

## Agenda – Y Pwyllgor Deisebau

---

Lleoliad: I gael rhagor o wybodaeth cysylltwch a:  
Ystafell Bwyllgora 1 – Y Senedd **Graeme Francis** – Clerc y Pwyllgor  
Dyddiad: Dydd Mawrth, 17 Medi 2019 **Ross Davies** – Dipwrwy Glerc  
Amser: 09.00 0300 200 6565  
[SeneddDeisebau@cynulliad.cymru](mailto:SeneddDeisebau@cynulliad.cymru)

---

**1 Cyflwyniad, ymddiheuriadau, dirprwyon a datganiadau o fuddiant**  
(Tudalennau 1 – 41)

### **2 Deisebau newydd**

2.1 P-05-893 Achub Ein Parciau yng Nghymru  
(Tudalennau 42 – 50)

2.2 P-05-894 Ardrethi busnes tecach i fusnesau Cymru  
(Tudalennau 51 – 59)

2.3 P-05-896 Atal Ward 35 yn Ysbyty'r Tywysog Siarl rhag Cau  
(Tudalennau 60 – 64)

2.4 P-05-897 Rhwystrwch Ddatblygwyr rhag gosod rhwydi yn y gwrychoedd a'r  
coed  
(Tudalennau 65 – 74)

### **3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol**

#### **Iechyd a Gwasanaethau Cymdeithasol**

3.1 P-05-771 Ailystyried y penderfyniad i roi'r gorau i Grant Byw'n Annibynnol  
Cymru a'r angen i gefnogi pobl anabl i fyw'n annibynnol  
(Tudalennau 75 – 80)

3.2 PP-05-812 Dylid gweithredu canllawiau NICE ar gyfer trin Anhwylder  
Personoliaeth Ffiniol  
(Tudalennau 81 – 87)



- 3.3 P-05-817 Aelodau prosthetig arbenigol i blant  
(Tudalennau 88 – 92)
- 3.4 P-05-826 Mae sir Benfro yn dweud NA!! i gau adran damweiniau ac achosion brys Llwynhelyg!  
(Tudalennau 93 – 106)
- 3.5 P-05-842 Rhowch lais i bobl ifanc yn y broses o gomisiynu gwasanaethau lleol yng Nghymru  
(Tudalennau 107 – 112)
- 3.6 P-05-849 Dylai pob dyn yng Nghymru gael mynediad drwy'r GIG at y profion diagnostig gorau posibl ar gyfer canser y prostad\_  
(Tudalennau 113 – 119)
- 3.7 P-05-859 Dylid Darparu Tai Plant yng Nghymru i Blant sy'n Dioddef Camdriniaeth Rywiol  
(Tudalennau 120 – 123)

## **Amgylchedd, Ynni a Materion Gwledig**

### **Bydd y ddwy eitem a ganlyn yn cael eu trafod ar y cyd**

- 3.8 P-05-809 Is-ddeddfau Pysgota arfaethedig Newydd a methiannau Cyfoeth Naturiol Cymru  
(Tudalennau 124 – 126)
- 3.9 P-05-810 Rhowch Gyfle i Glybiau Pysgota Cymru ac Eog a Brithyll y Môr  
(Tudalennau 127 – 144)
- 3.10 P-05-813 Gwahardd y DEFNYDD O FAGLAU LARSEN (maglau dal sawl math o frân)  
(Tudalennau 145 – 150)
- 3.11 P-05-856 Rhaid gwahardd gwerthu cŵn bach gan siopau anifeiliaid anwes a phob gwerthwr trydydd parti masnachol yng Nghymru (Cyfraith Lucy)  
(Tudalennau 151 – 156)

3.12 P-05-874 Gwahardd gwerthu nwyddau sydd wedi eu pecynnu mewn plastig  
untro ar wasanaethau Trafnidiaeth Cymru

(Tudalennau 157 – 161)

## **Tai a Llywodraeth Leol**

3.13 P-05-858 Taenellwyr Dŵr i arbed bywydau nid i wneud arian!

(Tudalennau 162 – 165)

## **Diwylliant, Chwaraeon a Thwristiaeth**

3.14 P-05-867 Gwneud Murlun 'Cofiwch Dryweryn' yn dirnod Cymreig dynodedig

(Tudalennau 166 – 169)

## **Addysg**

3.15 P-05-884 Diwygio Rheoliadau Addysg (Cymorth i Fyfyrrwyr) (Cymru) 2018 i  
gynnwys sefydliadau'r DU sydd â gweithrediadau dramor

(Tudalennau 170 – 175)

3.16 P-05-888 Gwneud TGAU Iaith Gymraeg yn orfodol ym mhob ysgol yng  
Nghymru

(Tudalennau 176 – 179)

Mae cyfyngiadau ar y ddogfen hon

# Eitem 2.1

## P-05-893 Achub Ein Parciau yng Nghymru

Cyflwynwyd y ddeiseb hon gan Crispian Huggill, ar ôl casglu cyfanswm o 244 lofnodion.

### Geiriad y ddeiseb:

Mae parciau a mannau chwarae yn mynd yn adfail, neu maent dan fygythiad o gael gwaith adeiladu arnynt neu gael eu gwerthu i ddatblygwyr.

Mae hyn er gwaethaf y manteision iechyd a chymdeithasol hanfodol a gynigir gan y mannau gwyrdd hyn, sydd mor agos at ein calonnau.

Diben y ddeiseb hon yw ysgogi cefnogaeth i achub ein parciau, ein meysydd chwarae a'n mannau agored rhag cael eu colli am byth, i ddiwallu anghenion cenedlaethau heddiw a chenedlaethau'r dyfodol ac ategu'r rhwymedigaethau sydd ar gynghorau yng Nghymru o dan Ddeddf Llesiant Cenedlaethau'r Dyfodol 2015 a Deddf yr Amgylchedd 2016.

Rydym eisiau:

- 1) Gofyniad statudol i gynghorau neilltuo cyllid o £30 yr aelwyd y flwyddyn ar gyfer parciau.
- 2) Gweld dyletswydd gyfreithiol i bob man gwyrdd gael ei reoli i safon dda.
- 3) Rheolau newydd yn gwahardd gwaith datblygu ar barcdiroedd, gwerthu parcdiroedd neu ddefnyddio parcdiroedd yn amhriodol.
- 4) Cronfa newydd gan Lywodraeth Cymru i ddarparu cymorth brys i'r parciau sy'n wynebu'r perygl mwyaf a sicrhau dyfodol mannau gwyrdd agored Cymru yn yr hirdymor.
- 5) Gofyniad cyfreithiol i bob cyngor weithredu Strategaeth Mannau Agored yn unol â Safonau Meysydd Chwarae Cymru, Deddf Llesiant Cenedlaethau'r Dyfodol 2015, a Deddf yr Amgylchedd 2016, ac iddynt weithio gyda Meysydd Chwarae Cymru i ddiogelu a gwella'r holl fannau gwyrdd agored cyhoeddus yng Nghymru.

**Gwybodaeth ychwanegol:**

**Etholaeth a Rhanbarth y Cynulliad**

- Gŵyr
- Gorllewin De Cymru

# P-05-893 Achub ein Parciau yng Nghymru:

Y Pwyllgor Deisebau | 17 Medi 2019  
Petitions Committee | 17 September 2019

Cyfeirnod: RS19/10336

Rhif y Ddeiseb: P-05-893

Teitl y ddeiseb: Achub ein Parciau yng Nghymru



**Testun y ddeiseb:** Mae parciau a mannau chwarae yn mynd yn adfail, neu maent dan fygythiad o gael gwaith adeiladu arnynt neu gael eu gwerthu i ddatblygwyr.

Mae hyn er gwaethaf y manteision iechyd a chymdeithasol hanfodol a gynigir gan y mannau gwyrdd hyn, sydd mor agos at ein calonnau.

Diben y ddeiseb hon yw ysgogi cefnogaeth i achub ein parciau, ein meysydd chwarae a'n mannau agored rhag cael eu colli am byth, i ddiwallu anghenion cenedlaethau heddiw a chenedlaethau'r dyfodol ac ategu'r rhwymedigaethau sydd ar gynghorau yng Nghymru o dan Ddeddf Llesiant Cenedlaethau'r Dyfodol 2015 a Deddf yr Amgylchedd 2016.

Rydym eisiau:

1) Gofyniad statudol i gynghorau neilltuo cyllid o £30 yr aelwyd y flwyddyn ar gyfer parciau.

2) Gweld dyletswydd gyfreithiol i bob man gwyrdd gael ei reoli i safon dda.

3) Rheolau newydd yn gwahardd gwaith datblygu ar barcdiroedd, gwerthu parcdiroedd neu ddefnyddio parcdiroedd yn amhriodol.

4) Cronfa newydd gan Lywodraeth Cymru i ddarparu cymorth brys i'r parciau sy'n wynebu'r perygl mwyaf a sicrhau dyfodol mannau gwyrdd agored Cymru yn yr hirdymor.

5) Gofyniad cyfreithiol i bob cyngor weithredu Strategaeth Mannau Agored yn unol â Safonau Meysydd Chwarae Cymru, Deddf Llesiant Cenedlaethau'r Dyfodol 2015, a Deddf yr Amgylchedd 2016, ac iddynt weithio gyda Meysydd Chwarae Cymru i ddiogelu a gwella'r holl fannau gwyrdd agored cyhoeddus yng Nghymru.

## 1. Y cefndir

### Cyllid Llywodraeth Leol

Mae cyfran sylweddol o gyllideb awdurdodau lleol yn dod yn uniongyrchol gan Lywodraeth Cymru ar ffurf cyllid refeniw. Mae awdurdodau lleol hefyd yn cael rhywfaint o gyllid cyfalaf gan Lywodraeth Cymru, ynghyd â rhywfaint o gyllid grant



Title:

---

penodol. Derbyniadau treth gyngor, a'r incwm y maent yn ei gynhyrchu ei hun, yw gweddill cyllideb yr awdurdodau.

*Y Grant Cymorth Refeniw* yw'r cyfranr helaeth o'r cyllid refeniw y bydd Llywodraeth Cymru yn ei ddarparu. Grant heb ei neilltuo yw hwn ac nid oes gofynion penodol ar awdurdod o ran y modd y bydd yn ei wario. Mae Gweinidogion Cymru wedi dweud yn gyson mai'r awdurdodau lleol eu hunain ddylai benderfynu sut i ddefnyddio'u hadnoddau, a hynny ar sail blaenoriaethau lleol.

Y Cabinet sy'n penderfynu ar faterion yn ymwneud â chyllideb awdurdodau lleol, a bydd holl aelodau'r cyngor yn pleidleisio ar y rhain. Bydd cyllid ar gyfer parciau a mannau agored yn aml yn cael ei gynnwys fel rhan o feysydd polisi ehangach, fel 'dysgu cymunedol a hamdden', ac nid yw bob amser yn amlwg. Ar hyn o bryd, nid oes dim gofyniad statudol i awdurdodau lleol glustnodi unrhyw gyllid a gânt gan Lywodraeth Cymru ar gyfer parciau a mannau agored.

Mae pob awdurdod lleol unigol yn gyfrifol am gynnal a chadw llawer o'r parciau a'r mannau agored yn ei ardal. Fodd bynnag, gall cynghorau tref neu gymuned, neu ryw gorff gwirfoddol neu breifat, gynnal a chadw rhai parciau a mannau agored.

## Polisi cynllunio

Mae polisi cynllunio cenedlaethol Llywodraeth Cymru wedi'i osod allan ym [Mholisi Cynllunio Cymru \(Rhifyn 10\) \(PPW\)](#). Mae adran 4.5 o'r ddogfen hon yn trafod mannau hamdden. Mewn perthynas â mannau gwyrdd agored a chaeau chwarae, mae'n nodi:

- Dylai'r awdurdodau cynllunio ddarparu fframwaith ar gyfer cyfleusterau chwaraeon a hamdden o ansawdd da sydd wedi'u lleoli'n dda, a datblygu polisiau clir ar gyfer darparu, diogelu a gwella cyfleusterau chwaraeon a hamdden.
- Dylai'r polisiau hyn bennu safonau ar gyfer y ddarpariaeth, fel bod modd nodi ac unioni diffygion lleol drwy'r broses gynllunio, a llunio polisiau i osgoi neu ddatrys gwrthdaro rhwng gweithgareddau gwahanol facilities.
- Dylai mannau gwyrdd agored ffurfiol ac anffurfiol gael eu diogelu rhag cael eu datblygu. Mae hynny'n arbennig o berthnasol mewn ardaloedd trefol, lle mae mannau o'r fath yn cyflawni sawl diben;

- Dylid diogelu pob maes chwarae rhag cael ei ddatblygu, boed yn eiddo i gorff cyhoeddus, preifat neu wirfoddol ac eithrio:
  - lle y gellir cadw a gwella cyfleusterau orau drwy ailddatblygu rhan fach o'r safle;
  - lle y darperir darpariaeth arall yn yr ardal o'r un budd i'r gymuned, gan osgoi colli'r ddarpariaeth dros dro; neu
  - lle y mae gormod o ddarpariaeth o'r fath yn yr ardal..
- Dylai awdurdodau cynllunio ddiogelu meysydd chwarae a mannau agored sy'n werthfawr i gymunedau lleol o ran amwynder neu hamdden, rhag cael eu datblygu; a
- Dylai awdurdodau cynllunio annog defnydd amlbwrpas o fannau agored a chyfleusterau, pan fo hynny'n briodol, er mwyn eu defnyddio'n fwy effeithiol.

Cyhoeddwyd y fersiwn ddiweddaraf o Bolisi Cynllunio Cymru (Rhifyn 10) fis Rhagfyr 2018. Mae strwythur y ddogfen hon yn wahanol iawn i'r fersiynau blaenorol, a hynny er mwyn ystyried *Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015*.

Mae Polisi Cynllunio Cymru newydd hefyd yn cyflwyno'r cysyniad o 'Creu Lle' i helpu i 'gyflawni dyheadau' Deddf Llesiant Cenedlaethau'r Dyfodol. Mae Polisi Cynllunio Cymru yn disgrifio'r broses o greu lle (ar dudalen 16) fel:

... ffordd holistig o fynd ati i gynllunio a dylunio datblygiadau a lleoedd yw "creu lle", sy'n canolbwyntio ar ganlyniadau positif. Mae'n tynnu ar botensial ardal i greu datblygiadau a mannau cyhoeddus o ansawdd uchel sy'n hyrwyddo ffyniant, iechyd, hapusrwydd a llesiant pobl yn eu hystyr ehangaf.

Mae Comisiynydd Cenedlaethau'r Dyfodol wedi [cyfeirio at y Polisi diwygiedig fel esiampl](#) o'r modd y dylai polisi cyhoeddus adlewyrchu'r Ddeddf.

Mae cyfres o Nodiadau Cyngor Technegol (TAN) yn ategu Polisi Cynllunio Cymru ac mae'r rhain yn cynnig canllawiau ychwanegol ar faterion cynllunio penodol.

Ym mharagraff 2.2 yn [TAN 16: Chwaraeon, Hamdden a Mannau Agored](#), nodir mai'r ffordd orau i awdurdodau cynllunio gyflawni'r amcanion a nodir ym Mholisi Cyhoeddus Cymru yw drwy gynnal asesiadau lleol o anghenion a chynnal archwiliadau o'r ddarpariaeth bresennol, a hynny ar ffurf Asesiad o Fannau Agored.

Title:

---

Dylid defnyddio'r Asesiad o Fannau Agored i baratoi ac adolygu Cynllun Datblygu Lleol (CDLI) yr awdurdod.

Mae paragraff 2.4 yn mynd rhagddo i ddweud y dylai'r Asesiadau o Fannau Agored a'r polisiau CDLI fod yn sail i Strategaeth Mannau Agored corfforaethol ehangach, ac y dylid paratoi hyn ar y cyd ag adrannau eraill o'r awdurdod lleol a rhanddeiliaid allweddol.

### **Deddfwriaeth yn ymwneud â gwaredu caeau chwarae**

Mae *Rheoliadau Caeau Chwarae (Ymgysylltiad Cymunedau â Phenderfyniadau Gwaredu) (Cymru) 2015*, a wnaed o dan y *Mesur (Ymgysylltiad Cymunedau â Phenderfyniadau Gwaredu) (Cymru) 2010*, yn darparu ar gyfer cynnwys cymunedau mewn penderfyniadau awdurdodau lleol ynghylch cynigion i waredu tir sy'n cynnwys cae chwarae, neu dir sy'n rhan o gae chwarae.

Prif ddiben y ddeddfwriaeth yw:

- Ei gwneud yn ofynnol i Awdurdod Lleol gyhoeddi gwybodaeth am effaith cynnig i gael gwared ar gae chwarae ar iechyd a lles y gymuned, drwy gyfeirio at nifer o strategaethau, cynlluniau ac asesiadau allweddol ar gyfer yr ardal lle mae'r cae chwarae wedi'i leoli; a
- Chryfhau'r trefniadau ar gyfer ymgynghori â'r gymuned, defnyddwyr y cae chwarae a chyrrff cenedlaethol perthnasol cyn i Awdurdod Lleol ddod i benderfyniad terfynol i fwrw ymlaen â chynnig i waredu.

Mae rhagor o wybodaeth i'w chael yn y [canllawiau statudol ar y rheoliadau](#).

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





Eich cyf/Your ref: P-05-893  
Ein cyf/Our ref JJ/06243/19

Janet Finch-Saunders AC  
Cadeirydd y Pwyllgor Deisebau

[SeneddDeisebau@Cynulliad.Cymru](mailto:SeneddDeisebau@Cynulliad.Cymru)

13 Awst 2019

Annwyl Janet,

Diolch am eich llythyr dyddiedig 16 Gorffennaf ynghylch Deiseb P-05-893 - Achub Ein Parciau yng Nghymru

Mae Llywodraeth Cymru yn cydnabod y buddion niferus y gall mannau gwyrdd ac agored o ansawdd da eu cynnig. Mae mannau agored yn ganolbwynt ar gyfer chwaraeon a hamdden yn ein dinasoedd, ein trefi a'n pentrefi. Maent yn lleoedd cynhwysol eu natur, gan ddarparu mynediad i bobl o bob oed a chefnidir i amgylcheddau gwyrdd, iach. Rydym yn cydnabod yn ein Polisi Adnoddau Naturiol y cyfraniad sylweddol y mae mannau agored yn ei wneud i fioamrywiaeth ac ecoleg ledled y wlad ac rydym yn tynnu sylw at bwysigrwydd cael mannau gwyrdd hygyrch o ansawdd da yn ein cymunedau.

### **Cynllunio a mannau agored**

Mae'r system gynllunio yn chwarae rhan bwysig a rhagweithiol wrth hyrwyddo gwerth mannau agored a sicrhau eu bod yn lleoedd hygyrch a deniadol. Mae polisi cynllunio cenedlaethol, a nodir ym Mholisi Cynllunio Cymru (Gol. 10, 2019), yn ymgorffori nodau Deddf Llesiant Cenedlaethau'r Dyfodol yn y system gynllunio. Mae hyn yn cynnwys ein hagwedd tuag at fannau agored, lle mae polisi cynllunio yn darparu cefnogaeth gref ar gyfer creu mannau agored newydd a chynnal y ddarpariaeth bresennol.

Mae Polisi Cynllunio Cymru, wedi'i ategu gan ganllawiau Nodyn Cyngor Technegol (TAN) 16: *chwaraeon, hamdden a mannau agored* (2009), yn ceisio sicrhau bod ddarpariaeth ddigonol o barciau a chaeau chwarae ledled Cymru. Mae awdurdodau cynllunio lleol yn cynnal Aseidiadau Mannau Agored, sy'n edrych ar ansawdd a maint y mannau agored yn eu hardal, i lywio polisïau a chynigion yn eu Cynlluniau Datblygu Lleol (CDLI). Yn nodweddiadol, bydd CDLI yn nodi mannau agored presennol ac yn amlinellu gofynion ar gyfer darparu mannau agored newydd fel rhan o ddatblygiadau tai neu ddefnydd cymysg.

Mae gan y system gynllunio rôl allweddol hefyd wrth amddiffyn mannau agored presennol rhag datblygiad amhriodol ac rhag cael eu colli. Mae Polisi Cynllunio Cymru yn nodi "dylai awdurdodau cynllunio amddiffyn caeau chwarae a mannau agored sydd â gwerth amwynder neu hamdden sylweddol i gymunedau lleol rhag datblygu". Mae Chwaraeon

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Julie.James@llyw.cymru](mailto:Gohebiaeth.Julie.James@llyw.cymru)  
[Correspondence.Julie.James@gov.Wales](mailto:Correspondence.Julie.James@gov.Wales)

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

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

Cymru yn ymgynghorydd statudol ar geisiadau cynllunio sy'n effeithio ar gaeau chwarae, gan ddarparu cyngor gwerthfawr i awdurdodau cynllunio lleol.

Cefnogir amcanion y system cynllunio gan Cadw, sy'n diogelu gerddi, parciau a mannau gwyrdd eraill o ddiddordeb hanesyddol drwy'r broses gofrestru. Maent yn sicrhau bod pob safle ar y gofrestr o barciau a gerddi yng Nghymru yn cael eu hamddiffyn drwy'r system gynllunio. Nid yw'r gofrestr yn rhestr gaeedig a gellir ychwanegu safleoedd newydd sy'n bodloni'r meini prawf ar gyfer cofrestru gan roi amddiffyniad pellach rhag datblygu.

### **Cyllid**

Mae'r mwyafrif helaeth o arian Llywodraeth Cymru ar gyfer parciau a mannau agored yn cael ei ddarparu trwy'r setliad llywodraeth leol heb ei ddynodi. Cyflwynir y setliad ar y sail mai awdurdodau lleol unigol sydd yn y sefyllfa orau i wneud penderfyniadau ynghylch blaenoriaethau gwariant yn eu hardaloedd. Mae'r system ariannu sydd gennym ar waith yn rhoi hyblygrwydd i awdurdodau lleol wneud y penderfyniadau hynny.

### **Cynnal mannau gwyrdd ac agored i safonau uchel**

Rydym yn cydnabod pwysigrwydd mannau gwyrdd lleol hygyrch o ansawdd da ac felly rydym yn ariannu'r Wobr Baner Werdd yng Nghymru, sef y meincnod ar gyfer parciau a mannau gwyrdd ledled y DU. Mae Gwobr y Faner Werdd yn helpu i wella ystod eang o fannau agored, trwy annog buddsoddiad a balchder yn ein mannau agored, gan gynnwys llawer mewn ardaloedd trefol. Ar hyn o bryd mae 201 o safleoedd wedi'u dyfarnu ledled Cymru, gan gynnwys 112 o Wobrau Cymunedol.

### **Gwaredu mannau gwyrdd ac agored**

Mewn rhai amgylchiadau gall fod yn briodol cael gwared ar fannau agored neu eu hailddatblygu at ddefnydd arall. Mae Polisi Cynllunio Cymru yn nodi amgylchiadau lle gallai hyn fod yn briodol a gofynnir am farn Chwaraeon Cymru yn y sefyllfaoedd hyn. Mae amddiffyniad pellach rhag colli lleoedd chwarae yn amhriodol trwy ddeddfwriaeth sy'n llywodraethu prosesau i'w dilyn gan awdurdodau lleol. Mae'r [rheoliadau hyn](#) yn ei gwneud yn ofynnol i awdurdodau lleol hysbysebu eu bwriad ac ystyried unrhyw sylwadau y mae'n eu derbyn cyn y gallant gael gwared ar gaeau chwarae.

Yn gywir,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government

### **P-05-894 Ardrethi busnes tecach i fusnesau Cymru**

Cyflwynwyd y ddeiseb hon gan Your Pontypridd Business Improvement District, ar ôl casglu cyfanswm o 80 lofnodion.

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

Rydym yn galw ar Lywodraeth Cymru i gydnabod natur newidiol y sector manwerthu yng Nghymru dros y degawd diwethaf ac ystyried trafod ffyrdd o gyflwyno ardrethi busnes tecach fel rhan o system trethi Gymreig fwy blaengar i fusnesau yng nghanol ein trefi, mewn parciau manwerthu ac ar-lein i gynrychioli'r newidiadau hyn yn llawn.

Mae trefi a dinasoedd llewyrchus a chynaliadwy yn bwysig i bawb sy'n byw ac yn gweithio ynddynt ac mae Llywodraeth yr Alban wedi cydnabod hyn drwy ystyried codi trethi i barciau manwerthu ac mae Plaid Lafur y DU am brisiadau ardrethi busnes blynyddol, gan gydnabod yn rhannol yr angen i ystyried rhannu'r baich treth yn fwy cyfartal.

Dyma gyfle i Lywodraeth Cymru arwain ardrethi a threthi busnes tecach ac rydym ni, yn Ardal Gwella Busnes (BID) Eich Pontypridd, yn eich annog i achub ar y cyfle i ddangos i'n busnes lleol eich bod yn deall ei anghenion nawr ac yn y dyfodol.

#### **Gwybodaeth ychwanegol:**

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

- Pontypridd
- Canol De Cymru

# Deiseb: Ardrethi busnes tecach i fusnesau Cymru

Y Pwyllgor Deisebau | 17 Medi 2019  
Petitions Committee | 17 September 2019

## Papur briffio gan Ymchwil y Senedd:

Rhif y ddeiseb: P-05-894

Teitl y ddeiseb: Ardrethi busnes tecach i fusnesau Cymru

Rydym yn galw ar Lywodraeth Cymru i gydnabod natur newidiol y sector manwerthu yng Nghymru dros y degawd diwethaf ac ystyried trafod ffyrdd o gyflwyno ardrethi busnes tecach fel rhan o system trethi Gymreig fwy blaengar i fusnesau yng nghanol ein trefi, mewn parciau manwerthu ac ar-lein i gynrychioli'r newidiadau hyn yn llawn.

Mae trefi a dinasoedd llewyrchus a chynaliadwy yn bwysig i bawb sy'n byw ac yn gweithio ynddynt ac mae Llywodraeth yr Alban wedi cydnabod hyn drwy ystyried codi trethi i barciau manwerthu ac mae Plaid Lafur y DU am brisiadau ardrethi busnes blynyddol, gan gydnabod yn rhannol yr angen i ystyried rhannu'r baich treth yn fwy cyfartal.

Dyma gyfle i Lywodraeth Cymru arwain ardrethi a threthi busnes tecach ac rydym ni, yn Ardal Gwella Busnes (BID) Eich Pontypridd, yn eich annog i achub ar y cyfle i ddangos i'n busnes lleol eich bod yn deall ei anghenion nawr ac yn y dyfodol.

## Y cefndir

Mae [ardrethi busnes](#) (a elwir hefyd yn ardrethi annomestig) wedi'u datganoli'n llwyr i Gymru ers mis Ebrill 2015. Mae ardrethi busnes yn dreth eiddo a delir ar eiddo annomestig a dyma'r modd y mae busnesau a defnyddwyr eraill eiddo annomestig yn cyfrannu tuag at gost gwasanaethau awdurdodau lleol.



Mae Llywodraeth Cymru yn pennu'r lluosydd ardrethi busnes bob blwyddyn ariannol, ac yn pennu polisi ardrethi busnes cenedlaethol, gan gynnwys pennu rhyddhad o ran ardrethi. Gall awdurdodau lleol hefyd ddyfarnu rhyddhadau dewisol ar gyfer busnes o fewn eu hawdurdod. Yn gyffredinol, mae ailbrisiadau ardrethi busnes wedi digwydd bob pum mlynedd. Daeth yr ailbrisiad diweddaraf i rym ym mis Ebrill 2017, a bwriedir i'r nesaf gael ei gynnal yn 2021 (wedi'i ddwyn ymlaen o 2022).

## Y camau gweithredu gan Lywodraeth Cymru

### Rhyddhad ardrethi busnes

Dywed y Gweinidog Cyllid a'r Trefnydd yn ei llythyr ynghylch y ddeiseb hon fod Llywodraeth Cymru yn darparu "dros £210 miliwn" o gymorth rhyddhad ardrethi yn 2019–20. Aiff y Gweinidog ymlaen i nodi, "bydd mwy na thri chwarter y trethdalwyr yng Nghymru yn elwa o'r rhyddhadau hyn, gyda hanner yn talu dim byd o gwbl".

Mae [Rhyddhadau sydd ar gael i fusnesau](#) sy'n bodloni meini prawf penodol ac sydd ar gael gan Lywodraeth Cymru ac awdurdodau lleol yn cynnwys:

- Rhyddhad Ardrethi Busnesau Bach (SBRR)
- Rhyddhad Trosiannol
- Rhyddhad Cyfraddau Stryd Fawr a Manwerthu
- Rhyddhad ar gyfer Prosiectau Ynni Dŵr
- Rhyddhad cyfradd elusennol
- Rhyddhad ardrethi ar gyfer eiddo gwag
- Rhyddhad caledi
- Rhyddhad dewisol

Mae rhai eiddo hefyd wedi'u heithrio rhag ardrethi busnes, fel:

- tir ac adeiladau amaethyddol, gan gynnwys ffermydd pysgod
- adeiladau a ddefnyddir ar gyfer hyfforddi neu les pobl anabl
- adeiladau sydd wedi'u cofrestru ar gyfer addoliad crefyddol cyhoeddus a neuaddau eglwys

### Polisi trethi

Mae "[Adroddiad ar bolisi trethi Cymru 2018](#)" Llywodraeth Cymru (dyddiedig Hydref 2018) yn amlinellu camau i newid ei chynllun Rhyddhad Ardrethi Busnesau Bach, gan gynnwys i

ddatblygu polisi trethiant lleol fel rhan o'r gwaith i ddiwygio cyllid llywodraeth leol yn ehangach. Mae'r adroddiad yn amlinellu y bydd Llywodraeth Cymru yn ystyried "a oes modd gwneud trethi lleol yn decach".

Mae'r adroddiad hefyd yn nodi blaenoriaeth Llywodraeth Cymru i:

Gweithredu cynllun rhyddhad ardrethi busnesau bach sydd wedi'i dargedu'n well ym mis Ebrill 2018. Parhau i ddatblygu'r cynllun ar ôl 2018 i sicrhau ei fod yn diwallu anghenion Cymru

Yn yr adroddiad, mae Llywodraeth Cymru yn manylu ar yr [ymgyngoriad](#) a gynhaliwyd ganddi a oedd â'r nod o wella Rhyddhad Ardrethi Busnesau Bach yn 2017, a chamau gweithredu â blaenoriaeth dilynol, gan gynnwys:

- Rhyddhad uwch i safleoedd gofal plant i gefnogi ein hymrwymiad i gynnig 30 awr o ofal plant yn rhad ac am ddim i rieni oed gweithio sydd â phlant tair a phedair oed;
- Cymorth wedi'i dargedu i brosiectau ynni cymunedol;
- Estyniad i gynllun rhyddhad ardrethi'r stryd fawr ar gyfer 2018–19;
- £1.3m ychwanegol i awdurdodau lleol yn 2018–19 i ddarparu rhyddhad dewisol i fusnesau lleol a thalwyr ardrethi eraill a fyddai'n elwa o gymorth a bennir yn lleol.

Mae'r Adroddiad ar Bolisi Trethi yn amlinellu bod y camau hyn wedi'u hariannu drwy gyfyngu ar nifer yr eiddo sy'n gymwys am Ryddhad Ardrethi Busnesau Bach i ddau i bob busnes ym mhob awdurdod lleol. Dywedodd Llywodraeth Cymru:

Mae'r polisi hwn yn atal busnesau mwy o faint a chadwyni cenedlaethol rhag elwa ar y cynllun rhyddhad ardrethi busnesau bach a gynlluniwyd fel cymorth i fusnesau bach. Amcanir i'r newid hwn ryddhau £7m y flwyddyn sy'n cael ei ail-fuddsoddi i gefnogi busnesau bach.

Hefyd, ar [27 Medi 2018](#) cyhoeddodd Llywodraeth Cymru y byddai'n darparu 100% rhyddhad ardrethi i'r holl ddarparwyr gofal plant o fis Ebrill 2019 ymlaen.

Mae'r Adroddiad ar Bolisi Trethi yn nodi:

Wrth i Lywodraeth Cymru werthuso'r newidiadau a wnaed eleni, mae'n parhau i ystyried ac i archwilio newidiadau a gwelliannau i ardrethi annomestig a chynlluniau rhyddhad. Mae'r rhain yn cynnwys rhyddhad â chyfyngiad amser a gwneud mwy i helpu busnesau sy'n cefnogi blaenoriaethau cymdeithasol, economaidd neu amgylcheddol.

