

## Y Pwyllgor Deisebau

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Lleoliad:  
**Ystafell Bwyllgora 1 – y Senedd**

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Dyddiad:  
**Dydd Mawrth, 15 Mai 2012**

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Amser:  
**09:00**

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Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



I gael rhagor o wybodaeth, cysylltwch a:

**Abigail Phillips**  
Clerc y Pwyllgor  
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### Agenda

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- 1. Ethol Cadeirydd Dros Dro**
- 2. Cyflwyniad, ymddiheuriadau a dirprwyon 09:00**
- 3. P-03-238 Llygredd ym Mornant Porth Tywyn – Trafod y dystiolaeth 09:00 – 09:10** (Tudalen 1)
- 4. P-04-341 Llosgi gwastraff – Trafod y dystiolaeth 09:10 – 09:20** (Tudalen 2)
- 5. P-03-295 Kyle Beere – Gwasanaethau Niwroadsefydlu Paediatrig – Trafod y dystiolaeth 09:20 – 09:30** (Tudalen 3)
- 6. Deisebau newydd 09:30 – 09:40**
  - 6.1 P-04-389 Y Celfyddydau, Amaethyddiaeth a Dafad y Cynulliad (Tudalen 4)
  - 6.2 P-04-390 Dynodi Gwarchodfa Natur Penrhos Caergybi (parc arfordir) yn Warchodfa Natur Genedlaethol (Tudalennau 5 – 16)
  - 6.3 P-04-391 Ffordd osgoi Llandeilo (Tudalen 17)
  - 6.4 P-04-392 Deiseb ar Drafnidiaeth Gymunedol (Tudalen 18)
- 7. Y wybodaeth ddiweddaraf am ddeisebau blaenorol 09:40 – 11:00**
  - 7.1 P-04-355 Cymru nid Wales (Tudalennau 19 – 22)

7.2 P-04-379 Diwrnod Coffáu Hil-laddiad yr Armeniaid (Tudalennau 23 – 24)

### **Busnes, Menter, Technoleg a Gwyddoniaeth**

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

7.3 P-03-271 Ardrethi Busnes yn Arberth (Tudalen 25)

7.4 P-03-286 Ardrethi Busnes Ceredigion (Tudalennau 26 – 94)

7.5 P-03-307 Dylunio er mwyn arloesi yng Nghymru (Tudalen 95)

7.6 P-04-364 Ffibr optig i ardaloedd gwledig (Tudalennau 96 – 99)

### **Amgylchedd a Datblygu Cynaliadwy**

7.7 P-03-315 Deiseb i gael croesfan newydd dros Afon Dyfi (Tudalennau 100 – 102)

7.8 P-03-309 Caerdydd yn erbyn y llosgydd (Tudalennau 103 – 117)

7.9 P-04-343 Atal dinistrio mwynderau ar dir comin (Tudalennau 118 – 138)

7.10 P-04-344 Carthffos gyhoeddus yn Freshwater East (Tudalennau 139 – 140)

7.11 P-04-374 Cadw cŵn ar dennyn bob amser mewn manau cyhoeddus (Tudalennau 141 – 142)

7.12 P-04-378 Ymestyn Ardal o Harddwch Naturiol Eithriadol Gŵyr (Tudalennau 143 – 152)

7.13 P-04-383 Yn erbyn dynodiad Parth Perygl Nitradau ar gyfer Llyn Llangors (Tudalennau 153 – 211)

### **Addysg a Sgiliau**

7.14 P-04-346 Gofal di-dâl i blant 3 a 4 oed yng Nghymru (Tudalennau 212 – 217)

7.15 P-04-376 Ail-drefnu Addysg ym Mhowys (Tudalennau 218 – 235)

### **Cydraddoldeb**

7.16 P-03-294 Clymblaid Genedlaethol Menywod Cymru (Tudalennau 236 – 237)

### **Iechyd a Gwasanaethau Cymdeithasol**

7.17 P-03-085 Meddygfeydd yn Sir y Fflint (Tudalennau 238 – 256)

7.18 P-04-342 Nyrsys MS (Tudalennau 257 – 258)

- 7.19 P-04-362 Gwasanaethau Ambiwylans ym Mynwy (Tudalennau 259 – 269)
- 7.20 P-04-367 Achub ein Gwasanaethau Ysbyty (Tudalennau 270 – 272)
- 7.21 P-04-368 Annog gweithgarwch corfforol ac iechyd mewn colegau Addysg Bellach (Tudalennau 273 – 280)
- 7.22 P-04-375 Rhoi Terfyn ar System Eithrio ar gyfer Rhoi Organnau (Tudalennau 281 – 285)

### **Tai, Adfywio a Threftadaeth**

- 7.23 P-03-197 Achub y Vulcan (Tudalennau 286 – 306)
- 7.24 P-04-381 Adfer Ysbyty Gogledd Cymru (Tudalennau 307 – 309)

## **8. Papurau i'w nodi**

- 8.1 P-03-170 Cynyddu nifer y bobl ag anableddau dysgu a gyflogir gan y sector cyhoeddus yng Nghymru (Tudalennau 310 – 313)

# Eitem 3

**P-03-238 Llygredd ym Mornant Porth Tywyn**

## **Geiriad y ddeiseb**

Deiseb gan drigolion Sir Gaerfyrddin yn gofyn am ymchwiliad cyhoeddus gan Lywodraeth Cynulliad Cymru i'r llygredd carthffosiaeth ym Mornant Porth Tywyn a Bae Caerfyrddin.

**Cyflwynwyd y ddeiseb gan:** Rhys Williams

**Nifer llofnodion:** 2240

**Ystyriwyd gyntaf gan y Pwyllgor:** Medi 2009

## **P-04-341 Gwastraff a Llosgi**

### **Geiriad y Ddeiseb**

Rydym yn galw ar y Cynulliad Cenedlaethol i annog Llywodraeth Cymru i:

1. adolygu'r Prosiect Gwyrdd, sy'n mynd yn groes i bolisi Llywodraeth Cymru o ddarparu cyfleusterau yn lleol a chaniatáu i'n cynghorau ddewis eu systemau caffael eu hunain ar gyfer rheoli gwastraff a thechnoleg gwastraff;
2. adolygu'r arolwg diffygiol ar wastraff yng Nghymru a oedd yn rhoi dau ddewis yn unig i bobl ynghylch gwaredu gwastraff;
3. erbyn 2020, ei gwneud yn anghyfreithlon i losgi gwastraff y gellir ei ailgylchu gan y byddai hyn yn annog cynghorau i ailgylchu.

**Cynigwyd gan:** Terry Evans

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 15 Tachwedd 2011

**Nifer y llofnodion:** 21 (Casglwyd deiseb gysylltiedig 13,286 o lofnodion hefyd)

# Eitem 5

## **P-03-295 Gwasanaethau Niwroadsefydlu Paediatric**

### **Geiriad y ddeiseb**

Rydym ni, sydd wedi llofnodi isod, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gydnabod ac i ddarparu gwasanaethau ar gyfer adsefydlu plant sydd wedi cael anafiadau i'r ymennydd. Ar hyn o bryd, nid oes cyfleuster yng Nghymru i ddarparu'r gwasanaeth hanfodol hwn. Er gwaetha'r ffaith bod ysbyty penodol ar gyfer plant yn cael ei adeiladu yng Nghaerdydd, nid oes darpariaeth o hyd wedi'i chynnwys yng nghynllun yr ysbyty hwnnw.

**Cynigwyd gan:** Kyle's Goal

**Ystyriwyd y ddeiseb am y tro cyntaf:** Mis Mehefin 2010

**Nifer y llofnodion:** Cynigwyd y ddeiseb gan Kyle's Goal. Casglwyd 9,128 o lofnodion gan ddeiseb gysylltiedig.

## **P-04-389 Y Celfyddydau, Amaethyddiaeth a Dafad y Cynulliad**

### **Geiriad y ddeiseb:**

Rydym ni, y rhai sydd wedi llofnodi isod, yn galw ar Gynulliad Cenedlaethol Cymru i wneud datganiad yn cefnogi byd amaeth Cymru drwy gomisiynu a chodi cerflun parhaol o ddafad yn y Senedd.

Gwybodaeth Ategol: Rydym yn credu y dylai rôl bwysig ffermwyr a bywyd cefn gwlad yng Nghymru gael ei hanrhydeddu yn fforwm democrataidd uchaf Cymru. Drwy alw am gofeb ar ffurf cerflun rydym yn ceisio hybu amcan Cyngor Celfyddydau Cymru, sef, gwella'r sector celfyddydau economaidd yng Nghymru a mynediad i'r celfyddydau. Mae'r Gymdeithas Gwerthfawrogi Defaid Cymreig yn dod â ffermwyr defaid ac eraill sy'n pryderu am ddulliau amaethyddol traddodiadol ynghyd. Dymunwn dynnu sylw at y ffaith bod gan drefi ar hen ffyrdd y porthmyn gerfluniau o'r fath yn barod.

