



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

Y Pwyllgor Deisebau **The Petitions Committee**

Dydd Mawrth, 17 Mehefin 2014
Tuesday, 17 June 2014

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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

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 09:02.

The meeting began at 09:02.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

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

[2] Good morning, all. Welcome to this meeting of the Petitions Committee. We have received no apologies this morning, and I hope that we will be joined shortly by our colleague Russell George AM. Normal housekeeping arrangements apply.

Deisebau Newydd
New Petitions

[3] **William Powell:** We will go straight into the first of our new petitions, P-04-558, E-CIGARETTE BAN FOR UNDER 18s. This petition was submitted by Mr Mohammed Sarul Islam, and has the support of 11 signatures. It reads simply,

[4] ‘We the undersigned residents of Wales call on Welsh Government to ban E-Cigarettes for under 18s. E-cigarettes have become simple and easy to buy from shops or petrol stations and under 18s get addicted with nicotine. I believe this will create more under age smokers and increase smokers in Wales.’

[5] This is our first consideration of this petition. I suggest that, in accordance with our normal practice, we write to the Minister for Health and Social Services to seek his views. Joyce, you have indicated that you want to speak.

[6] **Joyce Watson:** Yes. I agree, but I also think that it is worth writing back to Mr Mohammed Sarul Islam, informing him of some of the statements that the Minister for health has made in terms of the direction that he is seeking.

[7] **William Powell:** Yes, absolutely. There have been some absolutely relevant statements just recently that I think would be of interest to him, so I am happy to arrange for that to happen, while we also write to Professor Mark Drakeford specifically on this issue, if

colleagues are happy with that approach. I see that you are; good.

[8] The next petition is P-04-559, Secondary School Awareness of Self-Harm. This petition was submitted by Eleanor Price and has the support of 12 signatures.

[9] ‘We call on the National Assembly for Wales to urge the Welsh Government to put in place more educational programmes (specifically in Secondary Schools) to counteract many peoples misunderstanding of self-harm. A growing issue amongst teenagers in Wales, 43% of people know somebody who has self-harmed according to a BBC survey. In the same survey, it was reported that 41% think that self-harm is selfish.’

[10] We have some additional information there to support the petitioner’s cause. Again, this is our first consideration of this. We need to have a bit of a discussion about who we should be writing to in the first instance. Clearly, we must write to the Minister for Education and Skills, because he is the prime contact in this connection, but there are also health issues. I do not know whether colleagues feel that it would be appropriate to write to other Cabinet colleagues in addition to Huw Lewis. What are your thoughts?

[11] **Joyce Watson:** I think that we should write to the Minister for health, because self-harm is a health issue as well. I think that because it particularly asks for educational programmes, we should ask the Welsh Local Government Association if it knows of any work in this area. I also think that health boards should be accountable to see what provision they provide in their areas for anyone who has come forward as a self-harmer.

[12] **William Powell:** We do not normally write to a suite of people at this stage, but there are clearly two Cabinet Ministers who have some oversight of this area, and given some of the health boards’ rate of return, probably getting in early is not a bad idea.

[13] **Joyce Watson:** And the WLGA.

[14] **William Powell:** Yes, and the WLGA. Clearly, we engage with it on a regular basis.

[15] **Bethan Jenkins:** Rwy’n gwybod nad ydym fel arfer yn ysgrifennu at lot o bobl, ond nid wyf ond yn dweud hyn yn awr oherwydd bod yr Athro Donaldson yn gwneud adolygiad ar hyn o bryd o’r cwricwlwm yng Nghymru, ac mae’r ymgynghoriad newydd ddechrau. Felly, ni fyddwn am i’r deisebwyr aros ac aros a pheidio â chael cyfle i roi’u barnau gerbron yr Athro Donaldson. Felly, hwnnw yw’r ongl arall sydd gen i.

Bethan Jenkins: I know that we do not usually write to a lot of people, but I am only saying this now because at present Professor Donaldson is undertaking a review of the curriculum in Wales, and the consultation has just begun. So, we would not want the petitioners to wait and wait without having an opportunity to give their opinions to Professor Donaldson. So, that was the only other angle that I wanted to raise.

[16] **William Powell:** I think that that is a good point. I am happy to write, in that vein, to the people who Joyce has indicated.

[17] **Mr George:** Perhaps we can bring the petition back to the committee when we have had a response from the Minister without waiting for the other responses, because our normal practice is to wait for all of the responses and that might take some time.

[18] **Bethan Jenkins:** I was only saying Professor Donaldson, because the consultation has opened, so we might not come back to this in the next few weeks—

[19] **William Powell:** Exactly, given where we are in the term, as well.

[20] **Bethan Jenkins:** We do not want it to end, before they have—. Or, we just tell the petitioners that they can send in their comments. I do not think that that is harmful.

[21] **William Powell:** No. I think that that could be beneficial. Okay, good.

[22] We move on to petition P-04-560, Provision of IBD Services in Wales. This petition was submitted by the south Wales IBD patient panel and collected 664 signatures. It says,

[23] ‘We, the undersigned, call upon National Assembly for Wales to encourage the Welsh Government to continue its commitment to improving standards of treatment and care for people with Crohn’s Disease and Ulcerative Colitis, through the development of a gastroenterology delivery plan. This will ensure that people with these conditions receive the highest standards of care wherever they are in Wales.’

[24] We have also additional information here:

[25] ‘Standards of care for people with Crohn’s and Ulcerative Colitis have improved in Wales, following the launch of the Standards for the Healthcare of People who have Inflammatory Bowel Disease (IBD) in the Welsh Assembly in 2009. However, an independent audit of IBD care has shown that quality has not risen as quickly as other UK countries.’

[26] It was my privilege to attend an event that was sponsored by our colleague Jocelyn Davies AM on these matters, on the evening after we had met the petitioners at lunch time, and that reinforced the messages for me that we need to raise our game as a nation in dealing with this particular set of conditions.