Mae'r Adroddiad ar Bolisi Trethi hefyd yn cynnwys gwybodaeth sy'n ymwneud â chamau i fynd i'r afael ag efadu ac osgoi talu ardrethi annomestig.

Yn ei adroddiad '[Diwygio cyllid llywodraeth leol yng Nghymru: diweddariad 2018](#)' (Hydref 2018) mae Llywodraeth Cymru yn rhoi manylion y newidiadau y mae wedi'u gwneud i'r system ardrethi busnes, gan gynnwys newidiadau i'r gweithdrefnau uwchraddio blynyddol i adlewyrchu symudiadau yn y Mynegai Prisiau Defnyddwyr (CPI) yn hytrach na'r Mynegai Prisiau Manwerthu (RPI), fel y gwnaed o'r blaen. Mae'r adroddiad hefyd yn ystyried hyblygrwydd cyllid ar gyfer llywodraeth leol, ac mae'n nodi:

Rydym hefyd wedi dechrau archwilio'r posibilrwydd o ddefnyddio dull rhannu enillion ar gyfer trethi lleol, lle gallai'r awdurdodau lleol gadw rhan o'r refeniw ychwanegol y byddent yn ei godi drwy eu hymdrechion eu hunain. Mae hyn yn golygu edrych ar y potensial ar gyfer rhyw fath o gadw ardrethi annomestig ar sail ranbarthol mewn cysylltiad â'r bargeinion dinesig presennol – ac, o bosibl, â'r bargeinion twf yn y dyfodol – lle byddai camau gweithredu'r awdurdodau lleol ar y cyd yn arwain at dwf net mewn refeniw ardrethi.

## Ailbrisiadau Ardrethi Busnes

Mae'r ailbrisiad ardrethi busnes nesaf yng Nghymru [i ddigwydd yn 2021](#), yn unol â'r ailbrisiad nesaf yn Lloegr. Mae wedi cael ei ddwyn ymlaen flwyddyn, o 2022.

Mae'r ddogfen '[Diwygio cyllid llywodraeth leol yng Nghymru: diweddariad 2018](#) Llywodraeth Cymru yn amlinellu ailbrisió fel:

... adolygiad achlysurol o werthoedd trethadwy pob eiddo annomestig yng Nghymru. Mae'n cael ei gynnal i sicrhau tegwch a manwl gywirdeb y system drwy aiddosbarthu'r atebolrwydd treth ymhlith trethdalwyr i adlewyrchu newidiadau yn y farchnad eiddo ac i gofnodi unrhyw newidiadau sydd wedi'u gwneud i eiddo.

Aiff ymlaen i ddweud:

Ar 11 Gorffennaf 2018, cyhoeddodd Llywodraeth Cymru y byddai'n cynnal yr ymarfer ailbrisió nesaf ar gyfer ardrethi annomestig flwyddyn ynghynt, 2021 yn lle 2022. Mae'r cyhoeddiad hwn yn golygu y bydd y gwerthoedd trethadwy y seilir biliau ardrethi annomestig arnynt yn adlewyrchu amodau diweddaraf y farchnad ac yn galluogi trethdalwyr i gynllunio ymlaen ar gyfer newidiadau mewn atebolrwydd. Nid codi refeniw ychwanegol yw nod yr ymarfer.

[Asiantaeth y Swyddfa Brisió](#) (VOA) sy'n gyfrifol am gynnal ymarferion ailbrisió. Mae Llywodraeth Cymru yn nodi bod Asiantaeth y Swyddfa Brisió yn llunio'r rhestr ardrethi a ddefnyddir gan awdurdodau lleol at ddibenion bilio a chasglu, ac mae'r rhestr newydd i fod yn weithredol ar 1 Ebrill 2021. Aiff y diweddariad ymlaen i nodi bod Llywodraeth y DU wedi cyhoeddi y bydd yn mabwysiadu cylch ailbrisió bob tair blynedd yn Lloegr ar ôl 2021, ond mae Llywodraeth Cymru yn awgrymu y byddai'n "gynamserol ymrwymo i'r un cylch tair blynedd".

Mae'r diweddariad yn nodi bod Llywodraeth Cymru yn bwriadu edrych yn fanwl ar ffyrdd gwell ac amlach o brisió eiddo annomestig o fewn y fframwaith presennol ar gyfer ardrethi annomestig, os daw Llywodraeth Cymru i'r casgliad nad yw mathau eraill o dreth yn hyfyw.

Ar [9 Gorffennaf 2019](#), cytunodd Cynulliad Cenedlaethol Cymru i dderbyn cynnig:

... y dylai Senedd y DU ystyried y darpariaethau yn y Bil Ardrethi Annomestig (Rhestrau) i'r graddau y maent yn dod o fewn cymhwysedd deddfwriaethol Cynulliad Cenedlaethol Cymru

Amlinellodd y Gweinidog Cyllid a'r Trefnydd ddibenion y [Bil Ardrethi Annomestig \(Rhestrau\) 2018-19](#):

The UK Government introduced the Non-Domestic Rating (Lists) Bill on 12 June to provide for a number of technical changes to the non-domestic rates system in both England and Wales. Following my

predecessor's announcement in July last year, provisions in the Bill applying to Wales will bring forward the next non-domestic rates revaluation date from 2022 to 2021 and adjust the deadline for the submission of proposed lists from September to December in the preceding valuation year.

## Dulliau amgen o drethu

Mae'r ddogfen '[Diwygio cyllid llywodraeth leol yng Nghymru: diweddariad 2018](#) gan Lywodraeth Cymru yn amlinellu gwaith ymchwil y mae'n bwriadu ei gynnal drwy gydol 2019, gan gynnwys edrych ar:

... ymarferoldeb treth gwerth tir fel opsiwn posibl i gymryd lle ardrethi annomestig. Byddai hwn yn gam cychwynnol gyda'r nod o asesu treth gwerth tir ymhellach i gymryd lle treth gyngor.

Mae'r '[Adroddiad ar bolisi trethi Cymru 2018](#) Llywodraeth Cymru yn manylu ar fwriad Llywodraeth Cymru i archwilio dull gwahanol o ymdrin â threthi lleol yng Nghymru, gan gynnwys Treth Gwerth Tir, ac a allai'r dulliau hynny ddod â buddion. Yn yr adroddiad, nodir:

Yn 2019, bydd y ffocws ar waith empirig a thechnegol i asesu hyd a lled yr heriau ymarferol hyn. Bydd Llywodraeth Cymru yn ymgymryd â darnau gwahanol ond cysylltiedig o ymchwil yn ymwneud â blaengaredd y dreth gyngor ac effaith diwygio lles; ymarfer ailbrizio damcaniaethol; ffyrdd eraill o brizio eiddo domestig ac annomestig ac archwilio dichonoldeb treth ar werth tir.

Mae Llywodraeth Cymru yn bwriadu dod â chanfyddiadau o'r gwaith technegol hwnnw at ei gilydd yn gynnar yn 2020 ac amlinellu posibiliadau cyn etholiadau Cynulliad Cenedlaethol Cymru yn 2021.

## Cefnogaeth arall i fusnesau

Mae'r Gweinidog Cyllid a'r Trefnydd yn nodi yn ei llythyr ynghylch y ddeiseb hon fod gan Lywodraeth Cymru hefyd nifer o fentrau sy'n darparu cefnogaeth ariannol i ganol trefi, gan gynnwys:

- £100 miliwn [Rhaglen targedu Buddsoddiad mewn Adfywio](#) (2018–21)
- £54 miliwn [Rhaglen Adeiladu ar gyfer y Dyfodol](#) (2017–2022)
- £31.5 miliwn [Cynllun Cronfa Benthyciadau Canol Trefi](#) (cychwynnwyd yn 2014–15)
- £262,000 ar gyfer [Ardaloedd Gwella Busnes](#) (2018–19 a 2019–20)

## Datblygiadau yn yr Alban

Mae'r ddeiseb yn cyfeirio at ddulliau gweithredu yn yr Alban o ran ardrethi busnes. Yn 2017 cyhoeddodd Llywodraeth yr Alban [adroddiad annibynnol ar gyfraddau ardrethi annomestig](#) ("Adroddiad Barclay"). Daeth yr adroddiad hwnnw i'r casgliad:

... some form of property tax is still an appropriate way to fund the local services provided by councils, as the whole of society benefits from the services they provide (such as education, social care and road

maintenance). However, we also acknowledge that a property tax does not adequately cover all aspects of the fast growing digital economy...

Roedd Llywodraeth yr Alban [am fynd i'r afael ar unwaith](#) â nifer o agweddau ar yr adolygiad, gan gynnwys cynnal ailbrisiadau mwy rheolaidd ac mae wedi [ymgyngori](#) ar weithredu agweddau ar yr adolygiad hwnnw a fyddai angen deddfwriaeth sylfaenol. Mae [Bil Ardrethi Annomestig \(Yr Alban\)](#) ar hyn o bryd ar ei hynt drwy Senedd yr Alban. Mae'r nodiadau polisi sy'n cyd-fynd â'r Bil hwnnw yn amlinellu na fydd Llywodraeth yr Alban yn bwrw ymlaen â'r argymhelliad i godi ychwanegiad ardrethi busnes ar fusnesau sydd wedi'u lleoli ar-lein neu y tu allan i drefi yn bennaf.

## Datblygiadau diweddar eraill

- Cynhaliodd Llywodraeth Cymru ymgyngoriad rhwng 8 Mawrth 2019 a 30 Mai 2019 ynghylch y [cyfraddau datgyfalafu i Gymru ar gyfer ailbrisio ardrethi annomestig 2021](#).
- Ar 10 Mehefin 2019, [ymatebodd](#) y Gweinidog Cyllid a'r Trefnydd i gwestiwn ysgrifenedig ar gefnogaeth i dafarndai mewn perthynas ag ardrethi annomestig.
- Ar 16 Mehefin 2019, cyflwynodd y Gweinidog Cyllid a'r Trefnydd [gynnig i'r Cynulliad](#) o ran Cynnig Cydsyniad Deddfwriaethol sy'n caniatáu i Lywodraeth y DU ddeddfu i [ostwng yr ardrethi atebolrwydd ar gyfer toiledau cyhoeddus i ddim](#) o 1 Ebrill 2020.
- Amlinellodd Llywodraeth Cymru, ym mis [Ionawr 2019](#), ei bod yn bwriadu ymgyngori ar gael gwared ar y rhyddhad ardrethi elusennol o ysgolion preifat ac ysbytai preifat.
- Ar 13 Awst 2019, [ysgrifennodd grŵp o fanwerthwyr at y Canghellor](#) (Llywodraeth y DU) yn gofyn am ddiwygio'r system ardrethi busnes.

Yn ddiweddar, mae'r Pwyllgor Deisebau wedi ystyried deiseb arall yn ymwneud ag ardrethi busnes:

- P-05-855 Adolygiad o ryddhad ardrethi busnesau bach ([29 Ionawr 2019](#)).

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



Ein cyf RE/05313/19

Janet Finch-Saunders AC  
Cadeirydd y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Caerdydd  
CF99 1NA  
[SeneddDeisebau@cynulliad.cymru](mailto:SeneddDeisebau@cynulliad.cymru)

24 Gorffennaf 2019

Annwyl Janet,

Diolch ichi am eich llythyr ynghylch ardrethi annomestig a'r diwydiant manwerthu, a anfonwyd ar ran y Pwyllgor Deisebau.

Rwyf yn deall y buddion cymdeithasol, economaidd ac amgylcheddol pwysig y mae busnesau'n eu darparu ledled Cymru. Am y rheswm hwn, mae Llywodraeth Cymru wedi sefydlu nifer o gynlluniau i helpu talwyr ardrethi gyda'u biliau ardrethi annomestig. Yn 2019-20 mae Llywodraeth Cymru'n darparu rhyddhad ardrethi o dros £210 miliwn i ystod eang o fusnesau a thalwyr ardrethi eraill. Bydd mwy na thri chwarter o dalwyr ardrethi yng Nghymru'n elwa ar y rhyddhad hwnnw, gyda hanner yn talu dim byd o gwbl.

Mae Llywodraeth Cymru wedi ymrwmo i gefnogi busnesau ac ym mis Rhagfyr 2018 cyhoeddwyd bod swm ychwanegol o £23.6 miliwn yn cael ei fuddsoddi i estyn a gwella ein cynllun rhyddhad ar gyfer y Stryd Fawr am flwyddyn bellach i mewn i 2019-20. Bydd y cynllun ehangach yn mynd yn sylweddol bellach na'r blynyddoedd blaenorol, gan ddarparu cymorth i ryw 15,000 o fanwerthwyr yng Nghymru gyda gwerth ardrethol o hyd at £50,000. Mae'r cyfyngiad ynghylch sicrhau gostyngiad mewn gwerth ardrethol i eiddo yn sgil ailbrizio wedi'i ddileu. O ganlyniad, ar yr amod bod amgylchiadau'n bodloni'r meini prawf, dylai talwyr ardrethi fod yn gymwys am Ryddhad y Stryd Fawr o hyd at £2,500 yn 2019-20. Mae'r cynllun yn seiliedig ar geisiadau. I gael gwybodaeth bellach am sut i wneud cais, dylai talwyr ardrethi gysylltu â'u hawdurdod lleol.

Mae gwybodaeth bellach am y gwahanol fathau o ryddhad sydd ar gael i'w chael ar y wefan ganlynol:

<https://businesswales.gov.wales/business-rates-relief-in-wales>.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Correspondence.Rebecca.Evans@gov.wales](mailto:Correspondence.Rebecca.Evans@gov.wales)  
[Gohebiaeth.Rebecca.Evans@llyw.cymru](mailto:Gohebiaeth.Rebecca.Evans@llyw.cymru)

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

**Tudalen y pecyn 58**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Mae gan Lywodraeth Cymru nifer o fentrau hefyd sy'n cynnig cymorth ariannol ar gyfer canol trefi. Mae hyn yn cynnwys ein rhaglen Targedu Buddsoddiad mewn Adfywio gwerth £100m, ein rhaglen adfywio Adeiladu ar gyfer y Dyfodol gwerth £54m, ein cynllun Benthyciadau Canol Trefi gwerth £31.5m £262,000 ar gyfer Ardaloedd Gwella Busnes.

Ym mis Gorffennaf 2018, cyhoeddodd Llywodraeth Cymru y byddai'n dwyn y gwaith o ailbriso ardrethi annomestig yng Nghymru ymlaen o 2022 to 2021, gan gynnig sicrwydd i dalwyr ardrethi a sicrhau bod yr ailbrisiadau sy'n sail i'r system ardrethi annomestig yn dal yn amserol ac yn gywir. Nid oes cyhoeddiad wedi'i wneud ynghylch amllder ailbrisiadau yng Nghymru wedi hynny, gan ein bod, yn hytrach, yn ymchwilio i ymagweddau amgen at ailbriso a threthi lleol yn ehangach.

Mae'r ddeiseb oddi wrth Ardal Gwella Busnes "Your Pontypridd" yn codi rhai pwyntiau diddorol ynghylch y newid yn natur manwerthu a gwario gan ddefnyddwyr. Bydd yr Ardal yn falch o wybod fy mod yn edrych ar ddewisiadau ar gyfer diwygio trethi lleol yn y tymor hwy gan gynnwys datblygu ein cynlluniau rhyddhad ymhellach i sicrhau eu bod yn cael eu targedu i fodloni anghenion Cymru yn y ffordd orau. Mae'n fwriad gennym arddel dull gweithredu blaengar, teg a thryloyw tuag at drethi lleol, sy'n parhau i ddarparu cyllid ar gyfer gwasanaethau lleol hanfodol. Ar 24 Hydref 2018, cyhoeddodd Llywodraeth Cymru ddiweddariad ar gynnydd y gwaith hwn. Mae ar gael yma:

<https://gov.wales/reforming-local-government-finance-wales-2018-update>

Caiff diweddariad pellach am y gwaith hwn ei gyhoeddi yn nes ymlaen eleni.

Yn gywir,



**Rebecca Evans AC/AM**

Y Gweinidog Cyllid a'r Trefnydd  
Minister for Finance and Trefnydd

## Eitem 2.3

### **P-05-896 Atal Ward 35 yn Ysbyty'r Tywysog Siarl rhag Cau**

Cyflwynwyd y ddeiseb hon gan Beverly Gillespie, ar ôl casglu cyfanswm o 281 lofnodion.

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

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i atal unig ward dementia Merthyr Tudful rhag cau. Mae Ward 35 yn Ysbyty'r Tywysog Siarl yn darparu seibiant hanfodol i deuluoedd ac anwyliaid preswylwyr lleol sy'n dioddef clefyd Alzheimer a ffurfiau eraill ar ddementia. Heb yr ased hanfodol hwn, mae bygythiad gwirioneddol o niwed y gellir ei atal i'r bobl fwyaf agored i niwed. Erbyn hyn, ni all llawer o bobl ofalu am aelodau'r teulu sydd â'r cyflwr hwn oherwydd bod angen gofal arnynt hwythau neu oherwydd pwysau gwaith ac ymrwymadau gofal plant. Ystyriwch y goblygiadau negyddol ehangach o gau'r ward hon a'r boen y byddai'n ei hachosi i lawer o deuluoedd, y byddai eu ward dementia agosaf filltiroedd i ffwrdd.

#### **Gwybodaeth ychwanegol:**

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

- Merthyr Tudful a Rhymni
- Dwyrain De Cymru



# Atal Ward 35 rhag Cau

Pwyllgor Deisebau | 17 Medi 2019  
Petitions Committee | 17 September 2019

Cyfeirnod: RS19/10339

Rhif y ddeiseb: P-05-896

Teitl y ddeiseb: Atal Ward 35 yn Ysbyty'r Tywysog Siarl rhag Cau

## Testun y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i atal unig ward dementia Merthyr Tudful rhag cau. Mae Ward 35 yn Ysbyty'r Tywysog Siarl yn darparu seibiant hanfodol i deuluoedd ac anwyliaid preswylwyr lleol sy'n dioddef clefyd Alzheimer a ffurfiau eraill ar ddementia. Heb yr ased hanfodol hwn, mae bygythiad gwirioneddol o niwed y gellir ei atal i'r bobl fwyaf agored i niwed. Erbyn hyn, ni all llawer o bobl ofalu am aelodau'r teulu sydd â'r cyflwr hwn oherwydd bod angen gofal arnynt hwythau neu oherwydd pwysau gwaith ac ymrwymadau gofal plant. Ystyriwch y goblygiadau negyddol ehangach o gau'r ward hon a'r boen y byddai'n ei hachosi i lawer o deuluoedd, y byddai eu ward dementia agosaf filltiroedd i ffwrdd.

## Y cefndir

Mewn gohebiaeth i'r Pwyllgor dyddiedig 2 Awst 2019, dywed y Gweinidog Iechyd a Gwasanaethau Cymdeithasol y sefydlwyd Ward 35 yn Ysbyty'r Tywysog Siarl a Ward 7 yn Ysbyty Cwm Cynon tua saith mlynedd yn ôl fel rhan o raglen strategol



Bwrdd Iechyd Cwm Taf i foderneiddio gwasanaethau iechyd meddwl i bobl hŷn. Y bwriad oedd darparu gofal i gleifion oedd angen eu derbyn i'r ysbyty am gyfnod hwy o driniaeth cyn eu rhyddhau.

Mae'r Gweinidog yn nodi bod y Bwrdd Iechyd wedi dweud bod nifer y bobl sydd angen y math hwn o ofal wedi gostwng yn sylweddol ers hynny am amrywiol resymau, gan gynnwys y buddsoddiad a wnaed i gryfhau gwasanaethau cymunedol yn agosach i'r cartref a datblygiadau mewn triniaethau. Ar gyfer trigolion Merthyr Tudful, mae'n debygol y bydd nifer y cleifion sydd angen gofal o'r fath mewn ysbyty yn llai na deg y flwyddyn.

Dywedir bod y Bwrdd Iechyd wedi nodi model mwy holistig o ofal yng Nghwm Cynon, sydd hefyd yn cynnwys gwasanaeth gofal dydd estynedig i gefnogi cleifion allan o'r ysbyty. Mae rhagor o waith yn mynd rhagddo i edrych ar yr opsiwn o gyfleuster tai gofal ychwanegol ac ymestyn gwasanaethau i gleifion.

Mae'r Gweinidog yn cydnabod y pryderon ynghylch y posibilrwydd o drosglwyddo cleifion i Ysbyty Cwm Cynon ar ôl cau Ward 35 yn Ysbyty'r Tywysog Siarl a'r materion ymarferol y gallai hyn eu codi i rai teuluoedd. Gan gydnabod y bydd rhaid i deuluoedd deithio pellter hwy i ymweld â Chwm Cynon, aiff y Gweinidog ymlaen i ddweud bod y Bwrdd Iechyd wedi sefydlu gwasanaeth cludiant i'w helpu, sy'n cael ei ddarparu gan yr elusen Hafal fel rhan o gynlluniau Ward 35. Mae'r Bwrdd Iechyd nawr yn edrych ar gyfleoedd i ymestyn y gwasanaeth hwn i deuluoedd.

Dywedodd [erthygl](#) Wales Online ym mis Chwefror 2019 fod Bwrdd Iechyd Cwm Taf wedi cadarnhau y byddai'r ward yn cau. Mae'r erthygl yn nodi bod rhai teuluoedd wedi honni y gallai'r symudiad achosi 'poendod mawr' i'r cleifion agored i niwed a'u teuluoedd a fyddai'n gorfod dod o hyd i lety arall.

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



Ein cyf/Our ref VG/07230/19

Janet Finch-Saunders AC  
Cadeirydd  
Y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Bae Caerdydd  
Caerdydd  
CF99 1NA

[Government.Committee.Business@llyw.cymru](mailto:Government.Committee.Business@llyw.cymru)

2 Awst 2019

Annwyl Janet,

Diolch am eich llythyr dyddiedig 17 Gorffennaf ar ran y Pwyllgor Deisebau ynglŷn â Deiseb P-05-896 ynghylch Ward 35 Ysbyty'r Tywysog Siarl.

Rwy'n nodi ac yn deall y pryderon am y posibilrwydd o drosglwyddo cleifion i Ysbyty Cwm Cynon, a'r materion ymarferol allai godi i rai teuluoedd.

Sefydlwyd Ward 35 yn Ysbyty'r Tywysog Siarl a Ward 7 yn Ysbyty Cwm Cynon tua saith mlynedd yn ôl fel rhan o raglen strategol y Bwrdd Iechyd i foderneiddio gwasanaethau iechyd meddwl i bobl hŷn. Y bwriad oedd darparu gofal i gleifion oedd angen eu derbyn i'r ysbyty am gyfnod hwy o driniaeth cyn eu rhyddhau. Fodd bynnag, mae'r Bwrdd Iechyd wedi dweud bod nifer y bobl sydd angen y math hwn o ofal hirdymor mewn ysbyty wedi gostwng yn sylweddol ers hynny am amrywiol resymau, gan gynnwys y buddsoddiad a wnaed i gryfhau gwasanaethau cymunedol yn agosach i'r cartref a datblygiadau mewn triniaethau. Ar gyfer trigolion Merthyr Tudful, mae'n debygol y bydd nifer y cleifion sydd angen gofal o'r fath mewn ysbyty yn llai na deg y flwyddyn.

Mae'r Bwrdd Iechyd yn gyfrifol am ddarparu a chynnal gwasanaethau gofal iechyd diogel a chynaliadwy ar gyfer y boblogaeth leol, o fewn yr adnoddau sydd ar gael. Er mwyn cyflawni hyn, maent wedi nodi model mwy holistig o ofal yng Nghwm Cynon, sydd hefyd yn cynnwys gwasanaeth gofal dydd estynedig i gefnogi cleifion allan o'r ysbyty. Mae rhagor o waith yn mynd rhagddo i edrych ar yr opsiwn o gyfleuster tai gofal ychwanegol ac ymestyn gwasanaethau i gleifion.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

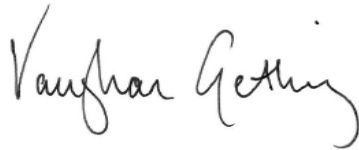
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

Gan gydnabod y bydd rhaid i deuluoedd deithio pellter hwy i ymweld â Chwm Cynon, mae'r Bwrdd Iechyd wedi sefydlu gwasanaeth cludiant i'w helpu, sy'n cael ei ddarparu gan yr elusen Hafal fel rhan o gynlluniau Ward 35. Mae'r Bwrdd Iechyd nawr yn edrych ar gyfleoedd i ymestyn y gwasanaeth hwn i deuluoedd.

Rwyf wedi cael fy sicrhau bod y Bwrdd Iechyd yn llwyr ddeall yr effaith y mae trosglwyddo gofal yn ei chael ar gleifion ac ar aelodau o'r teulu, ac mae wedi ymrwymo i barhau i drafod gyda'r cleifion yn y dyfodol.

Yn gywir,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

### **P-05-897 Rhwystrwch Ddatblygwyr rhag gosod rhwydi yn y gwrychoedd a'r coed**

Cyflwynwyd y ddeiseb hon gan Chris Evans, ar ôl casglu cyfanswm o 1,508 lofnodion.

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

Gwnewch hi'n drosedd i osod rhwydi yn y gwrychoedd a'r coed i atal adar rhag nythu.

Mae datblygwyr, ac eraill sydd â diddordeb, yn osgoi cyfreithiau sy'n diogelu adar drwy osod rhwydi yn y gwrychoedd a'r coed i atal adar rhag nythu.

Mae hyn yn dadwreiddio gwrychoedd a choed sydd o gymorth i fioamrywiaeth ac sy'n darparu'r unig safleoedd nythu sydd ar ôl i adar y mae eu niferoedd yn dirywio'n gyflym.

Mae gosod rhwydi yn y gwrychoedd a'r coed yn bygwth rhywogaethau o adar sydd ar drai, yn creu perygl o gaethiwo bywyd gwyllt, ac yn creu llawer iawn o wastraff plastig.

Mae'r arfer hefyd yn torri deddfwriaeth Cenedlaethau'r Dyfodol a basiwyd gan y Senedd eisoes.

#### **Gwybodaeth ychwanegol:**

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

- Gŵyr
- Gorllewin De Cymru

## Deiseb: P-05-897 Rhwystrwch Ddatblygwyr rhag gosod rhwydi yn y gwrychoedd a'r coed

Y Pwyllgor Deisebau | 17 Medi 2019  
Petitions Committee | 17 September 2019

### Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-897

Teitl y ddeiseb: Rhwystrwch Ddatblygwyr rhag gosod rhwydi yn y gwrychoedd a'r coed

Testun y ddeiseb:

Gwnewch hi'n drosedd i osod rhwydi yn y gwrychoedd a'r coed i atal adar rhag nythu.

Mae datblygwyr, ac eraill sydd â diddordeb, yn osgoi cyfreithiau sy'n diogelu adar drwy osod rhwydi yn y gwrychoedd a'r coed i atal adar rhag nythu.

Mae hyn yn dadwreiddio gwrychoedd a choed sydd o gymorth i fioamrywiaeth ac sy'n darparu'r unig safleoedd nythu sydd ar ôl i adar y mae eu niferoedd yn dirywio'n gyflym.

Mae gosod rhwydi yn y gwrychoedd a'r coed yn bygwth rhywogaethau o adar sydd ar drai, yn creu perygl o gaethiwo bywyd gwylt, ac yn creu llawer iawn o wastraff plastig.

Mae'r arfer hefyd yn torri deddfwriaeth Cenedlaethau'r Dyfodol a basiwyd gan y Senedd eisoes.

### Cefndir

Nid yw'r arfer o osod rhwydi mewn coed a gwrychoedd, er mwyn atal adar rhag nythu mewn llystyfiant sydd angen ei dynnu o safleoedd datblygu yn ystod y tymor bridio, yn anghyfreithlon yn y DU.

Ar 13 Awst 2019, ysgrifennodd y Gweinidog Tai a Llywodraeth Leol, Julie James (y Gweinidog) at y Cadeirydd ynglŷn â'r ddeiseb hon. Trafododd y Gweinidog i ba raddau y defnyddir yr arfer hwn yng Nghymru:

Whilst we are aware of instances in Wales where netting has been used, we do not have hard evidence on the extent of the practice. Officials have initiated data gathering on the number of instances of netting with colleagues in Natural Resources Wales and the response rate from local authorities is very low, suggesting that the practice is not widespread.

Cadarnhaodd y Gweinidog hefyd:

Existing legislative controls concerning the practice of netting are driven by animal welfare considerations and the use of netting itself falls outside of the definition of 'development' for planning purposes. If a developer is aware that wildlife is being caught in netting and has not done anything about it the Police Wildlife Crime Officer should be informed.

Bu Senedd y DU yn trafod deiseb debyg yn ddiweddar: "[make 'netting' hedgerows to prevent birds from nesting a criminal offence](#)".

### **Deddf Bywyd Gwyllt a Chefn Gwlad 1981**

Mae adar gwyllt wedi'u diogelu o dan [Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981](#) (fel y'i diwygiwyd). Mae'r Ddeddf hon yn ei gwneud hi'n anghyfreithlon i ddifrodi neu ddinistrio nyth ag adar yn fwriadol – hyd yn oed os rhoddyd caniatâd cynllunio ar gyfer datblygu a fyddai'n golygu cael gwared ar wrych. Y prif dymor nythu a bridio i adar yn y DU fel arfer yw rhwng 1 Mawrth a 31 Awst.

O dan adran 16 o [Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981](#), gall awdurdodau priodol (fel Cyfoeth Naturiol Cymru) roi trwyddedau i ganiatáu gweithredoedd a fyddai fel arall yn mynd yn groes i ddarpariaethau Deddf 1981 yn ymwneud â diogelu adar gwyllt, os y gwneir at ddibenion penodol.

Mae'r dibenion penodol lle y gellir rhoi trwyddedau ar eu cyfer o dan adran 16 yn cynnwys:

- cadwraeth iechyd y cyhoedd a diogelwch awyr;
- atal plâu a chlefydau niweidiol rhag cael eu lledaenu; ac
- atal difrod difrifol i dda byw, bwydydd ar gyfer da byw, cnydau, llyisiau, ffrwythau, tyfu coed neu bysgodfeydd.

Ni ddylai'r awdurdod priodol (Cyfoeth Naturiol Cymru yng Nghymru) roi trwydded at unrhyw bwrpas penodol oni bai ei fod yn fodlon nad oes datrysiad boddhaol arall.

### **Deddf Lles Anifeiliaid 2006**

Gall [Deddf Lles Anifeiliaid 2006](#) fod yn berthnasol hefyd mewn achosion o ddal anifeiliaid. O dan y Ddeddf hon, mae person yn cyflawni trosedd os—

- (a) yw gweithred neu fethiant ar ei ran yn gwneud i anifail ddioddef,

- (b) pe bai yn gwybod neu y dylai fod wedi gwybod yn rhesymol y byddai'r weithred neu'r methiant i weithredu wedi arwain at effaith o'r fath neu'n debygol o wneud hynny,
- (c) yw'r anifail yn anifail gwarchoddedig, a
- (d) yw'r dioddefaint yn ddiangen.

Mae anifail yn "anifail gwarchoddedig" at ddibenion y Ddeddf hon os—

- (a) yw'n anifail o fath sydd wedi'i ddomestigeiddio yn gyffredin yn Ynysoedd Prydain,
- (b) ei fod o dan reolaeth dyn p'un ai ar sail barhaol neu dros dro, neu
- (c) nad yw'n byw mewn cyflwr gwyllt.

## Polisi Cynllunio Cymru

Mae [Polisi Cynllunio Cymru \(Argraffiad 10\)](#) yn nodi polisi cynllunio cenedlaethol Llywodraeth Cymru. Mae paragraff 6.4.21 yn canolbwyntio ar gynnal a gwella bioamrywiaeth ac yn nodi 'dull fesul cam' y dylai Awdurdodau Cynllunio Lleol (ACLI) ei ddilyn wrth ystyried cynigion datblygu. Mae llythyr y Gweinidog at y Cadeirydd yn tynnu sylw at hyn gan nodi:

The stepwise policy set out in PPW (para 6.4.21) discourages the removal of trees and hedgerows in the first instance, it states, "the first priority for planning authorities is to avoid damage to biodiversity and ecosystem functioning".

