



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

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

**Dydd Mawrth, 1 Tachwedd 2011**  
**Tuesday, 1 November 2011**

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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
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**

Mike Clark	Aelod o'r Bwrdd, Theatr Hijinx Board Member, Hijinx Theatre
Val Hill	Cyfarwyddwr Gweinyddol, Theatr Hijinx Administrative Director, Hijinx Theatre
Gaynor Lougher	Cyfarwyddwr Artistig, Theatr Hijinx Artistic Director, Hijinx Theatre
Steve Matthews	Undeb y Gwasanaethau Cyhoeddus a Masnachol, Cynrychiolydd Gwylwyr y Glannau Abertawe Public and Commercial Services Union, Swansea Coastguard Representative
Rhodri Glyn Thomas	Aelod Cynulliad, Plaid Cymru Assembly Member, The Party of Wales
Graham Warlow	Cadeirydd Undeb y Gwasanaethau Cyhoeddus a Masnachol, Cangen Aberdaugleddyf Public and Commercial Services Union Chairman, Milford Haven Branch

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

Sarita Marshall	Dirprwy Glerc Deputy Clerk
Rachel O'Toole	Gwasanaeth Ymchwil Research Service
Abigail Phillips	Clerc Clerk
Helen Roberts	Cynghorydd Cyfreithiol Legal Adviser

*Dechreuodd y cyfarfod am 9.11 a.m.*

*The meeting began at 9.11 a.m.*

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

[1] **William Powell:** Good morning, everyone—*bore da i chi i gyd*. You can participate in Welsh or English, as you wish. You will be familiar with the use of the headsets. Channel 0 is for amplification and channel 1 is for translation. Please switch off your mobile phones. On this occasion, I have done so in advance. There are no scheduled fire alarm tests, so if the fire alarms go off, the ushers will tell everyone what to do and, if necessary, direct us to the fire

exits. We have no apologies this morning.

9.12 a.m.

### **Deisebau Newydd New Petitions**

[2] **William Powell:** P-04-339, Enforcement of Animal Welfare Standards in the Puppy Farming Industry in South West Wales, was submitted by Colin Richardson, and has collected 3,743 signatures. It reads:

[3] ‘We call on the Welsh Assembly to urge the Welsh Government to stage an independent inquiry into the enforcement of animal welfare standards in the puppy farming industry in South West Wales.’

[4] The petitioners will formally present their petition on the steps of the Senedd tomorrow at 12 p.m. The time has been brought forward from the previously suggested time of 12.45 p.m. I hope that we will all be available for that occasion, which could well attract quite a high level of attention, and it would be useful from their perspective for us all to be there. In line with the committee protocols, I have written to the Minister for Environment and Sustainable Development seeking his views on the petition, and a call for evidence on the issue has already been made. At this stage, are there any other actions that colleagues would suggest?

[5] **Joyce Watson:** The issue of the enforcement of animal welfare standards in puppy farms is not new to any of us, I am sure. It is certainly not new to me in west Wales. I get a lot of correspondence on this issue. The petition will be presented to us tomorrow. You have written to the Minister, as you have said, Chair, and the petition calls for an independent investigation on this issue. I do not know whether you have written to any other committee asking it to take on this work, but I—

[6] **William Powell:** Not at this stage.

9.15 a.m.

[7] **Joyce Watson:** I know that committees have full agendas. I am sure that we do not want to kick this into the long grass so that no-one picks it up. So, we will have a response from the Minister fairly early, but the problem is that it is not our role to investigate. Is it possible for us to investigate?

[8] **William Powell:** It is open to us to take evidence directly from the petitioners, but, at this stage, it would be useful for us to wait for the Minister’s reply and until the close of the call for evidence on 6 December. So, we can evaluate that at the next available meeting after the close of the call for evidence and consider a way forward. I see that everyone is happy with that. We look forward to seeing everyone on the steps of the Senedd tomorrow for that presentation.

[9] The next new petition, P-04-340, Create an Enterprise Zone in Newport, was submitted by David Williams, a Newport councillor, and has collected 10 signatures. An associated petition previously collected 39 signatures. The petition reads:

[10] ‘We the undersigned wish the Welsh Government to create an Enterprise Zone in Newport and wish them to debate this in the Senedd.’

[11] We have not undertaken any action on this one as yet, but there are a number of

things that we could do. We could write to the Minister for Business, Enterprise, Technology and Science to seek her views on it. We also have two constituency Members for Newport, Rosemary Butler and John Griffiths, as well as the four regional Members, whom we should bring into the loop on this, I would suggest. Are there any thoughts on other ways to proceed on this?

[12] **Russell George:** We could write to the constituency Members, and the regional Members in particular in this case, to ask them to raise this as a question in Plenary.

[13] **Bethan Jenkins:** Or to raise it in a Member-led debate, such as we had on smacking.

[14] **William Powell:** Exactly.

[15] **Bethan Jenkins:** I know that Eluned Parrott does not represent Newport, but she raised the issue of Newport and enterprise zones in a Plenary meeting last week. So, there may already be a reference in the Record of Proceedings to this.

[16] **William Powell:** So, there might be something already in train on that.

[17] **Bethan Jenkins:** It was a point she raised in a debate on the economy. We could check whether the Minister responded directly to that.

[18] **William Powell:** Okay, we will check up on that in the Record of Proceedings. We will also write to the two constituency Members and to the four regional Members. As you said, Eluned Parrott is one of the four party spokespeople on that issue. At this stage, we will probably not write to anyone beyond that group of six, but that will be helpful. That is our agreed action, so let us go for it.

9.18 a.m.

**P-03-317 Cyllid ar Gyfer y Celfyddydau Hijinx: Sesiwn Tystiolaeth Lafar  
P-03-317 Hijinx Funding for Arts: Oral Evidence Session**

[19] **William Powell:** We have allocated up to half an hour to take the evidence. Good morning, everyone. Please make yourselves comfortable. I remind colleagues that this petition was submitted in March 2011 by Mike Clark and has collected 1,893 signatures. The petition reads:

[20] ‘Following the disproportionate cut in the revenue funding of Hijinx Theatre we call upon the National Assembly of Wales to urge the Welsh Government to ensure sufficient funding is available so that the exemplary and ground breaking work undertaken by Hijinx is not threatened. This unique welsh company has spent 30 years developing opportunities for people with learning difficulties to be included at all levels and this cut will result in a serious reduction in their current provision.’

[21] I welcome you this morning and ask you to introduce yourselves to the committee.

[22] **Mr Clark:** I am Mike Clark and I am the lead petitioner for Hijinx. On my left is Val Hill, the administrative director, and on my right is Gaynor Lougher, the artistic director. Gaynor was a founding member of Hijinx all those years ago.

[23] **Ms Lougher:** It was a long time ago. [*Laughter.*]

[24] **Mr Clark:** Thank you for inviting us this morning. We appreciate the opportunity to give evidence; it is refreshing.

[25] We petitioned for two reasons. First, we felt that Hijinx, as a result of the budget cut, was not able to maintain its current programme, let alone develop it. Secondly, we feel that our work is essential; it is an inclusive company that is unique in Wales. We feel, and quite rightly so in our opinion, that that is now threatened. The wording of our petition is exactly our position: we would like to see a review of our funding. However, I am not so good at talking about details. Val is particularly good at talking about details. I will hand over to Val, and ask her to go through some of the salient issues, linked to our budget.

[26] **William Powell:** That is excellent. We have set aside 10 minutes, overall, for the introduction.

[27] **Ms Hill:** I will try to be brief. Do stop me, because I know you have got an awful lot to go through today.

[28] Although there is an awful lot of complex jigsaw detail, the bottom line is simple. As you would expect, as a company we have—this position was laid in January—moved forward considerably in our planning. We have embraced a new way forward and new ways of looking at things. We are not talking any more about the loss of our community tour, which we mourn, clearly. We are looking at going forward and including adults with learning disabilities in a lot of what we do.

[29] We think that there has been a little misinformation— perhaps that word is too strong—about some of the things that have been coming out, both in the press and from senior members of the Arts Council of Wales about the additional grants that we have had. It is true that we have had additional grants. We had a fantastic grant of £50,000 for the Unity Festival, which was spent on the Unity Festival. It was not spent on anything else. The £20,000 that is referred to in the letter from the chief executive and from David Alston about a new business model is one way of looking at it, but actually it was to pay statutory redundancy salaries, for legal advice and all of those things.