**Cyflwynwyd y ddeiseb gan:** Y Parc Christopher Trefor Davies

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 15 Mai 2012

**Nifer y llofnodion:** 17

# Eitem 6.2

## **P-04-390 Dynodi Gwarchodfa Natur Penrhos Caergybi (parc arfordir) yn Warchodfa Natur Genedlaethol**

### **Geiriad y ddeiseb:**

Yr ydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddynodi Gwarchodfa Natur Penrhos Caergybi (parc arfordir) yn Warchodfa Natur Genedlaethol.

### **Gwybodaeth ategol:**

Mae'r gymuned wedi bod yn defnyddio Gwarchodfa Natur Penrhos (parc arfordir), Caergybi am 40 mlynedd. Mae'n dirlun sy'n cael ei werthfawrogi gan gymdeithas. Mae'n drysor naturiol. Yr ydym yn credu y dylid cael gafael ar etifeddiaeth barhaus y warchodfa natur annwyl hon a'i rheoli ar gyfer y gymuned. Dylai Cyngor Cefn Gwlad Cymru ei dynodi yn warchodfa natur genedlaethol gyda gweledigaeth hir dymor sy'n cynnwys menter gynhwysfawr i gysylltu'r gymuned gyfan â'i 'chfyfalaf naturiol': yn cael ei rhedeg gan y bobl ar gyfer y bobl.

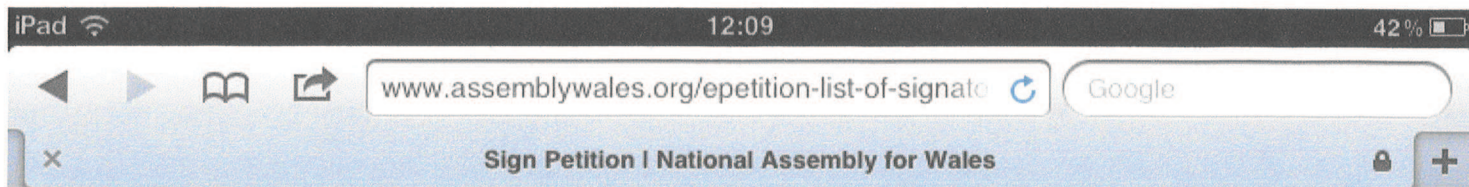
Mae Gwarchodfa Natur Penrhos wedi'i hamgylchynu gan arfordir hanesyddol sydd wedi'i ddynodi yn ardal o harddwch naturiol eithriadol ger safle o ddiddordeb gwyddonol arbennig ac sy'n llunio'i thirlun eiconig. Mae Gorsedd y Penrhyn, uwchlaw llinell llwybr yr arfordir, wedi ei dynodi yn safle daearegol a geomorffaidd pwysig (UK RIGS) gan y Gymdeithas Geocadwraeth. Ynghyd â hyn mae'r cynefinoedd dŵr croyw yn cynnwys cynefinoedd gwelyau cyrs sydd wedi'u blaenoriaethu o dan gynllun gweithredu cynefinoedd y DU (UK hap). Wrth ddynodi'r warchodfa yn barc cenedlaethol byddwn yn gallu gwneud y gorau o fanteision economaidd 'cyfalaf naturiol' yr ynys. Harddwch digyffwrdd yr ynys yw sylfaen twristiaeth. Mae'n drysor ysbrydoledig yng nghanol y gymuned a chanddi dapestri cyfoethog o fywyd sy'n cael ei werthfawrogi gan y gymuned gyfan. Yn ôl y sôn, mae'n 'baradwys ddiwinyddol' ac yn rhan o allorlun Ynys Gybi. Yn wir, mae'r 100,000 o ymwelwyr sy'n dod yno bob blwyddyn yn cydnabod hyn. Fel dywedodd y bardd R S Thomas:

**Cyflwynwyd y ddeiseb gan:** Jenny Amelia Jones

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 15 Mai 2012

**Nifer y llofnodion:** 826 (casglodd deiseb cysylltiedig 1,100 o lofnodion)





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## e-Petition: Designate Penrhos Holyhead Nature reserve (coastal park) a National reserve



“Petition wording: We call upon the National Assembly for Wales to urge the Welsh Government to designate Penrhos Holyhead Nature reserve (coastal park) a National Nature Reserve.

Supporting information: Penrhos Nature Reserve (coastal park) Holyhead, has been used by the community for 40 years. It is a Socially valued landscape. A natural heirloom. We believe the lasting legacy of this cherished nature reserve should be acquired and managed for the community and be designated a National Nature Reserve by CCW (countryside council of Wales) with a long term vision that includes a comprehensive initiative which involves the whole community in its 'Natural capital': Run by the people for the people. Penrhos nature reserve is enveloped in a historic coastline that has been designated an AONB area near an SSSI, which make up its iconic landscape. Gorsedd y Penrhyn which dominates the coasts path line has been designated a regionally important geological, geomorphological site by (UK RIGS ) by the geoconservation association. Also the freshwater habitats comprise of reed beds priority habitats under the uk habitats action plan (uk hap) By designating it a national park we would maximise the economic benefits of the islands 'natural capital'. Tourism is based on the unspoilt beauty of this island. It is a Inspirational gem at the heart of the community and has a rich tapestry of life and is cherished by the whole community. It is by all accounts a 'theological Paradise'. It is part of Holy islands altar piece, indeed the 100,000 visitors every year recognise this. 'We are a people bred on legends .clinging stubbornly to the proud trees of blood and birth.' R S Thomas

[Sign this petition](#)

### Petition details

#### > Petition Status

**Petition Status:** Open  
**Petition Start Date:** 01/12/2011  
**Open until midday on:** 3/5/2012  
**Related Link(s):**

#### > Principal Petitioner(s)

> Jenny Amelia Jones

### 100 most recent signatures

## Penrhos Nature Reserve signals a special signal of inclusion

Penrhos has provided a unique ecosystem service for generations, where notions of community and inclusion have been transformed into a strong community bond creating a space that reinforces kinship throughout the community. Generational memories of families threaded throughout the trails of Penrhos: a richer natural order that paves the way amidst the trees informing and flattering the traveller, a natural dawning that seeks no permission to woo: faithfully depicting an eternal landscape of our ancestors that knits and binds healthy hearts and minds: accomplishing a greater providence that serves the economy of mind, body and soul; a Celtic footprint in Penrhos that acts like the umbilical thread between man and nature: his private space, his natural space, his community space, a communion with Wales' natural cultural heritage.

Penrhos Nature reserve the National Reserve acknowledges the settled communities wisdom in communicating Penrhos Nature Reserve is a socially valued landscape that acts as a spacial signal of inclusion: it unites the individual through the provision of nature for the common interest of man. Holy Island people advocate they are the primary shareholders of Penrhos Nature Reserve and they seek recognition as to how their green space is regulated. The National Reserve status shall allow the community to inherit entrance into the universal fruits of nature 'our' reserve, without fear of exclusion from those who would seek the privation of our natural inheritance embodied in Penrhos. How can we regulate our self image, if 'our voice' in the regulation of our community space is refused?

Let us now assume that the long term future of Penrhos as a nature reserve is under debate and one of the potential outcomes is a 'new' corporate model of development, Penrhos nature reserve that used to be a spacial signal of inclusion becomes a spacial signal of exclusion: what message does this send to the people of Holy Island? It sends the message that the individual has no rights concerning their natural local environment Penrhos, however every corporate model does to the detriment of the community. The individual and the community will feel disenfranchised, the benefits that Penrhos has given to the people of Holy Island will have been ignored. AAM acknowledge this Most notably in 2006 they stated,

'To act responsibly in the protection of cultural heritage..... As a large industry we should look at methods of sustaining natural habitats that surround the AAM site' ..(Quoted in pdf: 'Our commitment: addressing global challenges with local actions)

The prosperity gained from the community canopy from access to the Penrhos reserve, if not protected will create an inequality through the depression of disaffection: community cohesion will be compromised for in aid of the corporate few. To communicate the whole we are required to recognise that Penrhos is an iconographical declaration of community space hence the need for National status: The soul of the community that once resided in the town centre, has since the depression of the town centre, been supplanted in the heart of the nature reserve.