Gallai'r Pwyllgor nodi, fodd bynnag, nad yw paragraff 6.4.21 yn cyfeirio'n benodol at goed, gwrychoedd na rhwydi.

## Deddf yr Amgylchedd (Cymru) 2016 a Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015

Mae Adran 6 o [Ddeddf yr Amgylchedd \(Cymru\)](#) yn cynnwys dyletswydd bioamrywiaeth a chydnerthedd ecosystemau. O dan y ddyletswydd hon, rhaid i awdurdod cyhoeddus geisio cynnal a gwella bioamrywiaeth wrth arfer swyddogaethau mewn perthynas â Chymru, ac wrth wneud hynny hyrwyddo cydnerthedd ecosystemau, i'r graddau y bo hynny'n gyson ag arfer y swyddogaethau hynny'n briodol.

Mae [Deddf Llesiant Cenedlaethau'r Dyfodol](#) yn ei gwneud yn ofynnol i gyrff cyhoeddus gynnal datblygu cynaliadwy. Caiff datblygu cynaliadwy ei ddiffinio yn y Ddeddf fel:

... y broses o wella llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol Cymru drwy weithredu, yn unol â'r egwyddor datblygu cynaliadwy (gweler adran 5), gan anelu at gyrraedd y nodau llesiant....

Caiff nod llesiant "Cymru gydnerth" ei ddisgrifio yn y Ddeddf fel:

Cenedl sy'n cynnal ac yn gwella amgylchedd naturiol bioamrywiol gydag ecosystemau iach gweithredol sy'n cynnal cydnerthedd cymdeithasol, economaidd ac ecolegol ynghyd â'r gallu i addasu i newid (er enghraifft newid hinsawdd).



## Gwrychoedd a bioamrywiaeth

Mae'r ddeiseb yn awgrymu risg i fioamrywiaeth yn sgil rhwydo a dadwreiddio gwrychoedd, yn enwedig i adar; mae hefyd yn cyfeirio at ostyngiadau ym mhoblogaethau adar.

Mae [strategaeth Coetiroedd i Gymru](#) Llywodraeth Cymru yn cynnwys uchelgeisiau ar gyfer rheoli a chreu gwrychoedd yng Nghymru. Meddai:

Mae coed sydd mewn gwrychoedd yn aml yn cael eu hanwybyddu a'u rheoli'n wael ac mae risg y byddant yn cael eu difrodi gan dda byw. Ac eto, maent yn nodweddion amlwg yn y dirwedd ac yn darparu safleoedd bridio, bwyd a chysgod i lawer o rywogaethau.

Cafodd [Adroddiad ar Gyflwr Adar yng Nghymru \(2018\)](#) ei lunio ar y cyd gan y [Gymdeithas Frenhinol er Gwarchod Adar \(RSPB\)](#), [Ymddiriedolaeth Adareg Prydain \(BTO\)](#), [Cyfoeth Naturiol Cymru a Chymdeithas Adareg Cymru \(WOS\)](#). Nododd yr adroddiad:

Long-term monitoring shows that the numbers and distributions of almost a third of Welsh birds are declining significantly.

Gellir gofyn am ganiatâd o dan [Reoliadau Gwrychoedd 1997](#) os oes angen torri gwrych i lawr er mwyn cael gwared ar wrych.

## Rhwydi a phlastig

Mae'r ddeiseb hefyd yn cyfeirio at wastraff plastig a gynhyrchir yn sgil rhwydo. Mae'r defnydd o blastig mewn arferion rhwydo wedi cael sylw yn y [cyfryngau](#) yn ogystal ag [adroddiadau o anifeiliaid yn cael eu dal](#) mewn rhwydi.

Ar 16 Gorffennaf 2019, cyhoeddodd y Dirprwy Weinidog Tai a Llywodraeth Leol, Hannah Blythyn [ddatganiad ysgrifenedig](#) ar wastraff plastig. Roedd y datganiad hwn yn ailadrodd uchelgais i Gymru ddod yn genedl ddiwastraff erbyn 2050.

## Camau gan Lywodraeth Cymru

Ar 6 Mehefin 2019, cyhoeddodd y Gweinidog [lythyr canllaw](#) i Awdurdodau Cynllunio Lleol ac eraill, ar rwydo coed a gwrychoedd yn ystod gwaith adeiladu. Yn y llythyr dywed y Gweinidog nad yw hi'n cefnogi'r defnydd o rwydo fel arfer rheolaidd. Aiff yn ei blaen i ddweud:

Dim ond fel yr opsiwn olaf y dylid defnyddio rhwydi, ar ôl ystyried yr holl opsiynau eraill a dim ond mewn amgylchiadau eithriadol. Pan fyddant yn cael eu defnyddio, ni ddylent gael eu defnyddio ond ar ôl i ganiatâd cynllunio gael ei roi.

Mae'r llythyr hefyd yn cyfeirio at y dull fesul cam a nodwyd ym Mholisi Cynllunio Cymru:

Drwy drafodaethau cynnar dylai datblygwyr osgoi'r amgylchiadau hynny sy'n gwneud defnyddio rhwydi'n ofynnol. Mae Polisi Cynllunio Cymru 10 yn amlinellu dull cam wrth gam ar gyfer cynnal a gwella bioamrywiaeth drwy sicrhau bod effeithiau amgylcheddol andwyol yn cael eu hosgoi yn y lle cyntaf (h.y. dylid cadw coed a pherthi sydd eisoes yn bodoli yn nyluniad y prosiect), ac wedyn eu lleihau neu eu lliniaru – dylai camau cydadfer fod yr opsiwn olaf.

Mae'r llythyr yn cyfeirio at [ganllawiau pellach](#) a luniwyd gan y [Sefydliad Siartredig Ecoleg a Rheolaeth Amgylcheddol \(CIEEM\)](#) a'r [RSPB](#).

Yn ei llythyr at y Cadeirydd, mae'r Gweinidog yn diystyru deddfwriaeth newydd yn y maes hwn:

The introduction of a new legislative framework at this time to control the practice is not recommended but will be kept under review. The supporting mechanisms required to implement the legislation would be excessive and resource intensive and indeed there will be limited circumstances where the use of netting will be necessary (for example, control of Gull nuisance in certain locations or there could be instances where it is genuinely needed to prevent birds from nesting during development, so they do not come to harm). Through policy and engagement with the industry and stakeholders, I am confident that we can avoid the use of netting.

## Camau gan Gynulliad Cenedlaethol Cymru

Mae nifer o Aelodau'r Cynulliad wedi codi rhwydi coed a gwrychoedd yn y Cyfarfod Llawn. Mewn ymateb i [bryderon](#) a nodwyd ar 30 Ebrill 2019, dywedodd y Gweinidog Cyllid a'r Trefnydd, Rebecca Evans:

... Rydym wedi cael rhai adroddiadau am rwydo. Nid ydym yn ymwybodol eto pa mor gyffredin ydyw, ond yn amlwg mae unrhyw ddigwyddiad yn peri pryder gwirioneddol inni. Cyfeiriodd Joyce Watson at y ddeiseb, sydd newydd agor yng Nghynulliad Cenedlaethol Cymru. Mae yna un hefyd yn y Senedd gyda 330,000 o lofnodion arni. Felly, credaf fod hyn yn bryder gwirioneddol i aelodau'r cyhoedd. Efallai fod adegau pan fyddai rhwydo coed yn gyfreithlon, ond dim ond pan fydd gwir angen hynny i ddiogelu adar a'u hatal rhag nythu yn ystod datblygiadau fel nad ydynt yn dod i niwed y byddai hynny'n digwydd, a byddai'r math hwnnw o amgylchiad yn eithriadol o brin yn wir. Felly, ar y cyfan, rwy'n credu bod ein polisi yn sicr yn symud i ffwrdd o liniaru niwed a difrod i integreiddio bioamrywiaeth a gwydnwch ecosystemau tuag at y camau cynharaf un o reolaeth ddatblygu briodol.

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



Ein cyf/Our ref JJ/06245/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

13 August 2019

Dear Janet,

Thank you for the opportunity to comment on the petition request "*to make the netting of trees and hedgerows to prevent birds from nesting a criminal offence*"

We have a strong legislative and policy framework to maintain and enhance biodiversity. Planning Policy Wales (PPW) 10 encourages the maintenance and enhancement of biodiversity in line with the Section 6 Duty of the Environment (Wales) Act 2016 and it advocates a proactive approach towards facilitating the delivery of biodiversity and ecosystem resilience outcomes by all those participating in the planning process. The step-wise policy set out in PPW (para 6.4.21) discourages the removal of trees and hedgerows in the first instance, it states, "*the first priority for planning authorities is to avoid damage to biodiversity and ecosystem functioning*".

The use of netting is a highly emotive issue; the presence of netting is visible and jarring with the natural world. It is often perceived as a cynical behaviour by developers to avoid construction delays. I have recently written to all local planning authorities, development industry representative bodies and house builders to state that I do not support the use of netting as routine practice (letter attached, for info). My letter states that, "*the practice of using netting during construction phases of a scheme is a very public demonstration of an imbalance in society's relationship with nature. It should not be used as routine practice*".

Whilst we are aware of instances in Wales where netting has been used, we do not have hard evidence on the extent of the practice. Officials have initiated data gathering on the number of instances of netting with colleagues in Natural Resources Wales and the response rate from local authorities is very low, suggesting that the practice is not widespread.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Julie.James@llyw.cymru](mailto:Gohebiaeth.Julie.James@llyw.cymru)  
[Correspondence.Julie.James@gov.Wales](mailto:Correspondence.Julie.James@gov.Wales)

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

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

Existing legislative controls concerning the practice of netting are driven by animal welfare considerations and the use of netting itself falls outside of the definition of 'development' for planning purposes. If a developer is aware that wildlife is being caught in netting and has not done anything about it the Police Wildlife Crime Officer should be informed. .

The introduction of a new legislative framework at this time to control the practice is not recommended but will be kept under review. The supporting mechanisms required to implement the legislation would be excessive and resource intensive and indeed there will be limited circumstances where the use of netting will be necessary (for example, control of Gull nuisance in certain locations or there could be instances where it is genuinely needed to prevent birds from nesting during development, so they do not come to harm). Through policy and engagement with the industry and stakeholders, I am confident that we can avoid the use of netting.

Yours sincerely,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government

Attached: Ministerial Letter 06 June 2019



CFO Letter on  
Netting - Engyr...



Ein cyf/Our ref: DC/JJ/05066/19

At bob Pennaeth Cynllunio  
Cyrff Cynrychiadol y Diwydiant Datblygu  
Rhestr Ddosbarthu Adeiladwyr Cymorth i Brynu

06 Mehefin 2019

Annwyl Gyfeillion,

### Rhoi Rhwydi o amgylch Coed a Pherthi

Rwy'n ysgrifennu atoch ynglŷn â'r arfer o roi rhwydi o amgylch coed a pherthi mewn safleoedd datblygu ac o'u cwmpas, cyn ac yn ystod gwaith adeiladu.

Yng Nghymru, mae gennym fframwaith deddfwriaethol a pholisi cryf i gynnal ac i wella bioamrywiaeth. Mae Llywodraeth Cymru wedi ymrwymo i gyflawni'r amcan hwn. Mae Polisi Cynllunio Cymru 10 yn glir bod gan y system gynllunio rôl i'w chwarae yn y gwaith o helpu i wrthdroi dirywiad bioamrywiaeth, ac i gynyddu cydnerthedd ecosystemau drwy sicrhau bod mecanweithiau ar waith i amddiffyn ecosystemau rhag dirywio, ac i sicrhau eu bod yn cael eu gwella.

Drwy drafodaethau cynnar dylai datblygwyr osgoi'r amgylchiadau hynny sy'n gwneud defnyddio rhwydi'n ofynnol. Mae Polisi Cynllunio Cymru 10 yn amlinellu dull cam wrth gam ar gyfer cynnal a gwella bioamrywiaeth drwy sicrhau bod effeithiau amgylcheddol andwyol yn cael eu hosgoi yn y lle cyntaf (h.y. dylid cadw coed a pherthi sydd eisoes yn bodoli yn nyluniad y prosiect), ac wedyn eu lleihau neu eu lliniaru – dylai camau cydadfer fod yr opsiwn olaf.

Nid wyf yn cefnogi defnyddio rhwydi fel rheol. Dim ond fel yr opsiwn olaf y dylid defnyddio rhwydi, ar ôl ystyried yr holl opsiynau eraill a dim ond mewn amgylchiadau eithriadol. Pan fyddant yn cael eu defnyddio, ni ddylent gael eu defnyddio ond ar ôl i ganiatâd cynllunio gael ei roi.

(Mae rhagor o arweiniad ar reoli'r defnydd o rwydi a'r amgylchiadau eithriadol a chyfyngedig iawn lle y gellir eu defnyddio yn cael ei ddarparu gan Sefydliad Siartredig Rheoli Ecoleg a'r Amgylchedd (CIEEM) yn <https://cieem.net/cieem-and-rspb-advise-against-netting-on-hedges-and-trees/>)

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Julie.James@llyw.cymru](mailto:Gohebiaeth.Julie.James@llyw.cymru)  
[Correspondence.Julie.James@gov.Wales](mailto:Correspondence.Julie.James@gov.Wales)

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

Mae defnyddio rhwydi yn ystod cyfnodau adeiladau cynllun yn dangos diffyg cydbwysedd y berthynas rhwng y gymdeithas a natur mewn modd cyhoeddus iawn Mae'n hanfodol bod pawb sy'n gysylltiedig â'r broses ddatblygu yn gyfarwydd â deddfwriaeth a pholisi ehangach Llywodraeth Cymru ac yn cyfrannu at y gwaith o'u rhoi ar waith er mwyn cynnal a gwella bioamrywiaeth.

Yn gywir,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government

## **P-05-771 Ailystyried y penderfyniad i roi'r gorau i Grant Byw'n Annibynnol Cymru a'r angen i gefnogi pobl anabl i fyw'n annibynnol**

Cyflwynwyd y ddeiseb hon gan Nathan Lee Davies ac ystyriwyd am y tro cyntaf gan y Pwyllogr yn ystod Hydref 2017, ar ôl casglu 324 o lofnodion ar-lein a 307 ar bapur – cyfanswm o 631 lofnodion.

### **Geiriad y ddeiseb**

Fel rhywun sy'n cael Grant Byw'n Annibynnol Cymru ac yn ymgyrchu dros bobl anabl, rwy'n bwriadu gofyn i Lywodraeth Cymru ailystyried ei phenderfyniad i roi'r gorau i Grant Byw'n Annibynnol Cymru o fis Ebrill 2019 ymlaen.

Cyflwynwyd Grant Byw'n Annibynnol Cymru i helpu pobl a oedd yn arfer hawlio arian gan Gronfa Byw'n Annibynnol Llywodraeth y DU, a gaewyd yn 2015. Mae'r cynllun yn helpu mwy na 1,500 o bobl ledled Cymru. Mae gan bawb sy'n cael y Grant lefel uchel o anghenion gofal a chymorth.

Y bwriad oedd rhoi'r gorau i'r cynllun ym mis Mawrth 2017, ond ym mis Tachwedd, dywedodd Rebecca Evans, y Gweinidog gwasanaethau cymdeithasol, y byddai'r cyllid yn parhau am flwyddyn arall.

Yna, bydd y gronfa £27 miliwn yn cael ei throsglwyddo'n uniongyrchol i awdurdodau lleol yn ystod 2018–19 fel y gallant ddiwallu anghenion cymorth y rhai a oedd yn arfer cael arian drwy'r Gronfa Byw'n Annibynnol erbyn 31 Mawrth 2019.

### **Gwybodaeth ychwanegol**

Pam yr ydym yn gwrthwynebu'r penderfyniad:

Dywedodd Llywodraeth Cymru fod y penderfyniad wedi'i wneud ar sail cyngor gan randdeiliaid. Cynrychiolwyr o'r trydydd sector neu ddinasyddion oedd y mwyafrif ar y grŵp rhanddeiliaid. Ond nid oeddynt eisiau cael gwared ar Grant Byw'n Annibynnol Cymru, a'r pwynt allweddol yw na chafodd ein cyngor ei dderbyn.

Dylid cofio hefyd nad oes yn rhaid rhoi'r gorau i Grant Byw'n Annibynnol Cymru, ac mae llwyddiant Cronfa Byw'n Annibynnol yr Alban yn brawf o hynny; sydd hefyd yn ddadl o blaid cefnogi Cronfa Byw'n Annibynnol Gogledd Iwerddon.

At hyn ny, roedd maniffesto poblogaidd y blaid Lafur yn nodi cynlluniau i sefydlu system ofal gene dlaethol a fyddai'n annibynnol ar awdurdodai lleol.

Dyma'r union amser y dylai'r Blaid Lafur uno yn erbyn y Torïaid ar faterion o'r fath. Rhaid i ni gwestiynu pam nad yw Plaid Lafur Cymru yn chwarae ei rhan wrth newid y tirlun gwleidyddol?

Yn wir, yn y pen draw, dylem fod yn anelu at sefydlu Cronfa Byw'n Annibynnol i Gymru fel nad oes yn rhaid i unrhyw berson anabl ddioddef yr ansicrwydd a'r unigedd a wynebir gan y rheini sy'n cael Grant Byw'n Annibynnol Cymru ar hyn o bryd. Ni allwn ddechrau credu bod gwir gyfiawnder cymdeithasol a chydaddoldeb i bawb yn bosibl oni fydd Llafur Cymru yn ailystyried ei benderfyniad ynghylch Grant Byw'n Annibynnol Cymru.

Mae'n siŵr y bydd Llafur Cymru yn dadlau y dylem roi cyfle i Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) lwyddo. Fodd bynnag, mae angen buddsoddiad ac adnoddau sylweddol ar y Ddeddf ddelfrydyddol hon i sicrhau ei bod yn llwyddo – ac nid oes dim golwg o'r gwelliannau sydd eu hangen ar ein seilwaith er mwyn sicrhau bod y Ddeddf yn llwyddo. Efallai'n wir ei bod yn bryd cael chwyldro yn y ffordd y darperir gofal cymdeithasol, ond gallai'r fath drawsnewid gymryd degawd neu ragor, ac nid yw'r rhai sy'n derbyn Grant Byw'n Annibynnol Cymru yn haeddu cael eu trin fel arbrawf pan fo'u hanghenion o ran gofal a chymorth yn gofyn am sefydlogrwydd a strwythur hirdymor.

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

- Wreccsam
- Gogledd Cymru



**Julie Morgan AC/AM**  
**Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol**  
**Deputy Minister for Health and Social Services**



**Llywodraeth Cymru**  
**Welsh Government**

Eich cyf/Your ref: P-05-771  
Ein cyf/Our ref: MA-P/JM/2435/19

Janet Finch-Saunders AC  
Cadeirydd  
Y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
Caerdydd  
CF99 1NA

24 Gorffennaf 2019

Annywl Janet,

Yn ystod fy mhresenoldeb yn y Pwyllgor ar 5 Mawrth, eglurais y newid i sut y bydd y cymorth, y mae rhai pobl anabl yng Nghymru wedi ei dderbyn drwy Grant Byw'n Annibynnol Cymru, yn cael ei drosglwyddo i wasanaethau cymdeithasol awdurdodau lleol. Pwrpas y newid hwnnw yw rhoi asesiad annibynnol i'r bobl nad ydynt yn fodlon ar ganlyniad eu hasesiad gofal, er mwyn iddynt gael barn rhywun arall. Rwyf yn ysgrifennu atoch yn awr i roi'r wybodaeth ddiweddaraf ichi am hynt y gwaith hwn.

Amgaeaf gopi o Ddatganiad Ysgrifenedig a gyhoeddais ar 18 Gorffennaf sy'n cynnwys gwybodaeth berthnasol. Fe welwch o'r wybodaeth honno faint o bobl sydd wedi mynegi diddordeb mewn cael asesiad gofal annibynnol hyd yn hyn. Byddwch hefyd yn nodi ein bod wedi penodi sefydliad i recriwtio'r gweithwyr cymdeithasol a fydd yn cynnal yr asesiadau hyn ac yn rheoli'r broses. Enw'r sefydliad yw ICS Assessment Services Ltd sydd â phrofiad sylweddol ym maes asesiadau gofal a gofal cymdeithasol ar ôl gweithio'n helaeth â gwahanol awdurdodau lleol ledled Cymru a Lloegr. Mae swyddogion bellach yn gweithio gyda chynrychiolwyr o ICS ac awdurdodau lleol i gytuno ar y manylion ymarferol ar gyfer cynnal yr asesiadau hyn, er mwyn dechrau arnynt cyn gynted â phosibl.

Fel y dywedaf yn fy natganiad, rwy'n cydnabod ei bod wedi cymryd amser i sefydlu'r trefniadau hyn. Fodd bynnag, mae'n hanfodol ein bod yn rhoi trefniadau ar waith sydd wedi'u hystyried yn briodol. Mae'r ymgyrch #Achub Grant Byw'n Annibynnol Cymru wedi bod yn gefnogol iawn i'r camau yr wyf yn eu cymryd, gan ein bod i gyd yn cytuno bod angen i'r newidiadau gael eu gweithredu'n gywir.

Yn gwyr,

**Julie Morgan AC/AM**

**Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol**  
**Deputy Minister for Health and Social Services**

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Julie.Morgan@llyw.cymru](mailto:Gohebiaeth.Julie.Morgan@llyw.cymru)  
[Correspondence.Julie.Morgan@gov.wales](mailto:Correspondence.Julie.Morgan@gov.wales)

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

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

**Tudalen y pecyn 77**



Llywodraeth Cymru  
Welsh Government

---

## DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

---

**TEITL:** Grant Byw'n Annibynnol Cymru – y diweddaraf am yr Aseidiadau Gofal Annibynnol

**DYDDIAD:** 18 Gorffennaf 2019

**GAN:** Julie Morgan AC, y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol

Ym mis Chwefror, cyhoeddais newid yn y ffordd y bydd pobl arferai dderbyn taliadau Grant Byw'n Annibynnol Cymru yn cael cymorth yn y dyfodol gan wasanaethau cymdeithasol eu hawdurdodau lleol. Dyma'r wybodaeth ddiweddaraf am y trefniadau sy'n cael eu cyflwyno.

Mae'n gwbl hanfodol sicrhau nad yw gallu pobl i fyw'n annibynnol dan fygythiad yn sgil newidiadau i'r ffordd y mae eu gofal a'u cymorth yn cael eu trefnu a'u darparu. Dyna pam y penderfynais y dylai'r bobl arferai dderbyn taliadau'r Grant gael cyfle i gael asesiad annibynnol o'u gofal a'u cymorth os ydynt yn anfodlon â chanlyniad eu hasesiad gofal a chymorth gan yr awdurdod lleol. Pwrpas yr aseidiadau hynny yw cytuno ar ganlyniadau llesiant mae pobl yn dymuno eu cyflawni er mwyn medru byw'n annibynnol, a chytuno ar sut i'w cyflawni.

Er bod y rhan fwyaf o bobl a arferai dderbyn taliadau'r Grant yn fodlon â'r gofal a'r cymorth y maent yn eu derbyn, pan fo pobl yn anhapus â chanlyniad yr asesiad gofal byddai'r hawl i gael asesiad gofal annibynnol yn cynnig ail farn ar y mater. Byddai hefyd yn ailsefydlu'r trefniant penderfyniadau tairochrog a oedd yn bodoli dan y Gronfa Byw'n Annibynnol - sef cytundeb rhwng y derbynnydd, gweithiwr cymdeithasol annibynnol y Gronfa a gweithiwr cymdeithasol yr awdurdod lleol. Roedd yr ymgyrch Achub Grant Byw'n Annibynnol Cymru yn awyddus iawn i adfer hyn.

Rwy'n falch o ddweud ein bod ni wedi symud ymlaen yn dda iawn i roi'r trefniadau ar waith ar gyfer yr aseidiadau gofal annibynnol hyn. Ym mis Ebrill, ysgrifennais at bob un o'r rhai a arferai dderbyn y Grant, gan eu hysbysu bod modd iddynt gael asesiad gofal annibynnol ac egluro fy rhesymau dros gynnig y cyfle hwn iddynt. Os oedd unrhyw un yn dymuno cael asesiad annibynnol, gofynnais iddynt gysylltu â'u hawdurdod lleol erbyn 14 Mehefin er mwyn i ni weld faint o ddiddordeb fyddai. Erbyn y dyddiad hwnnw, daeth 55 cais i law ar draws 14 awdurdod lleol. Mae hynny allan o bron i 1,400 o bobl yng Nghymru arferai dderbyn taliadau'r Grant. Mae'n ymddangos bod hyn yn cadarnhau ein dealltwriaeth bod mwyafrif llethol y rhai arferai dderbyn taliadau'r Grant yn fodlon â chanlyniad eu hasesiad gofal a'r gofal a chymorth maent bellach yn eu derbyn. Fodd bynnag, mae hefyd yn cadarnhau fy mod yn iawn i gyflwyno'r newid hwn ar gyfer y nifer sylweddol o bobl sy'n pryderu am ganlyniad eu hasesiad gofal.

Rydym hefyd wedi cynnal ymarfer caffael er mwyn cael gaffael ar sefydliad i recriwtio a rheoli'r gweithwyr cymdeithasol annibynnol angenrheidiol i gynnal yr asesiadau hyn. Bydd y gweithwyr cymdeithasol hyn yn gymwys ac yn ddigon profiadol i gyflawni'r dasg hon, ac wedi'u cofrestru felly ar y gofrestr berthnasol sy'n cael ei chadw gan Gofal Cymdeithasol Cymru. O ganlyniad, fe fyddant yn deall ethos a gofynion Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 a'r rheoliadau a'r cod ymarfer a wnaed o dan y ddeddf honno mewn perthynas ag asesiadau gofal a diwallu anghenion gofal. Ni fyddant, fodd bynnag, yn gyflogedig gan awdurdod lleol yng Nghymru, er mwyn sicrhau eu bod yn annibynnol.

Yn dilyn gwerthusiad o'r ceisiadau am y contract hwn, penodwyd ICS Assessment Services Ltd. i drefnu a chynnal yr asesiadau annibynnol o ofal a chymorth y gofynnir amdanynt. Mae gan ICS brofiad sylweddol o ofal cymdeithasol ac o gynnal asesiadau, yn sgil gwaith blaenorol gydag amrywiol awdurdodau lleol ar draws Cymru a Lloegr. Mae swyddogion wedi cyfarfod cynrychiolwyr ICS, Cymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru a Chymdeithas Llywodraeth Leol Cymru er mwyn cytuno ar broses a fydd yn cael ei dilyn i gyflawni'r asesiadau annibynnol a gweithio drwy'r camau ymarferol cysylltiedig. Mae'r gwaith wedi hen ddechrau, felly dylai'r trefniadau ar gyfer cynnal asesiadau ICS fod yn eu lle erbyn diwedd y mis. Cyn hir byddaf yn ysgrifennu at y rhai arferai dderbyn taliadau Grant Byw'n Annibynnol Cymru sydd wedi gofyn am asesiad annibynnol o'u gofal a chymorth er mwyn rhoi rhagor o fanylion iddynt a chadarnhau beth sydd angen iddynt ei wneud i gael asesiad.

Hoffwn atgoffa'r Aelodau y bydd costau'r asesiadau gofal annibynnol hyn, ac unrhyw gymorth ychwanegol sy'n codi ohonynt, yn cael eu talu gan Lywodraeth Cymru. Mae hynny er mwyn sicrhau nad oes unrhyw gwestiwn o wneud newidiadau i becyn gofal a chymorth er mwyn torri costau. Egwyddor sylfaenol y trefniant hwn yw sicrhau bod y canlyniadau yn y pen draw yn gyson â'r canlyniadau llesiant a gytunwyd ar gyfer yr unigolion.

Rwy'n cytuno ei bod wedi cymryd tipyn o amser i sefydlu'r trefniadau hyn. Fodd bynnag, mae'n hanfodol i ni osod trefniadau sydd wedi'u hystyried yn briodol. Mae'r ymgyrch Achub Grant Byw'n Annibynnol Cymru wedi bod yn gefnogol iawn i'r camau rwy'n eu cymryd, gan ein bod yn cytuno bod angen i'r newidiadau gael eu rhoi ar waith yn y ffordd gywir.

Byddaf yn rhoi'r wybodaeth ddiweddaraf i'r Aelodau pan fydd datblygiadau pellach.

**P-05-771 Reconsider the closure of the Welsh Independent Living Grant and support disabled people to live independently, Correspondence – Petitioner to Chair, 29.08.19**

27/08/2019

Dear Ms Finch-Saunders

Many thanks for giving me the right to reply to the Deputy Minister for Health and Social Services latest statement regarding an update to future funding arrangements for former recipients of the Welsh Independent Living Grant (WILG).

Since this statement was released on July 18<sup>th</sup> 2019, there has been considerable further developments. Unfortunately, at the time of writing, I am still awaiting my independent reassessment, although by the time you meet to discuss this petition it is hoped that this will finally be completed. It has been a long time coming, but I am satisfied that the rejuvenated Welsh Government – under the leadership of the dynamic new First Minister – have been working around the clock to maintain independent living for all.

Back in February, #SaveWILG campaigners were delighted that the Welsh Government showed humanity and humility in accepting that people's ability to live independently should not be compromised by changes to the way their care and support is arranged and provided. This was a bold change of direction helped by the appointment of Julie Morgan as Deputy Minister for Health and Social Services who has kept WILG recipients updated and informed at every stage. It has been a welcome change to be working with Government and personnel that are actually prepared to listen to the voices of the disabled community in Wales and act accordingly.

It is regrettable that the independent assessments from ICS have not yet started. However, it was never going to be a speedy process to facilitate a number of independent assessments to those who requested them following the bureaucratic nightmare created by those who would not listen to #SaveWILG campaigners.

We would like to thank the Petitions Committee for their help and assistance throughout the #SaveWILG campaign. Our fight to maintain independent living for disabled people with high care and support needs continues. We will continue the #SaveWILG campaign until we are absolutely certain that justice has been served across the board. If the expected progress is not made, then you can expect to hear from us again, but based on our communication with the Welsh Government we are very hopeful that all will be ironed out in the not too distant future, with regard to WILG recipients.

Yours Sincerely,

Nathan Lee Davies  
#SaveWILG Campaign

### **P-05-812 Dylid gweithredu canllawiau NICE ar gyfer trin Anhwylder Personoliaeth Ffiniol**

Cyflwynwyd y ddeiseb hon gan Keir Harding ac ystyriwyd gan y Pwyllgor am y tro cyntaf yn ystod Mai 2018, ar ôl casglu 812 o lofnodion ar-lein.

#### **Geiriad y ddeiseb**

Rydym yn galw ar Lywodraeth Cymru i sicrhau bod ymddiriedolaethau GIG yng Nghymru yn gweithredu canllawiau NICE ar gyfer trin Anhwylder Personoliaeth Ffiniol neu gyfiawnhau pam nad ydynt yn gwneud hynny.

Cyhoeddwyd dogfen o'r enw No Longer a Diagnosis of Exclusion, a oedd yn amlygu bod y rhai a gafodd ddiagnosis o anhwylder personoliaeth yn cael eu cam-drin, yn 2003.

Cyhoeddwyd canllawiau NICE ar gyfer Anhwylder Personoliaeth Ffiniol yn 2009. Naw mlynedd yn ddiweddarach, ac mae llai na hanner ymddiriedolaethau Cymru yn darparu gwasanaethau sy'n cydymffurfio â'r canllawiau. Mae hyn yn cymharu ag 84 y cant yn Lloegr.

Mae pobl sydd â'r diagnosis hwn yn aml yn dod o gefndiroedd o gamdriniaeth ac esgeulustod.

Bydd 1 o bob 10 o bobl gyda'r diagnosis hwn yn marw drwy hunanladdiad. Darganfu'r Ymchwiliad Cyfrinachol Cenedlaethol i Ddynladdiad a Hunanladdiad, o'r 1 o bob 10 o bobl a derfynodd eu bywydau dros gyfnod eu hastudiaeth, nid oedd yr un ohonynt yn derbyn gofal a argymhellir gan NICE.

Mae arbenigwyr yn y maes yn rhybuddio y bydd ymddiriedolaethau iechyd nad oes ganddynt wasanaethau arbenigol yn or-ddibynnol ar driniaeth breifat y tu allan i'r ardal. Cefnogwyd y farn hon gan gynrychiolwyr o ymddiriedolaethau nad oes ganddynt wasanaethau arbenigol yn y gynhadledd Anhwylder Personoliaeth Cymru yng Nghaerdydd yn 2016.