[27] I think, at the first stage, we need to write to Mark Drakeford to flag up this issue with him and seek his views on the petition. Joyce, you have indicated.

[28] **Joyce Watson:** To be consistent, I also think that we need to write to the health boards, because we have a delivery plan in Wales and that has improved things. The delivery of that plan is, of course, down to health boards. So, again, I would suggest that we write to the health boards to see what they have to say in terms of what the petitioner has to say. I am not suggesting for one minute—again, for consistency—that we do not bring this back while we are waiting, but let us at least put it on the table.

[29] **William Powell:** I am happy with that approach. Are colleagues content? Let us do that. Thank you very much. This is a petition whose subject affects the daily lives of many people in Wales.

[30] The next new petition is P-04-561, Promotion of Grassroots Rugby in Wales to Encourage Take-Up of the Sport. This petition was submitted by Inside Welsh Rugby TV and has the support of 334 signatures. It says:

[31] ‘We call upon the National Assembly for Wales to urge the Welsh Government to collaborate with the Welsh Rugby Union to encourage growth in the participation of the sport in Wales across all genders and age grades; to encourage partnerships with other relevant organisations to ensure maximum exposure to the sport at grassroots level and to demonstrate that the sport is not elitist but open to all.’

[32] We had the opportunity to engage in some discussion with the petitioners last week, when they kindly came to present their petition. I probably ought to make a declaration of interest in this matter, as both of my sons are involved in grass-roots rugby at a local level for

Gwernfyfed Rugby Football Club at under-11s and youth level. So, for clarity I should probably state that. I am happy to take any views from colleagues as to how we proceed.

[33] **Bethan Jenkins:** Rwy'n hapus i fynd drwy'r broses o ysgrifennu at y Gweinidog, ond rwy'n meddwl y bydd y Gweinidog yn dod yn ôl yn dweud eu bod yn rhoi cyfran o arian i Undeb Rygbi Cymru, a'i fod wedyn lan i'r WRU i ddsbarthu'r arian hwnnw i'r clybiau. Mae cyd-destun i hyn ac, fel y dywedais wrth y deisebwyr, rwyf wedi gofyn i'r Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol wneud ymchwiliad i brosesau'r WRU. Ysgrifennodd y pwyllgor at y WRU a nifer o bobl eraill, a phenderfynu peidio â chael ymchwiliad pellach. Rwyf jest eisiau rhoi cyd-destun i bobl eraill ar y pwyllgor, rhag ofn ein bod yn edrych ar wneud mwy o waith. Mae angen i ni sicrhau nad ydym yn trio gwneud yr un math o beth sydd wedi trio cael ei wneud yn barod. Byddwn yn argymhell hefyd ar hyn o bryd i gysylltu â'r WRU, o feddwl ei fod yn cael ei enwi yn y ddeiseb hon, jest i ni gael mwy o wybodaeth yn gynharach efallai.

Bethan Jenkins: I am happy to go through the process of writing to the Minister, but I think the Minister will come back and say that they give a proportion of money to the Welsh Rugby Union, and then it is up to the WRU to allocate that money to the clubs. There is a context to this and, as I said to the petitioners, I have asked the Communities, Equality and Local Government Committee to do an inquiry into the WRU's processes. The committee wrote to the WRU and many other stakeholders, and decided not to continue with that inquiry. I just wanted to give context to other members of the committee, just in case we are looking at doing more work. We need to ensure that we do not try to do the same sort of thing that has been tried before. I suggest at the moment that we should also get in touch with the WRU, considering that it is named in this petition, just for us to have more information sooner perhaps.

[34] **William Powell:** I am happy with that approach, and I am very grateful to you for setting out that context. If the communities committee has looked at this matter and has not decided to go forward, that does not bind our hands in any way as to how we proceed. I am very happy to write to the Minister and to Roger Lewis in that connection. Are there any other comments from colleagues at this time? I see there are not. Let us do that. Excellent; thank you very much.

[35] The next new petition is P-04-562, Caernarfon Heritage Centre. This petition was submitted by the Caernarfon Civic Society and the text reads as follows:

[36] 'We the undersigned call on the Welsh Government to fund a Heritage Centre in Caernarfon. The town deserves a centre to display its history and the history of its people, its industries, its language and its arts in an engaging building purpose-built in Caernarfon as a home for the treasures taken from it. Close to 1,000 people—residents of Caernarfon and district and visitors to the area are calling for a resource of this nature in what is one of Wales' most ancient and significant towns. Visitors who take one of my tours around Caernarfon www.drodre.co ask, 'Where is the Town Museum?', to which the answer is that the town no longer possesses such a thing! This news is met with universal astonishment, given that history surrounds one at every turn.'

[37] This is our first consideration of the petition. I suggest we write to the Minister for Culture and Sport seeking his views, but I am open to any further suggestions.

[38] **Joyce Watson:** I keep adding people to write to; I think that we should write to the county council as well.

09:15

[39] **William Powell:** Gwynedd Council is clearly highly relevant in delivering anything

in this area. If there was not one, then somebody has closed it down; if somebody has closed it down, I suspect it is the council. So, maybe we will get some further information by writing to it and it will give us an explanation.

[40] **William Powell:** I am happy to write to Councillor Dyfed Edwards, or to the chief executive of Gwynedd Council, whichever is the more appropriate, on that matter. Are there any other ideas on this petition, colleagues? I see not. Okay, we will go forward on that basis, then. Thank you, Joyce, for that additional proposal.

[41] We will move on to P-04-563, the Provision of Services at Pontypridd Fire Station. This petition was submitted by Ben Croxall, and collected over 9,000 signatures. It reads

[42] ‘Please help save our fire engine! Due to public sector cut backs and a recent review carried out by the South Wales Fire and Rescue Service, we are faced with the prospect of only having one fire engine for the whole of the Pontypridd area. The proposal is to get rid of a fire engine and the team that serve the growing population of Pontypridd’.