[30] We have now produced a new three-year business plan, along with every other revenue-funded organisation, and we have looked clinically at how we can go forward to deliver what the arts council wants us to do. That is still to tour, but whereas in the past we produced two productions, now we will only be producing one. We are stripping away the labels of the past; the labels that we had in 1990 and throughout the 1990s of having a show aimed at adults with learning disabilities and one aimed at community audiences. Now we just want to make good theatre with an inclusive cast. This is trail blazing for the UK and, certainly, for Wales. No-one else in Wales offers real opportunities for adults with learning disabilities to be on a professional stage, alongside professionally trained actors without learning disabilities, touring the country, going to small-scale venues up and down Wales and across the border into England as ambassadors, showing how Wales, as a nation, supports inclusion and equality of opportunity, and values its citizens for what they can offer.

[31] I have waffled more than I said I was going to, I am sorry. In a nutshell, at the time of the arts council decision at the investment review, and in the run-up to the December decision, when we had the huge grant cut, the arts council said that it no longer wanted us to tour with our second production for community audiences. So, this resulted in a cut of a third to our grant. However, the arts council also said to us that it wants us, as part of your reduced revenue grant, to continue to work on the Odyssey project, which is our inclusive community group.

[32] The arts council previously funded that separately through the lottery route, but it said that it wanted us to do that on our reduced grant. The net cost of the community show is around £33,000; the grant that we had been receiving for the Unity Festival through the

lottery route was £30,000. You do not need to be a rocket scientist to see that you cannot do that; it does not stack up. So, we have wrestled with that. The outcome is that, in 2012, for the first time since 1999 or 2000, there will be no Odyssey Christmas show.

[33] As part of the Odyssey project, we also collaborate with other local organisations. Music students from the Royal Welsh College of Music and Drama come to join us as part of that project to undertake an assessed module as part of their degree. We also have children from Meadowbank Special School, who all have severe communication problems. To work through the medium of drama is a huge breakthrough for them in their journey to move on to mainstream school, which many of them do when they reach 11 years of age. That is the nub of what we are saying.

[34] We are quite realistic about this and, despite our complaint to the ombudsman and so on, we have maintained good relationships with the arts council. Even though, on the one hand, we have been at war, it has been a very ‘civil’ war; we have spoken to each other regularly. In our new business plan, we have asked for a modest increase to next year’s funding—£15,000, which is virtually petty cash—to deliver the programme that we would like to do. The following year, it would be £25,000 and, the year after that, it would be £30,000. As are all revenue-funded clients, we are currently in a one-year funding agreement with the arts council. The implication is that our grant will be at a standstill, at £160,000, for the next two years following this financial year. Indeed, the recent advice that we received from our arts officer two weeks ago was that that was realistically what it would be.

[35] It is a tricky one, because I absolutely uphold the arm’s-length principle. I know that you, as individual members of this committee, cannot recommend that our grant is increased, but it is to do with the overall strategy. If we have to curtail our activity further, this will have an impact on the number of people who can benefit and it will have an impact on inclusion, empowerment, accessibility and engagement. I looked back last night at the wording of the original petition, and I stand by it. It did not rant on too much about the loss of the community tour, which we were heartbroken about. I will shut up now, as it will give you an opportunity to ask questions.

[36] **William Powell:** Thank you very much indeed for giving us such a clear overview of the issues at stake. We will come back with some questions in a few moments. It is really good to welcome our colleague, Rhodri Glyn Thomas AM, who will make a submission in support. We look forward to your comments this morning.

[37] **Rhodri Glyn Thomas:** Diolch, Gadeirydd, am y cyfle i ddod yma i gefnogi’r ddeiseb hon gan Hijinx. Credaf ei bod yn bwysig ein bod ni’n sefydlu yn y lle cyntaf pa mor unigryw yw Hijinx fel cwmni. Mae’n darparu cyfleoedd ar gyfer plant, pobl ifanc ac oedolion sydd ag anghenion dysgu, ac yn darparu cyfleoedd ar gyfer teuluoedd y bobl hynny. Gall Mike gyfeirio at hynny, gan fod ei fab, Gareth, wedi bod yn chwarae rhan ganolog mewn nifer o gynyrchiadau Hijinx.

**Rhodri Glyn Thomas:** Thank you, Chair, for the opportunity to come here to support this petition from Hijinx. I think that it is important that we establish at the outset how unique Hijinx is as a company. It provides opportunities for children, young people and adults with learning needs, and provides opportunities for their families. Mike can refer to that, as his son, Gareth, has played a central role in a number of Hijinx productions.

9.30 a.m.

[38] Fel y dywedodd Val, nid oes neb yma am herio’r egwyddor o ariannu hyd braich, a chyfrifoldeb cyngor y celfyddydau yw hynny. Ond mae cyfrifoldebau sydd yn

As Val said, no-one here would challenge the principle of arm’s-length funding, and it is the responsibility of the arts council to do that. However, there are responsibilities that

nwylo'r Gweinidog, ac yn sgîl hynny, mae cyfrifoldebau gan y Cynulliad a'i bwyllgorau. Y Gweinidog sy'n gosod y polisi, ac mae'n gwneud hynny mewn llythyr cylch gorchwyl. Mae'n creu cyd-destun ar gyfer y modd y mae cyngor y celfyddydau'n ariannu'r celfyddydau. Rhaid gofyn: beth yw celfyddyd? Byddwn yn dweud, yn ddigon syml, mai pobl yn dod ynghyd ar gyfer gweithgaredd creadigol yw celfyddyd. Mae mor eang â hynny. Cyfrifoldeb y Cynulliad yw sicrhau bod gan bawb fynediad at gelfyddyd. Dadleuwn fod y ffaith bod Hijinx wedi colli hyd at 40 y cant o'i chyllid yn golygu bod sector arbennig o'r boblogaeth bellach yn cael ei atal rhag cael mynediad llawn i'r celfyddydau o ran gweithgareddau—sef y cyfle i gymryd rhan—a hefyd o ran bod yn rhan o'r broses fel cynulleidfa i fwynhau'r gweithgareddau celfyddydol hynny.

[39] Byddwn yn dadlau y dylai'r Pwyllgor Deisebau geisio esboniad gan y Gweinidog, ac osgoi'r hyn y mae pob Gweinidog yn ei ddweud, sef mai mater i gyngor y celfyddydau yw ariannu'r celfyddydau yng Nghymru. Arferwn i ddweud hynny pan oeddwn i'n Weinidog—dyna'r ateb stoc. Mae'r mater hwn yn mynd y tu hwnt i'r ateb hwnnw. Rhaid gofyn a yw'r Gweinidog yn ymwybodol o'r cyfrifoldeb i sicrhau bod plant, pobl ifanc ac oedolion ag anghenion dysgu yn cael mynediad llawn i'r celfyddydau fel pawb arall. Rhaid gofyn hefyd sut y gall y Cynulliad graffu ar hynny. A yw'r pwyllgor hwn yn credu mai pwyllgor yn y Cynulliad a ddylai edrych ar y materion sylfaenol hyn a gofyn y cwestiwn: a yw'r hyn sydd wedi digwydd i Hijinx yn effeithio'n andwyol ar sector o'r boblogaeth—nid yn unig yng nghylch Caerdydd, ond yn ehangach—ac a yw'r ddarpariaeth unigryw a oedd yn bodoli'n cael ei pheryglu gan y penderfyniad hwn?

[40] Wrth reswm, yn y pen draw, mater i gyngor y celfyddydau yw penderfynu ar faterion ariannu. Cefais drafodaethau â Nick Capaldi, prif weithredwr y cyngor, a dywedodd wrthyf fod y cyngor yn agored i drafod y mater hwn. Credaf mai mater i'r Cynulliad yw annog cyngor y celfyddydau i edrych o'r newydd ar y sefyllfa hon a chynnal y trafodaethau hynny i sicrhau bod

rest with the Minister, and as a consequence, the Assembly and its committees have responsibilities. The Minister sets the policy, which he does in his remit letter. That sets the context for the way in which the arts council funds the arts. One must ask: what are the arts? I would say, rather simplistically, that art is created when people come together in a creative activity. It is as broad as that. It is the Assembly's responsibility to ensure that everyone has access to art. I would argue that the fact that Hijinx has lost up to 40 per cent of its budget means that a particular section of the population will now be denied full access to the arts with regard to activities—that is, the opportunity to participate—and also with regard to participating in that process as an audience to enjoy such artistic activities.