The 'old' corporate model has nurtured positive ties with the community through a positive environmental legacy in delivering wildlife benefits,

'AAM sets out to build enduring relationship with neighbours that are characterised by mutual respect, active partnership and long term commitment'

Natures virtue has never left Holy Island destitute, it is the gateway to the community the source of our natural wealth. We seek a natural justice where issues of the environment are concerned, without this our participation becomes degraded. Holy Island people do not seek an unnatural concrete alternative - a concrete Island, that has never been voted for,

where legislators and local authorities devise a Political Principality to mould their fatality of the landscape.

### **Penrhos Nature Reserve a local and national treasure**

Ocean born gales salute the AONB coastal path giving rise to a grandeur woodland scene: Penrhos open woodland. The Northern area of Penrhos comprises of agricultural land. The coastal path front the morewelon approach includes the Battery (ancient monument) and the remains of the boat house. Penrhos beach to the Stanley embankment includes the coastal park, the SSSI Bedmanarch Bay and UKRIGS status Gorsedd y Penrhyn. The quality of the AONB is significantly enhanced by the agricultural land following the Ancient monument and plays a fundamental role in the landscape character and integrity of the AONB status: an unspoilt and distinctive coastal path that captures the rural essence that visitors and ramblers find so attractive. At this point visitors can also view a panoramic view of the island incorporating the port, Morawelon (Community first ward ) and the mountain backdrop. Towards Penrhos beach with Gorsedd y Penrhyn in full view, opens up to another distinct vista Penrhos open woodland, the only open woodland in Holyhead, the majority of which is protected by tree preservation orders (TPO). Gorsedd y Penrhyn overlooks Beddmanarch Bay SSSI. The entire area provides the local community with an unrivalled area of ecosystem and habitat biodiversity: Woodland. Wetland, tidal meadowland. Wales failed to meet its 2010 biodiversity targets, Penrhos Nature Reserve being made into a national reserve will demonstrate that Wales takes its biodiversity targets seriously: Penrhos Reserves TPO, quillet area of managed meadows with wild flowers, fungi and historical monuments, encompassed in the AONB coastline, Gorsedd y Penrhyn majestic headland and Beddmanarch bay SSSI comprises a staggering patriotic landscape of Welsh Natural Heritage, with no other country we need compare; a local initiative of biodiversity conservation that delivers for the Welsh Assembly and the local community.

### **Penrhos reserve environmental buffer**

Penrhos has provided an invaluable ecosystem defence for it local inhabitants: local policeman Ken William OBE first secured its 'promise' in the conscience of the community when he fought for its local reserve status. The stability of this creation has never been so important as we turn away from the old industries and make way for the new industries. A biomass plant is planned for the old Anglesey Aluminium site, adjacent to Penrhos reserve and the longevity of Penrhos is necessary to act as a buffer for environmental pollution for this new industry as it did for the old. Developers of biomass plants must take measures to mitigate environmental pollution (environment protection UK. IACORS). Any perceived or imagined defect in industry old or new can be seen as a small part within the greater sphere of the natural surroundings, namely Penrhos Nature Reserve and it's all encompassing declaration of natures creation Penrhos National Reserve and it's continued charitable nurturing of community life.

### **Penrhos Natural health service, education and community well being**

The holistic phenomenon of Penrhos regarding its benefits to the community should not be underestimated. Physical activity can aid increased lifespan, improve mental wellbeing, improve social relations and enhance personal and communication skills (Open Space: Health, Wellbeing and Open Space literature review. Nina Morris. 2003. PDF). The medicinal green space of Penrhos has been celebrated through the changing seasons. Generations of Holyhead people for recreation and education have perceived the lessons of nature under the community canopy. The mysteries of nature bring the knowledge of

meaning to our wider surroundings the natural world. The reserve is used by all the primary schools in Holyhead in line with learning by doing initiatives ( Ysgol LLanfawr school. letter addressed to Sara Wollaston. Head teacher Mr Gwyn Williams. February 2nd 2012 ). A healthy intelligence of our surroundings teaches us about our common inheritance: understanding natural diversity within the heritage of Wales past, present and future. The unique marvel of each plant and animal within the woodland is accessible to the entire community, an all encompassing recreational experience, unifying the generative power of Penrhos as a universal teacher; everyman his equal all with common interests, a distinct natural provision not dictated by the inequalities of poverty or status. Where the affinity of natural surroundings is akin to a sense of social justice: the natural justice of a small Island community hence the autonomy of natures pilgrim. The value and symbolic resonance of Penrhos is measured in its people (all of natural Wales is embodied in the Penrhos landscape), it is our natural constitution, our portion of Welsh liberty and wealth.

### **Penrhos National Reserve helping to fully capitalise on the great natural legacy of Holy Island**

Anglesey has the most extensive range of palaeozoic and following formations of geology in England and Wales: the quartzite of Holyhead mountain and the subdivisions of the South Stack 'series'- Llwyn division and South Stack moor (The Geology of Anglesey. Edward Greenly. Page viii) with Gorsedd y Penrhyn UKRIGS status, this should easily establish Holyhead as a Geo-tourism destination. The AONB coastal walk comprising of Beddmanarch Bay SSSI, Penrhos open woodland and Holyhead town centred on an old Roman town, neolithic burial chambers and huts and of course the Royal connection (Prince Charles opened the reserve in the 1980s and the Duchess of Cambridge frequently walks her dog here) provides us with a perfect marketing opportunity. A comprehensive initiative to fully deepen Holy Island's great natural and historical legacy, as a desirable destination within Britain's top places to visit for experiencing the unspoilt landscape of Wales. By designating Penrhos a National Reserve, run by the Countryside Council of Wales, we could fully utilise our natural inheritance that spans the reserve and the wider tapestry of our natural capital. To survey Holy Islands beautiful landscape as an enchanted Island, unspoilt by ugly design, we understand the humble expostulation of the rural plight. Acknowledging our greatest brand as having served families and small businesses throughout the ages; the constancy of natures heritage has been a spiritual host throughout the ages, heroic lore glitters throughout this natural composition, the landscape horizon is our steadfast industry, our steadfast companion, our steadfast reserve, poetry we must conserve!

### **Penrhos nature reserve and tourism: Holy island as 'the pilgrims trail'.**

Any discussion of tourism should begin with Anglesey Aluminiums preamble as 'custodian',

'of a 200 acre coastal park, that boasts breathtaking scenic views and provides a natural shelter for many varieties of flora and fauna, each year about 100,000 people visit the park...in early 2006 AAM Appointed kehoe countryside to ensure it remains a beautiful and safe place for both the local community and visitors to enjoy', (Quoted from Website Anglesey Aluminium Metals Ltd - Community initiatives).

This was achieved with the wildlife partnership programme (Red squirrel introduction and bird watch events) in unison with CCW.

To one who has been long in city pent, 'Tis very sweet to look into the fair and open face of heaven, - to breathe a prayer full in the smile of the blue firmament.

~John Keats, *Sonnet XIV*

' The natural environment .... is a source of enjoyment and inspiration, contributes to physical and mental wellbeing, underpins our culture, and contributes to our own sense of place and our identity. ..is also critical to underpin Wales' tourism businesses..... Protected landscapes in Wales are a key component in defining Wales' sense of place..(quoted from *One Wales: One Planet*)

This can be evidenced in the NEF Case study 'National trail good for business' Pembrokeshire Coast National Park In 2006 'almost half of businesses surveyed rated the Trail as 'very important to their profitability', This case study explains how the creation of a national walking trail is helping tourism and businesses. It is exemplified by its 'high quality public access and coastal habitats', I believe Penrhos nature reserve(coastal park) with its **Key** geodiversity (geomon European status ANOB, SSSI credentials) could be marketed in a similar way. ', Penrhos is a marvellously picturesque piece of diversity of landscape/seascapes, Promoting 'activity tourism' as part of the 'living Wales' framework in action delivering economic benefits for small businesses on Holy island. Forming part of the 'cluster of attractions' on offer as well as the environmental and social benefits for the local community the tourist who finds solace in

'The trail, strung upon it, as upon a thread of silk, opalescent dawns and saffron sunsets. It has given me blessed release from care and worry and the troubled thinking of our modern day. It has been a return to the primitive and the peaceful. Whenever the pressure of our complex city life thins my blood and benumbs my brain, I seek relief in the trail', quote by Hamlin Garland,

Designating it a National reserve would be a blueprint for the future of Holy island as 'the pilgrims trail'.