Rhaid inni wneud rhagor i gefnogi'r rhai sydd wedi goroesi camdriniaeth, ac wedi cael digon o gam eisoes.

Rhaid inni hefyd wneud rhagor i amddiffyn trethdalwyr Cymru, drwy ddarparu gwasanaethau cymunedol effeithiol yn hytrach na lleoliadau trin drud y tu allan i'r ardal.

Rydym yn galw ar Lywodraeth Cymru i sicrhau bod ymddiriedolaethau GIG yng Nghymru yn gweithredu canllawiau NICE ar gyfer trin Anhwylder Personoliaeth Ffiniol neu gyfiawnhau pam nad ydynt yn gwneud hynny.

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

- Wrecsam
- Gogledd Cymru

## **P-05-812 Implementing NICE guidelines for Borderline Personality Disorder, Betsi Cadwaladr University Health Board Response to the Committee, 10.5.19**

Current services for people in North Wales who have Borderline Personality Disorder difficulties are mapped to Borderline Personality Disorder: recognition and management (2009) NICE guideline CG78 and 2018 surveillance recommendations below, with additional information on future direction.

### 1.1 General Principles including access to services compliance

Within BCUHB, adults with borderline personality disorder difficulties or attachment disorders have access to stepped care mental health services, and for young people care is provided by CAMHS.

People with mild learning disabilities are not excluded from the mainstream available services. In addition, adapted DBT services within Learning Disability services are available for people who have moderate Learning Disabilities.

People who present with complex interpersonal difficulties require informed and supportive pathways through services. Service capacity and demand and the structure of mainstream services continue to present system-wide challenges requiring attention. There are ongoing challenges in managing endings and supporting transitions between services, and issues of timely equitable access to the right help at the right time. There has been better recognition of these difficulties in society and within services, resulting in an increase in demand over the last 10 years, but this has not been matched by significant increases in service capacity.

Solutions include encouraging a system-wide approach. This promotes inclusion and the ethos that mental health and wellbeing, including helping service users with complex personality or attachment based disorders, are “everyone’s business”. Service users enter services at various entry points, and move between and across multiple and tiered services. Local aims are to promote awareness, knowledge, and skills, and work together to enable consistent training, supervision, and support for frontline multidisciplinary staff in statutory services. This requires enough specialist knowledge and training to deliver on, and the availability of timely and equitable access to specialist level intervention when needed for service users. In addition, work has progressed in wider partnership work with the voluntary sector to support and work alongside community initiatives.

Further work is required to progress more coherent and evidence based pathways across these multiple services, including general health and stepped/matched community and inpatient mental health care. Specialist knowledge is available from secondary care mental health specialist psychology. However, this competes with the full range of secondary care mental health need and there remain challenges around timely access to specialist psychological interventions where waits continue to be too long. Significant further work and resources will be required to improve equitability and ready access to the right care at the right time for service users across the Board.

### 1.2 Recognition and management in primary care

There is increased recognition of these complex difficulties in primary care at GP level. At primary care mental health service level in adults, there is also increased recognition and more consistent and routine assessment of risk facilitated by the Mental Health Measure Part 1 framework.

For management and treatment options in primary care mental health, some progress has been made in the setting up of skills groups within primary care mental health services.

However, this requires further development for coherent and consistent delivery across the Health Board. In alignment with Matrics Cymru and stepped/matched care models, an additional small investment from new psychological therapies monies will be used to support primary care mental health staff further. This will support the development of more consistent delivery of transdiagnostic DBT informed coping skills groups, which will increase accessibility to interventions for service users with less serious difficulties.

BCUHB primary care mental health services are routinely referring adults with complex problems onto community mental health services, and young people onto CAMHS teams.

### 1.3 Assessment and management by community mental health services

Last year we reported that in North Wales people given a diagnosis of Borderline personality disorder receive input via the CMHTs and that services aim to follow a person centred evidence based approach which is stepped and tailored around the individual's needs. This includes risk assessment and management or treatment offered at secondary care mental health level, including care management provided at CMHT or CAMHS level. Management of crisis may also involve support from Home Treatment services or local inpatient services

With regard to NICE recommended Psychological Treatment and evidenced based therapies, a number are offered within BCU CMHT adult secondary mental health services via psychology, and in specialist CAMHS for under 18s. Of the most highly rated by NICE, Dialectical Behavioural Therapy (DBT), Schema focused Cognitive Behavioural Therapy (CBT), CBT for Personality Disorders, and Transference focused psychotherapy are available. Cognitive Analytic therapy is also available and within Substance Misuse Services Acceptance and Commitment Therapy informed recovery programmes are offered. There remain issues of timely and equitable access to specialist psychological therapies across the region, due to demand and the small specialist resource trained and qualified to deliver these approaches. While full programme DBT has been available in the past in two localities, at present full programme is not running. Full programme DBT is recommended for women who present with significant risk of self-harm. However, it is a treatment programme which requires a team of trained clinicians with dedicated time to deliver and currently there are issues with MDT staffing sustainability. In the interim, DBT skills only groups are delivered in a number of settings. The large geographical spread of the Board remains an additional challenge in service delivery, with group programmes having significantly less reach in rural areas.

Significant work is continuing on waiting times and ways of working within secondary care mental health services to improve access, and NICE and Matrics Cymru (2018) are encouraged as best practice. It is important a wider holistic understanding of service users' difficulties and needs are understood throughout all services. An aim is to promote fuller understanding of the impact of Adverse Childhood Experiences (ACE's) on mental health long term. The work to meet needs should include the promotion of preventative measures, as well as system wide psychologically informed ways of working within services. This will involve developing more training opportunities to enable services be more attachment and trauma informed, and developing wider formulation led person centred risk assessment, support, and interventions. For survivors of childhood sexual abuse and other serious trauma resulting in significant mental health difficulties, targeted trauma work is provided at secondary care CMHT level mainly through specialist psychology. The partnership with Amethyst and CMHT psychology of group therapy for survivors of childhood sexual abuse (evaluated in a joint research study with Bangor University via a Health and Social care fund) is continuing, as well as teaching re: trauma informed care across MDTs in community and inpatient services.

Work continues on addressing issues of demand and capacity, supported by additional Welsh Government investments. This has included programmes of upskilling



multidisciplinary staff through investment in additional CBT and DBT training, but more development is needed to support staff to implement new skills within teams and services which require both systems change and increased specialist level to facilitate this.

#### 1.4 Inpatient Services

There has been significant development work within BCU adult acute psychiatric units. In the last year, remodelling work has been ongoing and plans include developing alternatives to admission which aim to offer more therapeutic and helpful support to service users in crises.

Work has progressed in the promotion of more psychologically informed ways of working within the psychiatric inpatient units. This has been supported by new investment from Welsh Government over the last 3 years which has enabled dedicated inpatient psychology staff are now added to inpatient MDTs across all units. This has facilitated psychologically informed working, and individualised formulation of a person's of risk and circumstances leading to admissions. It has also enabled the setting up of DBT skills and stabilisation groups within the units, and psychologically informed discharge plans.

Service users who currently require out of area placements have complex multiple difficulties. In North Wales the largest group of people requiring this level of service have either neurological or learning difficulties. Some service users can have complex personality difficulties, and development work is ongoing with CHC and local rehabilitation services to develop a three year plan of how best to meet people's needs.

#### 1.5 Organisation and planning of services

Whilst BCUHB has specialist clinicians working in services (mainly in secondary care CMHTs), in reference to adherence to recommendation 1.5.1. sustainable multidisciplinary specialist teams have yet to be developed comprehensively across the region. This requires further attention. In addition to NICE recommendations, evidence from local practice and local clinical research indicates this specialist resource is required. This is reflected in the views expressed by service users in North Wales, and by staff supporting service users with these difficulties.

Dr. Dawn Henderson  
BCUHB Director of Clinical Psychology & Psychological Services (Interim)



Ein cyf/Our ref VG/06885/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

3 July 2019

Dear Janet,

Thank you for your letter of 14 June requesting further information following my previous response related to Petition P-05-812 and the implementation of NICE guidelines for Borderline Personality Disorder.

In relation to the additional funding for psychological therapies, this is being released as part of the mental health service improvement funding. Health Boards have been requested to develop proposals that support the implementation of Matrics Cymru and the National Psychological Therapies Management Committee Action Plan which aims to improve the range and accessibility of psychological therapies. Proposals also need to include how the funding will be used to support the achievement of the current 26-week targets for specialist psychological therapies and adherence to current targets for Local Primary Mental Health Support Services. Proposals were expected from Health Boards by 30 June and will then be reviewed by officials before funding is agreed.

In terms of the evidence base, I have attached a link to [Matrics Cymru implementation plan](#) for the Committee's information which supports Health Boards with increasing the range of evidenced based psychological therapies. I can also confirm that Matrics Cymru was supported by a number of [evidence tables](#), including reference to Borderline Personality Disorder.

In respect to your questions in relation to the number of therapists and therapeutic hours available and per person cost for providing treatment to people with borderline personality disorder, including costs for out of area placements, this information will need to be obtained directly from Health Boards.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

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

**Tudalen y pecyn 86**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I hope you find this information useful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V' and a long, sweeping tail.

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

## Eitem 3.3

### **P-05-817 Aelodau prosthetig arbenigol i blant**

Cyflwynwyd y ddeiseb hon gan Rebecca Roberts ar ôl casglu 116 o lofnodion

#### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod nawdd ar gael er mwyn darparu aelodau prosthetig chwaraeon arbenigol i bob plentyn yng Nghymru sydd wedi colli coes / braich.

Rydym yn croesawu'r newyddion diweddar fod Llywodraeth San Steffan wedi cadarnhau bydd £1.5 miliwn ychwanegol ar gael i ddatblygu aelodau prosthetig arbenigol i blant a phobl ifanc yn Lloegr.

Rydym yn gofyn am yr un lefel o gefnogaeth i blant a phobl ifanc yng Nghymru, fel bod aelod prosthetig arbenigol ar gael drwy'r GIG i unrhyw blentyn neu berson ifanc buasai'n elwa o gael un.

#### **Gwybodaeth Ychwanegol**

Ganwyd fy merch gyda chyflwr prin o'r enw Fibular Hemimelia, sy'n golygu bod yna esgyrn ar goll yn ei choesau. Mae ganddi hi gyflwr prin iawn, sy'n effeithio ar ei dwy goes. Ychydig o ddiwrnodau ar ôl ei phen-blwydd cyntaf, aeth hi i Ysbyty Alder Hey i gael torri ei choesau. Ychydig fisoedd wedyn aeth hi at y Ganolfan Aelodau yn Wrecsam Maelor i gael ei phâr cyntaf o goesau prosthetig.

Rydym ni wedi cael gofal heb ei ail gan staff y Ganolfan, ond mae ei choesau yn drwm ac yn anhyblyg. Mae hi'n medru cerdded, ond yn araf. Mae hi'n medru dringo, gyda thrafferth. Nid ydi hi erioed wedi profi'r teimlad o redeg nerth ei thraed, na chadw cyflymder gyda'i chefn dryd wrth chwarae yn y parc. Mae hi wedi goresgyn pob anhawster hyd yma, ond bydd hi'n wynebu rhagor wrth iddi dyfu.

Fel rhiant, fy nymuniad yw iddi gael bod y fersiwn gorau ohoni hi ei hun; iddi gael chwarae heb frwydro i gadw cyflymder â'i ffrindiau, ac iddi fedru cymryd rhan ymhob peth mae hi'n dymuno gwneud.

Yn fuan bydd hi'n ddigon hen i gael aelodau prosthetig arbenigol. Pe bai nhw ar gael iddi drwy'r GIG buasai'n gwneud byd o wahaniaeth i'w bywyd beunyddiol.

Dwi'n deall bod plant eraill yng Nghymru wedi colli aelodau, ac eu bod nhw'n wynebu heriau tebyg. Rydw i'n credu bod ein plant ni yr un mor haeddiannol o gymorth arbenigol â phlant Lloegr. Nifer bychan o blant sydd wedi colli aelod yng Nghymru, does dim angen yr un lefelau o nawdd; eto mae eu hanghenion yr un fath. Nid ydym yn gofyn am filiynau, ond am gydraddoldeb.

Mi fydd fy merch yn treulio ei hoes gyfan yn gwisgo aelodau prosthetig. Fe all cefnogaeth arbenigol wneud cymaint o les iddi. Rhowch iddi, ac i blant eraill fel hi, yr un gefnogaeth a roddir i blant Lloegr.

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

- Dyffryn Clwyd
- Gogledd Cymru



Eich cyf/Your ref: P-05-817  
Ein cyf/Our ref VG/06887/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

5 July 2019

Dear Janet,

Thank you for your letter of 14 June on behalf of the Petitions Committee regarding petition P-05-817 - Specialist Prosthetics for Child Amputees.

The Chief Therapies Advisor has written to the Welsh Health Specialised Services Committee (WHSSC) to request a detailed costed business plan to commission a service across Wales to provide specialist sports prostheses (running blades) for children. This is due to be sent to the Welsh Government by mid July.

Once received, the business plan will be considered and presented to me for final sign off with an announcement to be made in due course. We will consider if we are able to share a copy of the business plan once the plan has been reviewed.

The Welsh Government has previously allocated funds to 3D printing projects through the Health Technology and Telehealth Fund. The initial project was for printing of facial implants but I believe there is scope to use the technology for prosthetics also.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

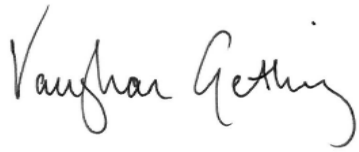
[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

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

**Tudalen y pecyn 90**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I am aware of other projects that NHS Wales and industries partners have been working on to introduce advanced digital technologies in implants and prosthetics. Although there is more to be done in the field of limb prostheses, there are exciting prospects in this field and more opportunities that are being explored.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V' and a long, sweeping tail on the 'g'.

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

**P-05-817 Specialist prosthetics for child amputees, Correspondence – Petitioner to Committee, 03.09.19**

The progress and the speed of the latest developments is welcome news to us as a family. Hopefully, by the time the committee meets things will have progressed further still. I have nothing new to add; all I can do is take this opportunity to remind the committee members, Mr Gething, the Chief Therapies Advisor and the WHSSC that if they were to make specialist leg prostheses freely available to child amputees then they would be changing the lives of child amputees and their families for the better, improving a child's quality of life immeasurably. As my daughter is growing up and becoming stronger and faster it is becoming increasingly apparent to us that ordinary prostheses are not designed to meet a child's physical demands – sports prostheses will be a necessity if she is to have a full, happy and active childhood. It is my greatest hope that they will become available to her soon.

Kind regards,

Rebecca Roberts



### **P-05-826 Mae sir Benfro yn dweud NA!! i gau adran damweiniau ac achosion brys Llwynhelyg!**

Cyflwynwyd y ddeiseb hon gan Myles Bamford-Lewis, ar ôl casglu 40,045 o lofnodion.

#### **Geiriad y ddeiseb**

Rydym ni sydd wedi llofnodi isod yn galw ar Lywodraeth Cymru a Bwrdd Iechyd Hywel Dda i wrthdroi eu penderfyniad i israddio ein hysbyty sirol a chael gwared ar ein hadran damweiniau ac achosion brys.

Mae Bwrdd Iechyd Hywel Dda wedi cynnig newidiadau sylweddol i'r ffordd y caiff gwasanaethau eu darparu mewn ysbytai yng ngorllewin Cymru. Maent yn cynnig israddio ysbyty cyffredinol Llwynhelyg yn ein sir ni ac ysbyty cyffredinol Glangwili yn sir Gâr, y ddau i safon ysbytai cymuned, ac adeiladu ysbyty cyffredinol newydd yn ardal Hendy-gwyn ar Daf. Fodd bynnag, mae hyn hefyd yn golygu na fydd gennym bellach adran damweiniau ac achosion brys sy'n gweithredu'n llawn yn ein sir oherwydd y bydd yr adran hon wedi'i disodli gan uned mân anafiadau ar safle Llwynhelyg. O ganlyniad, bydd cleifion y mae angen gofal brys arnynt yn ein sir yn wynebu teithio am hyd at awr, neu efallai hyd yn oed yn fwy os ydynt yn byw yn ardaloedd mwy gwledig ein sir, i gael gofal brys a all achub bywyd mewn ysbyty a fydd y tu allan i'r sir. Byddai'r oedi hwn yn golygu bod bywydau yn sir Benfro mewn perygl, heb ystyried yr oedi ychwanegol wrth orfod aros am ambiwlans i gyrraedd y claf, sefydlogi'r claf, wedyn cludo'r claf i ysbyty sydd y tu hwnt i ffiniau ein sir. Mae hyn yn golygu colli munudau hanfodol mewn sefyllfa lle nad oes amser i'w golli.

Mae bod heb adran damweiniau ac achosion brys yn ein sir yn hollol annerbyniol, a'r rheswm am y cynnig yw torri costau ac, yn bwysicach oll, torri corneli. Wel, byddwn ni'n sefyll cornel sir Benfro ac ni fyddwn yn caniatáu iddynt ein torri ni o'r map!

Llofnodwch a rhannwch y ddeiseb hon. Ni allwn adael i Lywodraeth Cymru a Bwrdd Iechyd Hywel Dda gymryd ased pennaf ein sir oddi wrthym. Maen nhw eisoes wedi mynd â'r uned gofal arbennig babanod, yr uned famolaeth dan arweiniad meddyg ymgynghorol a'r gwasanaeth gofal pediatrig 24 awr oddi wrthym, gan roi ein babanod, ein plant a'n mamau mewn perygl mawr! Nawr

maent yn dod i orffen y gwaith gyda gweddill gwasanaethau ysbyty ein sir.  
Peidiwch â gadael i hynny ddigwydd!

Gyda'n gilydd, byddwn yn anfon neges at Steve Moore a Vaughan Gething y gallant feddwl eto os ydynt yn credu y bydd sir Benfro yn ildio heb frwydro'n ôl wrth iddynt fynd â'n gwasanaethau ysbyty oddi wrthym!

Achub adran damweiniau ac achosion brys Llwynhelyg! Achub Ysbyty Llwynhelyg!

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

- Preseli Sir Benfro
- Canolbarth a Gorllewin Cymru

**P-05-826 Pembrokeshire says NO!! To the closure of Withybush A&E!,  
Correspondence – Heather Scammell to Committee, 21.03.19**

To The Petitions Committee,

Thank you for the opportunity to provide further comments on the latest position with regard to P-05-826 Pembrokeshire says NO!! To the closure of Withybush A&E!, You will perhaps be unsurprised to hear that Hywel Dda continue to ignore all opinions which run counter to their narrative whilst promising ever more 'jam tomorrow' on what seems to be aspirational and unsubstantiated evidence.

A recent attempt to call for Hywel Dda to be put into special measures by a member of PCC led to a further scrutiny session which was held behind closed doors. As a result of this, a number of Councillors appear to have been 'reassured' that there will be 'no reduction to A&E until the new build is ready.' But in the January Hywel Dda Board Meeting, it had already been determined that as part of the development of a trauma network across South Wales, trauma for Hywel Dda will be 'temporarily' centred in Glangwili; this will entail trauma cases which do not merit transfer up the line to a larger regional centre, but are of sufficient concern, being transferred to Glangwili until such time as the New Build is ready. Given that we have been led to believe that the New Build site has not been secured and that funding, plans and associated permissions have yet to be obtained, 'temporary' suddenly seems a very long time indeed. It is perhaps unfortunate that PCC seemed unaware of what was already in the pipeline; it is unrealistic to pretend that making Glangwili the focus for trauma (subject to an Impact Assessment on Bronglais, Withybush did not merit a mention,) will have no impact on Withybush A&E. Last year, the CEO of Hywel Dda intimated to us that he would like to see Trauma at Withybush. Shortly before Christmas, he also informed my group that they 'hadn't anticipated' the knock on effect on A&E when they centralised Maternity and Paediatrics – if that is true, it means that they totally discounted all the medical opinions from the Withybush Clinicians, who spelt out the probable consequences in some detail; their decision to ignore local clinical opinions confirms their bias against our County. It should be noted that the January Board meeting took

place in Haverfordwest and was rushed through in order to beat the forecast inclement weather; Board members did not want to be 'stuck in Pembrokeshire,' but our sick children and pregnant women still had to get to Carmarthen for treatment or to give birth; their needs were obviously of less consideration than those of Hywel Dda Board Members.

The dissemination of 'misinformation' seemed to be a characteristic of last Summer's 'Drop Ins,' where individual members of the public were encouraged to come and discuss Hywel Dda's Utopian vision with members of the Health Board. Unfortunately, attendance at a number of these events revealed that different members of the Health Board had rather different views as to what might characterise a 'Community Hub,' so members of the public were coming out with quite different ideas as to what services would be available. Moreover, the Board were happy to admit that they were refining their ideas throughout the consultation period, completely oblivious to the fact that someone who completed a questionnaire on the back of an early Drop In might have been acting on information that was later to be modified rendering their response invalid (although still included.) Hywel Dda have also acknowledged since the completion of their 'Consultation' that their tag line of 'Safe, Sustainable, Accessible and Kind' may not be deliverable in its entirety. We would dispute a definition of 'safe' based on staff numbers alone, because one of the major issues as far as we are concerned is the safety of patients and families travelling too far whilst under stress – I know from my own experience how traumatic this is and know someone who decided to cease treatment for a frail husband after a traumatic journey to Glangwili during the early hours of the morning because Withybush (which is five minutes from her home) was not accepting admissions – he died not long afterwards.

I have been taking a close interest in the machinations of Hywel Dda since 2010 and I am firmly of the opinion that they do not act in the interests of the people of Pembrokeshire. Their adherence to a numbers game, discounting tourism or proximity of the bulk of the Carmarthenshire population to Swansea is skewing delivery of services to what amounts to an Urban Health Service and because Bronglais is ring fenced, it is Pembrokeshire which is suffering the most. The bulk of Hywel Dda's

clinicians are now Carmarthen centric and do not seem interested in the impact of their centralist agenda on our County. On their watch, we have seen a steady outflow of services to Carmarthenshire and an associated collapse in Primary Care. They have steadfastly ignored all opinions which run counter to their narrative and there is an alarming culture of intimidation of staff. I know that Hywel Dda will deny this, but I can substantiate the claims that I make. Nowhere is this more clear than in the field of mental health. It so happened that when they launched their 'Transforming Mental Health' Consultation, I was part of a small group of volunteers undertaking ground maintenance on the Withybush sites (Hywel Dda had not even cut the grass for two years and did not seem to see the link between the obvious neglect and their difficulties in attracting recruits.) This meant that we happened to be working on the grounds of the Mental Health unit and were engaging in conversations with staff, patients and visitors alike whilst the 'Transforming Mental Health' Consultation was taking place. What we have encountered is universal horror at the proposed changes which run completely counter to the Board's zealous assertions that 'everyone' is on board – the only people with whom I have spoken that seem to be 'on board' are those members of senior management who have been to Trieste; the consensus from those on the ground – including people from Pembrokeshire MIND, Dyfed Powys Police, WAST and St John Ambulance is that the removal of Psychiatrist led acute adult in-patient beds from a purpose built unit (which only opened in 2005) to a new build in Carmarthenshire is very bad news indeed. I have been reliably informed that the Community Model requires three times as many staff as an in-patient facility and there is no evidence that they are recruiting anything like the number of staff required. They determined that our expensive, purpose built acute Adult Inpatient unit, which opened in 2005 is 'obsolete' and will be 'remodelled' as a Community Facility with a small number of nurse led 'crisis beds' whilst patients requiring hospital admission will be moved to Carmarthen (or now the New Build;) a business case will be forwarded for a new building there, which seems a massive waste of a very good facility which happens to be in the 'wrong County' for the Carmarthen based lead Psychiatrist. Quite how removing our most vulnerable patients to the next County is supposed to 'reduce the stigma of mental health' eludes me. Having railroaded their

proposals through on a tiny response (because many were unaware that it was happening,) they then used the outcome to apply leverage to their 'Transforming Clinical Services,' determining that we will all be treated in our own homes, so will not require the number of beds – even though Withybush has been consistently over occupied since the number of beds has been drastically cut in recent years. There seems to be a huge move towards 'volunteers' and the Third Sector, with no consideration of where they are all to come from as that pool diminishes. People are much less likely to retire to an area without a good hospital and young retirees who have moved to the area, along with a substantial pool of retired nurses, seem to be key to current Charitable enterprises in Pembrokeshire. Certainly access to services has become hugely problematic as services increasingly migrate eastward under Hywel Dda's jurisdiction. – and again 'volunteer drivers' are expected to plug the gap. I am also tired of being told that Hywel Dda 'cannot recruit to Pembrokeshire as though the fault lies with the County and has nothing to do with Hywel Dda – even now, they tend to advertised short fixed term contracts and locum positions for Withybush, yet full time posts for Glangwili.

When Hywel Dda first tried to persuade us that we would be 'better off' with a hospital in Whitland, it was resoundly rejected by the people of Pembrokeshire for reasons that I still believe to be valid, key of which is the Pembrokeshire infrastructure; Withybush is in Haverfordwest because that is where the roads meet. We do not have dual carriageways in our County and St Clear's (which many believe to be the likely location for the New Build) is ten minutes from Carmarthen along excellent roads, but half an hour along a non-dualled, frequently blocked road from Haverfordwest. Many Pembrokeshire residents have journeys of 30–40 minutes to get to Haverfordwest. Carmarthen is only around twenty minutes along dual carriageway/ motorway from the soon to be expanded Morriston Hospital and it is still questionable as to whether Hywel Dda's new build will actually achieve their stated aims, because it will never be able to rival the range or scope of services available in Swansea. Increasingly, Doctors seem to be taught in training that they can only 'safely' deliver services in Large Urban units, so why would anyone want to be a GP who does not have the 'family

Doctor' relationship with a patient because much of the work is done by Physics, paramedics etc, but is more of an overseer, with the only hospital back up in the next County? No wonder Primary Care now has 'recruitment issues' in Pembrokeshire! Although both Withybush and Glangwili are supposedly due to be 'repurposed,' it is quite clear that they have a greater commitment to service delivery in Carmarthenshire, whilst Pembrokeshire becomes the unwilling laboratory for their experimental 'never tried anywhere before on this scale' Transformation of services by a Health Board which has systematically failed to deliver any of its promised 'improvements' to date. Nothing was supposed to move until Glangwili was ready. We are still waiting for the improvements, but essential services moved in 2014. Instead of resolving Glangwili's over dependence on locums and agency staff, it created an additional recruitment crisis in Withybush; very few of our midwives remained at Glangwili because working practices there were more autocratic and less amenable than in the excellent unit (level 2 in all but staffing) that was sacrificed at Withybush. The Royal College 'Review' failed to pick up on this because it was the Health Board who funded the review and set the parameters, which meant that some of us who had been promised the opportunity to meet with the team and express our concerns were denied that meeting. Indications are that perinatal mortality has at least doubled since August 2014, but it is very difficult to access accurate information, or indeed to prove whether outcomes would have been definitively different under other models of delivery.

It is a recognised Hywel Dda trick to conflate criticisms of their decisions on social media, or in the press with criticisms of individual staff, which is unfair on so many levels. They have created closed FaceBook groups for new mothers at each hospital, which means that information does not always reach the public domain and the 'fact' of negative publicity is stated as a Truism. I have to say, it is extremely rare to see express criticism about individual employees, but there is huge dissatisfaction at the way Hywel Dda shows a cavalier disregard for our county's health. This is particularly true when that County is one of only five to make a net contribution to the Welsh Economy and two of the linch pins of our economy are Tourism and The 'Silver Pound,' yet there is good empirical evidence that both these sectors

suffer when a hospital is downgraded. One clear example of the indifference of Hywel Dda is that David Williams, who pioneered the Voluntary GroundForce scheme in tribute to a good friend and fellow campaigner managed to secure sponsorship to revamp the garden of Withybush Creche. The Creche had been begging Estates for help for twenty years, but David persuaded Willmott Dixon to do in the region of £20,000 worth of improvements and the place has been transformed. The Health Board decided to celebrate the start of improving maternity services at Glangwili – which is still a hugely controversial issue since it has caused so much heart ache in Pembrokeshire – by filming in Withybush Creche! Not only that, but they don't understand why that was so totally inappropriate – to celebrate controversial developments in Glangwil with a film made in Withybush which has been decimated by Hywel Dda on a site that the Health Board had neglected, so had been Transformed by Sponsorship thanks to the efforts of a Volunteer. That is what Hywel Dda thinks of Withybush! Nor do they seem to understand that telling us that we should be 'pleased' that services which used to be available in Pembrokeshire, but have ripped away, to be replaced by a less good, less accessible service in Carmarthen are supposedly coming 'closer to home' in the new build (which will almost certainly still be in Carmarthenshire if it ever happens.) It would seem that those who claimed that we would be punished for objecting on principle to services being taken away, by being obliged to travel even further until we accept what was once an anathema, are being proved right. Pembrokeshire will always lose out to Carmarthenshire in a 'numbers game' because the millions of Tourists who flock to our County do not have votes. Nor do we have the political clout of Llanelli, even though we have well recognised pockets of deprivation and the concentration of COMAH sites within Hywel Dda – indeed until recently, the Major Incident Plan made it perfectly clear that Withybush had twice the capacity to deal with seriously injured patients following a major incident as other Hywel Dda sites (notably Glangwili,) but this observation has mysteriously disappeared. It is worth noting that Withybush is the second youngest of the four hospitals in Hywel Dda, it is the cheapest to run and the only one to meet the basic energy requirements, but they determined to 'repurpose' it for reasons that would seem to be more political than medical.



It gives me no pleasure to say that, but it is the only conclusion left when everything is examined in depth.

In the meantime, the CHC which used to be our voice, has been 'reconfigured' and is now adopting a 'more consensual approach,' working 'with Hywel Dda' to improve service delivery – which means that they no longer act as the patient voice. Hywel Dda is busy 'engaging with our stakeholders' on the new service delivery – so I was very concerned to learn that at least some of those 'stakeholders' are Third Sector organisations who are in receipt of payments from Hywel Dda – in which case, how can they be impartial in their deliberations? Furthermore, the supposed 'independent' Board members, whose job is to provide scrutiny, are appointed by the Cabinet Secretary, whose policies the Chair and CEO are appointed to implement.

It is hard to escape the conclusion that Hywel Dda is the medical equivalent of 'Dyfed' – very much to Carmarthenshire's benefit at Pembrokeshire's expense. We do not have the well-oiled opposition of Llanelli campaigners (but they have been encouraged by small 'victories' along the way that have been denied to Pembrokeshire.) It seems that we have neither the political clout nor the benefit of numbers and it feels as though we are being treated as expendable. This is compounded by the lack of independent scrutiny at all levels. But our County makes a significant contribution to the Welsh Economy and Health Care is a significant part of our Well-being. Hywel Dda has proved itself as an organisation that is either unwilling or unable to deliver the Healthcare that we need and there is genuine concern that unless it can be stopped – and preferably disbanded – that primary care in our county is set to implode.

Heather Scammell,

**P-05-826 - Pembrokeshire says NO!! To the closure of Withybush A&E! – Correspondence – David Williams to Committee, 25.03.19**

To the Petitions Committee,

Thank you for the opportunity to provide further comments with regard to P-05-826 Pembrokeshire says NO!! To the closure of Withybush A&E!.

The new build, if approved, will result in Withybush A & E being downgraded to minor injuries unit & nearest A & E will be a minimum 20 mins from Haverfordwest. This can be much longer during summer/tourist season, inclement winter weather, traffic accidents closing road or slow moving agricultural/HGV vehicles – there is no dual carriageway and only alternative to A40 are minor roads.

Those to west can currently take 30 mins after collection by ambulance to reach Haverfordwest so moving of A & E from Withybush will mean many taking over an hour to arrive at A & E on top of response time which due to above reasons can be quite long. It is not unrealistic to estimate that from 999 call received to reaching New Hospital A & E it will normally take a minimum of 1 hour 10 mins and could frequently be double that. I accept that we have to travel for non-urgent specialist treatment but A & E is for urgent life-threatening treatment and moving 20-30 mins travel time further away for those who already can take 30 mins to reach current one is going to cost lives and/or create disabilities which will cost more long term.