I would argue that the Petitions Committee should seek an explanation from the Minister, without listening to what every Minister says, which is that funding the arts in Wales is a matter for the arts council. I used to say that when I was a Minister—that is the stock reply. This issue goes beyond such a reply. We must ask whether the Minister is aware of the responsibility to ensure that children, young people and adults with educational needs have full access to the arts like everyone else. We must also ask how the Assembly can scrutinise that. Does this committee believe that it is the job of an Assembly committee to examine these essential issues and ask: does what has happened to Hijinx harm a section of the population—not just around Cardiff, but more widely—and has the existence of a unique provision been put at risk by this decision?

Clearly, it is ultimately for the arts council to decide on funding issues. I had some discussions with Nick Capaldi, chief executive of the council, who told me that the council is open to discussing this issue. I believe that it is for the Assembly to urge the arts council to re-examine the situation and hold those discussions to ensure that full access to the arts can be enjoyed by everyone

gan bawb yng Nghymru fynediad llawn i'r in Wales.  
celfyddydau.

[41] **William Powell:** Thank you very much, Rhodri, for drawing on your previous experience to advise us as a committee on how we can advance this matter. That ties in with my first question. We as a committee have written to the Minister. He has been back in touch with us to say that he is not inclined at this time to go back to the arts council to ask it to reopen certain matters. We have had some useful input from Rhodri Glyn on this one, so what do you hope to achieve, and what would you like us to do to help to take this forward in the light of the recent correspondence from the Minister?

[42] **Mr Clark:** The most important thing from our point of view is our business plan, which we have referred to, as it shows a small increase in our core revenue budget over the next three years. That is crucial for Hijinx. Val can explain a bit more.

[43] **Ms Hill:** We have talked about the arm's-length principle, and I am fully aware of the fact that all Assembly Members, not just those on the Petitions Committee, are currently looking at estimates for next year. I guess I was heartened by the Minister's letter, in that he would keep a watching brief, if you like—that is my paraphrase of his words—on the effect of the arts council cuts on us. He said that he was aware of our work, which was extremely heartening. There is a complexity due to the division between responsibility for making individual decisions, which is the job of the arts council, which the Government has devolved to it, and responsibility for the overall strategy, which is something that sits and resides with you guys in Plenary. I am hoping now that when the debates take place—and I am sure that the Minister will be fighting very hard for his own portfolio to be properly funded, as will all Ministers—you will have a greater understanding of what some cuts might mean, and that you can have a more informed input into that debate that may, in fact, influence a final outcome. That was a bit of a woolly answer, but does it make sense?

[44] **William Powell:** It is certainly timely.

[45] **Rhodri Glyn Thomas:** What we are discussing here is a matter of policy and a matter of principle within policy. We are talking about £15,000 for the next financial year and £25,000 for the following financial year, then £30,000. These are comparatively small sums of money in the budget of around £22 million that goes to the arts council to fund the arts in Wales. I come back to a point that I made in my introductory remarks, which is that it is a matter of access. Due to the way in which the funding of Hijinx has been reassessed, our argument is that a sector of the population is now not getting the full access that it should have to the arts in Wales in terms of the ability to participate in and enjoy the arts. So, it is a matter of policy. If the Minister is saying that he has looked at that and he has decided not to refer that issue to the arts council, I think it is a matter of scrutiny for the Assembly, and for a committee within this Assembly. It could be a matter for a task and finish group within a committee to look at and to ask the basic questions, such as: is there a situation arising where we are depriving a sector of society in Wales of the opportunity to fully participate in the arts in Wales?

[46] **Joyce Watson:** On that point, the Minister has answered the question that you have posed in his letter; he has said that he will keep an eye on the situation and he recognises that the Government has key aims of widening access and breaking down barriers. So, there is no doubt that he is aware of it. Moving on to whether there is a committee that can scrutinise it, the committee that has this subject in its remit is the Communities, Equality and Local Government Committee, which I sit on; that would be the right committee. The issue is—again, let us be realistic—that that committee has a very full agenda and it is set for now, so it is not likely to take this on as a full inquiry. However, whether it would be minded for a task and finish group to take this up is another matter and would be the only possible way forward.



We could maybe put that to the committee.

[47] **Bethan Jenkins:** Following on from that, there was an investigation by the previous committee, as you know, into access to the arts, and there is a reason now to go back to consider those recommendations. I do not know how many of those recommendations have been taken up by the Minister: for example, theatre in education was a hot topic previously, and probably still is. My only concern is that I did call for the committee to look into the investment review and it was very difficult to get agreement because it would then be looking into things that would be private, such as the business plans. How do you get a strategic policy-orientated discussion when so many of the details are to do with finances and business plans? That is my only concern.

[48] We could say to the Minister that he should observe the principle of involving all sectors of society and he could put that in the letter to Nick Capaldi, but Nick has come to this committee in the past and said that he is doing all that he can, but that it is about the detail and the money and he has to make cut backs. We need to think more creatively about how we can try to pin this down, because it does not seem that there is any one place where people are taking responsibility for this agenda at the moment. That is probably an issue in itself. Perhaps we could have that kind of discussion on a task and finish group or look back at the committee report that we did. I am frustrated, so I am sure that you are even more frustrated.

[49] **Ms Hill:** Yes, absolutely. I brought the new business plan in case you wanted it, Bethan, because I knew that you had had this discussion with Mr Capaldi. So, I will leave you one if you want it.

[50] **Russell George:** You mentioned that you will be required to make even further cuts in your core activity unless an increased core funding revenue stream is found. What sources of alternative funding have you looked at?

[51] **Ms Hill:** That is the other thing, really, in that it is very difficult to find other revenue funding streams. Again, this is in the detail of the new business plan. Let me leave it with you. In the new business plan, we have some challenging income-generating tasks for ourselves; for example, in 2012-13, we have set ourselves the task of raising £84,200. Part of that will come from performance fees, part of it from workshop fees, part of it from the training that we will offer and the fees that we will charge for it, and part of it will be income from other sorts of activities. However, £31,500 will be from trusts and foundations. It is not as if we are sitting back and just saying, 'Please give us public money, we think that we are due it as a right because we are doing this good work.' Please, do not think that we are sitting back and just making a fuss, because we are not.

[52] **Mr Clark:** The local authority of Cardiff has been very supportive. Even in spite of the difficulties that it is facing, it has been able to slightly increase its grant to us, which is most welcome. We appreciate the support from the local authority.

[53] **William Powell:** That is really good news. Rhodri Glyn mentioned the need for scrutiny and clearly we have considered it in the committees of the Assembly. However, in connection with other arts-funding-related petitions, we have had an indication from the Auditor General for Wales that he and his organisation would look favourably at the idea of clearing some space in their work programme to look at the way in which the Arts Council of Wales is operating. I wonder whether that could be extended to cover this matter, because that would bring an external body to the issue and a fresh pair of eyes, which may also assist us.

[54] **Rhodri Glyn Thomas:** I am sure that that would be welcomed by Hijinx in terms of the financial implications of the decision. However, I think that the matter of principle is a different matter, and Joyce and Bethan have referred to that. There is a way forward there. It

would not be a bad thing for us to look again at that access report, and to see how many of the recommendations have been taken up. We could look at it in terms of the principle of access to the arts in Wales for children and young people and adults with learning difficulties. The Minister said that he is open to reconsidering the situation. Nick Capaldi has told me informally—I am sure that he will not mind me saying this; it is too late now, anyway, as it is in the public domain. [*Laughter.*] He has told me that they are prepared to look at any funding submissions by Hijinks. Therefore, if there were an opportunity for a task and finish group to look quickly at this matter—it would not need more than one meeting, or two at the most—a recommendation could then be made to the Minister and we could see what happens.

[55] **William Powell:** Thank you for attending this morning and for submitting your evidence and answering our questions. We look forward to taking this further and we will be discussing it shortly.

[56] **Ms Hill:** Thank you very much for listening to us and inviting us.