'Tourism is vitally important to the North Wales economy. It brings in £1.8bn of income to the region each year, supports over 37,000 jobs and provides the lifeblood for many small businesses. I believe it can make an even greater contribution in future and is a sustainable sector which, properly managed, will continue to thrive for generations to come.' ( Quoted from TOURISM STRATEGY NORTH WALES 2010-2015)

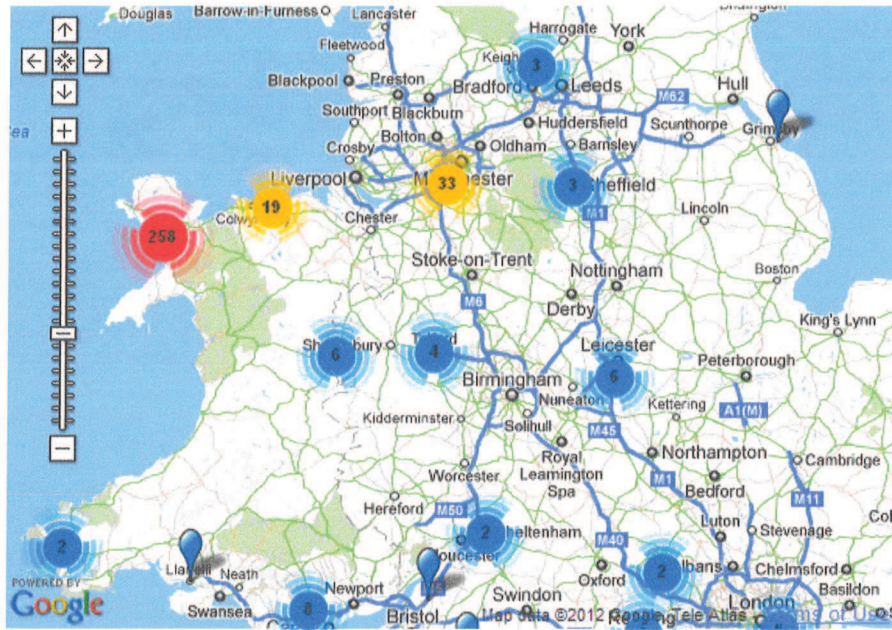
Penrhos coastal path ANOB and its accessibility into the open woodland is an integral factor in encouraging the regular return of tourists; the go petition signature clusters (see picture below) from the North of England and signatures on the Welsh assembly petition suggest that Penrhos is a known and valued destination for North England tourists,

*'catchment population, accessibility and strength of its core offer*  
( <http://www.tpnw.org/docs/strategies/STRATEGYenglish.pdf>),

giving credence to the coastal path status ANOB. Any change of character to the woodland area and the infinity greens would cause the ruination to the stature of the one of the most beautiful coastal areas in Britain.

public viewing. Please allow 30 seconds for the map to load.)

### Browse Signature Clusters



GoPetition's signature maps are powered by Google Maps. We use a special application of Google Maps known as MarkerClusterer which collects signature markers into different clusters and displays the number of markers in each cluster with a label, creating new clusters as the map zoom level changes. Signature maps at GoPetition can be used for a variety of purposes, electoral and otherwise. Map information provided should be read in conjunction with GoPetition's Privacy Policy.

Written by Jenny A Jones and Liza M Jones

Dear Bill,

Further to my previous e-mail below, I am advised that with regards to the Land & Lakes proposals at Penrhos, they have now amended their plans — which you can download by clicking on the link below:

<http://www.landandlakes.co.uk/about-us.html>

“They have given more public access in the nature reserve, removed lodges from Cae Glas reserve and some in Penrhos, created a new cricket pitch and football pitch with parking and amenities for public use, a new heritage centre for tourism and will reopen the toll house which was a cafe run by people with learning disabilities that was shutdown in 2009 by the council due to lack of funds”.

Regards

Mark

# Penrhos Package



Tudalen 13







P-04-390 : Designate Penrhos Holyhead Nature Reserve (coastal park) a National reserve

To someone who cares,

Please take time to read and help.

The people of Holyhead have very little as in work , they seem to have little hope of Governments helping them. Over many years I watched all sides of politics say they will do this and that, only to find down the track no work, no help and no hope of work in the near future. Holyhead needs work.

What people of Holyhead do have is a wealth of good will and the ability to keep smiling even when Government after Governments let the people down.

Holyhead was a thriving happy wonderful place as I grew up in the sixties and into the seventies, its people wonderful and lives were fairly prosperous, by English standards of course, a simple life.

We loved our coast line, we loved our long walks, we loved our island, over the years bit by bit our love of land has been stolen from us.

Now development will be the thief this time trying to steal the place we all love with untruths about jobs and how good it will be for the town. Again the same old rubbish,untruths.

It's all lies, every time it's lies. Please look at the unemployed numbers for Holyhead currently if you disagree with me.

Please save our Nature Reserve at Phenrhos, Holyhead. In fact give money to make it even more magical than it already is.

Please save this piece of special earth do not spoli what you can never replace or repair for the want of greed by some.

I know how hard life is in Holyhead, we had to leave for work, shame on the liars!

If we allow the devastation of the Phenrhos Reserved at Holyhead, we can blame nobody but ourselves. What do we tell the yet to be born children, we sold out for forty pieces of silver!

Save this treasured place please. Don't fall for greed as most seem to do, and don't fall for the rubbish spoken about prosperity for the town heard it so many times.

Gillian Hemsley



Ffordd Tadol, Morriston  
 Caerphilly / Morriston  
 Ynys Môn / Isle of Anglesey  
 LL65 2DS  
 ☎ 01497 762552

e-bost/e-mail: penrhos@ysgolllanfawr.gym.ia



Prifathro/Headteacher: Mr. Gwyn Williams, B.Ed. NPQH  
 Ddirwy Brifathrawes / Deputy Head teacher: Ms. Nicola Williams, B.Ed.

*Ddiwedd ystyr: Mae Ysgol yn un ddi-feyr gan gynnwys y strwydd yn ystod oriau a gwyliau o'r ysgol.  
 Please note that Ysgol Llanfawr is a non smoking school and this includes the school grounds during school  
 hours and school activities.*

20/02/2012.

Dear Sara Wollaston,

Thank you for the letter I received on Friday the 10th of February, 2012.

I am able to confirm that Ysgol Llanfawr does use the Penrhos Nature Park.

The infants do go there to study the effects of seasons, mini beasts, trees and plants, wildlife and other curriculum activities.

The Junior department also visit the site to carry out Science Investigations, Geography studies, Historical work, Physical Educational activities and Environmental Studies.

The Penrhos site is an ideal location for us to study the different aspects of the curriculum, and if this was taken away it would be of a great shame. The school uses the site to enrich the curriculum and make the children aware of how to look after their environment.

If the park was taken away and used for development then the impact on the children at Ysgol Llanfawr and other school in the local area would be detrimental. We would not be able to offer rich curriculum experiences as we do now. We would have to take the children out of their environment to other areas on the island to study curriculum activities.

I hope my letter has given you some guidance on how we use the Penrhos nature Park to enhance the curriculum that we give at Ysgol Llanfawr. If I can be of further assistance then please do not hesitate in contacting me at the school.

Yours sincerely,

Mr. Gwyn Williams,

Head teacher.

Cyfeirnodol golofnau at y **Holyhead** all 21 Feb 2012 2:46 PM

# Eitem 6.3

## **P-04-391 Ffordd osgoi Llandeilo**

### **Geiriad y ddeiseb:**

Yn galw am newid llwybr y ffordd ddwyreiniol fabwysiedig a'i hadeiladu ar hyd glan bellaf (de-ddwyrain) afon Tywi, yn hytrach nag ar hyd glan yr afon yng ngwaelod y dref, gan groesi'r afon ger pont y rheilffordd

### **Gwybodaeth ategol:**

Gweler llythyr y deisebwyr at Gyngor Sir Caerfyrddin

**Cyflwynwyd y ddeiseb gan:** Tim ap Hywel

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 15 Mai 2012

**Nifer y llofnodion:** 31

## **P-04-392 Deiseb Cynlluniau Trafnidiaeth**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Lywodraeth Cymru i barhau i ariannu Cynlluniau Trafnidiaeth Gymunedol a gaiff eu hariannu ar hyn o bryd gan y Fenter Tocynnau Teithio Rhatach ar Drafnidiaeth Gymunedol

**Cyflwynwyd y ddeiseb gan:** Joan Smith

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 15 Mai 2012

**Nifer y llofnodion:** 26 (mae nifer o lofnodion wedi'u casglu ar bapur hefyd)

# Eitem 7.1

## **P-04-355 Cymru nid Wales**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gael gwared ar yr enw “Wales” a “Welsh” yn swyddogol. Mae Wales yn tarddu o’r gair Eingl-Sacsonaidd am rywun estron (“Waelisc”). Yn ein barn ni, mae’r enw hwn yn sarhaus, a dylid galw ein cenedl yn ôl ei henw gwreiddiol, sef ‘Cymru’ (gwlad y cymrodyr neu gydwladyr). Ar ôl i ni gael ein galw’n estroniaid am dros fil o flynyddoedd, teimlwn ei bod yn amser cael gwared ar yr enw diraddiol hwn.