Pembrokeshire has a huge increase in population during summer months (Tenby alone goes from 5000 in winter to 95,000 in tourist season) and has much more industry than adjacent county's with Milford Docks, Valero, LNG etc with accompanying risk.

Haverfordwest has catchment area of 80,000 compared to Carmarthen's 40,000. Carmarthen has dual carriageway/motorway to Swansea so is much quicker to get to although same distance as H'west to Carms. Carmarthenshire's' largest town catchment is Llanelli Also 80,00 but only about 10-15 mins from Swansea again on good roads.

The stated problems are recruitment & Glangwili being old & not fit for purpose. While there was a national recruitment problem but until Withybush future was threatened it bucked the trend and had no major recruitment problems unlike Glangwili. In fact the 2 nurses needed for SCBU had applicants but health board refused to fund. They tried to solve problem by moving services & staff to Glangwili instead of learning why Withybush could recruit and applying to Glangwili. Now because most of transferred staff have left they still have a problem.

Given history why do they think they will be able to recruit to new hospital. They think combining current consultants etc in one place will solve staff/rota issues but unless these staff are currently standing idle some off the time, which from my observation is not true, it does not hold water.

To me the long-term answer is to fund more (at least double) the medical training places. There is no shortage of applicants as latest figures I have seen are 3500 applicants for 300 places in Cardiff and similar % for Swansea. Give applicants the choice of funding totally themselves and be free to go where they like when qualified or totally free training if they sign to work in Welsh NHS for 10 years. This would prevent trainees taking bursaries/grants for training and then going overseas or working as locums/agency when qualified. This would not be as expensive as sounds as it would reduce the vast current expenditure on agency/locum. A larger number of qualifies applying for same number of places would mean more having to work outside the city areas. It would also save the many hundreds of millions of new build.

The health board say we cannot look at past or go back but that is how we learn from our mistakes and correct them, otherwise we keep exacerbating the errors and continue going further in wrong direction.

David Williams



Cyngor Iechyd Cymuned Hywel Dda  
Ystafell 5, Lawr 1af  
Ty Myrddin  
Heol Yr Hen Orsaf  
Caerfyrddin SA31 1BT

Hywel Dda Community Health Council  
Suite 5, 1<sup>st</sup> Floor  
Ty Myrddin  
Old Station Road  
Carmarthen SA31 1BT

Ffôn / phone: 01646 697610

Mrs Janet Finch-Saunders AC/AM  
Chair of the Petitions Committee  
National Assembly for Wales

By email: [SeneddPetitions@Assembly.Wales](mailto:SeneddPetitions@Assembly.Wales)

Dear Mrs Finch Saunders,

Thank you for your letter dated 24<sup>th</sup> May, I apologise for the delay in responding.

You asked for the CHC's reflections on Hywel Dda Health Board's plans relating to Withybush A&E department. Please see our response below, and note that we have attached a copy of our commentary document that was submitted to the Health Board (and published by us) prior to their decision-making on a Clinical Strategy towards the end of 2018.

We heard from a wide range of people during the Health Board's public consultation. Understandably, many of the public in Pembrokeshire (as well as some areas in south Ceredigion and north Carmarthenshire) were worried that if changes to established A&E departments went ahead, in an emergency they could not be assessed and treated in a timely way.

In our letter of April 15th to the Petitions Committee relating to other proposed NHS changes in Hywel Dda, we said that

*"the outcome of Health Board's public consultation showed a mismatch of expectation. Whilst many of the public who*

Ffôn | Tel: 01646 697610

e-bost | e-mail: [hyweldda@chcwales.org.uk](mailto:hyweldda@chcwales.org.uk)  
gwefan | web: [www.communityhealthcouncils.org.uk/hyweldda/](http://www.communityhealthcouncils.org.uk/hyweldda/)

*feared cuts to their services wanted more detail and concrete reassurances, the Health Board was looking to understand how the public viewed the strategic principles within proposals, with detail to be worked out in coming years.*

*The answer to addressing this mismatch will be continuous engagement with the public to help shape implementation, something that we have made very clear in our expectations and that the Health Board has agreed to. Further, it is possible that there will also be a need for further consultation on specific issues or change proposals as required.”*

This outlook also applies to any changes to A&E departments. Ultimately whilst stating that change and improvement is important, after public consultation the CHC was unable to support or oppose proposals. It was felt a number of issues would need to be clarified before the CHC could agree or disagree that the changes were in the public's best interest.

As stated in our commentary document, one of the crucial questions would be the extent to which Welsh Ambulance Service Trust could meet demand within a new local system. We understand that work is underway to model and understand this. Additionally the CHC is working on a local and national level to understand key related issues such as the development of a Major Trauma Centre and network, the strengthening of the Emergency Medical Retrieval and Transfer Service, a potential new Hyper Acute Stroke Unit, stroke and acute cardiac pathways.

It would be important to scrutinise wider related areas of local NHS development in the future, which would impact on or support the operation of a new urgent care system. For example, agreement to fund a new hospital that would house a large new Emergency Department and Trauma Unit is a significant first step, with a much improved picture of health and social care capacity needed in community settings to avoid the hospital-focused congestion that ultimately adds more pressure to ambulance and A&E settings. The future of transport and accessibility (both issues

which the public raised repeatedly during consultation) remains unclear.

Fundamentally, the public must be given the opportunity to have their say as a clearer picture of future NHS urgent care emerges. Until this happens we would oppose any changes to the current configuration of A&E units in Hywel Dda, a principle we made clear in our commentary and one which was agreed with by the Health Board.

I trust this addresses the issue raised in your letter and if you feel that further elaboration is needed, please do not hesitate to make contact with me again.

Yours sincerely

A handwritten signature in cursive script that reads "Donna Coleman".

Donna Coleman  
Chief Officer

### **P-05-842 Rhowch lais i bobl ifanc yn y broses o gomisiynu gwasanaethau lleol yng Nghymru**

Cyflwynwyd y ddeiseb hon gan Changing Minds Campaign Group, wedi iddi gasglu 1,387 o lofnodion ar-lein a 2,865 ar bapur, sef cyfanswm o 4,252 o lofnodion.

#### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gydnabod y ffaith nad yw'r lefel bresennol o gyfranogiad pobl ifanc yn y broses o gomisiynu gwasanaethau yn caniatáu i grwpiau ymylol gael eu cynnwys yn y broses honno. Rydym yn gofyn am adolygiad o'r polisïau a'r canllawiau sydd ar waith, ynghyd ag argymhelliad bod canllawiau newydd gorfodol ar waith ar gyfer gwasanaethau a gomisiynir ar gyfer pobl ifanc.

Mae angen i holl bobl ifanc Cymru gael y cyfle i leisio barn a rhannu eu profiadau mewn modd ystyrlon, a hynny at ddibenion llunio'r gwasanaethau sydd ar gael i'w cefnogi. Rydym yn gofyn i chi gefnogi'r broses o hyrwyddo newidiadau a fydd yn arwain at gyflawni'r nod hwn. Fel pobl ifanc, rhaid inni gael y cyfle i rannu ein syniadau a'n safbwyntiau ynghylch y prosiectau y mae arnom eu hangen yn ein hardaloedd ni.

Ar hyn o bryd, dim ond cynghorau/fforymau ieuenctid sy'n destun ymgynghoriadau, ac nid yw'r drefn hon yn cynrychioli'r rheini sy'n ei chael yn anodd bod yn rhan o fforymau o'r fath, fel yr un o bob pump o oedolion ifanc sydd ag anhwylder iechyd meddwl y gellir gwneud diagnosis ohono. Mae angen llwyfan ar y bobl ifanc hynny na fyddant, o bosibl, yn gallu cymryd rhan yn y cynlluniau presennol yn sgil eu problemau iechyd meddwl, er mwyn iddynt gael cyfle i leisio barn ar wasanaethau a phrosiectau sy'n effeithio arnynt yn uniongyrchol.

Rydym yn grŵp o bobl ifanc sydd wedi bod yn rhan o'r Prosiect Newid Meddyliu, sy'n cael ei gydlynu gan sefydliad Newport Mind. Disgwylir i'r prosiect hwn gollu arian ym mis Tachwedd. Yn sgil y sefyllfa hon, rydym wedi bod yn dysgu am y broses gomisiynu, sydd wedi arwain at greu'r ddeiseb hon ac i'n hymgyrch ehangach, sef #changeit. Bydd cynnwys pobl ifanc â phroblemau iechyd meddwl yn uniongyrchol y

broses gomisiynu yn hwyluso'r broses o deilwra gwasanaethau ac yn gwella hyder y bobl a dargedir gan y gwasanaethau a ddarperir.

"Roedd y cyfle i gyfrannu at y prosiect hwn yn gyfle imi wir ddeall pryderon pobl ifanc a'r problemau y maent yn eu hwynebu. Heb fod y pryderon hyn yn cael eu codi a'u cynnwys wrth lansio unrhyw bolisi sy'n effeithio ar bobl ifanc, bydd unrhyw fenter sy'n effeithio arnynt yn ddiffygiol".

### **Gwybodaeth Ychwanegol**

Mae'r ddogfen 'Dull Gweithredu Seiliedig ar Hawliau Plant yng Nghymru' gan Gomisiynydd Plant Cymru yn fframwaith ar gyfer ymgorffori hawliau plant mewn gwasanaethau sy'n ymwneud â phobl ifanc. Mae'r rhain yn ganllawiau, ac felly nid ydynt yn orfodol. Maent yn seiliedig ar Erthygl 12 o Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn (UNCRC), sy'n amlinellu hawl plant i fod yn rhan o greu a gweithredu polisiau—yn enwedig y rhai sy'n effeithio ar eu demograffig nhw.

Mae Adroddiad Blynyddol Comisiynydd Plant Cymru ar gyfer 2016/2017 (yr Adroddiad) yn tynnu sylw penodol at y ffaith bod y Comisiynydd yn dymuno gweld pobl ifanc yn cael eu hintegreiddio yn y broses gomisiynu i raddau mwy helaeth.

Mae'r canllawiau cyfredol ar gyfer cyfranogiad pobl ifanc yng Nghymru wedi'u cynnwys yn nogfen 'Cyfranogiad Plant a Phobl Ifanc yng Nghymru Arfer Da 2016', ymhlith pethau eraill. Mae'r saith 'safon graidd' sydd wedi'u nodi yn y canllaw yn gamau cychwynnol ardderchog.

O ran y safonau a'r dulliau hyn, er eu bod yn cael eu bodloni'n rhannol mewn rhai awdurdodau yng Nghymru, mae'r ffaith nad ydynt yn orfodol yn golygu nad ydynt yn ddigonol ar gyfer sicrhau atebolrwydd ynghylch yr holl wasanaethau sy'n ymwneud â phobl ifanc.

Rydym yn ceisio sicrhau bod gan bobl ifanc o grwpiau ymylol lais yn y broses o wneud penderfyniadau, yn ogystal â sicrhau bod y gwasanaethau sy'n cael eu darparu ar gyfer pobl ifanc ledled Cymru o safon ragorol a chyson.

Mae ein deiseb yn cyd-fynd ag Argymhelliad 10 o'r adroddiad 'Cadernid Meddwl', sy'n tynnu sylw at lefelau'r gwasanaethau iechyd meddwl sy'n cael



eu darparu i bobl ifanc ar hyn o bryd, ac yn ategu'r gwaith a wneir gan y Rhaglen Law yn Llaw at Blant a Phobl Ifanc.

Heb newid y canllawiau presennol, bydd pobl ifanc ledled Cymru yn parhau i gael eu gwthio i'r cyrion. Yn benodol, bydd y rhai sydd â phroblemau iechyd meddwl neu anghenion ychwanegol, sef y rhai nad ydynt, o bosibl, yn gallu cymryd rhan yn y mentrau cyfranogiad ieuenctid cyfyngedig sydd ar gael ar hyn o bryd, yn parhau i'w chael yn anodd lleisio barn.

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

- Gorllewin Casnewydd
- Dwyrain De Cymru

Vaughan Gething AC/AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref VG/06676/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

Government.Committee.Business@gov.wales

17 June 2019

Dear Janet,

Thank you for your letter of 24 May.

I have noted the correspondence from the #Changelt Campaign Group and the concerns of the petitioners relating to membership of the Strengthening and Advancing Equality and Human Rights in Wales Working Group.

I am pleased to inform you that the chair of the working group, Jane Hutt AM, Deputy Minister and Chief Whip, is content for a young person's representative to be included on the working group and my officials are working with Children in Wales to identify someone to fulfil that role.

I will, as previously offered, update the Committee on the work underway by the beginning of the autumn term.

Yours sincerely,

**Vaughan Gething AC/AM**  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

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

**Tudalen y pecyn 110**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

**P-05-842 Give young people a voice when commissioning local services in Wales, Correspondence – Petitioner to Chair, 07.08.19**

Dear Ms. Saunders,

Thank you for the opportunity to respond to the letter from Vaughan Gething dated 17 June 2019.

We would firstly like to thank Mr Gething and Ms. Hutt for this excellent opportunity. Certainly, having a youth representative on the Strengthening and Advancing Equality and Human Rights in Wales Working Group is a very positive step forward.

However, this still does not address the gap highlighted in our petition. We are calling for there to be a statutory right for young people to be included in the commissioning of children and young people's services in Wales.

While having a representative on the board mentioned by Mr Gething is good progress, it risks being tokenistic for two particular reasons.

The first is an issue of full representation. Naturally, the diverse backgrounds of Welsh youth cannot be neatly embodied by a single representative. In order to represent the full spectrum of Welsh youth, we wish to advance the argument that there needs to be a panel of young people to consult on the commissioning of youth services in Wales. This is the only way for young people's views and opinions to be accurately and fairly advocated.

Secondly, there is an issue of accessibility. As our Petition has noted, there are many young people who cannot participate in face to face engagement. This is frequently due to circumstances of which they have little or no control. This can be due to issues as diverse as poverty (thus an inability to afford travel), mental health (e.g social anxiety, therefore an inability to leave their house) or physical disability (resulting in an incapability to move).

The need for diversity of representation in the commissioning of youth services goes to the core of our Petition. Diversity in the appointments is critical as, for example, it is unlikely that LGBTQ+, BAME and mental health could be adequately represented in a single individual. It is the aim of our Petition that the views of the wider background of Welsh youth are consulted in the process of commissioning services.

By way of a hypothetical, a young man from inner city Cardiff could not accurately represent the views of a young woman from a more rural environment in mid-Wales, and vice versa.

Therefore, a modality needs to be devised which allows for the inclusion of those who cannot engage face to face. For example, an online platform that would be easily accessible by those who cannot travel to Cardiff is a possible solution. Regardless of what solution is eventually adopted, our Petition calls for it to be open and easily accessible to engage the broadest spectrum of Welsh youth with particular emphasis on those who would otherwise have difficulty voicing their views.

Again, we would like to note the progress that has been made in the course of our Petition. In particular, we would like to thank the Petitions Committee, Mr Gethin and Ms. Hutt for their co-operation and efforts to implement a solution that works for all parties concerned and, most importantly, the young people of Wales. We welcome any feedback about how work can be undertaken to ensure that there is a statutory right for young people to be included in the commissioning of children and young people's services in Wales.

As ever, if we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

**The #Changeit Campaign Group**

P-05-849 Dylai pob dyn yng Nghymru gael mynediad drwy'r GIG at y profion diagnostig gorau posibl ar gyfer cancer y prostad.

Cyflwynwyd y ddeiseb hon gan Stuart Davies, wedi iddi gasglu 5,916 o lofnodion ar-lein a 429 ar bapur, sef cyfanswm o 6,345 o lofnodion.

### Geiriad y ddeiseb

Yr ydym ni sydd wedi llofnodi isod yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i weithredu ar unwaith a sicrhau bod sganiau delweddu atseiniol magnetig amlbaramedrig (mpMRI) o ansawdd uchel cyn biopsi ar gael i bob dyn cymwys yng Nghymru lle mae amheuaeth bod arno ganser y prostad.

Pam mae angen y ddeiseb hon?

Gall fod yn anodd gwneud diagnosis ar gyfer cancer y prostad. Ers blynyddoedd, mae biopsïau i ddynion wedi bod yn ymyrrol ac yn boenus. Weithiau gallant arwain at heintiau difrifol – ni ddylai dyn gael biopsi oni bai bod rhaid.

Mae cynnal biopsi cyn cynnal sgan mpMRI yn golygu defnyddio cyfres o nodwyddau i godi samplau o feinwe ar hap o'r prostad, i weld a oes celloedd canseraidd. Y broblem gyda'r technegau hyn yw bod bylchau rhwng y nodwyddau, sy'n golygu bod canserau sylweddol weithiau'n mynd heb eu canfod os nad oes sampl o'r rhan honno o feinwe. Gall biopsi arwain at ganlyniadau positif anghywir, sef diagnosis o ganser nad yw'n arwyddocaol yn glinigol, a gall hyn arwain at or-drin cleifion yn ddiangen.

Gellir defnyddio sganiau mpMRI ar y cyd â phrofion eraill i gynyddu nifer y canserau prostad ymosodol sy'n cael eu darganfod ynghynt. Profwyd bod cynnal sganiau mpMRI i safon ddigonol hefyd yn lleihau yn ddiogel nifer y dynion a allai gael biopsi yn ddiangen, a hynny drwy gadarnhau nad oes arnynt ganser y prostad yn gynharach yn y broses.

Beth yw mpMRI?

Ystyr mpMRI yw delweddu atseiniol magnetig amlbaramedrig. Mae'n cyfuno hyd at dri math gwahanol o sgan i greu delwedd gliriach o'r hyn sy'n digwydd yn y prostad. Hefyd, mae chwistrelliad lliw yn golygu y gellir gwella delweddau'r sganiau i allu gweld yn gliriach a oes cancer yn bresennol ai peidio. Mae hyn yn wahanol i sgan MRI safonol, sy'n creu delwedd o organau

mewnol. Yn aml iawn, nid yw delweddau MRI yn ddigon clir i wneud diagnosis o ganser cynnar y prostad gyda sicrwydd.

Beth sy'n digwydd yng Nghymru?

O'r saith Bwrdd Iechyd sydd yng Nghymru, tri sy'n darparu mpMRI cyn biopsi. Dim ond un bwrdd sy'n defnyddio mpMRI i safon ddigon uchel i allu cadarnhau yn ddiogel nad oes angen biopsi ar ddyn. Mae hyn yn golygu nad oes gan ddynion mewn pedwar Bwrdd Iechyd fynediad at mpMRI fel prawf diagnostig, oni bai eu bod yn talu dros £900 i'w gael yn y sector preifat.

Mae rhagor o wybodaeth am mpMRI a biopsiau yma:

<https://prostatecanceruk.org/prostate-information/prostate-tests/introduction-to-prostate-tests>

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

- De Clwyd
- Gogledd Cymru



Ein cyf/Our ref VG/06868/19

Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

1 July 2019

Dear Janet,

Thank you for your letter of 13 June regarding petition P-05-849: all men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer.

Patients in Wales should have access to investigations for cancer in line with clinical guidance and this should be delivered consistently across Wales. The National Institute for Health and Care Excellence (NICE) published its revised guideline on the diagnosis and treatment of prostate cancer in May 2019. This confirmed that Health Boards should be delivering pre-biopsy mpMRI for the investigation of suspected prostate cancer.

Two Health Boards in Wales had already started to provide this investigation and one Health Board was providing pre-biopsy but not to the mpMRI standard. In recognition of the emerging evidence and NICE's review of its guidance, the Welsh Government had convened a series of three workshops to bring the clinical community together to create a consensus on the best way forward and to enable local planning to comply with any revised guidance. At the most recent workshop in June, Health Boards not providing investigation in line with the revised guidance were required to submit and review outline implementation plans.

These plans have been reviewed and further work will take place to change local practice. This programme of change will be overseen by the Imaging Network and Urology Board. It is my expectation that all Health Boards will come into line with guidance by the end of the financial year, potentially earlier. I will be monitoring progress closely.

While Health Boards are transitioning to this new service model, people with suspected prostate cancer will continue to be investigated in line with the extant clinical pathways.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

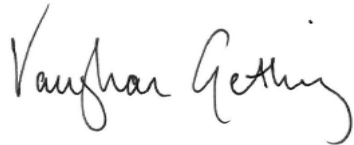
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

While I appreciate it is desirable for appropriate patients to be offered pre-biopsy mpMRI, I must accept that Health Boards will need to put in place the relevant equipment, training and capacity to do this. Now that we have arrived at a consensus, it is my role to ensure Health Boards implement this as quickly as possible. In the meantime, should patients seek to be investigated by private means then this must remain a private matter for those patients concerned.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



**P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer, Correspondence – Petitioner to Chair, 31.07.19**

Thanks for that, I am disappointed in the response, the Minister in September 2018? made a promise that £12 million was to be provided for infrastructure etc to provide these facilities. Nothing seems to be happening. Men are contacting me with fears of not being able to access these scans in North Wales, that they are still paying for them!!!! and then chasing up the Betsi for refunds.

We made the point at our meeting with Mark Polin and Gill Harris that the Betsi could buy in these services from the private sector for £350 ish and yet we see men paying £900 ish and then reclaiming this from the Betsi. How stupid is this? If they did what I suggested, the private sector could provide an interim service at a third of the cost if the Betsi would only do this directly!

I will forward a couple of emails in a minute detailing the stupidity that is going on at the moment.

Stuart

**P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer, Correspondence – Prostate Cancer UK to Chair, 30.08.19**



Fourth floor  
The Counting House  
53 Tooley Street  
London SE1 2QN

Telephone 020 3310 7000  
Fax 020 3310 7107  
info@prostatecanceruk.org  
prostatecanceruk.org



30<sup>th</sup> August 2019

Dear Ms Finch-Saunders,

We welcome the opportunity to contribute further to the ongoing discussions regarding petition P-05-849: all men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer.

Firstly, Prostate Cancer UK wishes to acknowledge the work of the men in North Wales who raised this petition and, with the support of the North Wales Community Health Council, have helped to bring this issue to the top of the agenda. Their efforts have contributed to a situation where, in the coming months, all eligible men will have access, through the NHS, to pre-biopsy mpMRI.

Prostate Cancer UK is encouraged by many aspects of the letter the Minister for Health and Social Care sent to you as Chair of the Petitions Committee. We appreciate the efforts of the Planned Care Programme, Welsh Urology Board and Health Boards in reaching a consensus on the provision of pre-biopsy mpMRI in Wales.

We were pleased to see areas not currently providing this important diagnostic tool presenting their plans, as per the Minister's letter, in the middle of June. A series of ambitious timelines are now in place to deliver prostate cancer diagnostics in line with the recently updated NICE guideline.

We are further encouraged to see the Minister commit to "monitoring progress" and "ensure Health Boards implement this as quickly as possible."

We would appreciate details of transitional arrangements that are being implemented until pathway transformation is complete.

Tudalen y pecyn 118

We have concerns around the final statement in the minister's letter – *"In the meantime, should patients seek to be investigated by private means then this must remain a private matter for those patients concerned."* We would welcome some clarification on whether this is in reference to a patient choosing to go privately (even in an area with pre-biopsy mpMRI) or if this is a proposed interim solution in Health Boards that have not yet implemented mpMRI.

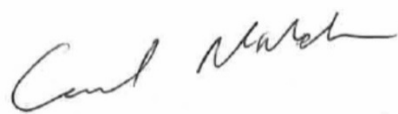
We acknowledge that Health Boards are moving towards implementing mpMRI before biopsy and fully understand the challenges that come with such a transition. However, it's not fair that some men might still have to rely on the private sector to confirm or rule out prostate cancer, when other men in Wales are routinely able to access this freely on the NHS. As we have said, we hope that transitional arrangements can be developed in the interim to ensure parity of access across Wales.

Prostate Cancer UK is championing the adoption of pre-biopsy mpMRI for all eligible men in Wales (and the rest of the UK) and we have endeavoured to support the NHS in Wales in this regard. We have regularly engaged with the Planned Care Programme, the Welsh Urology Board and individual Health Boards to help achieve this. The charity recently supported an mpMRI training event at the National Imaging Academy in June 2019, where x Radiologists attended from across Wales.

We will continue our efforts to support Health Boards as they overcome barriers to implementation of pre-biopsy mpMRI. This will involve the ongoing engagement with stakeholders across Wales to support them with their training needs and sharing of best practice. Prostate Cancer UK believe that adoption of pre-biopsy mpMRI in line with NICE guidelines will play a key role in improving prostate cancer diagnosis for men across Wales.. The charity is developing a diagnostic demand model that Health Boards will be able to use to forecast mpMRI service demand over a ten-year period, allowing them to plan for changes in local demand and the potential impact this may have.

There is a tangible opportunity for Wales to lead the way in the UK, in having every Health Board providing pre-biopsy mpMRI for all eligible men. We look forward to continuing to work with the Planned Care Programme, Welsh Urology Board and Health Boards to transform the prostate cancer diagnostic pathways in Wales.

Yours sincerely,



**Gerard McMahon**

Change Delivery Senior Officer Prostate Cancer UK

## Eitem 3.7

### P-05-859 Dylid Darparu Tai Plant yng Nghymru i Blant sy'n Dioddef Camdriniaeth Rywiol

Cyflwynwyd y ddeiseb hon gan Mayameen Meftahi, ar ôl casglu 227 o lofnodion.

#### Geiriad y ddeiseb

Mae'r syniad y tu ôl i dai plant yn seiliedig ar yr arferion gorau a welir yn yr UDA a Sgandinafia. Gan gydnabod bregusrwydd plant sy'n ddiodefswyr, a'r niwed y mae cyfweiliadau niferus yn ei achosi iddynt, mae tai plant yn ymateb sy'n ystyriol o blant wrth ymdrin ag achosion lle y cam-driniwyd plentyn yn rhywiol.

Yn y DU, mae dau dŷ plant yn ninas Llundain, ond nid oes yr un yng Nghymru.

Nid yw plant yn gwybod at bwy nac i ble y gallent droi, nid ydynt yn gwybod bod cymorth ar gael, ond trwy gynnig Tai Plant ledled y DU, gallwn achub plant.

Parhau â llochesi i ddiodefswyr trais domestig, ond dylai fod Tai Plant ar gyfer plant sy'n dioddef camdriniaeth rywiol.

Gwyddom y bydd llawer o blant sy'n cael eu cam-drin yn ceisio dianc rywbyrd; byddant am ddod yn rhydd o'u sefyllfa, ond nid oes ganddynt rywle i droi. Cânt eu dychwelyd adref, yn ôl i afael y sawl sy'n eu cam-drin.

Gallai darparu tŷ diogel sy'n ystyriol o blant agor y ffordd at ddatgelu a diogelu.

Yng Ngwlad yr Iâ, mae model 'Barnahús' ar waith er 1998, sef lle ar gyfer cynnal cyfweiliadau fforensig, gwneud datganiadau llys, cynnal archwiliadau meddygol a chael mynediad at wasanaethau therapiwtig, i gyd o dan un to. Dylem roi hyn ar gael, fel y gwnawn o ran llochesi i ddiodefswyr trais domestig. Ers i Wlad yr Iâ sefydlu'r model Barnahús, mae nifer y plant sy'n gofyn am gymorth ar ôl dioddef camdriniaeth rywiol wedi mwy na dyblu bob blwyddyn, mae nifer y cyhuddiadau wedi treblu, ac mae nifer yr euogfarnau

wedi dyblu. Mae hyn yn ddigon o dystiolaeth i ddangos bod y tai hyn yn hanfodol.

Dylid darparu tai plant, ac ar ben hynny dylid dysgu i blant fod yr opsiynau hyn ar gael.

Ymunwch â ni yn yr ymgyrch i fynd i'r afael â'r mater hwn, a phwyso ar i Lywodraeth Cymru ddarparu Tŷ Diogel yng Nghymru – ni allwn ddisgwyl i blant fynd i Lundain, hyd yn oed lle maent yn gwybod am fodolaeth tai o'r fath.

### **Gwybodaeth ychwanegol**

Mae ar ein plant angen rhywle iddynt fynd iddo, mae angen iddynt fod yn ddiogel, ac mae angen iddynt allu cyrraedd y cymorth cywir i achub y plant hyn rhag oes o ddioddef oherwydd Camdriniaeth Rywiol.

Llofnodwch y ddeiseb hon a gwneud i bethau ddechrau symud!

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

- Dwyrain Abertawe
- Gorllewin De Cymru



Llywodraeth Cymru  
Welsh Government

---

## DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

---

<b>TEITL</b>	<b>Lansio'r Cynllun Gweithredu Cenedlaethol ar ymdrin â chamdrin plant yn rhywiol ac ymgynghoriad ar ddiogelu plant rhag camfanteisio rhywiol</b>
<b>DYDDIAD</b>	<b>15 Gorffennaf</b>
<b>GAN</b>	<b>Julie Morgan, y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol</b>

Heddiw, rwy'n cyhoeddi [Cynllun Gweithredu Cenedlaethol ynglŷn ag ymdrin â cham-drin plant](#) yn rhywiol ac yn lansio [ymgynghoriad ar y canllawiau statudol i ddiogelu plant rhag camfanteisio rhywiol](#).

Nododd Rhan 7 Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 fframwaith cyfreithiol newydd i gryfhau trefniadau diogelu fel y gellir amddiffyn pobl sydd mewn perygl yn fwy effeithiol. Bu llawer o gynnydd ers cyflwyno'r Ddeddf, gyda'r byrddau diogelu rhanbarthol a'r Bwrdd Diogelu Annibynnol Cenedlaethol yn cymell arweinyddiaeth a gwelliannau mewn diogelu.

Ond, nodaf yn glir na allwn fod yn hunanfodlon. Mae'n rhaid i'r gwaith o fynd i'r afael â chamdriniaeth a niwed i blant ac oedolion fod yn flaenoriaeth allweddol i Lywodraeth Cymru a'n partneriaid. Mae ein hymrwymiad i ddarparu'r polisi hwn wedi'i lywio gan waith pwysig y Grŵp Trawsbleidiol ar Rwystro Plant rhag cael eu Cam-drin yn Rhywiol a thystiolaeth yr Ymchwiliad Annibynnol i Gam-drin Plant yn Rhywiol (IICSA). Yn bwysicaf oll, rydym wedi ystyried tystiolaeth gan y plant eu hunain a'r goroeswyr sydd bellach yn oedolion.

Yn ganolog i'r polisi hwn mae ymrwymiad i hyrwyddo sefyllfa lle mae plant Cymru yn teimlo eu bod yn cael gwrandawriad, yn manteisio o arferion sy'n canolbwyntio ar y plentyn, ac y gwireddir eu hawl i fod yn ddiogel. Fe all camdriniaeth rywiol gael effaith ddifrodus ar blentynod, a bywyd cyfan unigolyn. Mae'n rhaid i ni gydweithio i wneud popeth y gallwn i atal cam-drin plant yn rhywiol, i amddiffyn plant mewn perygl a chefnogi plant i wella o'r niwed sylweddol y mae camdriniaeth rywiol yn ei achosi.

**P-05-859 Provide Child Houses in Wales for victims of child sexual abuse,  
Correspondence – Petitioner to Committee, 16.08.19**

I would like to thank Julie Morgan, the Deputy for her statement and the commitment made to listen to the position where children in Wales feel listened to, benefit from child-centred practice and can realise their right to be safe. However, the whole reason for my petition, is because there are no places for this to happen.

The commitment is lovely, but what is the action to provide this place. SARC centres have waiting lists of up to 18 months, and a SARC centre that deals with adults is not always appropriate to deal with children. The point is being missed along these discussion, that there is not an adequate centre/centres in Wales to provide this commitment.

I address the concern again, whilst you wait for the Child Houses in London to be reviewed, what happens to the children in Wales who are currently being sexually abused and assaulted. Can they wait, years down the line for a Child House concept to be in place.

There is, appropriate research and evidence in to the module to date, that can show its success and there should be similar across the United Kingdom.

Safe places can be provided alongside existing frameworks, just as Womens Refuges have been provided alongside existing frameworks. To say, that there would be concerns of a child refuge being a target for perpetrators, is the same as saying Womens Refuges is a target for perpetrators. Quite clearly, Womens Refuges have proven they are a necessity and a not a risk factor.

New Pathways is a SARC, and is not wholly children centred. It would not take a great deal of provision, to provide a focused child centre wholly for children, as is the Lighthouse in London.