9.45 a.m.

**Asiantaeth y Môr a Gwylwyr y Glannau—Cynigion i Foderneiddio  
Gwasanaeth Gwylwyr y Glannau: Sesiwn Tystiolaeth Lafar  
Maritime and Coastguard Agency—Proposals to Modernise the Coastguard:  
Oral Evidence Session**

[57] **William Powell:** We move on to our next session of oral evidence under agenda item 4.

[58] It is good to welcome you both this morning to give us oral evidence on this important matter. Just to clarify, you can speak in Welsh or English at any time. Using the headsets, channel 1 will give you the translation, should that be required. As colleagues know, this petition was submitted in July 2011 by Graham Warlow and it collected 293 signatures. We are aware of the core purpose of the petition, and also how fast-moving a situation this has been. We look forward to hearing your evidence this morning. So, without further ado, over to you, Graham.

[59] **Mr Warlow:** Thank you very much. The reason the petition was brought about was because of the Maritime and Coastguard Agency proposals that were published in December. They were published without any formal risk assessments at the time, and those risk assessments were not published until about February, after the Transport Select Committee had requested them. The Transport Select Committee in Westminster conducted a full inquiry into the MCA proposals and had deemed the process to be seriously flawed. I do not think that the risk assessments that were published are totally credible or trustworthy, and that is why I presented the petition to the National Assembly for Wales. Subsequent to that, the revised proposals that the MCA have published now say that Milford Haven and Holyhead will remain open, and Swansea station is to close. However, that is still subject to further consultation, so it may be that Holyhead could close, and Milford could close, and we still do not know.

[60] **William Powell:** The situation is still fluid. At this stage, would you like to develop your theme or go straight into questions? We are happy to do that. What effect do you consider the MCA modernisation proposals as a whole could have on the safety of tourists and indeed those involved in shipping?

[61] **Mr Warlow:** The main concern is that the closure of a coastguard rescue centre will result in a loss of vital local knowledge held by the coastguard operation staff. Any loss of

local knowledge could result in a delay in response time. If a tourist were to telephone in an emergency, in a panic, and struggle to pronounce a Welsh place name, the local knowledge held by coastguards is vital in understanding something like a mispronunciation. They would know exactly where an incident location was, and that would give you the speediest response possible. The general concern is the loss of local knowledge.

[62] **Mr Matthews:** To emphasise that, the expert for local knowledge at the moment is the watch manager or the search and rescue mission co-ordinator. At the moment in Wales, we have three centres that are manned 24-hours a day, in Holyhead, Milford Haven and Swansea, where there are experts on their specific districts or fields. The proposal for the new structure is that there will be an on-call sector manager who will provide local knowledge on the basis of being paged and then responding to a telephone call. If they have the right sector manager, he will then respond with the level of local knowledge required. They could be taking details of an incident off the Gower peninsula, but they could be based in Southampton or even further afield in the north of Scotland. So, these guys in other parts of the UK will not understand the unique aspects of local knowledge for north, west and south Wales. That is the main thing—the local knowledge issue.

[63] **Joyce Watson:** Good morning, and here we are again, it seems. You are right to hone in immediately on the risk assessment, because when I raised the first debate on this in the Assembly some months ago, and several times afterwards in Milford Haven, it was obvious that there was a plan A to cut the amount of money invested by the Westminster Government in coastguards and their services in Wales. It is a non-devolved issue, as you well know. However, the impact will be evident on the risk that individuals might feel when they come to visit Wales to use the waterways. You ask us to suggest to Government that we undertake an independent risk impact assessment on the safety of coastal tourists, which the evidence in your paper says is growing and evolving, and that other evidence will tell us exactly the same.

[64] You have already talked about very local knowledge and the bringing in of local people whose local knowledge would have been gained after operating in the field for many years. However, you talk in your paper about the idea of rolling out this programme, which is principally an information technology package, within the current system. You also talk in your paper about aials, and that you can use a certain aerial that renders the other aerial system redundant while a transmission is taking place. I want to talk about that, because we could have a multiple risk going on at the same time, for whatever reason. How serious is that possibility, in your view?

[65] **Mr Warlow:** In the initial proposal, Joyce, the Maritime and Coastguard Agency had planned that it would have two of these maritime operation centres, one based on the southern coast of England and the other based up in Aberdeen, and that people there would distribute any search and rescue work throughout the country. That was based on one station staying open in the daytime in Swansea. The general concern is that, if Swansea was dealing with an incident, the maritime operation centre in Southampton would not be able to access the system; you would only be able to transmit on one aerial at one time from one station. So, if there were multiple incidents, there was no detail in the proposal on how they would be able to achieve that communication link between them.

[66] **Mr Matthews:** I would agree with that. It is difficult because each incident and scenario that is responded to by HM Coastguard is completely different. In the worst case scenario, the contingency at the moment is that the watch manager would talk to the partner watch manager in an area, and they could use a precedence of aials. One incident may be more life-threatening than another, so they would use that as a precedent. It is possible for that to be taken on in the new system, but I do not believe that the MCA's plans have considered that type of scenario, and no local risk assessments have been done—there has just been one UK-wide, generic assessment.

[67] **Mr Warlow:** Going on further, the revised proposal says that they will operate with one maritime operation centre in Southampton or Portsmouth, and keep certain stations in Wales—maybe Holyhead, maybe Swansea or maybe Milford Haven; we still do not know. It is deemed that it will distribute any search and rescue work. So, if a station in Wales is busy, the maritime operation centre is now to distribute workload to a coastguard centre that is less busy. It is likely to be from Shetland or Stornoway; so, incidents on the Welsh coast could be co-ordinated from further away than we anticipated. People in Scotland may understand people in Wales a little bit better than people from the south coast of England, possibly, as they also have unique dialect issues in Scotland. [*Laughter.*]

[68] **Mr Matthews:** It is important to note that the current staff in the three Welsh stations come from what we call the search and rescue community. They are ex-lifeboatmen or ex-coastguards—I am talking about the current volunteer coastguards who conduct operations on the ground. At the moment, in all three Welsh stations, we have a number of people who have best friends on the lifeboats or are involved with the lifeboats or the coastguard team. It is all part of the SAR community. If you consider the SAR operation as a human body, the hands and the feet are the lifeboats and the coastguard officers on the ground, and the thinking is all done by the coastguard co-ordination centre. That will be taken out of the local community, and the people there will not understand local aspects. For instance, I used to work as a local coastguard volunteer on the Loughour estuary and know many of the lifeboatmen on the Loughour in-shore rescue boat. Whenever I work on an operation with those guys, things are always done to the height of our ability. I do not think that there will be that liaison when a station elsewhere in the UK is trying to co-ordinate Welsh boats.

[69] **Mr Warlow:** In Milford Haven, I know that 25 per cent of the staff are volunteers—for the lifeboat or coastguard rescue. That figure is probably a little higher in Swansea. The MCA says that local knowledge rests with those volunteers. Those guys bring a fantastic mix of local knowledge into the operations room as watch managers or search mission co-ordinators, but that will be lost with any closures or moves towards a centralised system.

[70] **Mr Matthews:** Taking that a step further, it does not only involve the SAR community. People use the coastline when they live in a community—they go fishing on Nash Point or kayaking on the Gower. Generally, people applying for a coastguard job in the first place—the entry grade being a coastguard watch officer at around £11,000 per year—would be those with a maritime or coastal interest. That would also be lost. There would be higher-paid people living on the south coast of England, co-ordinating events without understanding the local culture in south Wales.

[71] **William Powell:** Bethan, like Joyce, you have a long-standing background in campaigning on this issue.

[72] **Bethan Jenkins:** Yes. I want to thank you for coming to give evidence. We have taken petitions to London, and I am sure that we all responded to the consultation at a UK-Government level. You are calling for a risk assessment by the Welsh Government, but my concern is that most of the powers for this issue lie in London. As with the previous petition we discussed, I feel frustrated because we do not have that leverage in the Assembly to make a difference. What could we do, in this committee or as an Assembly, to feed into the issue? We have tried having various debates, as Joyce Watson mentioned. In my view, the scope has been substantially changed with the announcement that Swansea will close. That was a political move, in my opinion—although other parties do not want to acknowledge that at the moment. How can we try to be productive and constructive in Wales in terms of feeding this view to the UK Government, considering that the Welsh Government has said that it is a non-devolved issue and that there is only so much that it can do?