**Prif ddeisebydd:** Dennis Morris

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 10 Ionawr 2012

**Nifer y deisebwyr:** 119

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



William Powell AM  
Chair, Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

Our ref: RB/IW/PO185

2 February 2012

*Dear William*

**Petition: Cymru not Wales**

Thank you for the opportunity to comment on the feasibility of implementing an informal name change for the National Assembly for Wales.

The petition received raises interesting questions. As you correctly point out, the Government of Wales Act 2006 states that "there is to be an Assembly for Wales to be known as the National Assembly for Wales or Cynulliad Cenedlaethol Cymru." Effecting a formal change to our name, therefore, would require an amendment to the Government of Wales Act 2006 that would not be within our current legislative competence.

Even an 'informal' change of name offers up some ambitious challenges. Were we to embark on such a project, should we then encourage the whole of the English-speaking world to follow our example and to cease referring, in English, to "Wales"? Similarly, would we then need to encourage French-speaking nations to stop referring to our country as Pays de Galles, or Spanish-speaking nations from referring to us as Gales?

Bae Caerdydd  
Caerdydd  
CF99 1NA

Cardiff Bay  
Cardiff  
CF99 1NA

Ffôn/Tel: 029 2089 8911

Ebost/Email: [private.office@wales.gov.uk](mailto:private.office@wales.gov.uk)

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg. **Tudalen 20** Correspondence in both English and Welsh



However, even if we leave aside these wider considerations, the advice I have received from the Assembly's Chief Legal Adviser is that legal constraints would make it impossible to achieve the petitioner's aim even on an informal basis. For the Assembly to be able to discharge its functions effectively, the identity of the body must be clear to all those who are affected by those functions. To apply to the Assembly a "brand" different from the "official" one of "National Assembly for Wales", e.g. by adopting, unofficially, a name such as "National Assembly for Cymru" would only sow confusion and create uncertainty. The Chief Legal Adviser is satisfied that such a move would therefore not be within the legal powers of the Assembly or the Assembly Commission.

I stress that this is not a comment on the merits of the petitioner's proposal but merely on the means by which it could be achieved. I would be interested in the Committee's views, and look forward to following the petition's progress.

*yours*

*Rosemary*

**Rosemary Butler AC, Llywydd**  
**Rosemary Butler AM, Presiding Officer**



Y Gwir Anrh/Rt Hon Carwyn Jones AC/AM  
Prif Weinidog Cymru/First Minister of Wales



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref: P-04-355  
Ein cyf/Our ref: FM/05099/12

William Powell AM  
committeebusiness@Wales.gsi.gov.uk

9 February 2011

Dear William,

**Petition: Cymru not Wales**

I am writing in response to your letter of 11 January regarding the petition you received calling upon the National Assembly for Wales to urge the Welsh Government to formally drop the name "Wales & Welsh".

I have noted the views of the petitioners. While I respect those views, it appears to me that the vast majority of people in Wales are happy to describe themselves as Welsh and their country Wales. I see no reason, therefore, to consider dropping the use of "Wales" and "Welsh". Following the referendum on law-making powers in March 2011, the Welsh Assembly Government became known as the Welsh Government. There are no intentions at the moment to implement a further name change.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a smaller 'J'.

**CARWYN JONES**

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Ffacs \* Fax 029 2089 8198  
ps.firstminister@wales.gsi.gov.uk

# Eitem 7.2

## **P-04-379 Diwrnod Coffau Hil-laddiad yr Armeniaid**

### **Geiriad y ddeiseb:**

Rydym yn gofyn i'r Cynulliad Cenedlaethol i ddynodi y 24ain o Ebrill yng Nghymru fel Diwrnod Coffau Hil-laddiad yr Armeniaid.

**Cyflwynwyd y ddeiseb gan:** Eilian Williams

**Ysytirwyd gan y Pwyllgor am y tro cyntaf:** 27 March 2012

**Nifer y llofnodion:** 262

Dear William

**Petition: P-04-379 Armenian Genocide Remembrance Day**

Thank you for your letter of 27 March. The Welsh Government takes no view on questions relating to foreign policy issues. The topic referred to in the petition lies outside the competence of the Welsh Government and I suggest you raise these matters with the Foreign & Commonwealth office.

Yours sincerely

A handwritten signature in black ink, appearing to be 'CARWYN JONES', written in a cursive style.

**CARWYN JONES**

# Eitem 7.3

## **P-03-271 Ardrethi Busnes yn Arberth**

### **Geiriad y ddeiseb**

Rydym ni, sy'n talu ardrethi busnes yn Arberth, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cynulliad Cymru i asesu effaith y newidiadau mewn gwerthoedd ardrethol ar fusnesau'r dref. Dylai'r asesiad hwn gynnwys yr effaith ar swyddi ac ar gau busnesau.

Linc i'r ddeiseb:

<http://www.senedd.cynulliadcymru.org/mgIssueHistoryHome.aspx?Ild=871>

**Cynigwyd gan:** Siambr Fasnach Arberth

**Nifer y llofnodion:** 91

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 19 Ionawr 2011

**Y wybodaeth ddiweddaraf:** Mae adroddiad y Pwyllgor Menter a Busnes ar Adfywio Canol Trefi wedi'i gyhoeddi'

## **P-03-286 Ardrethi Busnes Ceredigion**

### **Geiriad y ddeiseb**

Rydym ni, sy'n talu ardrethi busnes yng Ngheredigion, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cynulliad Cymru i asesu effaith y newidiadau mewn gwerthoedd ardrethol ar fusnesau Ceredigion.

Dylai'r asesiad hwn gynnwys yr effaith ar swyddi ac ar gau busnesau.

#### **Linc i'r ddeiseb:**

<http://www.senedd.cynulliadcymru.org/mglssueHistoryHome.aspx?lId=878>

**Cynigwyd gan:** Busnesau sy'n talu ardrethi busnes yng Ngheredigion

**Nifer y llofnodion:** 68

**Ysytyriwyd am y tro cyntaf gan y Pwyllgor** : 19 Ionawr 2011

**Y wybodaeth ddiweddaraf:** Mae adroddiad y Pwyllgor Menter a Busnes ar Adfywio Canol Trefi wedi'i gyhoeddi'

**Cynulliad Cenedlaethol Cymru**  
Y Pwyllgor Menter a Busnes

Adfywio canol trefi

Ionawr 2012



Cynulliad Cenedlaethol Cymru yw'r corff sy'n cael ei ethol yn ddemocrataidd i gynrychioli buddiannau Cymru a'i phobl, i ddeddfu ar gyfer Cymru ac i ddwyn Llywodraeth Cymru i gyfrif.

Gallwch weld copi electronig o'r adroddiad hwn ar wefan y Cynulliad Cenedlaethol:  
**[www.cynulliadcymru.org](http://www.cynulliadcymru.org)**

Gellir cael rhagor o gopïau o'r ddogfen hon mewn ffurfiau hygyrch, yn cynnwys Braille, print bras, fersiwn sain a chopïau caled gan:

Y Pwyllgor Menter a Busnes  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
CF99 1NA

Ffôn: 029 2089 8153  
Ffacs: 029 2089 8021  
E-bost: [Pwyllgor.Menter@cymru.gov.uk](mailto:Pwyllgor.Menter@cymru.gov.uk)

© Hawlfraint Comisiwn Cynulliad Cenedlaethol Cymru 2012

Ceir atgynhyrchu testun y ddogfen hon am ddim mewn unrhyw fformat neu gyfrwng cyn belled ag y caiff ei atgynhyrchu'n gywir ac na chaiff ei ddefnyddio mewn cyd-destun camarweiniol na difriol. Rhaid cydnabod mai Comisiwn Cynulliad Cenedlaethol Cymru sy'n berchen ar hawlfraint y deunydd a rhaid nodi teitl y ddogfen.

**Cynulliad Cenedlaethol Cymru**  
Y Pwyllgor Menter a Busnes

Adfywio canol trefi

Ionawr 2012





## Y Pwyllgor Menter a Busnes

Sefydlwyd y Pwyllgor ar 22 Mehefin 2011 gyda'r cylch gwaith o archwilio deddfwriaeth ac i ddwyn Llywodraeth Cymru i gyfrif drwy graffu ar ei gwariant, ei gweinyddu a'i pholisi, gan gwmpasu datblygu economaidd; trafndiaeth a seilwaith; cyflogaeth; addysg uwch a sgiliau; ac ymchwil a datblygu, gan gynnwys technoleg a gwyddoniaeth.