My apologies for lack of response previously, I was not aware a lack of response interfered with the petition, this has never been explained and I have discussed this in detail with Ross, and secondly it was because there was nothing to say in reply. As is my response above, the commitment and responses that they are acknowledging and updating legislations, is not dealing with the actual issue the petition was for. To provide the child house concept in Wales, and to make sure there are child focus centres across Wales, where children can access themselves, without needing to be referred.

The Lighthouse in London, has an open door policy, children can walk in and speak to someone.

If a Child Refuge is not an option at this time, then the above is certainly doable.

With regards

Mayameen Meftahi

Tudalen y pecyn 123

## Eitem 3.8

### P-05-809 Is-ddeddfau Pysgota arfaethedig Newydd a methiannau Cyfoeth Naturiol Cymru

Cyflwynwyd y ddeiseb hon gan Sian Godbert, ar ôl casglu 1,070 o lofnodion ar-lein.

#### Geiriad y ddeiseb

Fel mater o frys, gofynnwn i Weinidog y Cabinet ymchwilio i ymddygiad Gweithrediaeth Cyfoeth Naturiol Cymru yn ystod y broses ymgynghori a'r argymhelliad i wneud newidiadau i is-ddeddfau pysgota gwialen a llinell yng Nghyfarfod y Bwrdd (Cyfoeth Naturiol Cymru) a gynhaliwyd ym Mhrifysgol Bangor ar 18 Ionawr 2018, cyn derbyn unrhyw gynigion i newid is-ddeddfau pysgota presennol.

1. Methodd Gweithrediaeth Cyfoeth Naturiol Cymru â dilyn y drefn ddemocrataidd drwy wrthod caniatáu i aelodau Bwrdd Cyfoeth Naturiol Cymru bleidleisio ar gynigion newydd o ran Is-ddeddfau pysgota newydd gan bysgotwyr gwialen a llinell. Mabwysiadodd Gweithrediaeth Cyfoeth Naturiol Cymru safiad didrugaredd, ac anwybyddodd bryderon y rhanddeiliaid yn ystod y broses ymgynghori ac aelodau Bwrdd llawn Cyfoeth Naturiol Cymru yn y cyfarfod.
2. Argymhellodd Gweithrediaeth Cyfoeth Naturiol Cymru newidiadau i'r Is-ddeddfau i Gynulliad Cymru ac yntau wedi ardystio yng nghyfarfod y Bwrdd na fyddai'r cynigion yn effeithio llawer, neu ddim o gwbl, ar leihau stociau eogiaid a brithyllod môr o fewn dalgylchoedd afonydd mewndirol ledled Cymru.
3. Gyda Swyddogion Gweithredol Cyfoeth Naturiol Cymru wedi cydnabod bod "materion eraill" sy'n cyfrannu at leihau'r stociau eog a brithyllod môr, methasant â blaenoriaethu a gweithredu ar y "materion eraill" hyn, ac maent wedi gwneud hynny dros nifer o ddegawdau, heb gynllunio ar gyfer y dyfodol. Felly, mae Bwrdd Cyfoeth Naturiol Cymru yn torri gofynion Adran 6 (6) o Ddeddf yr Amgylchedd (Cymru) 2016 ac yn methu â chyflawni ei



hamcan o leihau'r risg i lefelau stoc eog a brithyllod môr yn afonydd Cymru, yn enwedig o ran:

(a) Atal, monitro, gorfodi ac erlyn yn effeithiol o ran llygredd.

(b) Monitro ysglyfaethu bywyd gwylt ac argymell rheolaethau cymesur.

## Gwybodaeth ychwanegol

4. Derbyniodd Swyddogion Gweithredol Cyfoeth Naturiol Cymru yn agored yng nghyfarfod y Bwrdd eu bod wedi methu â chyfathrebu'n effeithiol a mabwysiadu polisi o weithredu cytundebau gyda rhanddeiliaid, y disgwylir iddynt fonitro ac adrodd ar ran Cyfoeth Naturiol Cymru a gorfodi'n wirfoddol y newidiadau arfaethedig i is-ddeddfau, y mae llawer yn anghytuno â nhw.

5. Methwyd â mabwysiadu strategaeth, a gydnabyddir fel arfer gorau mewn gwledydd eraill, i fonitro ac asesu risg pob afon yn gywir, nac argymell dim sancsiynau fesul afon unigol, gyda rhanddeiliaid perthnasol.

6. Mae Bwrdd a Gweithrediaeth Cyfoeth Naturiol Cymru wedi methu â bodloni gofynion gofal a diwydrwydd dyladwy yn ystod y broses ymgynghori, a arweiniodd at fethiant i gydnabod pa mor bwysig yw sut y bydd eu his-ddeddfau newydd yn effeithio'n andwyol ar:

(a) Gyfleoedd pysgota hamdden, budd economaidd i gymunedau gwledig ac arfordirol, a hefyd maent yn mynd yn groes i Ddeddf Llesiant Cenedlaethau'r Dyfodol 2015.

(b) Ewyllys da rhanddeiliaid sydd wedi monitro a gwarchod yr amgylchedd naturiol yn effeithiol heb Cyfoeth Naturiol Cymru ers dros ddegawd, a pheryglwyd yr ewyllys da barhaus honno ar gyfer cenedlaethau'r dyfodol.

## **Etholaeth a Rhanbarth y Cynulliad**

- Aberconwy
- Gogledd Cymru

### P-05-810 Rhowch Gyfle i Glybiau Pysgota Cymru ac Eog a Brithyll y Môr

Cyflwynwyd y ddeiseb hon gan Reuben Woodford, ar ôl casglu 1,710 o lofnodion ar-lein.

#### Geiriad y ddeiseb

Rhwystro'r gormodedd o ddal a chadw Eogiaid drwy weithredu cyfyngiadau ar fagiau dal a chadw ar bob afon yng Nghymru am y 4 blynedd nesaf ar sail data penodol i dalgylch mewn ymgynghoriad agos â chlybiau pysgota.

Gweithredu rhaglen stocio gynhwysfawr o bysgod brodorol ar bob afon.

Tynhau a gweithredu deddfwriaeth bresennol er mwyn dileu'r bygythiad o lygredd ffermio a llygredd diwydiant.

Rhwystro pob math o bysgota rhwydi masnachol ar raddfa fawr a gweithrediadau llongau ffactri o amgylch arfordir Cymru am gyfnod o 10 mlynedd.

Blaenoriaethu dyrannu adnoddau i gynorthwyo i reoli materion sy'n benodol i dalgylchoedd sy'n gysylltiedig â chyfraddau ysglyfaethu naturiol gormodol a rhwystrau rhag ymfudiad pysgod.

#### Etholaeth a Rhanbarth y Cynulliad

- Arfon
- Gogledd Cymru



Llywodraeth Cymru  
Welsh Government

---

## DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

---

<b>TEITL</b>	<b>Canlyniadau'r Ymchwiliad Lleol i Is-ddeddfau Eogiaid a Sewin arfaethedig Cyfoeth Naturiol Cymru ar gyfer Cymru gyfan</b>
<b>DYDDIAD</b>	<b>16 Gorffennaf 2019</b>
<b>GAN</b>	<b>Lesley Griffiths AC – Gweinidog yr Amgylchedd, Ynni a Materion Gwledig</b>

Ym mis Awst 2018, cyhoeddais fy mod yn bwriadu cyfeirio'r Is-ddeddfau Gwialen a Lein Cymru (Eogiaid a Sewin) 2017 ac Is-ddeddfau Pysgota Rhwyd Cymru (Eogiaid a Sewin) 2017 yr oedd Cyfoeth Naturiol Cymru wedi'u cynnig at Arolygiaeth Gynllunio Cymru, er mwyn iddynt gynnal Ymchwiliad Lleol. Roedd hyn i ganiatáu craffu annibynnol ar yr Is-ddeddfau arfaethedig, ac i unrhyw dystiolaeth o blaid neu yn erbyn yr Is-ddeddfau gael ei chyflwyno gan unrhyw bartion sydd â diddordeb, ac er mwyn imi benderfynu ar y camau nesaf.

Cyflwynodd yr Arolygiaeth Gynllunio eu hadroddiad terfynol imi ar 3 Mehefin. Hoffwn ddiolch iddynt am eu diwydrwydd wrth gynnal ymchwiliad agored, diduedd a theg ac am roi eu hargymhellion imi. Mae Adroddiad yr Arolygiaeth Gynllunio yn cael ei gyhoeddi ochr yn ochr â'r datganiad hwn.

Mae'r adroddiad yn dangos yn glir fod teimladau cryf ac angerdd ar ddwy ochr y ddadl a hefyd fod tir cyffredin rhwng Cyfoeth Naturiol Cymru a gwrthwynebwyr o ran y ffaith bod stociau eogiaid a sewin yn dirywio flwyddyn ar ôl flwyddyn. Felly, at ei gilydd, cytunir ar y ffaith bod problem. Derbynnir hefyd na ddylem adael i stociau ostwng i lefelau peryglus, ac y dylai lefelau gael eu codi fel mater o frys. Mae'r adroddiad yn cydnabod bod llawer o enweirwyr yn dal ac yn rhyddhau pysgod yn wirfoddol, ac felly, ni fydd yr Is-ddeddfau'n cael effaith arnyn nhw.

Ar ôl ystyried yr holl dystiolaeth a dadleuon a gynigiwyd, mae'r Arolygydd Cynllunio wedi dod i'r casgliad bod yr Is-ddeddfau arfaethedig yn ymateb cymesur i stociau pysgod sy'n dirywio yng Nghymru. Yn hyn o beth, roedd o'r farn eu bod yn angenrheidiol, yn gymesur ac yn rhesymol o ystyried y dirywiad mewn stociau eogiaid a sewin ledled Cymru. Ei argymhelliad oedd y dylid cadarnhau'r Is-ddeddfau.

Ar ôl ystyried yr adroddiad, asesiadau o stoc a gafodd eu cyhoeddi'n ddiweddar a thrafodaethau â llawer o randdeiliaid, rwyf wedi penderfynu cadarnhau'r Is-ddeddfau, a bydd y rhain yn dod i rym ar 1 Ionawr 2020.

Yn ogystal, credaf fod gwersi i'w dysgu o'r ymchwiliad hwn.

Rwy'n cydnabod mai un ffordd yn unig o atal y dirywiad mewn stociau eogiaid a sewin yw ymyriadau genweirio. Mae materion eraill y mae angen mynd i'r afael â nhw, ac roedd rhanddeiliaid yn gywir wrth dynnu sylw atynt. Mae effeithiau llygredd amaethyddol yn cael effaith arwyddocaol ar fywydau'r stociau hyn. Rwy'n bwriadu cyflwyno rheoliadau i fynd i'r afael â llygredd amaethyddol ym mis Ionawr 2020.

Problemau eraill y tynnwyd sylw atynt yn ystod yr Ymchwiliad Lleol oedd mudo, tynnu dŵr, camau gorfodi cadarn ac ysglyfaethu pysgysol. Mae gan bawb ran i'w chwarae. Nid ydym yn trafod y materion hyn o'r dechrau un. Mae Cyfoeth Naturiol Cymru, fel y gwnaethant ddweud yn eu tystiolaeth i'r Ymchwiliad Lleol, yn gwneud cryn waith mewn perthynas ag amddiffyn stociau dan fygythiad, gan gynnwys eogiaid a sewin. Er eu bod yn adrodd ar y gweithgareddau hyn i gyrff rhyngwladol megis NASCO, dylai'r holl wybodaeth fod yn yr un lle a chael ei chyflwyno mewn modd sy'n berthnasol ac yn benodol i enweirwyr Cymru.

Felly, byddaf yn gofyn i Cyfoeth Naturiol Cymru arwain y gwaith gyda rhanddeiliaid er mwyn cyfuno'r holl waith sy'n cael ei wneud ar hyn o bryd gan yr holl bartïon perthnasol mewn *Cynllun Gweithredu ar gyfer Eogiaid a Sewin*. Bydd Llywodraeth Cymru yn cyfrannu at y gwaith hwn ac rwy'n gobeithio y bydd genweirwyr a chefnogwyr genweirwyr yn gwneud yr un peth. Rwy'n disgwyl y bydd y Cynllun Gweithredu yn barod cyn i'r Is-ddeddfau ddod i rym ar 1 Ionawr 2020 ag i Cyfoeth Naturiol Cymru wneud pob ymdrech i rannu'r cynllun â rhanddeiliaid a phartïon eraill sydd â diddordeb. Dylai'r cynllun gael ei ddiweddarau bob blwyddyn mewn cydweithrediad â rhanddeiliaid gan gynnwys camau gweithredu ac amserlenni clir.

Rhaid inni weithio gyda'n gilydd i warchod y pysgod gwych hyn tra bo'r cyfle gennym.

**Response to Petitions Committee WG – All Wales Byelaws (Fisheries) – Public Inquiry – Inspector’s  
Report**

**Petitioners Response – Mr Reuben Woodford (Afon Ogwen Anglers in conjunction with  
CPWF/Petitioners) [Petition P-05-810 Give Welsh Fishing Clubs and Salmon and Sea-Trout a  
Chance]**

**To Report [ENV/3209811] 190/16-LG-Written Statement-Marine and Fisheries – Inspectors Report**

**30 August 2019**

**Summary of key points:**

- General and specific suppression of objector/CPWF evidence
- General and specific tendency to adopt NRW stance even when unsubstantiated by objective evidence – an appearance of bias
- The inspectors report mirrors the dismissive tone and tact adopted by NRW. It should be noted that within the PI proceedings NRW legal team stooped as low as to belittle objectors.
- In our dealings with NRW it is very apparent there has been little compromise nor is there compromise within this report. At worst, the comments made are based on conjecture, in particular when it comes to ‘fishing’ matters.
- There are a considerable number of erroneous statements made – therefore the context of numerous arguments is lost.
- The phrase ‘Notwithstanding’ unfortunately weighs heavily upon us, as used re-iteratively within the report by the inspector it marks the pre-cursory signal that our evidence is to be given a superficial airing only to be superseded by statements reflective of NRW’s own, backed up with varying degrees of substantiated evidence.

Below are key elements of objector evidence, we perceive the report fails to substantiate and therefore fails to apportion requisite weight and influence in the formulation of conclusions and thus ultimately the inspectors decision upon the necessity for; proportionality of and how reasonable the byelaw measures actually are.

Aside from the above, in addition to the substantive evidence we provided at the Inquiry that the byelaws simply cannot be enforced, sources at NRW now indicate they are limiting their enforcement potential even further since the Inquiry to a mere handful of specialist fisheries enforcement officers across Wales. In the absence of regulatory enforcement the angling community currently sit between a rock and hard place, alienated from shaping their future however tasked with an unmanageable and obtuse workload.

The report omits to present critical objector evidence in appropriate context for the following:

- Shortfalls and implications of 1) Stock Reporting 2) River Classification Model 3) Policy – Decision Making Process
- Critical relevance of CPWF evidence as a contribution to future statistical reviews – (The very same evidence NRW legal team attempted to quash is now considered highly relevant to the ongoing process) this evidence underpins a number of the objectors arguments and was suppressed
- The River Classification Model underpinning NRW’s evidence – has not been peer reviewed and is not periodically reviewed. This leaves the system open to challenge.

- The 'precautionary principle' is already built into NRW's statistical analysis – manual application of the concept beyond that stage creates an overly precautionary response.
- Under NASCO Guidance all rivers in Wales should, formally be given the opportunity to achieve 90% return rates for salmon before mandatory measures are considered. This has not happened and is a failure of ministerial direction.
- CPWF/angling community's proposals for a community centric alternative to the byelaw measures, conducive with principles of sustainable management and well-being goals.
- Progress made by the angling community – 86% return rate of salmon across Wales in 2016 – is treated as failure not success.
- There are rivers within the 23 principal salmon rivers in Wales that are compliant year on year with their Conservation Limits (compliance with NASCO Management Objective) – mandatory measures should not be applied to them under the NASCO Decision Structure.
- All rivers in Wales outside of the 23 principal salmon rivers are subject to the All Wales Byelaws order. This is in direct contravention of the NASCO Guidance and a contradiction that these are not, pan Wales byelaws as stipulated by NRW. This is clearly application of the organisations institutional preference and is contradicted by their approach to managing sea-trout stocks.
- Consideration of rivers on a catchment by catchment basis – which is what the Inquiry has been stated to provide – has not been possible. This is illustrated by the blanket and generalised statements made in the report.
- There has been a critical failure by NRW to ingrain considerations of well-being (WFG Act (Wales) 2016) and principles of sustainable management (Environment Act 2010) (achievement of well-being). In parallel to these statutory requirements NRW have not qualified the socio-economic; socio-cultural risks posed by these measures to community angling clubs and communities. No true evaluation of the byelaw measures has been made.
- The mandatory byelaws are inequitable; unfavourable and infringe on people's rights.
- One of the principal reasons for disagreement between CPWF and the NRW is because their inaction and inability to manage other threats has led to stock decline on certain, but not all rivers.
- Loss of salmon fishing methods will severely inhibit many anglers fishing for salmon under most water conditions.

***Further detailed review of the report is contained in the document below.***

The consequence of the above is to disable appropriate consideration and illustration of requisite evidence to make an appropriate decision upon the necessity for; proportionality; how reasonable the byelaw measures are and their enforceability.

Reflecting upon the perceived inadequacies of the process (***Please see letter to First Minister – included – Originator Chris White CPWF***) and weakness of the report to present a seemingly fair and balanced representation of fact and requisite decisions. It is with urgent necessity that we ask members of the Senedd's Petitions Committee to make a stand for appropriate judicial and democratic process to prevail.

Without the angling community holding a pivotal role within the management of our fisheries and inappropriate and high risk byelaw measures in place we will all struggle to achieve meaningful progress. Many fishing clubs are currently fire-fighting the consequences of the Cabinet Secretaries decision – our resources are meagre and resilience challenged. Something has to change.

Thank you for your attention to this matter.

On behalf of representatives from the angling community of Wales (petitioners),

Reuben Woodford

Tudalen y pecyn 131

.....

**Detailed consideration of the Inspectors Report:**

{The Inspectors comments are underlined/italic *Inspector*}

[Our comments – bulleted]

**548. [ Deviation from objective evidence at catchment scale] NRW accept that fishing effort i.e. rod days fished, are not taken into account in terms of estimations relating to compliance with Conservation Limit assessments.....In addition, NRW maintain, equally the impact of weather conditions can affect fish migration and angling effort.**

However, notwithstanding any shortcomings, in this regard, based on substantive evidence available, it is apparent there has been, overall, a significant and sustained pattern of progressive decline in the majority of salmon and sea trout stocks in Wales.

- Angler's behavioural responses have become a key variable in the variability of stock assessment as an extrapolation of catch return information.
- 'Rod days fished', critical to our understanding of the relevance of catch return data to actual stock is not considered by NRW.
- Generalisation of the pattern of fish stocks in Wales for salmon and sea trout stocks distracts from the catchment by catchment and conservation limit focus necessary to be able to make proportional decisions on a catchment by catchment basis.

**555. The electro fishing surveys carried out by NRW indicated a marked and widespread reduction in abundance of salmon and trout fry across a number of catchments in Wales.**

- Electro fishing surveys undertaken by NRW very rarely represent a widespread area of river catchment. It must also be recognised that the inspector's statement only applies to a single years' sample.
- The report fails to state that in some catchments there was no marked reduction in abundance of salmon or trout juveniles and therefore there is the appearance of bias.
- Without temporal context, there is no attempt to retain objectivity and balance in this statement - however there is apparent bias which suggests a far greater magnitude of phenomenon than the actual evidence illustrates.

**558. Neither the above objections, or any others relating to data sources, provided substantive evidence to challenge the validity of NRW's stock assessment data.**

- This statement has the appearance of bias.
- The reader must be reminded that the 'All Wales Byelaws' Inquiry was responsible in part for considering evidence at a catchment scale.
- The validity of objective data presented for individual catchments, has been denied by imposition of blanket generic statements.
- Forming conclusions on this basis illustrates an intent to override a catchment view to this process; to deny the reader visibility of the catchment specific evidence that contradicts the broad brushstroke statements and an intent to 'cover up' evidence critical to assessing the proportionality of the byelaw proposals.

**571. I would tend to agree with Mr Russell of NRW who expressed the view in oral evidence that 'the absence of perfection doesn't stop us acting in a precautionary way'**



- The absence of a fit for purpose stock assessment methodology however provides reasonable doubt that we should all be cautious in the actions we take, as overstepping the mark in terms of the severity of the response imposes additional risks to both the angling and regulatory systems.
- As the Inquiry progressed and the inspectors report considers the 'precautionary principle', it appears the principle itself becomes an ever present all, consuming general rule of thumb that allows NRW to justify each and every decision it makes. The angling community do not oppose precautionary principles, however when the actions proposed are proven to be disproportionate to the evidence and counter to sustaining the resilience of fisheries and angling institutions, those actions in themselves can be seen to undermine the very system we are reliant upon.

**574. [CPWF – Dublin Statisticians evidence]** *The above casts significant doubt as to the veracity of the evidence presented by the Dublin Statisticians via parties such as CPWF. Without significant evidence to indicate otherwise, I prefer the statistical testimony submitted by NRW whose three expert witnesses appeared before the Inquiry, as it was overall much more robust and justified than that of untested third party evidence given via objectors to the proposed byelaws.*

- It has to be questioned, whether the inspector's 'preference' for one statistical testimony over another has any bearing on his personal ability to comprehend the validity of those calculations. The inspector was at full liberty to seek independent expert witnesses to enable fully objective scrutiny of the evidence provided by both parties and yet he chose not to utilise this option. Ultimately, his decision upon very complex and contentious statistical analysis was reliant on the narrative dictated by NRW's legal team and not necessarily an objective critique of facts.
- The time spent at the Inquiry by NRW's barrister attempting to quash CPWF's Dublin Statistician evidence was excessive and ultimately CPWF were prevented from presenting their evidence in entirety. Whilst the inspector had repeatedly throughout the Inquiry hurried members representing CPWF along, NRW were allowed an inordinate period over which to attempt to discredit a key element of CPWF's evidence.
- It is very hard to envisage, how, bias can be thwarted, when ultimately evidence is concealed by manoeuvres unfit for a public inquiry of this nature.
- A critical fact of significant irony is not exposed by the report – that being, that the assessment process utilised by NRW and the EA in England is not quality assured and validated and both organisations are fully aware the stock assessment model must be revised.

**576.** *Concerns raised by Mr Ashwin of CPWF and others were that NRW were not following NASCO guidance, nor that of its own, in terms of the procedure for the 'Decision Structure' for developing salmon fishing controls in Wales and England. That process, it is argued, requires in the first instance, voluntary measures to be adopted for these rivers – not mandatory measures.*

- The requirement for this staged approach is clear. It is unclear therefore why and how NRW have deviated from best practice guidelines.
- The damage of not following this guidance is not only to bypass a means of empowering fishing clubs, but to leap frog forth into a high risk scenario with certain consequential impacts that NRW have on the basis of personal belief, chosen to play down and in some instances completely ignore.
- Considerations of proportionality and well-being have been denied by NRW's 'draconian' response – the inspector in para 578 unwittingly divulges NRW's exact tact:

**578.** *The approach taken by NRW is broadly in line with the Decision Structure i.e. they have considered a range of options and then selected their preferred options.*

- NRW's 'preferred option' of mandatory catch and release, which dictates crudely the method adaptations included in the byelaws has been common knowledge for many years.
- The regulator's query has always been 'what should we ban', rather than 'what should we promote'.
- Failing to make appropriate consideration of the proportionality of the measures and the likely consequential impacts upon current and future wellbeing over a transitional period (a statutory

requirement placed upon them) has led to decisions not concordant with the decision structure, but mirroring NRW's long standing 'preferred option'. The 'broad' compliance with the decision structure referred to by the inspector becomes meaningless when behind that broad compliance sits a very specific failure to utilise it in a pragmatic way that assists in ironing out the death of problems this set of measures as a mandatory response delivers.

- What is quite clear in para 578 is that the inspector has failed to grasp 1) the risks posed by the 'All Wales Byelaws' to fish stocks and community angling clubs and what they provide to communities and through ecosystem services; 2) the inherent problem of being compliant with C&R targets that have until now been vague, variable and poorly communicated.
- There is no evidence 'banning' elements of fishing are going to result in positive outcomes. There is evidence, empowerment of anglers has wide ranging benefits. To suggest that the 'precautionary approach' by default equates to the byelaw measures is simply a misnomer and NRW's red herring of all red herrings reiterated by NRW's legal and management team without proof of its validity.

**580** ....even if I had reservations about some elements of the statistical methodology employed by NRW, the entirety of the evidence base, would suggest the application of the precautionary approach.....would be prudent in terms of the interpretation of any data....

- Given a key part of the evidence base provided by NRW is reliant upon a river (risk status) classification system that is proven to be very poor at predicting actual salmon stock status and which the inspector states he has reservations about, it defies logic, that the 'entirety' of the evidence base is then seen by him to prove the necessity to apply a precautionary principle.
- It is quite evident from the reports consideration of the 'precautionary principle' that without exception, the byelaw measures as stipulated by NRW in their 'preferred option' are considered by the inspector as the only conceivable option which satisfies this requirement. This is simply not the case and it is a construct devised by NRW and substantiated by endless repetition rather than objective substance.

**581** The proposed byelaws offer several solutions to the decline in fish stocks.....

- This is an erroneous statement and a misnomer which has spread like wild fire throughout this debate, being erroneously stated on a number of occasions by NRW management teams. NRW themselves stipulate that the 'All Wales Byelaws' are not the solution to the decline in fish stocks. It is exceptionally hard to instil this fact.
- It remains to be explained therefore why NRW have pursued this version of the byelaws to the extortionate cost, both time, money and resource of the organisation to the detriment of not providing a robust and holistic, course of action to tackling the causes of stock variability.

**589** Therefore, there is substantive and compelling scientific studies, in addition to first-hand anecdotal evidence that C&R is an effective management tool to maintain fish stocks and fisheries.

- This is an erroneous statement - on two counts.
- There is not clear evidence to illustrate that early season 100% mandatory C&R leads to increased salmon stock levels in Wales. There is substantive evidence which indicates the primary controls on salmon stock abundance are environmental controls/degradation.
- The statement also seems to be suggesting that C&R as a stand-alone measure has the propensity to maintain fish stocks – it does not.
- It is critical therefore that the proportionality of the byelaws is considered in true context and that C&R as a mandatory measure is understood fully in particular given as a proportional measure, it arguably carries greater ability to do widespread good and to support sustainable management principles. NRW's approach deviates from a sustainable response because it focusses on an ideology which negates to consider the fundamental requirements of a system that retains functionality.

**590** *A common argument against the introduction of mandatory C&R was that most anglers already practice voluntary high levels of C&R e.g. the figure for 2016 is approximately 86%.....*

- The primary focus of NRW's argument to counter the implications of this statement is that all salmon should be returned to the water. It is not nor should it be, necessary for every salmon caught to be returned to the water in most rivers in Wales.
- With reference to NASCO guidance, if there is a primary target to focus upon, then it is the 90% return rate. To class an 86% return rate by anglers on a voluntary basis as failure is disingenuous.
- The action of returning a mortally wounded fish to a river to fester as a carcass lies beyond the moral compass of most if not all anglers and the public at large.

**592** *Allowing anglers the freedom to continue to intentionally kill those fish would further risk declining stock of these species, and would also introduce inequality between those who voluntarily practice C&R and those who do not...*

- Misleading statement – The primary causal factors of stock decline are perpetuated because of regulatory inaction to manage the environmental inhibitors to optimal fish stocks. The angling community do not seek the 'freedom' to kill fish, they seek the ability to apply a proportional system that sustains rather than undermines fisheries management.
- Angling and the stock assessment system thrive on inequality. Invariably, the primary inequality is not between those who keep and return fish, but between those who expend hundreds of hours to fish and return fish with the intention of keeping the occasional fish and the casual angler who contributes by a far lesser degree to the catch return statistic that allows NRW to attempt stock assessment. Without that inequality – NRW have no stock management system.
- There are considerations of equality and fairness to be made, however these are only effectively managed and sustained at club and catchment level.

**593** *The proposed byelaws will establish a level playing field.*

- It has been illustrated that the byelaw proposals are un-enforceable.
- NRW have now announced plans to disband most of their specialised fisheries enforcement potential.
- The disparity between 'obedient citizen' and 'hard-core poacher' will widen.

**596** [Hook Restrictions]

*The proposed byelaws.....*

- **Erroneous statement**

*Hook size restrictions will reduce the chances of deep penetration and potential fatal injury...*

- **Erroneous statement**

*Restrictions on the use of flying 'c' type lures.....*

- **Erroneous statement**

**600** [Ban on worm fishing – salmon] Objectors made no significant arguments to counter the ban

- **Erroneous statement**
- CPWF illustrated that it is impossible to fish certain spate conditions for salmon without use of the worm method. It is traditionally the most prized angling experience on the spate, rivers of North Wales. Fishing with worm for salmon is a traditional method applied under all water conditions and seen as a 'fair method' during low water conditions when spinning usually is not.

- Adaption to the worming technique in an early strike makes this a highly favourable method in terms of limiting damage to fish.
- Omission of this evidence in the report is unacceptable.

### 603 [Bunching of worms]

- Comments made by the inspector are mere conjecture and make a mockery of the reports repeated reference to the inadequacy of angling representatives anecdotal evidence of methods they and they alone practice.

604 During the cross examination of Mr Gough of NRW by an objector, it was claimed small rivers can only be fished with worms, which in effect would preclude them from angling; Mr Gough's experience indicated otherwise. I suspect the reality is the effectiveness of fishing such rivers without worm bait is very much down to the skill of the individual angler.

- Given Mr Gough has as far as we are aware very little if any angling experience, it is apparent this conclusion is drawn upon the basis of predominantly conjecture.
- There are hundreds of small rivers across Wales which sit outside of the 23 principal Salmon rivers, and yet without explanation apart from a general intent to include them under a 'precautionary principal', they are subsumed by the byelaws.

607 In terms of justifying the use of shrimp/prawn to after 1<sup>st</sup> September, NRW highlight that for a reason currently unknown, salmon will take a shrimp in warm water conditions.....

- Salmon will take any bait/lure under summer conditions if it is presented well. Worm and crustacean baits have the advantage of being naturally alluring to salmon.
- This element of the byelaws defies logic when considered in context.

.. there was no substantive evidence to challenge NRW's approach.

- **Erroneous statement**

608 The overall approach to the use of shrimp/prawn is measured and proportionate.

- This regulation constitutes a ban on bait fishing for salmon for at least 4 months of a 5.5 month season on average.
- Most fishing with shrimp/prawn is undertaken in the spring and summer months.
- The conclusion drawn is based upon **erroneous** evidence.

### 611 [Sea-trout slot limit 60cm]

- Deviation from an evidence based/catchment specific justification for the byelaws.
- The opportunity to take a 'trophy fish' of any kind (traditionally the greatest draw to angling for migratory species) is denied in entirety by this additional step.
- Science contradicts the importance of these fish stipulating they have done their work (genetically).

### 613 [Striking a balance – nets/rods]

- Deviation from an evidence based/catchment specific justification for the byelaws – rivers without nets.

### 614 [General poor state of sea trout stocks]

- Deviation from an evidence based/catchment specific justification for the byelaws.

**624 [Equality considerations]** As regard the ban on worm fishing for salmon, it is argued this would affect people with physical limitations who are not able to fish with either a fly or spinner; this was deemed to be indirect discrimination under the Equality Act 2010.

**626 [Adaptions to Byelaws]**

- The adaptions to the byelaws do not mitigate the consequence of 'indirect discrimination' imposed upon salmon anglers with physical limitations during the majority of the fishing season.

Furthermore, less physically able anglers would still be able to continue to use bait for coarse fishing which is unaffected by the proposed byelaws.

- North Wales Rivers are primarily not coarse fisheries.
- In context this statement implies that less physically able anglers can go elsewhere for their fishing experience – this appears to be direct discrimination against less physically able anglers.

All these measures are a proportionate response given the current state of sea trout and salmon stocks in Wales.

- Blanket approach.
- Apparent false justification of discriminatory decision.
- Deviation from an evidence based/catchment specific justification for the byelaws.
- This statement does not appear to be appropriate to this paragraph

**631 [Enforcement]**

I accept there may be challenges to effective enforcement however that is not a defence to doing nothing at all....