[73] **Mr Warlow:** We acknowledge that it is a non-devolved issue, but, if there is a risk to our coastline—not only to tourists, but also the people who live there—whatever we can do to lobby any political people like you or those in Parliament, we will try to do. It seems that the risk assessments that were published were not entirely trustworthy—they are not my words, but the words of the Transport Select Committee, so I can get out of that one. I think that it is reasonable that we have these concerns and ask whoever we can. Our avenue is the Petitions Committee and the Welsh Government.

10.00 a.m.

[74] **Joyce Watson:** It is really frustrating for everyone in this room that this is not a devolved matter—that we cannot make a decision. You know where the First Minister stands on this, because he has made his views well known. We have to look at the risk assessment, but I think that there is another element lurking underneath that. If people do not feel safe, the first thing that they will do is walk away. We all know that. If we do not feel that we can do something safely, whatever it is, most of us are risk-averse and will walk away. At a time when the economies are all shrinking and plan A is not working, perhaps we need a plan B to look at this and its possible impact, not only on people's safety but on the economic viability of all those businesses that could be adversely affected by this decision. Have you had any talks with businesses or have they expressed any opinions to you?

[75] **Mr Matthews:** While going around petitioning and campaigning for the Save Swansea Coastguard campaign, we spoke to a number of surfers, windsurfers and kayakers and the people who own the shops in the Swansea and Gower peninsula area, and they were all concerned, to be honest. The surfing tourism and the people who come camping on weekends in the summer months are bringing the money in, and they were concerned about the thought that a local lifeboat could be speaking to someone with a strong east of Scotland accent on the radio to get search instructions. There is that concern on the part of people who own small businesses in the area. Looking at the sports side of this, we have been perplexed from the beginning by why the Minister for shipping is solely in charge of this when most of the incidents that the UK coastguards deal with are sport-related—whether it is coastal walking, angling, surfing or jet-skiing. These are perhaps problems that the Minister for sports in the Westminster Government should have been involved with as well. The Minister for tourism should have been involved as well.

[76] **Mr Warlow:** We are also concerned about the rationale that they have subsequently used. Thank God, we are possibly successful in getting a reprieve for Holyhead and Milford Haven, which was never on the radar. However, subsequently, the rationale that they have offered for the closure of Swansea is not based on operational reasons. I agree with Bethan that it is a political decision. The Secretary of State for Transport has suggested that there were too many, or enough, Department for Transport jobs in Swansea. That is not a basis for closing coastguard stations. If they are to be closed, the decision must be based on sound, operational and safe criteria, not on the basis of too many people being employed in one place. Going on a little bit further, for businesses, in the past week we have learned that the all-Wales coastal path is now being advertised as the top destination in the world, I think, by Lonely Planet. That is only going to encourage more people from around the world to come, and encourage more visitors.

[77] Initially, I think that it will be fine, but if something happened and there was a delay and people, God forbid, lost their lives, that is when the impact would come. I think that it is safer to be here now, rather than after the horse has bolted.

[78] **William Powell:** One thing that comes to mind is that, as a result of the departure of Mr Fox from the Cabinet, we now have a new Secretary of State at Westminster level. So, there may be scope to make a direct approach at that level.

[79] **Mr Matthews:** I have been made aware that the chairman of the Save Swansea Coastguard committee has written to the new—

[80] **Mr Warlow:** Justine Greening.

[81] **Mr Matthews:** Yes, sorry. He has written to her to brief her from our point of view to get her up to speed on the issues. Going back to what Graham was saying, the Minister for shipping visited PCS members at Swansea coastguard station and made it quite clear that it was because of the DVLA and the fact that there were, I think he said, 5,000 DFT jobs within the Swansea area, that Milford Haven was chosen to stay open as opposed to Swansea. Obviously, the PCS is looking for every coastguard station, certainly in Wales, to stay open. Going back to that point, he actually said to the members,

[82] ‘You should be looking at the bigger picture. At the end of the day, the economic footprint of the DFT needs to be spread around the UK’.

[83] While we would agree with that, these jobs are not going to Milford Haven, because there will be a slight reduction in staff numbers at Milford Haven. They are going to the south coast of England, so we were asking the Minister for shipping to look at the bigger picture of the unemployment rate in Southampton and Portsmouth in comparison with south Wales, and Swansea in particular, because that is where the members of staff come from. We have had members of staff from west Wales and further afield, with quite a few from the Cardiff and Penarth area, and, again, they joined through the auxiliary coastguard service. However, that was the problem that we had with the Minister for shipping at the time.

[84] **William Powell:** Given the problems with public finance at the moment, and given your in-depth knowledge of the way that the whole sector operates, are there any efficiencies or any ways in which you could see savings being made, without any of the adverse measures that you are petitioning against being taken? Is there scope for that?

[85] **Mr Matthews:** There is scope. To be honest, I work at the operational level in the service, so I do not deal with expenditure within the MCA. I know that they have said that the saving nationally would be about £4.5 million a year. Realistically, closure has been on the cards for a number of stations for years. If the service had not stayed as it was—I believe that they are determined to change the service—and the stations for which closure was on the cards anyway had been closed, small savings would have been made. However, at the headquarters level, there seem to be an awful lot of grade 7 and 6 staff in the agency, and I am not sure whether that equates to the workload.

[86] **William Powell:** So, potentially, the organisation is top-heavy.

[87] **Mr Matthews:** There could be a structural change in management, yes.

[88] **Bethan Jenkins:** We are expecting an announcement at the end of the year, and I am concerned about how we can be on the ball in terms of this agenda. We cannot pre-empt what will be said, but we need a dossier of all the arguments, covering issues such as jobs and managerial pay, so that when the decision comes out, we can say, ‘These issues should be looked at or should have been considered’. We also have to be aware of the risk assessment. We will have to get onto that straight away. I want us to finish today thinking that we can take this further, but I am not sure how we can do that.

[89] **William Powell:** Is there any guidance that you can leave us with?

[90] **Mr Matthews:** There is pressure from the devolved Governments, and that seems to

have been working in Scotland. I know that Scotland has brought pressure to bear to save Clyde coastguard station. Political pressure has been needed from the outset, and the assistance that we have had so far from the committee, the National Assembly and from MPs at Westminster has been outstanding for all three stations. We have managed to save two at the moment, but at the expense of another one. However, I think that that can be turned around with the right pressure from the political parties.

[91] **Mr Warlow:** We have three fire and rescue control centres in Wales, and they have recently been linked up with Welsh Government money—thank God that is a devolved issue—to improve resilience. That was one of the key drivers offered by the MCA for the closure of the coastguard stations. I think that interlinking the three in Wales would be the right way ahead, provided that we keep the one in Holyhead. A campaign has developed in Liverpool. It has just delivered a 51,000-signature petition to Westminster. So, it is not giving up the fight yet. We are still not sure about the outcomes for any of our stations.

[92] **William Powell:** Picking up on what Bethan said earlier, as a committee, we could issue an interim report on the situation to flag up the particular issues that we have aired and that have come to light through the petition and the call for evidence. That would, possibly, be a sensible way forward. What do colleagues think?

[93] **Bethan Jenkins:** We could pick out the areas that the responses have addressed, and then, if whatever decision the UK Government makes does not address some of those issues, we will have a document to hand to address those concerns.

[94] **William Powell:** We could potentially draw on that in Plenary.

[95] **Bethan Jenkins:** I put in for the ballot for a Member-led debate, but was not successful; the issue of a smacking ban won that ballot. However, that is not to say that we cannot use that avenue again, so that Assembly Members with an interest can put forward an issue to be debated in the Chamber.

[96] **William Powell:** Are colleagues happy for us to do that? Joyce, I see that you have a comment.

[97] **Joyce Watson:** I see that we have had evidence from Pembrokeshire Coast National Park Authority. There are other bodies, such as tourist bodies, that we should have perhaps taken some evidence from as well. Obviously, the evidence is of the time that it was submitted, and was prior to the recent changes. I am fairly confident in saying that the tourist operators in Gower and the ones up in the north, such as in Snowdonia, would be able to give us a little bit more evidence about the general picture on the coast, which would go wider than the current picture that we have. I agree with what Bethan said about a comprehensive drawdown of all the information into the report, but I do not think that we have all the information yet. So, I suggest that we ask for evidence more widely, and that could then be pulled together with the evidence that the witnesses have given us, which is good and comprehensive. I think that that would make sense.