### Aelodau cyfredol y Pwyllgor



**Nick Ramsay (Cadeirydd)**  
Ceidwadwyr Cymreig  
Mynwy



**Byron Davies**  
Ceidwadwyr Cymreig  
Gorllewin De Cymru



**Keith Davies**  
Llafur Cymru  
Llanelli



**Julie James**  
Llafur Cymru  
Gorllewin Abertawe



**Alun Ffred Jones**  
Plaid Cymru  
Arfon



**Eluned Parrott**  
Democratiaid Rhyddfrydol Cymru  
Canol De Cymru



**David Rees**  
Llafur Cymru  
Aberavon



**Ken Skates**  
Llafur Cymru  
De Clwyd



**Joyce Watson**  
Llafur Cymru  
Canolbarth a Gorllewin Cymru



**Leanne Wood**  
Plaid Cymru  
Canol De Cymru

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## Argymhellion y Pwyllgor

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Mae argymhellion y Pwyllgor i Lywodraeth Cymru i'w gweld isod, yn y drefn y maent yn ymddangos yn yr Adroddiad hwn. Ewch i'r tudalennau perthnasol yn yr adroddiad i weld y dystiolaeth ategol a'r casgliadau:

**Argymhelliad 1.** Rydym yn argymhell bod Llywodraeth Cymru, fel rhan o'i diwygiadau i bolisi cynllunio cenedlaethol ar faterion economaidd, yn sicrhau bod Polisi Cynllunio Cymru yn diogelu canol trefi'n llwyr rhag effeithiau posibl datblygiadau manwerthu ar gyrion trefi, ac y dylai'r Llywodraeth hefyd gymryd camau i wella'r broses o roi polisi cynllunio cenedlaethol a lleol ar waith. (Tudalen 14)

**Argymhelliad 2.** Rydym yn argymhell bod Llywodraeth Cymru yn cynorthwyo awdurdodau lleol i wneud defnydd gwell o'u cytundebau â manwerthwyr ar gyrion trefi er mwyn diogelu bywiogrwydd canol trefi ymhellach. (Tudalen 15)

**Argymhelliad 3.** Credwn y dylid lledaenu enghreifftiau o arfer da wrth hyrwyddo canol trefi yn ehangach, ac rydym yn argymhell bod Canolfan Rhagoriaeth Adfywio Cymru yn datblygu ei rôl yn y maes hwn, gan gynnwys addysgu ac annog gweithwyr proffesiynol yn y sector. (Tudalen 15)

**Argymhelliad 4.** Rydym yn argymhell bod Llywodraeth Cymru yn comisiynu mwy o waith ymchwil ar effeithiau posibl archfarchnadoedd ar ansawdd canol trefi er mwyn llywio'r broses o ddadansoddi effaith datblygiadau arfaethedig o fewn y system rheolaeth gynllunio a'i gwella, ac y dylai asesiadau o'r effaith ar fanwerthwyr lleol fod yn orfodol mewn perthynas â chynigion archfarchnadoedd. (Tudalen 17)

**Argymhelliad 5.** Rydym yn argymhell bod awdurdodau cynllunio lleol yn cael eu hannog, o fewn eu Cynllun Datblygu Lleol, i ystyried datblygiadau swyddfa a gweithle fel modd i gynyddu nifer y bobl mewn canol trefi, ac y dylent asesu canlyniadau posibl cynigion ar gyfer datblygiadau swyddfa ar gyrion trefi, a dewisiadau amgen, yn fwy gofalus. (Tudalen 18)

**Argymhelliad 6.** Rydym yn argymhell bod Llywodraeth Cymru yn sefydlu arweinyddiaeth Weinidogol benodedig ar gyfer canol trefi, gan

gynnwys sefydlu fforwm polisi canol trefi wedi'i gadeirio gan y Gweinidog arweiniol, a fyddai'n dwyn ynghyd swyddogion o Adrannau gwahanol a chynrychiolwyr allweddol o'r sector preifat, y sector cyhoeddus a'r sector gwirfoddol i rannu arfer da a nodi cynllun gweithredu a fframwaith monitro ar gyfer adfywio canol trefi Cymru.

(Tudalen 21)

**Argymhelliad 7.** Rydym yn argymell bod Llywodraeth Cymru yn sicrhau bod y gwaith o ddatblygu trafndiaeth integredig a chynaliadwy yng nghanol trefi a dinasoedd Cymru yn flaenoriaeth o ran cyflawni'r Cynllun Trafnidiaeth Cenedlaethol. At hynny, dylai Llywodraeth Cymru roi canllawiau clir i awdurdodau lleol i sicrhau bod integreiddio trafndiaeth yn rhan graidd o bob cynllun i adfywio ac ailddatblygu canol tref.

(Tudalen 24)

**Argymhelliad 8.** Rydym yn argymell bod Llywodraeth Cymru yn sefydlu fframwaith monitro perfformiad trylwyr ac yn comisiynu gwerthusiad annibynnol manwl o'r cynllun Canolfan Teithio Cynaliadwy. Dylai hyn gynnwys asesu effaith pob cynllun ar fywiogrwydd y canol trefi dan sylw, gan gynnwys mynediad i bobl anabl.

(Tudalen 27)

**Argymhelliad 9.** Credwn y gall fod angen i fusnesau mewn canol trefi weithredu oriau agor mwy hyblyg er mwyn diwallu anghenion cwsmeriaid sy'n newid. Rydym yn argymell felly fod Llywodraeth Cymru yn diweddarau ei Nodyn Cyngor Technegol ar Gynllunio a Manwerthu i gynnwys canllawiau i awdurdodau lleol ar osod amodau ar ddatblygiadau manwerthu mewn perthynas ag oriau gwaith mwy hyblyg.

(Tudalen 29)

**Argymhelliad 10.** Rydym yn argymell bod Llywodraeth Cymru yn gweithio gydag awdurdodau lleol i ddatblygu dulliau gweithredu arloesol sydd wedi'u cynllunio ac sy'n annog perchenogion eiddo i roi eu heiddo gwag mewn canol trefi ar osod at ddibenion byw a gwaith a fyddai'n cyfrannu at fywiogrwydd canol trefi heb danseilio gwerth hirdymor yr eiddo.

(Tudalen 30)

**Argymhelliad 11.** Rydym yn argymell bod Cadw yn parhau â'i hastudiaethau pennu nodweddion mewn trefi a phentrefi a'u bod yn rhan annatod o unrhyw gynllun adfywio. Rydym yn argymell hefyd fod Llywodraeth Cymru yn gwneud mwy o ddefnydd o'r Gwasanaeth

Adolygu Dyluniadau ac yn annog ei phartneriaid datblygu i wneud yr un peth. (Tudalen 32)

**Argymhelliad 12.** Rydym yn argymell bod Llywodraeth Cymru yn adolygu polisi a chanllawiau cynllunio cenedlaethol ar gyfer manwerthu a chanol trefi er mwyn sicrhau bod awdurdodau cynllunio lleol yn pennu gweledigaeth gadarnhaol ar gyfer pob un o'r canol trefi a'r strydoedd mawr yn eu Cynllun Datblygu Lleol, ac i ddarparu fframwaith cadarn ar gyfer gwneud penderfyniadau ar geisiadau cynllunio i sicrhau y caiff datblygiadau priodol eu lleoli mewn mannau addas y gellir eu cyrraedd yn hawdd drwy drafndiaeth gynaliadwy. (Tudalen 35)

**Argymhelliad 13.** Rydym yn argymell, o fewn fframwaith y Cynllun Datblygu Lleol, fod gan bob tref gynllun cynhwysfawr ar waith, a ddatblygwyd gan bartneriaeth leol o randdeiliaid allweddol a thrwy ymgysylltu â'r gymuned, sy'n cynnwys camau gweithredu i fynd i'r afael â'r materion sy'n effeithio ar hyfywedd canol y dref. (Tudalen 36)

**Argymhelliad 14.** Credwn mai'r hyn sy'n allweddol i lwyddiant adfywio canol trefi yn lleol yw arweinyddiaeth gadarn ac effeithiol. Rydym yn argymell felly fod Llywodraeth Cymru yn ystyried sut i roi gwell cefnogaeth i'r bobl sydd â'r sgiliau angenrheidiol a pharch y gymuned leol i weithredu fel eiriolwyr i ddwyn ynghyd yr agweddau gwahanol ar waith adfywio canol trefi ynghyd â phawb sy'n chwarae rhan ynddo. (Tudalen 38)