[43] We were particularly grateful to Ben Croxall and his colleagues for the trouble they took in bringing the petition and, indeed, their fire engine—

[44] **Bethan Jenkins:** I did not get a go in it, though.

[45] **William Powell:** Oh, well; I am sure there will be another opportunity. Bethan was very taken with that. It was an excellent opportunity to engage with them on the issue.

[46] I propose that we write to the Minister for Local Government and Government Business to seek her views on these matters. However, I am very open to suggestions.

[47] **Joyce Watson:** I keep adding people in. First, I am sorry that I could not be there, but life is like that sometimes.

[48] **William Powell:** Your colleague Mick Antoniwn was able to attend, as the local Member, which was helpful.

[49] **Joyce Watson:** That is excellent. I also think that we ought to write to the fire authority again. It has made a decision, and we need to have some information regarding how and why that decision was arrived at.

[50] **William Powell:** It could also be time-sensitive.

[51] **Bethan Jenkins:** Yn y llythyr i'r Gweinidog, a allwn ofyn pwynt penodol ynglŷn ag adolygiad Williams a'r awgrymiadau a wnaethpwyd o ran newidiadau i'r awdurdod tân? Efallai y gallai'r Gweinidog roi mwy o syniad i ni os bydd hynny'n cael ei ystyried o ddifrif, oherwydd efallai y bydd hynny'n helpu'r sefyllfa gan bod nifer o awdurdodau yn gwneud pethau gwahanol ar hyd a lled Cymru. Rydym hefyd wedi derbyn deiseb gan ardal yng nghanolbarth Cymru ynglŷn â newidiadau a oedd yn cael eu gwneud yno. Felly, byddai'n dda i weld os gall y Gweinidog ymateb yn y cyd-destun hwnnw.

Bethan Jenkins: In the letter to the Minister, could we also ask about the specific point about the Williams review and the recommendations that were made by it with regard to the fire authority? Perhaps the Minister could give us a better idea of whether that will be taken seriously, because that could help this situation where there are many authorities doing different things across Wales. We also received another petition relating to an area in mid Wales in relation to changes that were being made there. Therefore, it would be good to see whether the Minister could respond in that context.

[52] **William Powell:** Thanks, Bethan; yes, it is very helpful for us to look at this again in association with the earlier petition regarding the Mid and West Wales Fire Authority area that was brought forward by Jonathan Edwards AM, because—

[53] **Bethan Jenkins:** Jonathan Edwards MP.

[54] **William Powell:** I am sorry, Jonathan Edwards MP.

[55] **Bethan Jenkins:** Do not promote him. [*Laughter.*]

[56] **William Powell:** This is best seen in the round. Obviously, there is a lot of common ground here. This is area-specific, clearly, but it is useful to view it in that way. So, let us go forward on that basis. Thank you very much for your additional comments.

[57] We move on to P-04-564, the Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital. This petition was submitted just last week by Geraint Vaughan Jones and, in very few days, as we were told last week, collected 2,754 signatures. It reads,

[58] ‘Until the Health Minister has had time to consider Prof Marcus Longley’s recommendations on rural healthcare in Wales—a study that was commissioned by the Minister himself in January of this year—we, the undersigned, call on the National Assembly of Wales to urge the Welsh Labour Government to delay decision on Betsi Cadwaladr University Health Board’s Business Case aimed at downgrading our Memorial Hospital to a mere ‘Memorial Centre’.’

[59] **William Powell:** We have not, as yet, undertaken any action on this, although we did engage with the petitioners last week when we had the opportunity to meet them. Russell George, you have indicated that you wish to speak.

[60] **Russell George:** I was just going to say, Chair, that it was good to meet the petitioners last week, but I think that they have achieved a large number of signatures collected in just a few days. I think that what they are asking for is reasonable, because, of course, they are just asking for the decision to be delayed until the outcome of the mid Wales health review.

[61] **William Powell:** Yes; absolutely.

[62] **Russell George:** I think that we should, as is our procedure, at least write to the Minister first, asking for his views.

[63] **William Powell:** Yes, I am very happy to write to Mark Drakeford in connection with that, particularly, obviously, as he has commissioned the study that is referred to in the body of the text. I now turn to Joyce.

[64] **Joyce Watson:** I am going to add another person here, again, as well. I think that we also need to get the views of the health board. I have been very much involved in the changes that have happened in this particular area. That is the reason that the Minister has commissioned Professor Marcus Longley to make recommendations. It is in recognition of all of that. So, that is my suggestion: that we also write to the health board.

[65] **William Powell:** Yes, I think that we should write to the Betsi Cadwaladr University Local Health Board chief executive and chair.

[66] **Joyce Watson:** I think that we need to get a full explanation about the changes that are happening, and what impact, if any, that that would have—negatively, perhaps—on the healthcare provision in the area if we were to call for a moratorium. I think that it is about getting—

[67] **William Powell:** Yes; we need to look at the impact as well, do we not?

[68] **Joyce Watson:** Yes, because otherwise we will not have that information at our disposal; and of course we will not be able to then pass it on.

[69] **William Powell:** That makes a lot of sense, particularly in the context of where we are in this term, when we have limited time. Are colleagues happy with that approach? I see that you are. Good.

[70] We now move to petition P-04-565, Revive disused railway lines for leisure. This petition was submitted by Albert Fox, and has the support of 14 signatures. The petition reads as follows:

[71] ‘The Welsh Government should look turning the hundreds of miles of disused railway lines (axed under Beeching) into high quality cycle/walk ways. The lines cover the whole of Wales and this scheme would: encourage healthy activities and lifestyle; provide a safe way to travel for those who want a green alternative; provide safe cycling for children and encourage use for going to school, clubs etc; reduce traffic on our roads; boost Welsh tourism especially by cyclists and walkers; enable the establishment of a vast number of varied, small businesses along the routes—shops, B&B etc. Rural areas will benefit. The potential good for the health of the population of Wales and its economy is unlimited and the return in this investment can be understood before it even starts.’