- NRW's statements are given president over CPWF evidence
- There is substantive evidence to illustrate that the byelaws are not enforceable
- The unenforceability of the byelaws alone illustrates the non-functional scenario presented to WG
- The alternative option is not to 'do nothing at all'. The alternative is the option presented by CPWF to empower angling clubs to optimise sustainable angling practices on their waters

**632**

I have no reason to doubt the proposed byelaws would not be generally accepted and complied with as per previous byelaws...

- NRW's statements are given president over CPWF evidence. Critical CPWF evidence is not given exposure.
- Significant evidence was presented by representatives of CPWF illustrating barriers to the enforceability of the byelaws, not least opposition by the majority of anglers.

**635**

..there is still a preponderance of other licensed anglers, riparian land owners, other members of the public and other agencies who would still be on the river banks and be likely to report incidents

- The preponderance of evidence from the angling community does not substantiate this position.
- The byelaw process has not only alienated the angling community, but many rural communities in Wales.

**636 [Socio –Economic Impacts]**

- NRW statements are given president over CPWF evidence. Critical CPWF evidence is not given exposure.

**637** [Socio – Economic Impacts] NRW's consideration of the socio-economic impacts of the proposed byelaws is detailed in several documents, contrary to the view of a number of objectors who indicated otherwise.

- The risk to community angling clubs has not been qualified
- Without the necessary consideration of the direct and indirect consequences of the byelaws, the socio-economic; socio-cultural and thus all well-being considerations cannot and have not been made.
- Whilst NRW argue over the net worth of angling to Wales at a macro scale, localised impacts and the long-term resilience of clubs remains the key concern to local volunteers fire-fighting to sustain community clubs – the means of access for local anglers to local waters.

**641** I concur with NRW's viewpoint that if nothing is done to eliminate the intentional killing of fish, whilst other initiatives to improve freshwater habitats are pursued, then the timescales for stock recovery will inevitably be prolonged.

- There is clear evidence that the angling community in Wales have progressively adapted angling practices in a proportional manner to protect vulnerable stocks of salmon and sustain the resilience of angling clubs.
- The primary limitation upon stock enhancement is arguably inactivity by NRW and its legacy organisations. As Peter Gough (head of NRW fisheries and NRW manager behind the byelaws) stipulated at the inquiry, catchment improvements would only come to fruition if river restoration plans did not sit on the shelf within an organisation that is clearly resource poor.
- The byelaws are not a proportional response in relation to the evidence nor the current level of progress made by NRW to restore environments capable of sustaining optimal smolt production.

**644 [angler tourism/tourism impacts]**

- Critical CPWF evidence is not given exposure.

**645** Overall in terms of the socio-economic impacts of the proposed byelaws, I prefer NRW'S evidence...

- The All Wales Byelaws impose a risk to community angling clubs.
- NRW do not have evidence to illustrate the risk or means of mitigation to manage the short to medium term impacts on clubs through lost members and the consequential impacts that brings.

**646 [Other measures to address the decline in fish stocks]**

- There is a significant gap between the progress aspired to by NRW and actions on the ground.
- As indicated at the PI NRW's reputation for developing weighty strategic plans over meaningful outcomes is clear – The State of Natural Resources report (SoNaRR).

**650** NRW maintain that if the other measures were pursued in the absence of the proposed byelaws, then there is a risk that on-going catch and kill fishing would increase the risk of further decline of stocks, as the on-going depletion of spawning reserves would continue.

- On a catchment by catchment basis there is no guarantee other measures will be pursued. (these are catchment by catchment byelaws) As Dr Mawle stipulated at the PI the byelaws serve little purpose if the other habitat improvements are not achieved.
- The current level of kill by anglers (2016 figures) represents a mere 4% shortfall in the ideological NASCO set threshold. It is not angling with rod and line that poses the significant risks to fish stocks.

## 652 [Statutory purposes of NRW]

- The report omits critical CPWF evidence which illustrates NRW has failed to promote:
  - 1) The Sustainable Management Principle
  - 2) Well-being considerations in line with the WFG Act
- The byelaws pose a significant risk to economic prosperity; socio-cultural/amenity values; health and participation; evidence and analytics; future partnerships and prevention of illegal activity. NRW have played down these risks and undertaken no meaningful risk assessment. Well-being considerations have simply not been ingrained in this process, thus allowing NRW to engineer measures they falsely claim have little consequence in the short term and will bring well-being benefit in the long.
- The Well-being Act, interprets '*Sustainable Development as the process of improving well-being.*' This is our joint aim and NRW's responsibility under 'the WFG Act'. As NRW have developed measures that illicit ill-being, then this is not 'sustainable development' and those measures through definition should be deemed inappropriate.

653 *Despite the reservations of some, there is no substantive evidence to believe that NRW or others would not actively pursue the range of other measures referred to above, particularly bearing in mind its duties under the aforementioned statutory framework.*

- Various NRW managers/technical specialist at the PI indicated the organisation is currently hamstrung by resource deficit.
- NRW stipulated at the PI they did not have a requirement to consider all 7 well-being goals as stipulated under the WFG Act – No evidence was provided to substantiate this position.
- SPFST – Core Guidance Document WFG Act – Stipulates in terms of 'well-being considerations' – this is 'about complex , but real world interconnections between our environment, our economy, our society and culture.' Without due consideration for the limitations posed by the byelaws, NRW have applied certainty to the ability of these byelaws to stimulate stock recovery and improve future well-being.' Neither assumption is evidence based.

658 *In any event irrespective of the impacts of avian or other predation on Welsh salmon and sea trout fish stocks, the fact of the matter is that those fish are generally in a very vulnerable state, and the deliberate killing of fish is unsustainable and contributes to the problem albeit to a more modest extent.*

- **Erroneous statement**
- Why if this is the case, has gathering evidence in relation to natural predation impacts been an afterthought? Failure to apply proportional response.
- CPWF evidence suppressed. Catchment specific evidence suppressed.

661 *The proposed byelaws would also apply to a modest number of other non-principal salmon rivers. NRW accept that the inclusion of these other non-principal rivers in the proposed byelaws may give the appearance of a blanket approach.*

- **Erroneous statement**
- Clear indication of misuse of precautionary principle – inclusion of all these rivers is a failure to comply with the NASCO Decision Management Structure.
- This is a 'blanket approach'.
- Catchment specific evidence suppressed – Ogwen and other rivers exceeding CL year on year in compliance with NASCO Management Objective.

662

- **Erroneous statement**

663

- **Erroneous statement**

**665** *I do not consider direct parallels can be made between NRW's approach as advanced in the proposed byelaws and that of equivalent agencies in other jurisdictions.*

- NASCO Guidance has not been complied with.
- The Environment Act/ WFG Act places greater onus on Wales to consider sustainable principles and thus well-being considerations (social, economic, cultural & environment) in the short, medium and long term with the focus on parallel advantages to all. The consequential impacts of the byelaws illicit ill-being.
- Wales is being put at disadvantage to other jurisdictions.

**667 [NASCO Guidance; Conservation Limits; Allowable Angling Practices]**

- NASCO Guidance has not been complied with.

**671** *Objectors.....considered their views were simply ignored and that the outcome was a fait accompli.*

- There has been no meaningful attempt to reach consensus.
- Minutes of Local Group Meetings used as evidence at the Inquiry were bias and censored and thus non representative of proceedings during the consultation period.

**682 [10 year byelaws; 5 year interim review]**

- The 10 year period compounds the negative consequences of the byelaws.
- No details of the interim review have been made publicly available.

**684** I am satisfied the byelaws have been progressed on a sound legal basis and in accordance with the principles of natural justice, with all interested parties given the opportunity to present their case.

- Reference – Letter Chris White to First Minister – Copy Included

**685** *NRW who have assessed the impacts of the proposed byelaws on those likely to be affected in a proportionate manner.*

- **Erroneous statement**
- NRW have not assessed the impacts of the byelaws

**688 (Well-being Goals)**

- This has not been done by NRW

**689 (Well-being Goals)**

- No evidence was presented to substantiate this statement – CPWF presented evidence to illustrate that ill-being is being stimulated by lack of appropriate consideration of well-being goals within this process.

**695** *There was no convincing arguments that the raft of measures contained within the proposed byelaws were not appropriate, reasonable and proportionate.*

- Critical CPWF evidence is suppressed and given undue consideration within the report.
- Critical CPWF evidence was suppressed and given undue consideration within the Inquiry.

**697** *It should be noted that the proposed byelaws would affect only about 15% of anglers...*

- **Erroneous and misleading statement**
- The future of angling on Wales Rivers is at risk – without a fishing club, an angler can invariably not fish.

**698** *It is only reasonable therefore that anglers and nets men play their part in the solution.*



- NRW and the report are highly disingenuous to the part the angling community already play in instigating sustainable practices.
- The CPWF proposals for a workable way forward have been given little if any coverage within the report. Anglers aspired way forwards is thus suppressed and ousted from consideration.
- Anglers are a critical component of a progressive means of developing improvement in fisheries – the PI and the report confound the alienation of the angling community from this arena.
- There has been no attempt by NRW to reach a point of consensus.

-----End of Document-----



**President**  
Allan Cuthbert

**Strategy Officer**  
John Eardley

**Conservation Officer**  
Chris White

**025 July 2019**

**Re: THE WALES ROD AND LINE (SALMON AND SEA TROUT) BYELAWS 2017 Inquiry**

Dear First Minister,

As conservation officer for the Campaign for the Protection of Welsh Fisheries (CPWF) I both presented evidence and attended every day of the above inquiry. My role along with other colleagues from CPWF was to represent some 21 local fishing clubs from across Wales acting, in socialist terms, as shop steward for the hard-working men and women of local communities across Wales who were unable to attend the inquiry and have their voices heard.

Following the inspectors report on the recent inquiry into what is now referred to as 'The All Wales Byelaws' your Minister has approved the byelaws in their entirety. These byelaws will apply restrictions on all the rivers in Wales regardless of their conservation status – not all rivers are at risk despite what NRW claims. The basis of the byelaw proposals was due to poor fry and parr counts in 2015 following significant flood events in previous years which depressed recruitment of juvenile salmon and sea trout. These depressed results were then used in a statistical model which predicted all the rivers in Wales to be 'at risk' in 2019/2020 this risk in 2019 has not been realised on many rivers.

The decision by your Minister to approve these byelaws for all Welsh rivers will see many local fishing clubs close as the method restrictions effectively makes fishing in the small spate rivers of Mid, South Wales and North Wales impossible. I have written to the Minister appealing her decision (copy of the letter attached). Prior to the inquiry our requests to meet with your Minister to explain our case was refused.

There are however some procedural issues which I feel you should be made aware.

I had challenged your Minister prior to the commencement of the inquiry in the way the inquiry was to be run i.e. the use of the Planning Inspectorate and the Planning Appeals Procedure rather than a Public Inquiry under the Inquiry Act. There are also issues around calling this a 'Local Inquiry' when the findings are to be applied to all Welsh rivers, of course by declaring this a 'local inquiry' it has enabled the Minister to use her own department (the Planning Inspectorate) to over see the inquiry and appoint a friendly inspector, details now follow.

On the announcement of the appointment of the inspector for the above inquiry I undertook a Google search on Mr Beggan (the inspector) and found a reference in the public domain from Landmark Chambers a London law firm who were publishing their success in defending a planning appeal representing NRW claiming the inspector, Mr Beggan, had found in favour of NRW based upon the 'precautionary principle'. Whilst

the link still exists on Google the access to the Landmark Chambers servers has since been removed (we have a copy on file).

With this in mind we were most concerned to discover that the planning Inspector appointed by Welsh Ministers had apparently sat as adjudicator in a planning appeal action brought by NRW in a case which we believe to a large extent turned as in the instant upon the doctrine known as The Precautionary Principle. In that case the Inspector apparently sided with NRW. Our concern is not that there has been bias but that this inquiry has manifestly demonstrated the appearance of bias in favour of NRW as we shall address below.

You should be aware that the byelaw proposals by NRW which will restrict catch methods have been robustly opposed by the angling community in Wales. Indeed, the level of opposition required your Minister to hold an inquiry to determine whether they should be accepted by your Government.

We had previously expressed our concern to your Minister that she chose to utilise an appeal procedure conducted by a planning inspector under planning legislation rather than an independent Public Inquiry conducted by an independent and impartial adjudicator. The procedure under the planning legislation is designed to address a local issue not a pan Wales issue affecting your electorate across Wales i.e. a byelaw under UK administration law is both local and limited in its application the NRW proposals are neither as this is a blanket response i.e. primary legislation.

Notwithstanding our concerns your Minister proceeded to pursue the inquiry using the Planning Inspectorate, a department which the Minister has responsibility for. Utilising a planning appeal procedure and appointing an inspector who had previously supported an NRW appeal based upon environmental concerns.

Our concern is that Welsh Ministers have proceeded to utilise the planning appeals procedure as a device to try and procure a favourable outcome for its Agency NRW rather than a truly independent inquiry. Instead an Inspector who has apparently previously found in favour of NRW advancing the Precautionary Principle and with no known expertise in fisheries or their management was appointed.

The subsequent process has adopted an adversarial instead of an inquisitorial approach the manner of which has attracted previous complaint and of which your Minister dismissed out of hand. The inspectors report claims that the inquiry was conducted in an inquisitorial manner. This was far from the truth and whilst as objectors we expected to be challenged, we were faced with aggressive questioning by counsel for NRW, in my case for more than three hours with few if any questions from the inspector. To say that this was inquisitorial beggars' belief. The inspector has dismissed our very real concerns and only considered the case presented by NRW, there are therefore clear indications of bias.

Given the highly contentious nature of this inquiry we are surprised that this association i.e. the inspector previously supporting NRW would have been concealed from CPWF and the general public by both NRW and your Minister had we not made diligent enquiries.

We would perhaps have expected in the interests of fairness and transparency to have been consulted as to whether we objected or consented to the appointment of the inspector who had previously found in favour of NRW. We were not and instead our concerns to your Minister about how the inquiry was to be conducted were dismissed.

Be that as it may we submit that, given the fact that the Inspector has supported NRW in the past on such a narrow point, that there was a real risk of bias or at least the appearance of bias in these proceedings should these facts be known to a member of the public observing proceedings. The dismissive nature of the inspector's report with respect to our objections tends to reinforce our concerns of bias.

Given the inequality of arms of the State and its agents facing unrepresented members of the public this omission is we submit indefensible.

Finally, it is painfully apparent that those representing NRW had been accommodated by the inspector throughout this inquiry to ensure the most favourable conditions in which to present its case.

We were not Appellants bringing an appeal against a decision, this was an inquiry into proposals the recommendations upon which your Minister will rely upon to make a final decision.

This process has throughout been unfair and demonstrated the appearance of bias in favour of NRW.

Regards



Chris White

Conservation Officer: Campaign for the Protection of Welsh Fisheries

### **P-05-813 Gwahardd y DEFNYDD O FAGLAU LARSEN (maglau dal sawl math o frân)**

Cyflwynwyd y ddeiseb hon gan Action Against Wildlife Persecution, ar ôl casglu 1,943 o lofnodion.

#### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i wahardd cynhyrchu, gwerthu a defnyddio maglau Larsen (maglau dal mwy nag un frân).

Cawell a rennir yn sawl rhan yw magl Larsen; cedwir aderyn gwyllt byw (yr aderyn denu) yn gaeth mewn un rhan ohoni er mwyn denu adar eraill. Pan fydd aderyn arall yn glanio ar y fagl, mae'n disgyn i mewn trwy gât unffordd neu lawr ffug, lle y bydd yn aros ei dynged.

Dyfeisiwyd maglau Larsen yn Nenmarc, ond fe'u gwaharddwyd yn y wlad honno gan eu bod bellach yn cael eu hystyried yn bethau creulon iawn.

Ciperiaid a thyddynwyr sy'n defnyddio maglau Larsen yn bennaf, a hynny er mwyn dal pïod, brain ac aelodau eraill o deulu'r frân. Mae'n brofiad erchyll i'r aderyn gan iddo gael ei ddal ddydd a nos heb fwyd, dŵr na chysgod rhag y tywydd, ac mae hynny'n peri gofid eithafol.

Oherwydd eu bod yn defnyddio aderyn gwyllt caeth (sy'n mynd yn groes, yn dechnegol, i Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981) rhaid defnyddio'r maglau hyn o dan delerau "Trwydded Gyffredinol", a geir gan Gyfoeth Naturiol Cymru, sy'n caniatáu dal pïod, brain, sgrechod y coed, corfrain, ac ydfrain.

Mae'n brofiad pur ofnadwy i'r "adar denu" gwyllt gan fod eu cyfyngu yn y modd hwn yn gamdriniaeth ac yn rhwystredigaeth o ran hanfodion eu hymddygiad. A hwythau'n agos i'r ddaear, mae ysglyfaethwyr yn codi braw arnynt a rhaid iddynt wyllo wrth i adar eraill gael eu lladd mewn ffordd

ddienaid o flaen eu llygaid. Mae sawl un yn marw trwy esgeulustod. O dan y gyfraith, dylai fod gan aderyn denu caeth fwyd, dŵr, cysgod a chlwyd, a dylid archwilio'r maglau o leiaf bob 24 awr, ond nid dyna sy'n digwydd. Rydym wedi gweld brain a adawyd i farw heb fwyd na dŵr, ac rydym wedi dod o hyd i gyrff adar denu yn pydru, a'r adar hynny wedi clymu'n barhaol â gwifrau hyd nes eu bod yn marw drwy newyn neu straen. Rydym wedi gweld adar sydd wedi torri eu pigau ac wedi anafu eu pennau trwy geisio dianc. Gwelsom greulondeb, llurgunio a chlwyfo lle mae'r cipar wedi torri plu hedfan yr aderyn denu i'w gadw rhag dianc.

### **Gwybodaeth ychwanegol**

Mae'r maglu yn digwydd trwy fisoedd yr haf ac, o'r herwydd, mae miloedd o gywion yn newynu i farwolaeth yn y nyth am fod y rhieni'n cael eu dal.

Nid yw maglau Larsen yn gwahaniaethu; gallant ddal adar o bob math a mamaliaid. Weithiau, er ei bod yn anghyfreithlon, defnyddir colomennod er mwyn denu ac yna lladd adar ysglyfaethus.

Mae dal adar gwyllt mewn maglau adar byw a defnyddio adar denu byw yn peri dioddefaint ofnadwy i'r adar anffodus.

Rydym yn cymell rhoi stop ar y ffordd hon o erlid bywyd gwyllt.

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

- Gorllewin Caerdydd
- Canol De Cymru



Janet Finch-Saunders AM/AC  
Chair  
Petitions Committee  
By email: [SeneddPetitions@Assembly.Wales](mailto:SeneddPetitions@Assembly.Wales)

4 July 2019

Dear Janet Finch-Saunders

### **Petition P-05-813 Ban the use of Larsen Traps (multi-corvid traps)**

Thank you for your letter of 23 May 2019. Please accept my sincere apology for the lateness of my reply.

As you may be aware, in April 2019, following legal challenge by way of judicial review by Wild Justice, Natural England revoked three of their General Licences (GL04-06). The basis of the Wild Justice challenge was that in so far as those General Licences were concerned, they had been granted unlawfully as Natural England had not complied with section 16(1A) of the Wildlife and Countryside Act 1981 (as amended).

As a result of the challenge, as outlined above, Natural Resources Wales (NRW) are currently in the process of reviewing and revising a suite of General Licences, these are GL 001-004<sup>1</sup>, that apply to 15 bird species<sup>2</sup> in Wales. These General licences allow lethal action and capture to be carried out (including the use of Larsen Traps to catch corvids), which would otherwise be illegal, without the need to apply for a bespoke licence.

As part of our review NRW are currently appraising the evidence base for General Licences 001-004, focussing on two principal areas:

---

<sup>1</sup> NRW General licence 001 - 2019 Licence to kill or take certain wild birds to prevent serious damage to agriculture, forestry or fisheries, or prevent the spread of disease, 002 - 2019 Licence to kill or take certain wild birds for the purpose of preserving public health and public safety, 003 - 2019 Licence to kill or take certain wild birds for the purpose of preserving air safety, 004 - 2019 Licence to kill or take certain wild birds for the purpose of conserving flora and fauna, including wild birds.

<sup>2</sup> Carrion crow, jackdaw, jay, magpie, rook, lesser black-backed gull, herring gull, great-black-backed gull, common gull, black-headed gull, lapwing, wood pigeon, collared dove, feral pigeon, Canada goose.

- i. Identifying the level of evidence available to support inclusion of the 15 species of wild bird variously listed on General Licences 001-004 in Wales.
- ii. Appraising the evidence base to determine whether, in Wales, there are no other non-lethal satisfactory solutions available.

Currently, we have established a General Licence 'user' stakeholder group, held regular update calls with them and chaired two face-face meetings. Additionally, we are also in the process of establishing a 'non-user' group meeting to identify their concerns and points of view to ensure we have a balanced view from all stakeholders.

As you may appreciate, the current issue surrounding General Licences in Wales and indeed elsewhere throughout the UK is both complex and sensitive. In support of this view, NRW are engaged in ongoing delicate discussions with both 'user' and 'non-user' stakeholders. The use of Larsen Traps as a means of lethal control of corvids is referenced, together with conditions of use, within the General Licence suite we are currently revising. Therefore, NRW recommend to the Petitions Committee that we investigate the use and regulation of Larsen Traps in Wales after we complete our appraisal of the evidence base during our review of General Licences 001-004.

I trust the contents of my response reassures the Petitions Committee that NRW will take the use and regulation of Larsen traps in Wales seriously.

Should you need any further clarification please do not hesitate to contact me.

Yours sincerely



Clare Pillman  
**Chief Executive**

CC Ceri Davies, Executive Director, Evidence, Policy and Permitting  
Mike Evans, Head of Knowledge and Evidence  
Ruth Jenkins, Head of Natural Resource Management Policy





Eich cyf/Your ref P-05-813  
Ein cyf/Our ref LG/05626/19

Janet Finch-Saunders AM  
Chair - Petitions Committee

Janet.FinchSaunders@assembly.wales

April 2019

Dear Janet

Thank you for your letter of 20 March regarding Petition P-05-813, "Ban the Use of Larsen Traps (Multi Corvid Traps)". I have noted the RSPCA and RSPB's concerns about the use and regulation of these traps.

All wild birds and their eggs and nests are protected under the Wildlife and Countryside Act 1981 (as amended). However, Natural Resources Wales (NRW) issue a number of General Licences which allow authorised persons to kill or take these 'pest' species (e.g. Carrion crow, Jackdaw, Jay, Magpie and Rook) using certain specified methods, including the use of cages for trapping.

The welfare of decoy birds in Larsen traps is important and any live birds used in this context are considered captive (i.e. kept). They therefore fall within the scope of, and protection conferred by, the Animal Welfare Act 2006 (as amended). Section 9 of this Act places the duty on the person responsible for animals to ensure welfare and sets out the needs of animals to include;

- a suitable environment;
- a suitable diet;
- ability to exhibit normal behaviour patterns;
- to be housed with, or apart from, other animals (as necessary); and
- the need to be protected from pain, suffering injury and disease.

The requirement to be compliant with all relevant animal welfare legislation is made clear in the conditions of the General Licences. Additionally, the conditions of a General Licence issued under the Wildlife and Countryside Act and the requirements of the Animal Welfare Act 2006 makes it an offence if an operator:

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

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

Tudalen y pecyn 149

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

- Uses a Larsen trap without first reading and understanding the General Licence under which they will be operating;
- Fails to check the trap every day at intervals of no more than 24 hours;
- Fails to release non-target species unharmed;
- Uses decoy/call birds other than those listed in the General Licence under which they are operating; and
- Fails to provide decoy/call birds with sufficient food, water, shelter and a perch

I strongly believe the way we treat our birds and animals is an important reflection of the values of our society. Animals and birds should therefore be protected and those who choose to break the law should be duly prosecuted.

Regards  
Lesley

**Lesley Griffiths AC/AM**

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig  
Minister for Environment, Energy and Rural Affairs

**P-05-856 Rhaid gwahardd gwerthu cŵn bach gan siopau anifeiliaid anwes a phob gwerthwr trydydd parti masnachol yng Nghymru (Cyfraith Lucy)**

Cyflwynwyd y ddeiseb hon gan C.A.R.I.A.D., ar ôl casglu 11,195 o lofnodion.

## **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i weithredu gwaharddiad ar werthu cŵn bach gan siopau anifeiliaid anwes a phob gwerthwr trydydd parti masnachol.

Mae gwaharddiad ar werthu cŵn bach gan drydydd partion am elw wedi'i enwi'n 'Cyfraith Lucy' ac fe'i cyhoeddwyd yn ddiweddar yn Lloegr. Mae cefnogaeth enfawr gan y cyhoedd, y cyfryngau ac ar draws y pleidiau i Gyfraith Lucy, ac rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gyflwyno Cyfraith Lucy yng Nghymru fel mater o frys.

Mae tynnu cŵn bach oddi ar eu mamau i'w gwerthu yn aml yn creu cŵn sâl, trist, wedi'u trawmateiddio, sy'n camweithredu. Dylid gallu gweld cŵn bach gyda'u mam yn y lle y cawsant eu geni. Mae eu cludo i le gwahanol ar gyfer eu gwerthu yn niweidiol o ran eu lles. Nid yw rheoleiddio gwerthu cŵn bach yn fasnachol gan drydydd partion yn effeithiol i atal niwed iddynt, ac felly mae gwaharddiad yn angenrheidiol er lles cŵn bach.

Caiff cŵn bridio a gedwir mewn ffermydd cŵn bach eu cuddio o olwg y cyhoedd ac yn aml maent yn dioddef trawma corfforol a seicolegol am flynyddoedd. Mae rheoleiddio gwerthu cŵn bach yn fasnachol gan drydydd partion yn aneffeithiol o ran atal niwed i gŵn bridio ac mae gwaharddiad ar drydydd partion ar werthu cŵn felly yn angenrheidiol er eu lles.

Byddai gwaharddiad ar werthu cŵn bach gan drydydd partion yn cael effaith gadarnhaol ar gŵn bridio, ac yn sicrhau eu bod yn weladwy, a byddai'n galluogi'r cyhoedd i weithredu ar gyngor arfer gorau i weld ci bach gyda'r fam ble y'i ganwyd.

Hefyd, ar hyn o bryd mae rhai pobl sy'n ffermio cŵn bach heb drwydded, a smyglwyr cŵn bach, yn defnyddio trydydd partion trwyddedig i werthu eu cŵn bach, ac mae hyn yn ei gwneud yn bosibl iddynt weithredu heb gael eu dal, a heb i awdurdodau lleol fonitro iechyd a lles cŵn bridio a chŵn bach. Mae rheoleiddio gwerthu cŵn bach yn fasnachol gan drydydd parti yn

anefeithiol wrth atal ffermio cŵn bach yn anghyfreithlon a smyglwyr cŵn bach, ac felly mae angen gwaharddiad ar drydydd partion o ran gwerthu cŵn, i ddiogelu cŵn, cŵn bach a'r cyhoedd, yn ogystal ag i atal gweithgarwch troseddol.

Nid oes dim manteision lles o werthu cŵn bach drwy werthwyr masnachol. Mae'r arfer hwn dim ond yn golygu bod cŵn bridio yn cael eu cadw o lygad y cyhoedd. Yn ogystal â phryderon am les anifeiliaid, mae gwerthiant gan drydydd partion yn creu risgiau ychwanegol i iechyd a diogelwch y cyhoedd.

Mae gwerthiant cŵn bach yn uniongyrchol gan fridwyr neu ganolfannau achub cŵn adnabyddus yn amddiffyn pob parti, yn sgîl rhagor o dryloywder ac atebolrwydd. Gallai gwaharddiad ar fargeinio am gŵn bach er elw godi safonau iechyd a lles ar gyfer cŵn bridio a chŵn bach, yn ogystal â darparu diogelwch y mae mawr ei angen ar gyfer y cyhoedd.

Mae gweithredu Cyfraith Lucy yng Nghymru hefyd yn hanfodol i fynd i'r afael â'r difrod a wnaed i enw da Cymru, sy'n parhau i gael ei gydnabod fel canolbwynt o ran ffermio cŵn bach yn y Deyrnas Unedig.

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

- Pen-y-bont ar Ogwr
- Gorllewin De Cymru



Llywodraeth Cymru  
Welsh Government

---

## **DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU**

---

**TEITL**            **Gwerthu Cŵn a Chathod Bach gan Drydydd Partïon**

**DYDDIAD**      **18 Gorffennaf 2019**

**GAN**             **Lesley Griffiths - Gweinidog yr Amgylchedd, Ynni a Materion  
Gwledig**

Lansiais ymgynghoriad cyhoeddus ym mis Chwefror ar werthu cŵn a chathod bach gan drydydd partïon yng Nghymru.

Mae pryderon y gallai gwerthu cŵn a chathod bach yn fasnachol gan drydydd partïon fod yn gysylltiedig â gwaeth amodau lles i'r anifeiliaid o gymharu â phrynu'n uniongyrchol oddi wrth y bridiwr. Er enghraifft, wrth i'r cŵn neu'r cathod bach gael eu rhoi mewn sawl amgylchedd newydd ac anghyfarwydd, ac oherwydd ei bod yn fwy tebygol y byddant yn gorfod wynebu sawl siwrnai, gallai hynny olygu bod mwy o risg iddynt ddal clefydau ac na fydd y cŵn neu'r cathod bach yn cael eu cymdeithasoli nac yn ymgyfarwyddo â'i gilydd.

Roedd yr ymgynghoriad, a ddaeth i ben, ar 17 Mai, hefyd yn ceisio barn am faterion ehangach sy'n gysylltiedig â bridio cŵn a chathod. Bydd crynodeb o'r ymatebion yn cael ei gyhoeddi heddiw, 18 Gorffennaf.

Daeth 458 o ymatebion i law. Mae hyn y dangos bod gan y cyhoedd deimladau cryf am y mater hwn. Hoffai mwyafrif llethol yr ymatebwyr weld diwedd ar werthu cŵn a chathod bach gan drydydd partïon yng Nghymru. Thema arall a gododd dro ar ôl tro hefyd oedd yr angen i wneud mwy i wella lles cŵn a chathod ar bob safle bridio yng Nghymru.

Yn ogystal â phryderon am amodau ar safleoedd bridio, dryswch ynglŷn â'r system bresennol, a'r adnoddau sydd ar gael i orfodi'r rheolau, tynnodd yr ymatebwyr sylw hefyd at broblemau gyda gwerthu ar-lein, prynu ar fympwy, ac atebolrwydd bridwyr. Cyfeiriwyd hefyd at fewnforio cŵn bach yn anghyfreithlon.

Ar ôl ystyried yr ymatebion i'r ymgynghoriad a'r galwadau i wella'r system bresennol, rwyf yn bwriadu cyflwyno gwaharddiad ar werthu cŵn a chathod bach gan drydydd partïon. Gan gydnabod na fydd gwaharddiad ar werthu cŵn a chathod bach gan drydydd partïon yn ddigon ynddo'i hun i fynd i'r afael â'r holl pryderon a ddaeth i'r amlwg yn ystod y broses

ymgyngori, rwyf hefyd yn bwriadu ailedrych ar y rheoliadau bridio presennol er mwyn gwella amodau lles mewn sefydliadau bridio, ac ystyried sut i helpu'r cyhoedd i wneud dewisiadau mwy deallus wrth brynu anifail anwes. Bydd angen paratoi asesiadau effaith rheoleiddiol ar gyfer y ddau beth hyn, ynghyd â chynnal ymgynghoriad cyhoeddus llawn arall ar y diwygiadau arfaethedig.

Rydym yn parhau i gydweithio'n agos â rhanddeiliaid ac asiantaethau gorfodi i gael effaith barhaol ar safonau lles ar gyfer cŵn a chathod sy'n cael eu bridio yng Nghymru.

**P-05-856 Ban the sale of puppies by pet shops and all commercial 3rd party dealers in Wales -Lucy's Law, Correspondence – Petitioner to Committee, 09.09.19**

Dear Petitions Committee,

C.A.R.I.A.D. is obviously delighted that the Cabinet Secretary, Lesley Griffiths has now announced confirmation that Lucy's Law – a ban on the selling of puppies by third parties including pet shops and puppy dealers - is to be introduced in Wales following England's decision to ban this trade.