[98] **William Powell:** We could make a start on the report, as well as calling for additional evidence.

[99] **Bethan Jenkins:** Yes, because we are aware that the decision will be made imminently. So, we can do that in parallel.

[100] **Joyce Watson:** We could ask for quick responses, because they might have them ready anyway.

[101] **William Powell:** Giving the urgency of the issue, we could certainly do that.

[102] **Joyce Watson:** Yes, but we will not wait.

[103] **William Powell:** No.

[104] **Mr Warlow:** The all-Wales coastal path has become quite a burning issue in the past week or so, and it would therefore be prudent if we could find out what impact the advertising of our coastline in the *Lonely Planet* as a top destination in the world could have on our coastline and on visitor numbers. I am not sure how to go about that, but if there is anything that we could do in the meantime, then please let us know.

[105] **William Powell:** Given the emphasis on tourism and economic development in this session this morning, I want to check with our clerk whether, as a matter of routine, we consult the regional tourism partnerships, because the four across Wales cover coastal areas—Tourism Partnership North Wales, Tourism Partnership Mid Wales, the highly relevant South West Wales Tourism Partnership, and Capital Region Tourism. They have been doing a lot of work on digital marketing, and they could have information available, in a fairly quick turnaround time, that could assist us in this regard.

[106] **Bethan Jenkins:** My final point is that the petition calls for

[107] ‘independent risk impact assessments on the safety of coastal tourists.’

[108] I do not know whether that is within our power, but, if it is, is that something that we could call on the Government to do?

[109] **Mrs Phillips:** We can ask about that.

[110] **William Powell:** As Joyce said, safety is an important matter for people in considering how they are going to spend their time.

[111] **Bethan Jenkins:** It would therefore be useful to have clarification from the Government on that.

[112] **William Powell:** Do the witnesses have any final comments to make? We have benefited enormously from this session this morning.

[113] **Mr Warlow:** No. I would just like to thank you for inviting us here to listen to our evidence.

[114] **William Powell:** Thank you both for your time. We will get back in touch with you.

10.14 a.m.

### **Trafod y Dystiolaeth Lafar Discussion of Oral Evidence**

[115] **William Powell:** We have allocated time for an initial discussion of the evidence that we have just received and the evidence from the previous session. We should probably go back to the funding for arts issue in the first instance, while it is still relatively fresh in our minds. Are there any thoughts or observations on that?

[116] **Bethan Jenkins:** You mentioned the Auditor General for Wales. I am a bit confused about that, because I wrote to the auditor general to ask him to look into this and other issues,



and he said that he was confident that the investment review had been investigated fully and that it was done properly.

10.15 a.m.

[117] **William Powell:** Was this during the previous Assembly?

[118] **Bethan Jenkins:** No, I wrote to him a few months ago, after the start of this Assembly. I can give a copy of this letter to the petitioner and the clerk, but I am interested in how he may have changed his mind.

[119] **William Powell:** It is relatively recently that we have had feedback on another group of petitions.

[120] **Mrs Phillips:** The issue with regard to the auditor general possibly looking at this is in relation to committees being able to approach the auditor general to indicate what they would like to see in the work plan. It is that that we have had an affirmative to, as opposed to the specific issue.

[121] **William Powell:** It was not on this specific issue, but we saw that the door was a little open and thought we would push it a bit further.

[122] **Bethan Jenkins:** Fine. I just wanted to clarify that; it is a difference of emphasis, then. However, we should ask the equality committee—I am on it, and I do not even know the title—to look back at the access to the arts inquiry and the recommendations to see what has been fulfilled and what has not.

[123] **Joyce Watson:** We did that review, so it is on the table, and the Minister would have responded, because it would have been discussed. The Minister recognises in his letter, clearly, that that is a policy that fits here, and that the delivery fits here, although the funding does not. There was discussion about sending the petition to that committee—we are both on it—and asking for a quick piece of work to be done by a task and finish group, because we know full well, as members of that committee and of the Assembly, that there is no room for it to do a full investigation that would be timely.

[124] **William Powell:** That is right. That was alluded to earlier.

[125] **Joyce Watson:** There simply is no time. There is a letter in which Ann Jones, the Chair of that committee, says as much. I do not remember which letter it was, and to whom it was written, but it is in the papers.

[126] **William Powell:** The committee's work programme is obviously full.

[127] **Joyce Watson:** The work programme is full. So, if we are talking about a task and finish group, we do not want to have one that goes on and on. We need to talk about—

[128] **William Powell:** It would be a task and early finish group.

[129] **Joyce Watson:** Absolutely.

[130] **William Powell:** One question that comes to mind is whether, because of the equalities emphasis here, we have written to Carl Sargeant on this issue in the new Assembly.

[131] **Joyce Watson:** It is not Carl, it is Jane.

[132] **William Powell:** Sorry, that is right.

[133] **Bethan Jenkins:** We could write to her. Also, we could ask the Minister for heritage how he constructs the remit letter, and who he takes guidance from. Is it based on the Labour manifesto this time? Would that then decide the remit letter and the guidance to the arts council, because, as Rhodri Glyn said, that letter holds a lot of weight in terms of the arts council's decision?

[134] **William Powell:** That is the template that it works to.

[135] **Bethan Jenkins:** Could Assembly Members have an input into that particular remit letter, because we do not currently? Would he be open to us contributing some ideas?

[136] **William Powell:** Any more thoughts at this moment on the first session? I see that there are not. We will turn our attention to what we have just heard from Graham and Steve on the coastguard issues. Do you have any considered responses?

[137] **Joyce Watson:** They are right to say that it is all about risk assessment. You cannot get away from keeping people safe in whatever they do on the sea. There has to be a risk assessment to ensure that services that are being provided are first of all, and absolutely, safe. Everything else flows from that. We heard evidence this morning, and we know from the past, that we had a reconfiguration of services by the Government that was not based on a risk assessment, because one has not been done. Then, we had evidence that said that the Members of Parliament had looked at it and, as far as they were concerned, the risk impact assessment did not stack up. The Welsh Affairs Committee said that it did not stack up. That is somewhat concerning for us, because overnight we had a sort of a switch. We have saved two, and I am delighted because all three of them affect my area, but one of them is bang in the middle of it. However, there was no real reason or evidence for this sudden change of mind to completely shut down Swansea, apart, that is, as we heard this morning, that they would share the jobs around. That is very reassuring.

[138] **William Powell:** The economic impact could be the driver for this.

[139] **Joyce Watson:** We have agreed to ask the Government to look at this, have we not? We will write a report on the evidence that we have, recognising the fact that we may not have all of the evidence.

[140] **William Powell:** We need to extend the call for evidence.

[141] **Joyce Watson:** We are time-limited.

[142] **William Powell:** Yes.

[143] **Russell George:** Can we make submissions to the UK Government?

[144] **Bethan Jenkins:** It is too late now. The consultation closed in mid October.

[145] **Russell George:** Is there nothing we can do beyond that? We can still write.

[146] **Bethan Jenkins:** If you have influence in the Conservative Party, perhaps that would help.

[147] **Joyce Watson:** We can write.

[148] **Russell George:** We would not be writing as part of the consultation; we would be

writing as the committee.

[149] **Bethan Jenkins:** We could write, but it would not be part of the consultation. That is all I am saying.

[150] **Russell George:** It might not be any use at all, but it is better to do it, I think.

[151] **William Powell:** Steve indicated that they have been in touch. Where there has been a ministerial change, it makes sense—

[152] **Joyce Watson:** Of course it does. I support that absolutely.

[153] **William Powell:** So, we have agreed to do that, too. I have mentioned the four regional tourism partnerships, but are there any other organisations? Would the Pembrokeshire Tourism association have anything?

[154] **Joyce Watson:** Yes, it would.

[155] **William Powell:** It is a very active and dynamic tourism association.

[156] **Joyce Watson:** Yes. There are also the national parks.

[157] **William Powell:** Yes. National Parks Wales would be a ‘possible’. You might then have a collective approach—you have two coastal national parks and one that is landlocked. Nevertheless, they will all have an input of some sort to make.