[72] There is a really positive, upbeat, ambitious feel about this petition and I am very grateful to Mr Fox for bringing it. I think that we had better write to Mrs Edwina Hart to see what her perspective is on this and Mr Fox’s proposals in her capacity as the Minister for Economy, Science and Transport. Are colleagues happy with that approach just now?

[73] **Joyce Watson:** Yes, I am, but I am just wondering about sport and culture as well.

[74] **William Powell:** Yes. There is very much a crossover with the portfolio responsibilities of our colleague John Griffiths. Perhaps we could write to them both and see how they decide to take it forward. Are colleagues happy? I see that you are. Good.

[75] We now move to petition P-04-566, Review the School Admissions Code. The petition was submitted by Jane Chapman, and has the support of 156 signatures. The petition reads as follows:

[76] ‘We call upon the National Assembly for Wales to urge the Welsh Government to review the School Admissions Code as it is not fit for purpose. The School Admissions Code is not fit for purpose because: It plays lip service to the United Nations Rights of the Child as there is no requirement to consult with children in decisions that affect them; It plays lip service to the Equality Act as there is no requirement to undertake an Equality Impact Assessment; It is not prescriptive enough so leads to differences in implementation, some good, some bad; There is very restricted rights of Appeal for Parents and Governing Bodies to Welsh Government in particular Governing Bodies who are considered statutory consultees and yet are restricted to very specific circumstances in which they can appeal; The wording within the School Admissions Code is ambiguous and is not easy to penetrate by those who are forced to use it; The School Admissions Code does not define “reasonable” with regards to Consultation periods; The School Admissions Code, for all of the above reasons, is not

appropriate when dealing with significant changes such as changes to catchment areas.’

[77] Again, we have a very interesting set of proposals here. I think that we need to take this forward at ministerial level with our colleague Huw Lewis, our Minister for Education and Skills. Do colleagues have any further thoughts at this stage?

[78] **Joyce Watson:** The Welsh Local Government Association.

[79] **William Powell:** Yes, we could write to the lead at the WLGA. I believe that it is Mr Chris Llewelyn. We could write to him to see what its perspective is because it has an all-Wales remit on the matter. Are colleagues happy? I see that you are. Okay, let us go forward on that basis. That concludes our consideration of new petitions. There were quite a number at this meeting.

09:26

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[80] **William Powell:** We start with petition P-04-536, Stop Factory Dairy Farming in Wales. This petition was submitted by the World Society for the Protection of Animals and was first considered on 18 February this year. It collected 9,246 signatures. We have the extensive text of this petition in front of us to remind us of the key points.

[81] **Bethan Jenkins:** I do not think that we need to read it all out.

[82] **William Powell:** No, absolutely. That was not my intention. However, we have had some very recent developments on this issue. We as a committee last considered this petition on 25 March and agreed to defer consideration until this meeting pending legal advice, and we are very grateful to Helen for supplying that advice. We were in a situation where there was ongoing High Court legal action against the Welsh Government that gave rise to our concern that there could be the dangers of sub judice. I will ask Helen to very briefly give us an update—

[83] **Bethan Jenkins:** The legal action has come to an end.

[84] **William Powell:** Absolutely. Given that the legal action has come to an end, she can put that in context, since it is only in very recent days that that news reached us. It was the back end of last week.

[85] **Ms Roberts:** Thank you, Chair. Thank you, committee. In addition to petitioning this committee, the petitioners got a judicial review of the decision of Carl Sargeant in relation to the dairy farm at Lower Leighton. The decision, as I understand it, has been confirmed. I have not read the judgment and I am actually not aware of the decision. I have not had a chance to look at that, what with ongoing work and what have you, but, ultimately, it is a matter for the committee, for you, to decide how you want to proceed in handling this matter. One thing that I would say is that it seems—this is just a general observation—that, when you look at the wording of the petition, the petitioners’ main request is that the Welsh Government updates ‘Planning Policy Wales’ and other relevant planning documents, such as technical advice note 6, which relates to planning for sustainable rural communities. That appears to be the main thrust of the petition, and I would just remind Members that, at the last meeting, the Minister had provided a response in a letter dated April 2014. Basically, in that response, the Minister says that he does not feel it necessary to review or make changes to PPW or TAN 6 at this point in time and that he has not been provided with specific evidence to suggest otherwise.

09:30

[86] That is basically an update in relation to the wording and the Minister's response thus far. We may have further information from the petitioners here, but in terms of how you take it forward, it is a matter for you as a committee.

[87] **William Powell:** Thank you very much, Helen.

[88] **Russell George:** Have we sent a copy of the Minister's letter to the petitioners and had a response from them?

[89] **Mr George:** Yes, we have. There were two issues before we looked at this last time. The primary one was that there were some legal concerns about the content of the material that had been supplied to us, so we wanted to ask our lawyers to check that out. However, in doing so, it became clear that there was an ongoing court case, which probably meant that we could not consider it because of our rules on sub judice. So, I think that our legal advisers need to go back and look at the material that has been supplied to us, and we will bring forward a substantive discussion on the petition for the next meeting.

[90] **Russell George:** Shall we wait until a future meeting to discuss this further?

[91] **Mr George:** I think that it would be better for the committee to do so, because you will then have all of the information. We may need to go back to the petitioners and ask them—and they have kindly offered to do this already—to submit their information in a slightly different format, which makes it a little bit easier for us to—

[92] **Russell George:** Okay, I am happy with that approach.

[93] **Bethan Jenkins:** The only thing that I would add is that they have written to me separately, and they asked if we could confirm that they had changed their name to 'World Animal Protection' instead of WSPA—the World Society for the Protection of Animals—just for future consideration. I am happy to wait for the rest of the information.