**Argymhelliad 15.** Rydym yn argymell bod Llywodraeth Cymru yn helpu awdurdodau lleol a chymunedau i fod yn rhagweithiol wrth chwilio am ffynonellau buddsoddi ar gyfer prosiectau adfywio canol trefi a chael gafael arnynt lle nad oes arian cyhoeddus ar gael. (Tudalen 39)

**Argymhelliad 16.** Rydym yn argymell bod panel annibynnol Llywodraeth Cymru ar ardrethi busnes yn ystyried newidiadau mewn deddfwriaeth ac yn y broses o arfer pwerau disgresiwn, gyda'r nod o wella'r amrywiaeth o fusnesau manwerthu sy'n bodoli mewn canol trefi a'u hansawdd. (Tudalen 43)

**Argymhelliad 17.** Rydym yn argymell bod Llywodraeth Cymru yn ystyried datblygu cynllun peilot, o fewn rheolau cystadlu'r UE ac mewn partneriaeth ag awdurdodau lleol a pherchenogion eiddo, sy'n helpu busnesau newydd i sefydlu mewn canol trefi. (Tudalen 43)

**Argymhelliad 18.** Rydym yn argymell bod Llywodraeth Cymru, wrth negodi'r cynigion deddfwriaethol drafft ar gyfer Cronfeydd Strwythurol yr UE 2014-2010, yn ceisio sicrhau bod y Rheoliadau newydd yn ddigon hyblyg i alluogi'r Cronfeydd i gael eu defnyddio i gefnogi gweithgareddau adfywio canol trefi yn ystod y cylch nesaf.(Tudalen 44)

**Argymhelliad 19.** Rydym yn argymell bod Llywodraeth Cymru yn comisiynu asesiad llawn a thryloyw o effeithiolrwydd Ardal Gwella Busnes Abertawe ac yn ymgynghori ag ystod eang o randdeiliaid i lywio'r gwaith o ddatblygu Ardaloedd Gwella Busnes yng Nghymru ymhellach. (Tudalen 47)

**Argymhelliad 20.** Rydym yn argymell bod Llywodraeth Cymru drwy Croeso Cymru yn annog partneriaethau tref i farchnata eu nodweddion gwerthu unigryw megis treftadaeth bensaernïol ac ansawdd amgylcheddol, cynnyrch lleol a diwylliant lleol, gan gynnwys grwpiau o drefi o fewn ardal o bosibl fel y gall eu nodweddion gwahanol ategu ei gilydd. Gallai hyn fod yn rhan o gynllun canol y dref a argymhellwyd gennym uchod. (Tudalen 48)

**Argymhelliad 21.** Credwn y dylai Llywodraeth Cymru lunio fframwaith cadarn ar gyfer cynllunio, datblygu a chyflawni prosiectau adfywio canol trefi lle y gellir pennu amcanion a thargedau clir; casglu data, mesur canlyniadau ac effeithiau; a gwerthuso a chymharu perfformiad a llwyddiant. (Tudalen 50)

## Cyflwyniad

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1. Mae canol trefi bywiog a hanfodol wrth wraidd cymunedau cynaliadwy, ac maent yn allweddol i sicrhau economi iach a ffyniannus yng Nghymru.
2. Serch hynny, ledled Cymru, gwelir enghreifftiau o strydoedd mawr gwan a bregus, lle ceir eiddo gwag ac amgylcheddau siopa gwael.<sup>1</sup> Mae 11.5 y cant o safleoedd yng nghanol trefi Cymru yn wag, sy'n uwch na'r cyfartaledd ar gyfer y DU, sef 11.1 y cant, ond mae nifer y defnyddwyr yn groes i'r duedd yn y DU gyda chynnydd o 1.8 y cant ers y llynedd.<sup>2</sup>
3. Mae'r rhesymau dros y dirywiad yn ymwneud yn rhannol â'r hinsawdd economaidd sydd ohoni a'r gostyngiad cysylltiedig mewn gwariant gan ddefnyddwyr, ond ceir hefyd faterion strwythurol hirdymor. Yn ystod yr ymchwiliad hwn i'r gwaith o adfywio canol trefi,<sup>3</sup> clywodd y Pwyllgor Menter a Busnes fod:

“The problems facing our towns in Wales are universal. These are partly caused by changes in consumer behaviour, from internet shopping to challenges from out-of-town stores.”<sup>4</sup>

Yn wir, dadleuodd Canolfan Rhagoriaeth Adfywio Cymru (CREW)<sup>5</sup> fod Cymru o bosibl yn *fwy* bregus na rhannau eraill o'r DU, oherwydd ei sail economaidd is.<sup>6</sup>

4. Er mwyn adfywio canol trefi, mae angen gweithredu mewn modd soffistigedig, integredig a chynaliadwy - drwy reoleiddio, darbwyllo a thrawsnewid<sup>7</sup> - gan sicrhau arweinyddiaeth gadarn yn genedlaethol ac yn lleol, a bod yr holl ysgogiadau polisi, cynllunio ac ariannol yn syml ac wedi'u cydgysylltu'n strategol i annog twf cynaliadwy ac amrywiol, yn ogystal â sicrhau ansawdd, gwerth a dewis i ddefnyddwyr.

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<sup>1</sup>Tystiolaeth ysgrifenedig Llywodraeth Cymru paragraff 1.2

<sup>2</sup>Ffigurau Consortiwm Manwerthu Prydain ar gyfer Tachwedd 2011. Dangosodd tystiolaeth ysgrifenedig gan Gyngor Bro Morgannwg fod canran yr arwynebedd llawr gwag yng nghanol tref y Barri yn 26.7 y cant ar ei uchaf yn 2006

<sup>3</sup>Nodir cylch gorchwyl yr ymchwiliad yn Atodiad A

<sup>4</sup>Cofnod y Trafodion paragraff 11, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>5</sup>Sefydlwyd CREW ym mis Hydref 2008 gan y Gweinidog dros Adfywio ar y pryd

<sup>6</sup>Tystiolaeth ysgrifenedig CREW paragraff 3

<sup>7</sup>Cofnod y Trafodion paragraff 58, 28 Medi 2011, Pwyllgor Menter a Busnes



5. Clywsom y dylai fod arlwy estynedig ar gyfer canol trefi fel eu bod nid yn unig yn darparu cyfleoedd manwerthu ond hefyd gyfuniad o ddefnydd, gan gynnwys gofal iechyd, diwylliant, hamdden, dysgu, gweithio, byw a mannau cyhoeddus hyblyg.<sup>8</sup> Mae incwm gwario'r boblogaeth leol hefyd yn ffactor allweddol wrth ddiffinio bywiogrwydd a hyfywedd canol tref.<sup>9</sup>

6. Yn hollbwysig, mae angen i'r Llywodraeth greu'r amodau cywir i annog a chyfeirio buddsoddiad mewn canol trefi, tra bod angen i bartneriaethau lleol gyflawni ar lawr gwlad. Felly, er mwyn adfywio canol trefi, mae angen i'r sector cyhoeddus, y sector preifat a'r sector gwirfoddol gydweithio'n agos, er bod y dull gorau o gyflawni'r partneriaethau hynny yn gallu amrywio o le i le.

7. Fodd bynnag, gellir dadlau mai'r her fwyaf yw sut i ddylanwadu ar galonnau a meddyliau pobl - eu ffyrdd o fyw, eu harferion siopa a'u dewisiadau teithio - er mwyn sicrhau y gall canol trefi barhau i ffynnu yn yr hirdymor.

8. Dymunwn ddiolch i'r sefydliadau a'r unigolion niferus a gyfrannodd at ein hymchwiliad. Rydym yn croesawu'n arbennig gyfraniadau'n ymwneud â chanol trefi penodol, megis Abertawe, Caerdydd, Casnewydd a Wrecsam, casgliadau o drefi yn siroedd Bro Morgannwg, Caerffili, Pen-y-bont ar Ogwr, Rhondda Cynon Taf a Sir y Fflint, a chanol trefi llai megis Aberdâr ac Arberth.

9. Rydym hefyd yn ddiolchgar i Siambr Fasnach Arberth am hwyluso ymweliad ymchwiliol y Pwyllgor â'r dref<sup>10</sup> i glywed barn a phryderon pobl fusnes leol, a chael gwybod mwy am y gwaith adfywio llwyddiannus a wnaed yng nghanol y dref dros y degawdau diwethaf. Gwnaeth brwdfrydedd ac ymrwymiad y gymuned honno greu argraff fawr arnom, ac er gwaethaf yr heriau sylweddol y mae'r dref yn eu hwynebu o hyd, ein gobaith yw y gellir ail-greu eu profiadau da mewn rhannau eraill o Gymru.