[158] **Joyce Watson:** Of course. There are day-trippers. If you go around Swansea, Pembrokeshire or Snowdon, you will find that day-trippers account for a lot of the trade. If the sun comes out on a Friday and it is forecast to stay until Sunday, people take off for the weekend, but they do not know the area.

[159] **William Powell:** There are a lot more short-term, last-minute bookings.

[160] **Joyce Watson:** They might not travel far—maybe two hours or an hour and a half—but they do not know the area and do not know the dangers. That is a growth market, so we want those people to be safe.

[161] **William Powell:** Excellent. We have agreed a set of actions there, so we will draw that discussion to a close.

10.23 a.m.

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

[162] **William Powell:** Under the heading of equality of opportunity, we have P-03-288 National Strategy on Independent Living. As you will recall, this petition was submitted by Disability Wales and it attracted 284 signatures. It calls on the National Assembly to urge the Welsh Government to introduce a national strategy on independent living. We all recall our last meeting, at which Jane Hutt, the Minister for Finance and Leader of the House—speaking as the Minister with responsibility for equalities—announced the framework for action on independent living. As you will have seen, we have had some really positive feedback from the petitioners. It is gratifying to see that and it is worth noting. We are probably in the position of being able to close this petition on a positive note.

[163] **Joyce Watson:** Absolutely. Agreed.

[164] **William Powell:** Excellent. Under the heading of housing regeneration and heritage on our agenda, we have P-03-308 Save Gwent Theatre, P-03-311 Spectacle Theatre and P-03-314 Save Theatr Powys and Mid Powys Youth Theatre. These were grouped for ease of consideration. The first petition, Save Gwent Theatre, was submitted in November 2010 by George Davis-Stewart with 1,118 signatures. The second, P-03-311, was submitted by the Friends of Spectacle Theatre, had in excess of 2,000 signatures. Finally, Michael Chadwick and his colleagues collected 1,152 signatures for petition P-03-314 on Theatr Powys and Mid Powys Youth Theatre. We have previously questioned the robustness of the Arts Council of Wales investment review, as picked up in our earlier evidence session and as referred to by Rhodri Glyn in particular. We also recall the comments of Mr Nick Capaldi in this regard. Earlier, I mentioned the scope for involving the Auditor General for Wales. We have had an informal indication that he is ready to consider a request for time on this in his forward work programme. Do colleagues think that that is useful? Are there any other avenues that we should pursue at this stage?

[165] **Bethan Jenkins:** That is the obvious step to take. Perhaps the auditor general is willing to look at it strategically and in terms of value for money. He may look at the whole arts agenda. From my letter, he is not willing to look specifically at individual cases.

[166] **William Powell:** No; he is looking at an overarching approach.

[167] **Joyce Watson:** I agree that that is the best approach.

[168] **William Powell:** We will take up the offer of a space in the auditor's work programme, which will hopefully bear some fruit.

[169] Under the local government and communities section, we move to the Newtown traffic issues. You will recall that we discussed this last time. We have two petitions that have significantly different objectives. P-03-261 calls 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 to address traffic congestion. The other petition, P-04-319, is specifically on the installation of a roundabout at the Kerry Road junction and issuing an early date for construction of the Newtown bypass. You will be aware that there has been a development on this, and the Minister has made an announcement that the project is to go forward. However, the Kerry Road aspect has not been included in the proposals. I am conscious that you, Russell, are probably more alive to the detail than other colleagues. Would you like to update us?

[170] **Russell George:** Although there were two opposing petitions, and it is reasonable to discuss them together, it is important that we do not think that one cancels out the other. One has considerably more weight, with 10,000 online signatures behind it, while the other collected a lesser amount. I think that many people would agree with the part of the petition that calls for other sustainable solutions; it is good to look for those solutions, but the vast majority of people in my constituency would not agree with delaying the bypass. I should declare an interest in the fact that I have a strong view in favour of the petition that has 10,000 names behind it.

[171] **William Powell:** You are on the record as saying that.

[172] **Russell George:** I am aware of the issues, because not only is Newtown in my constituency, but I have an office in the town, I work there, my business is there and I live there. I have become very involved in this issue through people coming to see me about it. I

would like the Minister to come to give evidence on this, because there is a bit of confusion regarding some of the information that has come forward. I can detail it now so that the committee can consider whether that would be reasonable or not.

10.30 a.m.

[173] I am concerned that the letter to you, Chair, contained a number of points. In the fourth paragraph, it says that there was to be a before-and-after study looking at the traffic problems, and that the final report was expected during the summer, but we have not seen that yet. It would be useful to see the results of the study and discuss that with the Minister and question him on it.

[174] The second paragraph of the letter talks about discussions with residents in Newtown and the area. It goes on a little and says that the signal system is generally working well. The 10,000 people who signed the petition would not agree with that. In context, there are 10,000 people living in Newtown and 10,000 signed the petition. It is an issue not just for people in Newtown, but for mid Wales.

[175] **William Powell:** It is a key east-west artery.

[176] **Russell George:** It is. In fact, in one study I saw it was a trans-European route of some sort, so it is important for the economy. It is not just a Newtown issue; it goes beyond my constituency as it is a mid-Wales issue. Although it may be the Minister's opinion, I am a little concerned that the letter says that he has discussed it with residents and that this is the opinion, because that it is not the case.

[177] Towards the end of the letter, it talks about a reprioritisation of the national transport plan over the coming months, which may reschedule the delivery plan this autumn. I read into that that there is a possibility that the date could be pushed back. That is as it is, but I am concerned that lots of dates are being mentioned. Only six months ago, the former Minister, in March, said that the bypass would start in 2013 and completed in 2014, which was in line with the national transport plan, and many constituents had letters stating that this year. This letter to you says that the programme is due to start in late 2014 or early 2015, so it has already slipped. Recently, dozens of constituents have brought letters to my office saying that it has slipped further from this position. This was only on 29 July, saying that it will start in 2015. So, it keeps slipping. I am concerned that this is slippage on top of the revision of the national transport plan this autumn. So, because it is so important for the economy of the mid-Wales region, it would be useful to ask the Minister to come to give evidence and discuss the before-and-after study with us.

[178] Also, you mentioned that consideration of the roundabout was rejected, putting that back. There has been further correspondence recently from the Minister that implies that he is still considering it. It would be useful for the Minister to come to update us and to give evidence.

[179] **William Powell:** I tend to agree with that. Joyce has indicated that she wants to talk, but I want to chip in before moving on. I also have had a number of approaches via surgeries and individuals locally who have told me that their businesses are suffering as a result of the level of uncertainty with timescales. That is another factor, because the previous Minister was also responsible for economic development. You are talking about the linkage between the Severn valley regeneration area and the route across to Aberystwyth as a key regional regeneration centre. We need to be aware of the economic impact of this and the potential blighting effect that this could have if there is seen to be ongoing slippage.

[180] **Joyce Watson:** I am very aware of the economic impact and what could happen

thereafter. Also, there is an east-west route as well as a north-south route. I have been around speaking to businesses, and this issue was brought up. I am also aware that the Minister may have a particular problem with regard to the £400 million clawback through end-of-year flexibility by Westminster Government that could have been used for schemes such as this. I am not hugely surprised that you may get some slippage in that. It could be useful to invite Carl here, and I will support that. We have two very different petitions. Three of us here cover this area, and we will all have been lobbied differently. There is a solution for almost every single group on how to solve this problem in Newtown, but the facts show that it is a problem, and a very serious one. I have held surgeries in Newtown, and I go there pretty often; the traffic literally stops.

[181] **William Powell:** Yes, there is gridlock at the wrong time of day.

[182] **Joyce Watson:** If Carl could inform us of a way to move that forward, that would be great.

[183] **William Powell:** I think that we are agreed that that would be a sensible way forward, certainly ahead of considering closing the petition. If we contact the Minister's office and see if we can get that scheduled at the earliest convenient date, that would be helpful.