[94] **William Powell:** Okay, we will keep for the record that that was the name at the time of submission, but thanks for giving us that update.

[95] **Bethan Jenkins:** They have had a re-brand in the last week.

[96] **William Powell:** It is useful to have that for consideration, and we are making a commitment to consider it at the final meeting of this term, because it is a matter that we need to draw—

[97] **Mr George:** It will probably be at the next meeting.

[98] **William Powell:** At the next meeting; excellent. We will move to petition P-04-530, Bilingual Labelling. This petition was submitted by Simon Foster and was first considered by the committee on 21 January 2014. It had the support of 98 signatures. It is clearly promoting the cause of bilingual labelling and it references other countries such as Canada, where this practice is standard. We last considered this petition on 3 June and agreed to defer consideration until this meeting, pending legal advice. We have that legal advice within our private papers today, and we are very grateful to the legal department for supplying that. Given the clarity of the advice with regard to competence and the ministerial views that were previously expressed, I think that we probably need to look at closing this, but I am open to the views of colleagues. Joyce has already spoken; Russell George, you want to comment.

[99] **Russell George:** I think that we suspected that it might not be submissible when we first discussed this, did we not? I think that we should close the petition if it is not in the ability of the National Assembly for Wales to make a difference.

[100] **William Powell:** I sense that we are going to have a fight back from Bethan Jenkins. *[Laughter.]*

[101] **Bethan Jenkins:** Na, ni allaf weld lle y gallwn fynd gyda hwn. Yn amlwg, diolch am yr eglurhad hwnnw, ond byddwn wedi hoffi mynd â'r ddeiseb ymhellach. Er nad wyf wedi'i arwyddo, mae gennyf ddiddordeb yn y ddeiseb. Rwyf yn cofio yn y cyfarfod diwethaf, Gadeirydd, i chi ddweud y gallem ei roi i'r Aelodau o Senedd Ewrop sydd newydd eu hethol. Rwyf yn meddwl y byddai hynny'n syniad oherwydd, heb fod yn bleidiol, rwy'n ymwybodol bod rhai ASEau yn gwneud gwaith ar hyn o ran statws yr iaith Gymraeg. Efallai wedyn byddai'r deisebydd penodol yn gallu cael y trafodaethau hynny gyda'r ASEau hynny sydd â diddordeb yn y pwnc, ond rwyf yn diolch i chi am y cyngor cyfreithiol. Roeddwn i'n meddwl efallai y byddai rhyw fath o sgôp i ni wneud rhywbeth yn sgîl Deddf Llywodraeth Cymru 2006, ond yn amlwg nid yw hynny'n ymddangos yn bosibl.

Bethan Jenkins: No, I do not see where we can go with this. Clearly, thank you for that clarification, but I would have liked to have taken this petition further. Although I have not signed it, I am interested in the petition. I remember in the previous meeting, Chair, you said that we could give it to the newly elected Members of the European Parliament. I think that that would be an idea because, without being partisan, I know that some MEPs are doing work on this in terms of the status of the Welsh language. Perhaps then the specific petitioner would be able to have those discussions with those MEPs who are interested in the subject, but I thank you for the legal advice. I thought perhaps that there would be some scope for us to do something following the Government of Wales Act 2006, but obviously that does not seem to be possible.

[102] **Ms Roberts:** Could I respond to that?

[103] **William Powell:** Please do.

[104] **Ms Roberts:** Basically, the National Assembly for Wales does have legislative competence, as I have outlined in the legal briefing note. However, there is a cardinal principle, which is that European Union law prevails and has precedence over UK law in this area. When you look at the relevant article—the food labelling directive 2000/13/90/446—it is quite clear that it must be in an official language. As you will be aware at the present time, the Welsh language is not an official language for EU purposes, while English obviously is.

[105] However, while it is not possible for UK law to impose a requirement that all food labelling must be in Welsh as well as English, nothing prevents food businesses in Wales from voluntarily providing food labelling information. So, that is a summary of the position at the present time.

[106] **William Powell:** We are grateful for that, Helen. Bethan, are you suggesting that in moving to close, we write to the MEPs to alert them to the fact that—

[107] **Bethan Jenkins:** We could close it and do that. There is no point in it coming back here because we cannot do anything, as we have been told.

[108] **William Powell:** I would be very happy to write to Derek Vaughan, Jill Evans, Kay Swinburne and Mr Gill on these matters.

[109] **Bethan Jenkins:** I know that it is a touchy subject for you. *[Laughter.]*

[110] **William Powell:** Yes, there is a certain sensitivity; that is fair enough. *[Laughter.]* We will move on now to P-03-492, Diagnosis of autism in children. This petition was submitted by the Pembrokeshire branch of the National Autistic Society. We first considered it back in June 2013 and it had the support of 902 signatures. We have had a very full set of exchanges with the Deputy Minister on these matters and, as colleagues will recall, she was disappointed by the lack of a full response from one or two of the health boards. Fortunately, that matter has now been addressed and we have a full set of information in front of us, as well as a very full response from the Deputy Minister for Social Services on these matters.

[111] The petitioner has also given us feedback in the form of a letter from Lisa Phillips from the NAS Pembrokeshire branch, commenting on the Deputy Minister's letter and making a couple of requests. They are that NAS Cymru is invited to be a member of the task and finish group that the Deputy Minister obviously regards as an important vehicle in taking forward these matters, and also the general request that the group's report and recommendations are made public in due course via the web and other means. That seems a reasonably fair set of requests to me. I think that we should write to the Deputy Minister in that vein, but I am keen to hear any comments from colleagues on these matters.

[112] **Joyce Watson:** I agree with those proposals.

[113] **William Powell:** Is that unanimous? I see that it is. Thank you very much. We move on now to P-04-397, Living Wage. This petition was submitted by Save the Children and was first considered by us back in June 2012. It had the support of 196 signatures. It reads:

[114] 'We call on the Welsh Government to stand by their promise to work towards a living wage for every worker in Wales and tell us when and how they will make it happen.'