We currently await her announcement for a date for a consultation for this to become law in Wales and urge the Cabinet Secretary to adopt the same date as England, 6<sup>th</sup> April 2020, if not beforehand, as this will ensure not only cross border co-operation but also the most effective enforcement of this new legislation. We are currently urging the Scottish government, who will also be introducing this ban, to align their implementation dates for the same reason and to ensure maximum protection for mainland UK against what would become the illegal importation of puppies from both Northern Ireland, Ireland and Europe as, at present the only legal route to sell these puppies on the mainland is via a pet shop licence.

Given that 20 of the 22 Unitary Authorities in Wales have passed motions of support for Lucy's Law, we are also heartened that some of these Councils have already chosen to implement the prevention of selling puppies via a pet shop licence, as is their gift. We also note that, as a result of one Council's support for Lucy's Law, they have been able to refuse planning permission for the selling of puppies at a separate location by a large dog breeder and pet shop licence holder, who has been reported on numerous occasions by ourselves and other organisations for low welfare dog breeding and selling.

C.A.R.I.A.D. is also happy that the Cabinet Secretary is scrutinising existing Animal Welfare (Breeding of Dogs) (Wales) Regulations which have proven to be ineffective in preventing welfare harm to breeding dogs and puppies to date. Of particular concern is the unenforceable 20:1 staff dog ratio which has been cited by some Councils in Wales as frustrating the process of enforcement action on establishments who have previously committed welfare harm to breeding dogs and puppies. It is, of course, only one instance where these regulations require improvement and we look forward, as a major stakeholder, to submitting our recommendations to the Welsh Government.

The Cabinet Secretary has stated publicly that Wales does not want puppy farming in our country. The introduction of Lucy's Law is an excellent start to this and is central to ensuring that any other improvements to legislation or regulation are effective.

We thank the Petitions Committee members for the ongoing support they have shown for this petition and look forward to confirmation of a date for the implementation of this new legislation. In the meantime, we would urge the Petitions Committee to leave the petition open until such a time as a firm date for the implementation of Lucy's Law has been confirmed by the Cabinet Secretary.

Thank you.

Kind regards,

**Linda Goodman**  
**Founder**  
**C.A.R.I.A.D.**

**Care And Respect Includes All Dogs**



## **P-05-874 – Gwahardd gwerthu nwyddau sydd wedi eu pecynnu mewn plastig untro ar wasanaethau Trafnidiaeth Cymru**

Cyflwynwyd y ddeiseb hon gan Lydia Jackson, ar ôl casglu cyfanswm o 125 lofnodion.

### **Geiriad y ddeiseb:**

Rydym yn galw ar Cynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i wahardd gwerthu nwyddau sydd wedi eu pecynnu mewn plastig untro ar wasanaethau Trafnidiaeth Cymru.

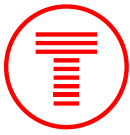
Fel y nodir gan Lywodraeth Cymru: "Gwaith Trafnidiaeth Cymru yw gwireddu gweledigaeth Llywodraeth Cymru o rwydwaith trafndiaeth diogel, integredig, fforddiadwy a hygyrch o safon uchel y mae pobl Cymru'n ymfalchïo ynddo."

Credwn y byddai gwahardd gwerthu plastig untro, sy'n niweidio ein hamgylchedd naturiol, yn gam sylweddol o ran cyflawni'r nod hwn a dangos ymrwymiad Llywodraeth Cymru i sicrhau dyfodol tecach a diogelach i ddinasyddion Cymru.

### **Gwybodaeth ychwanegol:**

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

- Canol Caerdydd
- Canol De Cymru



Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff, CF99 1NA

12 July 2019

Dear Chair,

**RE: Petition P-05-874 Ban the sale of goods packaged in single use plastics on Transport for Wales services**

I write to you in response to your letter of the 30 May 2019 inviting us to respond to petition P-05-0874 "Ban the sale of goods packaged in single use plastics on Transport for Wales services."

Firstly, we recognise the role that we play as Transport for Wales in ensuring that the services we provide have a positive long-term legacy for the people and communities of Wales. Specifically, we are considering our response to the climate change emergency, as well as the emerging issues associated with plastics and the impact they can have on people and our environment. Our plans will help us to mitigate the environmental impact of the services we provide.

To further strengthen our commitment to the environment, we have recently appointed a Sustainable Development Manager who has expert experience of working within the waste sector having worked for the international charity Waste Resources Action Programme (WRAP), who provide industry leading advice on resource efficiency and the circular economy. Our Sustainable Development Manager has also previously worked with the sector Packaging Managers at various companies to provide support and evidence for their plastics campaigns.

In response to your specific question regarding whether targets will be set to reduce or eliminate the use of plastics for catering services on board our trains, I can confirm that we have already begun to phase out all single use plastics and we expect that suppliers of our food and other products will start to make quick, positive changes to the packaging that they offer.

Having considered the public commitments made by our supply chain and commitments within the wider food industry, our expectation is that we will have completely phased out single use plastics by 2023. This phase out date for single use plastics is based on the availability of suitable alternatives as at present, packaging labelled as compostable or biodegradable cannot be recycled or composted at large scale in Wales.

Sadly, 'compostables' still require specific conditions to break down; in landfill or the environment, they can last for decades. Therefore, our belief is that a short-term switch to these types of plastic alternatives could create more general waste

to be sent for landfill or incineration. Therefore, it is our belief that 2023 gives us an achievable timescale to make changes that will have a genuinely positive impact on levels of waste production overall.

As well as our own directly retailed products, we will also work with businesses in our supply chain and retailers that operate within our stations as tenants to ensure that they phase out single use plastics. We are currently working with our supply chain to understand the specific date by which we can commit to the elimination of single use plastics on our services through third party retailers.

We welcome the Welsh Government's aim to reduce the use of single use plastic bottles for water and other drinks and we will support this aim by:

- Promoting use of re-useable drinking containers for passengers;
- Provide access to free drinking water available for refill of water bottles through:
  - provision at retail outlets implemented utilising concession contracts;
  - provision of water infrastructure at Hub and Interchange stations where justified by passenger numbers and lack of other suitable provision; and
  - cooperation with other businesses and suppliers in the vicinity of stations;
  - considering the need for such water provision and reduction in use of plastic bottles in the design and implementation of any station refurbishment; and
  - using innovative solutions to reduce the use of plastic bottles for drinks.

In terms of details on other initiatives referred to in your letter, we and our partners have made very strong commitments to reducing our waste overall.

Our Sustainable Development Plan, Station Improvement Vision and our Waste Management Plan, which are due to be published over the summer and early autumn, detail our commitment to reducing and designing out waste.

We will act to minimise the impact of waste by implementing a plan that deals with waste in the following order of priority:

- Prevention of waste;
- Minimisation of waste;
- Re-use of waste;
- Recycling of waste; and
- Disposal of waste

The targets in our Sustainable Development plan and Waste Management Plan are:

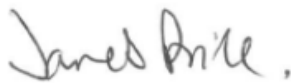
- Divert at least 95% of waste away from landfill by the end of 2020
- Increase recycling rates above 50% by the end of 2021

- Reduce the use of virgin materials by 30% by the end of 2021

We will work with our suppliers, sub-contractors and other companies to find innovative practices to eliminate waste and reuse surplus materials and we will work with other local businesses to lobby for improved services to increase diversion from landfill.

I look forward to updating you in due course as we develop our plans to further reduce the environmental impact of our activities.

Yours sincerely,

A handwritten signature in black ink that reads "James Price".

James Price  
Prif Weithredwr / Chief Executive  
Trafnidiaeth Cymru / Transport for Wales

**P-05-874 Ban the sale of goods packaged in single use plastics on Transport for Wales services, Correspondence – Petitioner to Committee, 31.07.19**

I am delighted that the Welsh government is already acting to reduce single use items on TfW services. However I am concerned about the time frame to do so. Whilst Wales has made hugely commendable efforts to improve waste processing and recycling, it seems to me as though the declaration of a climate emergency is not being taken seriously enough. Particularly in light of the 2050 target that has been set. I am aware that I would need to raise a separate petition to cover these points. However I do think it is relevant to raise them here, seeing as how my petition ties into tackling a much larger problem and how action is not being taken seriously or swiftly enough in the phase out of single use plastics on TfW and indeed the climate emergency we face as a whole. Unfortunately drastic times call for drastic measures. I hope that the Welsh Government can amend its time frame to reflect this and to accelerate its plan to phase out single use plastics on TfW.

Many thanks for such thorough responses and the committee's time.

Lydia Jackson

# Eitem 3.13

P-05-858 Taenellwyr Dŵr i arbed bywydau nid i wneud arian!

Cyflwynwyd y ddeiseb hon gan John Newman, ar ôl casglu 209 o lofnodion.

## **Geiriad y ddeiseb**

Galw ar Lywodraeth Cymru i ddiwygio paragraff 2.6 o Ddogfen Gymeradwy B mewn ffordd sydd yn ei gwneud yn orfodol bod dyluniad, gosodiad a chynnal a chadw systemau preswyl a domestig ar gyfer ataliad tân yn cael ei gynnal gan neb ond pobl sy'n aelodau o gynlluniau ardystio trydydd parti priodol. Bydd hyn yn sicrhau y caiff systemau arbed bywyd o'r fath eu dylunio, eu gosod a'u cynnal a'u cadw'n gywir gan bobl sydd â'r cymwyseddau addas. Yn anffodus, nid felly y mae ar hyn o bryd.

## **Etholaeth a Rhanbarth y Cynulliad**

- Caerffili
- Dwyrain De Cymru

**Julie James AC/AM**  
**Y Gweinidog Tai a Llywodraeth Leol**  
**Minister for Housing and Local Government**



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref JJ/06134/19

Janet Finch-Saunders AM  
Assembly Member for Aberconwy  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA  
[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

16 July 2019

Dear Janet,

Thank you for your letter of 24 June, requesting an update on the petition received from John Newman in relation to fire sprinklers and third party certification.

As you have mentioned in your correspondence, the previous Cabinet Secretary for Energy, Planning and Rural Affairs in the response dated 5 December 2018, stated that a review of the fire safety requirements of the building regulations will form part of a much wider ongoing review.

The content of the review has been taken forward by the Ministerial Building Safety Expert Group, who issued their roadmap to safer buildings in Wales on the 1 April 2019.

In my statement of response to the Building Safety Expert Group's Roadmap on the 21 May, I accepted all the expert group's recommendations in principle. There is a need for a considered and coherent approach and it will take time to get this right.

The Expert Group's Roadmap includes a recommendation for clients to improve their ability to identify competent contractors, developing guidance and sharing best practice in support of this. This will form part of the Design and Construction phase Task and Finish Group looking into changes to the building control process.

Yours sincerely,

**Julie James AC/AM**  
**Y Gweinidog Tai a Llywodraeth Leol**  
**Minister for Housing and Local Government**

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Julie.James@llyw.cymru](mailto:Gohebiaeth.Julie.James@llyw.cymru)  
[Correspondence.Julie.James@gov.Wales](mailto:Correspondence.Julie.James@gov.Wales)

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

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

Tudalen y pecyn 163

**P-05-858 Fire Sprinklers are for life, not a fast buck!, Correspondence –  
Petitioner to Committee, 08.09.19**

I have received both praise and criticism in equal measure for my petition to the Committee requesting relevant authorities (particularly Building Control) to use third party accreditation as evidence of competence to design and install.

When it comes to designing and installing sprinkler systems true competence only comes with several, if not many, years' practical experience that provides a well rounded knowledge of what will, or will not, work in situations that do not neatly fit into the limited practical examples that are provided in a three or four day design course.

Just a few questions that may arise during a design or installation:-

If a typical two storey house only has one sprinkler in each room are you sure you only allow for one head operating for a category 1 system? There is a very common error made by the inexperienced when considering this.

What do I do with this shadow area?

How far should my sprinkler be from this light?

Where do I position the sprinkler on this vaulted ceiling?

Competence comes from experience and training, not just the passing of an exam. Experience tells you where to look for answers that may not be in the relevant Standard or data sheet. An in depth understanding of how sprinklers operate, particularly of their spray pattern, will help a 'judgement call' when a situation that does not fit any guidance presents itself. Having a policy of utilising third party accreditation as evidence should ensure an installer is 'competent', after all, competence and ability is precisely what has been tested and assessed by the relevant certification body.

One criticism that occurs frequently on this issue is an accusation that my position on this is 'protectionist', the 'big boys' keeping competition out. This is far from the case, it is not prohibitively expensive to secure third party accreditation. No more expensive than what plumbers have to expend to secure their 'Gas safe' certification. My brother and I started our company in 2013 with no working capital yet immediately sought our accreditation with EXOVA FIRAS, becoming the first company in Wales to secure accreditation. Since that time we have actively assisted and sponsored others towards their certification, creating competitors in the process!

There have been some very expensive errors made by inexperienced trades (often plumbers or electricians) that have decided to install sprinkler systems creating much



distress and unnecessary expense for, in particular, individual house building projects. There were quite a number of non compliant mist systems installed by unqualified installers in 2018, most of which either failed causing water damage to houses, or were identified as not suitable and had to be replaced by fully compliant sprinkler systems. Unless some control measures are in place such situations will undoubtedly grow in number.

Kindest regards,

JOHN NEWMAN

## Eitem 3.14

**P-05-867 Gwneud Murlun 'Cofiwch Dryweryn' yn dirnod Cymreig dynodedig**

Cyflwynwyd y ddeiseb hon gan Joe Williams, ar ôl casglu 1,016 o lofnodion ar-lein.

### **Geiriad y ddeiseb:**

Mae'n wirion bod tirnod mor bwysig yn Hanes Cymru'r 20fed Ganrif yn cael ei fandaleiddio, tra bod gwaith diweddar gan Banksy yn cael ei ddiogelu.

Mae'n amser i'r tirnod hwn gael statws safle gwarchodedig swyddogol yng Nghymru.

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

- Merthyr Tudful a Rhymni
- Dwyrain De Cymru

# Cyngor Sir CEREDIGION County Council

Russell Hughes-Pickering

Swyddog Arweiniol Corfforaethol : Economi ac Adfywio  
Corporate Lead Officer : Economy and Regeneration

Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron. SA46 0PA  
www.ceredigion.gov.uk



Janet Finch-Saunders AM/AC  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dyddiad  
Date

05/04/2018

Gofynnwch am  
Please ask for

Russell Hughes-Pickering

Llinell uniongyrchol  
Direct line

01545 572004

Fy nghyf  
My ref

Eich cyf  
Your ref

Ebost  
Email

russellhp@ceredigion.gov.uk

Dear Janet Finch-Saunders,

Petition P-05-867 Make the 'Cofiwch Dryweryn' Mural a designated Welsh landmark

Thank you for your letter regarding the above mural.

I have circulated the letter to various sections within the Council and spoken with colleagues, in particular those in our Planning Service to consider whether there would be support for listing the wall and mural. They advised that they were aware that CADW have been approached in the past in relation to 'Cofiwch Dryweryn', and they were not interested in listing the mural. Having discussed that further there is a limit to what it would achieve in any event as there has been no attempt by owners of the wall to change it or to demolish it. To some extent listing the building could work against the community who have quickly remedied vandalism in the past by either re-painting or reconstructing the wall, as a listing may require permission to carry out works which would frustrate a speedy response.

We believe the owners to be in discussion about options for the mural but to date have not been involved or approached. We will continue to monitor the situation and assist if appropriate to do so.

Yours sincerely

Russell Hughes-Pickering  
Corporate Lead Officer – Economy & Regeneration

Rydym yn croesawu gohebiaeth yn Gymraeg a Saesneg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ateb Saesneg i bob gohebiaeth Saesneg. Ní fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh and English. Correspondence received in Welsh will be answered in Welsh and correspondence in English will be answered in English. Corresponding in Welsh will not involve any delay.

Prif Weithredwr / Chief Executive :

Eifion Evans

Cyfarwyddwyr Corfforaethol / Corporate Directors

Barry Rees

Tudalen y pecyn 167



**P-05-867 Make the 'Cofiwch Dryweryn' Mural a designated Welsh landmark,  
Correspondence – Llanrhystud Community Council to Chair, 06.06.19**

Thank you very much for your correspondence in relation to the 'Cofiwch Dryweryn Wall'.

The community Council of Llanrhystud met last night and discussed the petition and asked me to respond as I have been involved in trying to secure the wall for some time.

I have been speaking with a representative of the National Trust to see if they would be interested in looking after the Wall, they are interested if we were able to secure it and raise enough funds to renovate it. As things stand today the owner of the wall is still unsure what to do with it. I have offered to take on a long term lease for the Wall, this would be in conjunction with the local Community Council and or the National Trust. At the moment we do not have the funds to purchase or renovate it.

Until this situation changes our hands are tied as we do not have any legal jurisdiction over the Wall.

However, I do believe that our local Assembly Member and the Presiding Officer, Elin Jones, has been in contact with the owner of the Wall to see if she can help. May I suggest someone speaks to Elin as she probably has more information than I have on the progress.

On another note, we have spoken to CADW and we all came to the conclusion that it would not be a good idea to list the Wall at this stage. We believe that should we be able to purchase or gain control of the Wall then using the expertise of CADW we should be able to keep the Wall in perpetuity.

I hope this information helps.

Thank you

Kind regards

Cllr. Rowland Rees-Evans

Llanrhystud Ward

## Eitem 3.15

**P-05-884 Diwygio Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Cymru) 2018 i gynnwys sefydliadau'r DU sydd â gweithrediadau dramor**

Cyflwynwyd y ddeiseb hon gan Alanna Jones, ar ôl casglu 158 o lofnodion ar-lein a 141 ar bapur, sef cyfanswm o 299 o lofnodion.

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddiwygio geiriad presennol Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Cymru) 2018 ("y Rheoliadau"). Rydym yn galw ar y Cynulliad Cenedlaethol i wneud y diwygiadau i'r Rheoliadau i fynd i'r afael â chyfyngiad presennol Rheoliad 6, Amod 5, sy'n atal myfyrwyr o Gymru rhag cael mynediad at gyllid myfyrwyr i astudio mewn sefydliadau addysg uwch yn y DU lle mae lleoliad yr astudio ar eu campws tramor. Rydym ni'n ystyried y gellid ei gyflawni, naill ai drwy:

ehangu'r meini prawf yn Amod 5 i gynnwys cyrsiau a ddarperir gan sefydliadau addysg uwch yn y DU naill ai yn eu campysau yn y DU neu dramor; neu

diwygio Amod 5 i gynnwys cyrsiau a ddarperir gan sefydliadau addysg uwch sy'n cynnig cyrsiau dynodedig ac i gynnwys Athrofa Prifysgol Llundain ym Mharis ar y rhestr o sefydliadau sy'n cynnig cyrsiau dynodedig, gan ddefnyddio'ch disgresiwn o dan Reoliad 8.

Diwygiad Arfaethedig:

Opsiwn 1

"Condition 5

At least half of the teaching and supervision which comprise the course is provided in the United Kingdom or at any campus of a United Kingdom higher education institution located outside of the United Kingdom".

Opsiwn 2

"Condition 5

At least half of the teaching and supervision which comprise the course is provided in the United Kingdom. This condition shall apply, unless the course has been deemed to be treated as a designated course pursuant to Regulation 8(1) or 8(2)."

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i fabwysiadu'r newidiadau arfaethedig fel y gall myfyrwyr o Gymru sy'n gwneud cais am gyrsiau mewn sefydliadau fel Athrofa Prifysgol Llundain ym Mharis gael eu hystyried fel "myfyrwyr cymwys" at ddibenion cael cymorth i fyfyrwyr. Mae Athrofa Prifysgol Llundain ym Mharis yn cynnig cyrsiau addysg uwch mewn ieithoedd modern, ble mae'r addysgu a'r goruchwylio yn cael ei gynnal yn bennaf ym Mharis. Serch hynny, caiff myfyrwyr eu haddysgu gan gyflogeion Prifysgol Llundain a'i phartner cydweithredol, Queen Mary, Prifysgol Llundain.

Oni wneir newid i eiriad presennol y Rheoliadau, bydd myfyrwyr o Gymru yn parhau i ddioddef anfantais anghyfiawn wrth wneud cais am gyrsiau mewn sefydliadau penodol yn y DU. Rydym yn galw ar Gynulliad Cenedlaethol Cymru i wneud y newid hwn gan nad oes cyfyngiad tebyg ar draws rhannau eraill o'r DU. Os na chymerir unrhyw gamau, gall y Rheoliadau barhau i fod yn rhwystr i fyfyrwyr sy'n gobeithio gwneud cais am gyrsiau yn Athrofa Prifysgol Llundain ym Mharis.

#### **Gwybodaeth ychwanegol:**

Rhwng mis Medi 2018 a mis Chwefror 2019 cawsom negeseuon anghyson ynglŷn â sefyllfa Athrofa Prifysgol Llundain ym Mharis a chafodd myfyrwyr presennol a darpar fyfyrwyr wybodaeth anghyson am eu cymhwysedd. Cymerodd Athrofa Prifysgol Llundain ym Mharis y camau canlynol i fynd i'r afael â hyn:

Cysylltwyd â'r Cwmni Benthyciadau i Fyfyrwyr

Cysylltwyd â Chyllid Myfyrwyr Cymru

Cysylltwyd ag adran 'Dynodi' Llywodraeth Cymru.

Mae copïau o'r ohebiaeth berthnasol ar gael ar gais.

Pan eglurwyd y sefyllfa o'r diwedd, ym mis Chwefror, cafodd ymgeiswyr o Gymru wybod gan Athrofa Prifysgol Llundain ym Mharis nad oeddent yn gymwys i gael cyllid myfyrwyr ar gyfer y rhaglenni hyn, ac achosodd hyn ofid

sylweddol iddynt. Felly, rydym yn galw ar Gynulliad Cenedlaethol Cymru i ystyried ein pryderon fel mater o flaenoriaeth.

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

- Dwyrain Caerfyrddin a Dinefwr
- Canolbarth a Gorllewin Cymru





Eich cyf/Your ref P-05-884  
Ein cyf/Our ref KW/06644/19

Janet Finch-Saunders AC  
Cadeirydd  
Y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
Caerdydd  
CF99 1NA

[SeneddDeisebau@cynulliad.cymru](mailto:SeneddDeisebau@cynulliad.cymru)

11 Gorffennaf 2019

Annwyl Gadeirydd

## **Diwygiad P-05-884 i Reoliadau Addysg (Cymorth i Fyfyrrwyr) (Cymru) 2018 i gynnwys sefydliadau'r DU sy'n gweithredu dramor**

Diolch ichi am eich llythyr dyddiedig 5 Gorffennaf ynghylch deiseb a gyflwynwyd i Gynulliad Cenedlaethol Cymru. Roedd fy ymateb i'r Pwyllgor ym Mai 2019 yn nodi y byddwn yn gofyn i'm swyddogion ystyried y materion hyn ymhellach, ac maent eisoes wedi gwneud hynny.

Mae Rheoliadau Addysg (Cymorth i Fyfyrrwyr) (Cymru) 2018 ("y Rheoliadau"), fel y'i diwygiwyd, yn darparu'r sylfaen i Weinidogion Cymru ddynodi cyrsiau israddedig addysg uwch (rheoliad 6). Nid yw cyrsiau *University of London Institute in Paris* ('ULIP') yn bodloni'r meini prawf hyn.

Mae fy swyddogion wedi adolygu'r sefyllfa er mwyn pennu a fyddai'n briodol i ddiwygio'r rheoliadau. Fodd bynnag, y sefyllfa bolisi sylfaenol erioed yw'r ffaith y bydd cyrsiau'n cael eu dynodi os bydd Gweinidogion Cymru wedi'u sicrhau bod y darparwr yn amlwg yn bodloni safonau penodol sy'n diogelu buddiannau myfyrrwyr a'r pwrs cyhoeddus. Yn achos cyrsiau y tu allan i Gymru sydd wedi'u dynodi yn unol â'r rheoliadau (a elwir yn 'ddynodiad awtomatig'), gwneir hynny drwy ddibynnu ar reoliad a roddir i'r darparwr gan Lywodraeth y DU. Os nad yw'r darparwr wedi'i reoleiddio, ni fydd cyrsiau'r darparwr yn cael eu dynodi'n awtomatig gan Weinidogion Cymru.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

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

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

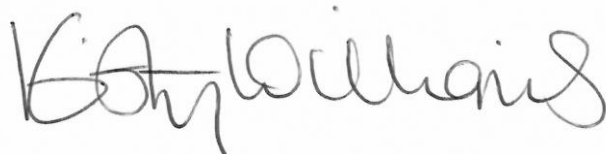
Mae'r broses o reoleiddio darparwyr yn Lloegr bellach yn cael ei chynnal gan y Swyddfa Fyfyrrwyr, sy'n cadw Cofrestr o ddarparwyr sydd wedi'u rheoleiddio. Gan nad yw ULIP ar y Gofrestr honno ar hyn o bryd, nid wyf yn sicr a yw'r sefydliad wedi'i reoleiddio. Mae fy swyddogion polisi wedi ysgrifennu i'r Swyddfa Fyfyrrwyr ynghylch y mater hwn, ond nid ydynt wedi cael ymateb eto. O'm rhan i, ni fyddai'n addas nac er budd pennaf Cymru inni ddiwygio'r Rheoliadau er mwyn galluogi darparwr nad yw wedi'i reoleiddio i gael cyrsiau wedi'u dynodi.

Gallai Gweinidogion Cymru ddefnyddio eu pwerau i ddynodi cwrs o dan y Rheoliadau (rheoliad 8). Mae cyrsiau sy'n cael eu dynodi yn y modd hwnnw ('dynodiad penodol') yn arwain at gyfradd is o gymorth ffioedd. Ond, wrth gwrs, rwy'n barod i ystyried cais am ddynodiad penodol. Gallwch ddod o hyd i bolisi Gweinidogion Cymru ar ddynodiad penodol, gan gynnwys y meini prawf sydd angen eu bodloni yn <https://www.cyllidmyfyrwrycymru.co.uk/media/196462/specific-course-designation-policy-document-cymraeg.pdf>

Ni chafwyd unrhyw drafodaeth ag ULIP ers imi ysgrifennu atoch ddiwethaf.

Mae angen gwybodaeth bellach am sefyllfa reoleiddio ULIP cyn y gall Llywodraeth Cymru bennu a ellid dynodi cyrsiau'r sefydliad. Yn y cyfamser, gallai ULIP wneud cais am ddynodiad penodol.

Yn gywir



**Kirsty Williams AC/AM**  
Y Gweinidog Addysg  
Minister for Education

**P-05-884 Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operations overseas, Correspondence – Petitioner to Chair, 25.08.19**

25 August 2019

Dear Chair,

I am writing this letter in response to Kirsty Williams AC/AM's letter dated 11 July 2019 regarding Petition P-05-884 Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operations overseas.

Ms Williams' letter focuses on the fact the University of London Institute in Paris (ULIP) isn't regulated as it isn't on the Register maintained by the Office for Students. As you are already aware from the previous meeting, ULIP is affiliated with Queen Mary University of London (QMUL) and tuition fees are paid to QMUL and some lecturers and professors travel to ULIP from QMUL on a weekly basis to teach. It is worth noting that QMUL is on the Register. This Register can be easily found on the Office for Students' website. According to the Head of Student, Academic and External Services, ULIP is covered through a validating partner (QMUL) and this is why students can continue to receive Student Loan Company support.

As a student of ULIP, I am unable to apply for Specific Designation for ULIP. However, I have passed this information onto the relevant staff at ULIP and it is up to them whether they believe that they need to apply for Specific Designation or that their affiliation with QMUL is enough to satisfy that they are regulated.

Yours sincerely,  
Alanna Jones

# Eitem 3.16

## **P-05-888 Gwneud TGAU Iaith Gymraeg yn orfodol ym mhob ysgol yng Nghymru**

Cyflwynwyd y ddeiseb hon gan Gwion Rhisiart, ar ôl casglu cyfanswm o 175 lofnodion.

### **Geiriad y ddeiseb:**

Ar hyn o bryd, mae'r iaith Gymraeg yn orfodol naill ai fel iaith gyntaf neu ail iaith ym mhob un o ysgolion y wladwriaeth yng Nghymru. Fodd bynnag, nid yw hyn yn gymwys i ysgolion preifat, nad ydynt yn dilyn y cwricwlwm cenedlaethol. Mewn sawl achos, mae disgyblion yn gadael ysgolion preifat yn methu â siarad gair o Gymraeg. Os ydym am wneud cynnydd gyda'n hiaith, ac am gyrraedd targed y llywodraeth o filiwn o siaradwyr Cymraeg erbyn 2050, rhaid inni roi'r cyfle i bob plenty yng Nghymru ddysgu. Rydym yn galw ar Lywodraeth Cymru i:- wneud TGAU Cymraeg Ail iaith yn orfodol ym mhob ysgol yng Nghymru yn ôl y gyfraith ar gyfer y cwricwlwm newydd yn 2022.

### **Gwybodaeth ychwanegol:**

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

- Canol Caerdydd
- Canol De Cymru

**P-05-888 Make GCSE Welsh Language compulsory in all schools in Wales,  
Correspondence – Welsh Independent Schools Council to Chair, 18.07.19**



18<sup>th</sup> July 2019

Dear Mrs Finch-Saunders

**RE: Petition P-05-888 Make GCSE Welsh Language compulsory in all schools in Wales**

Thank you for your letter of the 5<sup>th</sup> July 2019, the contents of which are noted.

The Welsh Independent Schools Council and most member schools agree with most of what you are saying in the text of your petition that every child should have ‘the chance to learn Welsh’. Schools realise the importance of and see the value of the Welsh Language and are aware of certain professions which require GCSE Welsh for our students remaining in Wales.

My understanding is that the vast majority of independent schools in Wales do offer their learners the chance to have Welsh at Key Stage 3 and optional Welsh GCSE at Key Stage 4 and Key Stage 5 A Level. Many schools teach incidental Welsh.

As a sector independent schools are keen to give parents and pupils a choice in education. Independent schools are businesses and are market driven by parents and pupils and thus parental choice is key. The independent sector is good at adapting to what the learners and parents want and is market driven.

I would like to remind the Petitions Committee that independent schools are governed in Wales by the Independent School Standards (Wales) Regulations 2003 and by virtue of their independence schools can follow a curriculum of their choosing and it is a dangerous precedent to impose subjects on the independent sector.

For those schools who do not offer GCSE Welsh, there are several reasons for this which I will outline below: -

- **The literacy needs of students** – not all students especially students in special school's study GCSE's and the focus is in a functional level in English only. Pupils have significant language and communication difficulties; the teaching of Welsh would complicate things further. Many of these learners have had very disrupted educations and have significant gaps in their learning so the whole focus is ensuring that they have improved literacy and numeracy skills in readiness for the world of work/college.
- Many special schools do not teach the Welsh language as a lot of their **learners are placed by English Local Authorities**, for these learners as they return to England at the end of placement they would never need a Welsh GCSE as Welsh is in no way appropriate to their culture, their experiences or their SEN profiles.
- For some schools a large percentage of students are **international students, where English is their second language**. As an international school, most of the students having no intention of ultimately living or working in Wales.
- Some independent schools are boarding schools and whilst many pupils are international, **there are more English students boarding than Welsh and they will return to England after their education.**
- Some **independent schools do not offer GCSE's** for example some schools offer the International Baccalaureate, the English Baccalaureate or the International Certificate of Steiner Education.
- Parental surveys have revealed that some **parents would prefer their children in independent schools in Wales to study a modern foreign language** as an alternative to Welsh. **Our Muslim schools' parents would prefer their children to study Arabic and Urdu as an alternative to Welsh.**

As CEO of WISC and having spoken to our WISC Chair, Stuart Hay we agree with the vast majority of the petition however the Welsh Independent Schools Council is strongly opposed to the final sentence of this petition 'Make Welsh Second Language GCSE compulsory in all school in Wales by law' for the reasons outlined above. We are very happy to speak to member schools of the benefits of doing Welsh and we are more than happy to promote and forward any Welsh Language literature and posters to our schools. We are also more than happy for a spokesperson to speak at our conference. However, any

threat to a schools' independence will be vehemently opposed. A schools' decision to teach Welsh should be the decision of the individual schools needs and not mandatory. Compulsory GCSE Welsh would not benefit all learners especially those with complex needs or international schools where English is a second language. There are also the cost implications - to a small school these would be large as more staff and training would be needed and as an independent school this would have to be paid for privately as they have no access to Local Authority training and funds.

Please acknowledge safe receipt.

Should you have any further queries, please do not hesitate to contact me.

Very best wishes

**Emma Verrier**  
**Chief Executive Officer**  
**Welsh Independent Schools Council**