[184] We move on to train transport now, and P-04-321, on Arriva Trains Wales services between south-west and south-east Wales. You will recall that this was submitted by Bjorn Rödde in November 2010, with 162 signatures, calling upon the National Assembly for Wales to urge the Welsh Assembly Government to ensure that Arriva Trains Wales provides commuter train services between south-west and south-east Wales that are timely, convenient, fit for purpose, and have a suitable number of seats and carriages for passengers to travel in comfort. Coming as it does the week after the half-term break, when some of us will have had experience of various train services, this is particularly timely. You will recall that, in an earlier meeting, we had feedback from Mr Rödde that he had had quite useful engagement with Arriva, which was encouraging. However, at this stage, because this is an ongoing issue, I seek your views as to how we can best respond to this petition, which has been in the system for approximately a year. We have some outcomes, but there is also unfinished business. What are your thoughts?

[185] **Bethan Jenkins:** We could ask the Minister to keep it under review, but close the petition, I believe.

[186] **Joyce Watson:** I think so too.

[187] **Bethan Jenkins:** He could keep things open.

[188] **William Powell:** There will never be an overall, definitive answer to this kind of issue, so he could keep it under review. I see that you are all content to close it.

[189] I move on to the education and skills section, and petition P-03-310, on policies to help pupils' needs and rights. The petition that we are looking at here was submitted by Mrs Mandy Howells, with the support of 112 signatures back in November 2009. An additional petition received in excess of 2,000 signatures on a related topic.

[190] 'We the undersigned call on the National Assembly for Wales to urge the Welsh Government to have a policy that only allows the closure of 6th forms if there is consent and support in the community.'

[191] There should be improvements to the consultation processes to make them

[192] ‘sturdy, strong and easier for the public to access and participate in. The consultation period should give the public enough time to get the information and act accordingly.’

[193] We have seen from the Minister’s response that the forthcoming schools and standards Bill will tackle issues around consultation, so what are your views on how we best take this forward? Clearly, that Bill is in the pipeline, and this is a pretty contentious issue around Wales, in all of our regions and constituencies, so we are alive to the wider issues. Are there any thoughts on how best to proceed in this particular regard?

[194] **Bethan Jenkins:** We need to refer this petition to that particular consultation process.

[195] **William Powell:** Yes—ahead of the Bill.

[196] **Bethan Jenkins:** Do we keep it open then to see whether the Bill actually deals with it? I am not sure of the timeline. I am not sure that it is feasible. If we close the petition, it could always come back to us, re-worded in some way.

[197] **William Powell:** That would be a possible route, although I am not quite clear when that Bill is scheduled to come forward.

[198] **Joyce Watson:** It will be soon.

[199] **William Powell:** I would have thought so, as it is a major priority.

[200] **Bethan Jenkins:** At least one of us will be discussing that, so we can always make sure that it is raised.

[201] **Joyce Watson:** Other people will as well. We need to let them know that we are going to refer it and close it.

[202] **William Powell:** Next comes the related petition, P-04-323 Save our Small Schools from Closure. This is an issue that is constantly brought up in our constituencies and regions. This was promoted by Leila Kiersch and collected 244 signatures. We had initial correspondence from the Minister for Education and Skills, the Children’s Commissioner for Wales and Funky Dragon. In the previous Assembly, the Rural Development Sub-committee, chaired by Alun Davies, made recommendations to the Minister and the commissioner, and they are in the papers today. We note the emphasis in that report on children and the outcomes for them as being central. Colleagues, what are your views as to how to take this forward?

[203] **Bethan Jenkins:** We should do the same as we did with the last one.

[204] **Joyce Watson:** I do not think that we can take this any further.

[205] **William Powell:** We could write to the Children and Young People Committee to ask for feedback on the implementation of the action plan that came out of the Rural Development Sub-committee report in the last Assembly, in January 2009—I took part in the call for evidence on that.

[206] **Russell George:** Would it be worth writing to the Children’s Commissioner for Wales asking his view on that report?

[207] **William Powell:** We have had correspondence from him in a general sense, but not in relation to that.

[208] **Joyce Watson:** He said that, under the United Nations Convention on the Rights of the Child, the Minister should take on board the need to include children as consultees on the closing of any school. I am sure that I have read that in relation to this.

[209] **William Powell:** I have read that, definitely.

[210] **Joyce Watson:** It is here in the papers. He was pleased about it; the Assembly is taking a rights-based approach in including children as well as everyone else. That is on the table, and the Government has agreed it. I think that the Minister has mentioned it as well. I do not see any point in writing to him again, because he has already said what he has to say.

[211] **William Powell:** What is important to us is that it is taken on board and built into the Bill coming forward.

[212] **Joyce Watson:** I go along with Bethan's suggestion. We should close it and send it on for monitoring.

[213] **William Powell:** I am happy to support that.

[214] Moving on to the health and social services section, P-03-153 is on body piercing, which has been subject to a recent announcement. This was first considered in February 2009. In light of the recent announcements, it has been a fairly long journey, but, we can see that the committee, in the previous Assembly, in particular—

[215] **Bethan Jenkins:** We did not have a visit. We had planned a visit to a body piercing salon, but we never went.

[216] **William Powell:** Are we closing this prematurely then, Bethan? [*Laughter.*]

[217] **Bethan Jenkins:** No, close it; I do not really want a visit. It has been a success.

[218] **William Powell:** Notwithstanding the fact that the visit did not take place, it was a success.

[219] **Bethan Jenkins:** It was Mike German who suggested it, I think.

[220] **Joyce Watson:** Can we close it, please?

[221] **William Powell:** We will close that petition, and move on.

10.45 a.m.

[222] Next, we have a very live issue and we have received correspondence on it, namely P-03-292 on public toilet provision. It was submitted, as you will remember, by Gwynedd councillor Louise Hughes with the support of 430 signatories. We have had a response from the Chair of the Enterprise and Business Committee and the Chair of the Health and Social Care Committee. In the latter case, we have a commitment to take this forward at an early stage, which I welcome. However, rather as in the case of the coastguard petition, there are also other impacts to consider regarding economic development and tourism. The Enterprise and Business Committee will take it on, but not at an early stage. Are there any views on that?

[223] **Joyce Watson:** The petition is being taken on by the Health and Social Care Committee, so that is it, is it not? That would be pretty good, would it not?



[224] **William Powell:** Yes. We could write to the petitioner explaining the position on what the committee is going to be doing, and subsequently close the petition. That would be my suggestion.

[225] **Joyce Watson:** I agree.

[226] **William Powell:** The next petition is P-03-318, on an issue that is particularly relevant in the northern half of Powys, and it was relevant to a meeting that Joyce and I were at with Ceredigion Community Health Council just yesterday, namely cross-border maternity services. This petition was submitted by Mrs Helen Jarvis with 164 signatures. The key difficulty here is that we are dealing with a national boundary, and we have difficulties in terms of where our remit and sphere of influence ends. The letter from the local health board indicates that work is in hand to enhance local maternity provision. We also have a letter from Powys Community Health Council that indicates some concern regarding the level of consultation that is taking place in this regard. The Minister for Health and Social Services has previously indicated that she would make representations to the Secretary of State for Health, Mr Andrew Lansley, if needed. I suggest that we take her up on that, and ask her to take that forward.

[227] **Russell George:** If we do that, the UK Minister is likely to write back from across the border saying that this is a matter for the Shrewsbury and Telford Hospital NHS Trust, which is fine, so we can still write to the Assembly Minister. However, it might be worth us writing to the Shrewsbury and Telford Hospital NHS Trust asking for comment, because I know that there has been a lot of movement recently—there is an update on this, but I will not go into it now because of time. The trust can at least write back to us formally, and we can then go back to the petitioners to say ‘This is now the outcome’.

[228] **William Powell:** That trust is very aware of the importance of the finance that comes from mid Wales, and it has concern for that area. I have also attended some meetings with ambulances services in the same area, which, again, is a relevant concern. So, I think that it would be sensible for us to write to Adam Cairns, the chief executive of that trust to remind him of the impacts.

10.48 a.m.

### **Papurau i’w Nodi Papers to Note**

[229] **William Powell:** No actions flow from the papers to note.

[230] I remind you that the next meeting of this committee is on Tuesday, 15 November. More immediately, we will receive the puppy farming petition tomorrow at noon; I hope to see you on the steps of the Senedd. Thank you for your attendance and contribution. Diolch yn fawr.

*Daeth y cyfarfod i ben am 10.49 a.m.  
The meeting ended at 10.49 a.m.*