[115] We last considered this on 4 February this year and agreed to seek an update on progress after the workforce partnership council had considered the matter in March. Regrettably, we have since received notice from the Minister that the workforce partnership council in March was cancelled, and that the matter will now be considered at the upcoming meeting in September. The Minister's letter is among our public papers today. I think, in those circumstances, that we probably better await the outcome. Obviously, it is a fair wait—

[116] **Bethan Jenkins:** We can, but the only thing I am worried about is the word 'may'. We are going to wait until September and it may not discuss it. I know that I am being pedantic, but it has already been postponed from March until September, and we are just going to be waiting a very long time for it to be potentially not considered. Is there any way that we have a direct route to the workforce council to put it on the agenda?

[117] **William Powell:** It would be useful to know how that is chaired or what the clerking arrangements are for it. The fact that a meeting in March was cancelled and it is not going to take place until September casts a bit of doubt about some of the ways in which it functions and feeds into policy.

[118] **Mr George:** I am not absolutely sure, but I understand that at least part of the secretariat is supplied by Welsh Government staff. So, I would suggest that if you want to make that point, the best thing is to write to the Minister and ask her to confirm that she will use her good offices to ensure that it is on the agenda.

[119] **William Powell:** It would be more emphatic then, would it not, given that this has been around a long time and it is an important issue? We are agreed on that.

[120] The next update is to P-04-373, School Exclusion Zones for Mobile Hot Food Vans.

This petition was submitted by Arfon Jones and was first considered by us back in March 2012. At that time, it had the support of 43 signatures. It calls on the Welsh Government to consider legislation to exclude mobile fast food vans from operating within a zone of 400m around schools at specific times of the day, matching normal core school hours.

[121] We last considered the petition on 21 January 2014, and we agreed to write to the Minister for Housing and Regeneration, given the planning implications here, and the Minister for Natural Resources and Food, seeking their views on the petition. The Minister for Economy, Science and Transport issued a holding response in February and we now have a further update; both are in the public papers. This is an issue that cuts across a number of different portfolios, and also has health and wellbeing implications. In the context of the fact that work is under way, we should probably wait for the further update from the Minister that has been promised, but also seek a view back from Arfon Jones on what the Minister has had to say so far. Are Members happy with that? I see that you are.

[122] The next update is to P-04-496, Through Schools. This petition was submitted by Dawn Docx and was first considered by the committee back in September 2013. It has the support of 10 signatures and calls on the National Assembly for Wales to urge the Welsh Government to issue specific guidance for local authorities on issues around school mergers and closures. There are a number of specific bullet points regarding the petitioner's aspirations in this area, and it was also clear that there was a particular case that motivated this petition, which was live at the time. We had the opportunity to engage with the petitioners on this when they came to see us last year.

[123] We last considered the petition on 26 November 2013, and we agreed to await the petitioner's reflections on previous correspondence from the Minister and to write to the Welsh Local Government Association and the diocesan authorities seeking their views on the petition. Unfortunately, we have had a fairly limited response; we have not yet heard from the petitioner or, indeed, from any of the other organisations. That is rather odd.

[124] **Joyce Watson:** I think that we should close the petition.

[125] **Russell George:** When did we last write to the petitioner?

[126] **Mr George:** We have sent a number of reminders. I think that there was a particular local school closure that, although this is a more general petition, was behind the petition, and I think that that situation, certainly for the moment, appears to have been resolved. I suspect that the petitioner—

[127] **William Powell:** I think that the motivation is no longer there, perhaps, to be fair. Joyce is making a clear proposition that we close the petition.

[128] **Joyce Watson:** We can only ask people, having engaged with us, to respond to us. If we have done that several times, and that has not happened for whatever reason—there are always reasons—we can do no more except close the petition.

[129] **William Powell:** I think that we have a consensus on that; excellent.

[130] The next update is to P-04-511, Support for children and young people participation standards. This petition was submitted by Powys Youth Forum and was first considered by the committee in November 2013 having collected 39 signatures. We have the extensive wording of the petition in front of us, so that we can refresh our memories as to what it was seeking.

[131] We last considered the petition on 21 January 2014, and we agreed a series of actions:

to write to the Minister asking for an update and his views on the petitioners' further comments, because they were forthcoming with comments on earlier correspondence, and also to write to Save the Children, seeking its views on the petition. No response has been received from Save the Children, which is somewhat disappointing, but there are fresh comments from the petitioners and we have those in our public papers.

09:45

[132] To clarify, the reference in this to new correspondence could be somewhat misleading because this refers to the last letter from the Minister, which was in February, which the clerks have kindly included in our papers for today for ease of reference. Colleagues, how do you want to proceed in this area? Save the Children's response has been somewhat disappointing and I would wish to chase that. Are there other views as to how we should go forward?

[133] **Joyce Watson:** We can go back to ask the Minister for his response to the suggestions that have been made by the petitioner, particularly around the kite mark, to see what he has to say.

[134] **William Powell:** It would be useful to see whether the Minister feels that that has some mileage. I see that colleagues are happy with that.

[135] The next petition is P-04-522, Asbestos in Schools. This petition was submitted by Cenric Clement-Evans and was first considered by the committee in December 2013. It had the support of 448 signatures. I also acknowledge the fact that Mr Clement-Evans is in the public gallery today as part of his ongoing interest in these matters and is most welcome.

[136] We have had a significant series of exchanges on this matter, both with Welsh Government Ministers and also with responsible authorities in Westminster. The petition reads as follows:

[137] 'We call on the National Assembly for Wales to urge the Welsh Government to put measures in place to ensure that parents and guardians of children across Wales can easily access information about the presence and management of asbestos in all school buildings.'

[138] It goes on with some specific bullet points. Before I go forward in leading our discussion on this, I should declare that I am a double school governor. I was present at a governing body meeting last night when this very issue of asbestos in a particular primary school in Powys came up. Therefore, it would be inappropriate for me not to put that on the record.

