excellent. Thank you very much.

*Derbyniwyd y cynnig.  
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10:33.  
The public part of the meeting ended at 10:33.*