[139] We last considered the petition on 25 March 2014 and agreed to write to the Health and Safety Executive to seek its perspective on the work being done in schools in England and ask why there is no statutory requirement to inform students and parents about asbestos management in schools. We also agreed to seek the petitioner's views on the legal advice given at the meeting. We have received a response from Cenric Clement-Evans and we also have a response from the HSE, both of which are in our public papers today. Bethan, you have indicated that you wish to speak.

[140] **Bethan Jenkins:** Byddwn yn hoffi pe galledd anfon y llythyr hwn gan yr HSE at y Gweinidog addysg i gael ei farn. Rwyf wedi alaru, fel y deisebwyr, ar fynd yn ôl ac ymlaen, a neb yn cymryd cyfrifoldeb dros y sefyllfa. Mae'r llythyr hwn yn ei wneud yn glir bod gan y Llywodraeth y rôl i wneud hyn **Bethan Jenkins:** I would like it if we could pass on this letter from the HSE to the Minister for education to have his opinion on that. I am tired, as is the petitioner, of having to go back and forth, and no-one taking responsibility for the situation. This letter makes it clear that the Government has the

yng nghyd-destun addysg.

[141] Hefyd, nid yw'r deisebwr yn gofyn am hyn yn benodol—mae'n gofyn i Lywodraeth Cymru siarad â'r undebau llafur—ond, o feddwl bod gan y TUC bolisi clir ar hyn, rwy'n meddwl y byddai'n syniad cysylltu â'r undebau sy'n cynrychioli athrawon—nid yn unig y TUC, ond efallai Undeb Cenedlaethol yr Athrawon, NASUWT, Undeb yr Athrawon a hefyd, efallai, Cymdeithas Arweinwyr Ysgolion a Cholegau, sy'n cynrychioli prifathrawon—i gael y cyd-destun ynglŷn â beth maen nhw'n gwneud neu beth maen nhw'n meddwl yn hynny o beth. Hefyd, dylem ysgrifennu at y consortia addysg ar hyd Cymru, am fod ganddynt farn ynglŷn â sut mae arian yn cael ei benodi, a gofyn a ydynt yn cymryd hyn i ystyriaeth.

[142] Rwyf hefyd am ofyn cwestiwn. A ydym wedi rhoi'r ddogfen gan y grŵp yn San Steffan i'r Gweinidog addysg i weld beth—? Mae argymhellion clir gan y grŵp trawsbleidiol, ac efallai byddai'n helpu'r Gweinidog i ddeall yr hyn mae Lloegr yn bwriadu gwneud yn y cyd-destun hwn. Os ydym wedi gwneud hynny, digon teg, ond nid wyf yn cofio a ydym ni wedi hala'r ddogfen hon at y Gweinidog.

[143] **William Powell:** I call on Steve, just to clarify that.

[144] **Mr George:** Nid wyf yn credu ein bod ni wedi gwneud hynny. Mae'r ddogfen hon newydd ddod i mewn yn yr wythnos neu ddwy ddiwethaf wrth inni baratoi'r agenda ar gyfer y cyfarfod hwn.

[145] **Bethan Jenkins:** Felly, a ydym ni'n gallu gwneud hynny a hefyd, yn benodol, tynnu sylw at yr argymhellion a dweud, yn Lloegr, eu bod wedi penderfynu cynnal adolygiad o sut mae hyn yn digwydd mewn ysgolion yno—beth am gynnal rhyw fath o adolygiad yng Nghymru a beth yw'r broblem tu ôl i beidio â gwneud hyn? Nid wyf yn deall pam mae yna gymaint o densiwn ynglŷn â'r mater hwn, achos, ar ddiwedd y dydd, fel mae'r adroddiad hwn gan y grŵp o Aelodau Seneddol yn dweud, mae'n fater mor bwysig. Mae'n *ticking time bomb* mewn ysgolion yng Nghymru hefyd, ac felly rwy'n credu ei fod yn rhywbeth y dylai'r Gweinidog gymryd o

role to do this in the context of education.

Also, the petitioner does not ask for this specifically—he asks for the Welsh Government to speak to the trade unions—but, considering that the TUC has a clear policy on this, I think it would be an idea to contact the unions that represent teachers—not just the TUC, but perhaps the National Union of Teachers, NASUWT, The Teachers' Union and also, perhaps, the Association of School and College Leaders, which represents headteachers—to get the context about what they do or what they think about this. Also, we should write to the education consortia across Wales, because they have an opinion about how funding is allocated, and ask them whether they take this into account.

I also want to ask a question. Have we given the document from the group in Westminster to the Minister for education to see what—? The cross-party group has clear recommendations, and perhaps it would help the Minister to understand what England intends to do in this context. If we have done that, fair enough, but I do not remember whether we have passed this document on to the Minister.

Mr George: I do not think that we have done that. This document has only just come to hand over the past week or two as we were preparing the agenda for this meeting.

Bethan Jenkins: So, could we do that as well and, specifically, draw attention to the recommendations and say that, in England, they have decided to have a review of how this is working in schools there—what about undertaking some sort of review in Wales and what the problem is behind not doing that? I do not quite understand why there is so much tension about this matter, because, ultimately, as this report from this group of Members of Parliament says, it is such an important matter. It is a ticking time bomb in schools in Wales also, and so I think that it is something that the Minister should take seriously.

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[146] **William Powell:** I think that it would be really helpful to share all of these documents and, indeed, the petitioner's most recent comments with the Minister, because we could be in a situation where we bring him critical information on these matters that has not reached his desk, and, as you say, they are really important. To summarise, there was also the proposal to write to all the trade unions that represent teachers within Wales to flag up the petition, which I do not think that we have done as yet, and also to share the documentation that we have received. Joyce—

[147] **Bethan Jenkins:** And the consortia.

[148] **Joyce Watson:** And the WLGA, again, having added it to our—

[149] **William Powell:** Yes, absolutely. For consistency's sake, Joyce, I think that that makes eminent sense.

[150] **Joyce Watson:** Have we engaged at all with the Children, Young People and Education Committee on this?

[151] **William Powell:** I do not think that we have. It probably would be sensible to extend our—

[152] **Bethan Jenkins:** We are up to our necks in legislation at the moment. That is fine; I would not say 'no'.

[153] **Joyce Watson:** Just to let it know.

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

[155] **Russell George:** Would it be relevant to write to the children's commissioner to seek some advice?

[156] **William Powell:** The children's commissioner—. A bit of an interregnum or—

[157] **Bethan Jenkins:** I do not know whether we should wait for the Minister for education to come back. If he comes back and says, 'I still maintain that I won't do anything', then it could go to the children's commissioner.

[158] **Mr George:** May I just be clear: we are writing to the Minister to draw these documents to his attention and, therefore, to ask for his comments on this and whether he is prepared now to take further action? With the others, are we simply writing to them for information, because there is an awful lot of people to write to there, but if we are waiting for all those responses to come back for us to try to analyse, I think that we might be chasing our tails a little bit?

[159] **Russell George:** I do not know; I did not suggest the others.

[160] **Bethan Jenkins:** Perhaps we could just write to the TUC, given that it passed a motion on it, if that is simpler for now.

[161] **Joyce Watson:** And the WLGA.

[162] **William Powell:** The TUC and the WLGA. I am loath to suggest Governors Wales, being a governor as well—

[163] **Bethan Jenkins:** You have put it out there now.

[164] **William Powell:** I have put it out there, so I would welcome colleagues' thoughts on that, because governors obviously have a significant role in the running of schools and school buildings.

[165] **Joyce Watson:** And, by way of information, to the education and children's committee, just so that it knows that we are handling it.

[166] **William Powell:** Yes, to the clerk or the Chair of that committee, so that they are in the loop. I think that that makes a lot of sense. That is a fairly comprehensive set of actions and, hopefully, we will get some movement on this issue. Thank you very much.

[167] **Russell George:** Has Steve had an answer to his enquiry of why we are writing to the WLGA?

[168] **Mr George:** I think that we are writing to the Minister on the action points, we are writing to the TUC, the WLGA and Governors Wales to ask for their views and to the children and young people committee for information. Is that right?

[169] **William Powell:** That is correct.

[170] **Mr George:** Are you happy with that?

[171] **William Powell:** Yes. Thanks, Russell, for insisting that we had clarity, which I think we now have. Excellent.

[172] We now move to P-04-538, Involving lecturers to ensure a Further Education Inspection Framework that is fit for purpose. This petition was submitted by Ian Whitehead-Ross and was first considered by the committee on 11 March 2013. It had collected 145 signatures. Our most recent consideration was in March this year. We agreed to write to the Minister for Education and Skills to seek his views on the petition, along with further information on the parallel process for the wider education inspection framework. We also agreed to write to Estyn to seek further information on the make-up of the advisory group and, indeed, the whole rationale behind that advisory group. We have received responses from the Minister and Estyn and, fortunately, Mr Whitehead-Ross has also commented on this in his letter to us. Colleagues, how would you like to take this one forward?

[173] **Bethan Jenkins:** I just want to say that I think that we need to write back to Estyn with the views of the petitioner, because they are quite comprehensive, particularly outlining some of the key issues. One of the issues that I picked up on is that Estyn says in its letter that it does not consider it relevant for the University and College Union to be included in the group that it has set up to discuss this matter. I want to understand why it says that about the advisory group, because in the objectives of the advisory group one of the issues is how the working practices of lecturers will be directly affected and how it will use peer-support inspectors. Obviously, people in the sector are the people who would know about that. That is one of the main—

[174] **William Powell:** The whole group seems to be populated by senior management of various colleges as well.

[175] **Bethan Jenkins:** Also, the other point from Estyn's letter that I want to understand—. It says that it does not usually have this set-up, so what has sparked this particular mode of work? What I would like to understand from Estyn is whether it will continue in a certain

vein. I have had meetings with it on different issues and it seems to want to try to have a strategy on how it does its work, but if it is going to start having such groups and then deciding who is on them on an ad hoc basis, I think it would be helpful for people involved in the education sector to understand how and why it does that. Those were the issues that I had really from the letter we had back from the petitioner and the fact that the stakeholder meeting that Estyn says is the place for UCU has been postponed. So, the petitioners feel, as others in the sector—

[176] **William Powell:** They feel that they have been shut out, effectively.

[177] **Bethan Jenkins:** I have had an interest in this petition, having written to Estyn myself, although Estyn does not point that out in its letter. I have written to Estyn about this. I think that the whole reason UCU has been involved is because people have made representations, as opposed to the other way around. So, how can it move forward in terms of engaging people, given that that meeting has been suspended?

[178] **William Powell:** Yes. It is obviously a genuine concern and the unions representing—

[179] **Bethan Jenkins:** I do not doubt that Estyn has best interests at heart, but if people in the sector are going to feel excluded, then that, surely, is an issue that needs to be addressed.

[180] **William Powell:** Those people may well have a contribution to make, it seems to me. I am very happy if colleagues are content to go forward on the basis of writing to Estyn to seek its views on the petitioner's letter, building in some of the comments that Bethan has shared with us. Are you happy with that approach? I see that you are.

[181] In what must be almost record time, we have come to the end of our agenda. I would like to thank you very much for your attendance today and your fulsome contributions. We have, at this time, no petition presentations planned for this week. So, I look forward to seeing you at our next meeting, which is the penultimate meeting of the summer term, on Tuesday, 1 July. Diolch yn fawr. Thank you very much indeed.

*Daeth y cyfarfod i ben am 09:59.
The meeting ended at 09:59.*