10. Yn yr adroddiad hwn, rydym wedi defnyddio'r holl dystiolaeth a gyflwynwyd i ni'n ysgrifenedig ac ar lafar i dynnu sylw at nifer o heriau sy'n wynebu canol trefi yng Nghymru, ac rydym wedi gwneud 21 o argymhellion i fynd i'r afael â hwy. Mae 12 o'r argymhellion hynny (1,

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<sup>8</sup> Cofnod y Trafodion paragraff 11, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>9</sup> Cofnod y Trafodion paragraff 69, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>10</sup> Ceir nodyn ar ymweliad y Pwyllgor yn Atodiad B

2, 4, 5, 6, 7, 9, 11, 12, 13, 16 a 17) yn galw am gamau cydunol gan y Llywodraeth, felly annogwn y Gweinidog i ymateb yn gadarnhaol i'n hawgrymiadau. Gwyddom na ellir adfywio canol trefi dros nos. Serch hynny, hyderwn y bydd Llywodraeth Cymru yn gweithredu ar ein canfyddiadau ac y bydd ei pholisïau adfywio yn elwa arnynt.

## Yr Heriau

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### Manwerthu ar gyrion y dref

11. Dywedodd Cymdeithas Llywodraeth Leol Cymru wrthym:

“There is no doubt that the development of out-of-town retail sites over the last few years has had a detrimental effect on many town centres across Wales.”<sup>11</sup>

12. Cytunodd y Gymdeithas Rheoli Canol Trefi<sup>12</sup> ond ychwanegodd nad oedd pob datblygiad ar gyrion trefi'n negyddol o reidrwydd. Mae'r papur gan Boots yn nodi y dylid sicrhau cyfle cyfartal i'r stryd fawr a'r fformatau manwerthu amgen ond nad yw hyn yn digwydd mewn sawl maes polisi ar hyn o bryd.<sup>13</sup>

13. Rheolaeth anuniongyrchol sydd gan Lywodraeth Cymru dros gynigion ar gyfer datblygiadau manwerthu ar gyrion trefi drwy bolisi cynllunio cenedlaethol<sup>14</sup> sy'n nodi'r cyd-destun ar gyfer Cynlluniau Datblygu Lleol. Noda Polisi Cynllunio Cymru y dylai awdurdodau cynllunio lleol gymhwyso prawf "dilyniannol" i gynigion manwerthu newydd er mwyn ystyried lleoliadau yng nghanol trefi cyn safleoedd ar eu cyrion. Mae'n rhaid gallu eu cyrraedd drwy amryw ddull trafndiaeth.

14. Mae gan Lywodraeth Cymru hefyd y pŵer i ymchwilio ymhellach i geisiadau cynllunio sy'n codi materion cynllunio o bwys y tu hwnt i'r ardal leol, gan gynnwys y rheini nad ydynt yn cydymffurfio â pholisi cynllunio lleol neu a allai gael effaith eang neu a all arwain at ddadlau sylweddol y tu hwnt i'r ardal leol. Ar hyn o bryd, rhaid i awdurdod cynllunio lleol gyfeirio cais i ddarparu ardal siopa gros o fwy na 20,000 metr sgwâr yn awtomatig at Weinidogion Cymru os yw'n bwriadu ei gymeradwyo. Mae Llywodraeth Cymru wedi ymgynghori ar y cynnig i ddileu'r gofyniad hwn.<sup>15</sup>

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<sup>11</sup> Tystiolaeth ysgrifenedig CLILC paragraff 37

<sup>12</sup> Sefydliad aelodaeth dielw yw ATCM sy'n hyrwyddo bywiogrwydd a hyfywedd canol trefi a dinasoedd

<sup>13</sup> Tystiolaeth ysgrifenedig Boots paragraff 3

<sup>14</sup> Ategir Polisi Cynllunio Cymru gan Nodyn Cyngor Technegol 4, Cynllunio ar gyfer Manwerthu a Chanol Trefi

<sup>15</sup> Dogfen Ymgynghori Llywodraeth Cymru, Review of Directions Requiring Planning Applications to be Referred to the Welsh Ministers, Mawrth 2011

15. Er bod polisi cynllunio Llywodraeth Cymru yn ceisio diogelu canol trefi ar bapur, nid felly y caiff polisi ei ganfod neu ei wireddu mewn gwirionedd. Nododd Comisiwn Dylunio Cymru y gallai canllawiau a pholisi awdurdod cynllunio lleol gael eu halinio, eu mabwysiadu, eu gweithredu a'u dilyn yn well.<sup>16</sup>

16. Nododd tystiolaeth Llywodraeth Cymru ei hun fod cyrchfannau y tu allan i ganol trefi, sy'n cynnig parcio am ddim, ar eu hennill ar draul canol trefi,<sup>17</sup> er nad yw'r Llywodraeth ei hun wedi cynnal unrhyw asesiad penodol o effaith datblygiadau manwerthu ar gyrion trefi ar ganol trefi.<sup>18</sup> Wrth sôn am ddatblygiadau manwerthu ar gyrion trefi, dywedodd Sustrans Cymru, yr elusen trafndiaeth gynaliadwy, wrthym:

“Let us not make it any worse. Let us apply Welsh planning guidance, which states that it should be the last resort, which, at the moment, is not really being observed in practice.”<sup>19</sup>

17. Dywedodd Canolfan Rhagoriaeth Adfywio Cymru (CREW) wrthym fod gwendidau mewn cyfraith cynllunio - mai prin oedd yr opsiynau i awdurdodau lleol wrthod caniatâd cynllunio ar gyfer siopau ar gyrion trefi; ac na allai cynghorau fforddio cystadlu ag archfarchnadoedd oherwydd costau cyfreithiol cosbol.<sup>20</sup> Clywsom hefyd gan Gyngor Bwrdeistref Sirol Caerffili a ddywedodd, lle nad yw safleoedd datblygu mewn canol trefi neu'n gyfagos iddynt yn addas, fod awdurdodau cynllunio lleol wedi ei chael hi'n anodd gwrthod cynigion ar gyrion trefi a gaiff eu cefnogi gan ymgynghorwyr yn y sector preifat â llawer o adnoddau sy'n arbenigo mewn apeliadau manwerthu. Clywsom wedyn gan Lywodraeth Cymru fod un o bob tair apêl yn erbyn penderfyniadau awdurdod cynllunio lleol yn debygol o fod yn llwyddiannus.<sup>21</sup>

18. Er mwyn helpu i droi'r drol ar y duedd hon, mae Cyngor Bwrdeistref Sirol Caerffili wedi bod yn rhagweithiol ac wedi nodi safleoedd manwerthu canol tref yn ei gynlluniau datblygu ac wedi mynd ati i sefydlu'r safleoedd hynny, yn aml gyda chymorth gan Lywodraeth Cymru. Drwy wneud hynny, mae siopau bwyd mawr

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<sup>16</sup> Tystiolaeth ysgrifenedig Comisiwn Dylunio Cymru

<sup>17</sup> Tystiolaeth ysgrifenedig Llywodraeth Cymru paragraff 2.1

<sup>18</sup> Llythyr at y Cadeirydd gan y Gweinidog Tai, Adfywio a Threftadaeth, dyddiedig 17 Hydref 2011

<sup>19</sup> Cofnod y Trafodion paragraff 28, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>20</sup> Cofnod y Trafodion paragraff 44, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>21</sup> Cofnod y Trafodion paragraff 53, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

newydd wedi'u hadeiladu o fewn pellter cerdded i ganol trefi Caerffili, y Coed Duon, Ystrad Mynach a bellach Bargoed.<sup>22</sup>

19. Clywsom farn wahanol iawn ar ddatblygiadau ar gyrion trefi gan Consortiwm Manwerthu Prydain, a nododd:

“Consumers must come first: some retailers have proposed placing additional burdens on out of town and other retailing (eg imposing out of town car parking charges/additional taxation/levies etc) to ‘level the playing field’ for in town retailing. We have been very clear that this is entirely the wrong approach – the key must be to ‘level up’, taking constructive steps to address the challenges facing the High Street not penalising successful retailers in other locations/channels.”<sup>23</sup>

20. Ar 28 Tachwedd 2011, agorodd Llywodraeth Cymru ymgynghoriad ar y cynnig arfaethedig i ddiweddarau polisi cynllunio cenedlaethol ar faterion economaidd er mwyn sicrhau ei fod yn cyflawni dyheadau'r Llywodraeth i adfer yr economi yng Nghymru.<sup>24</sup>

**Rydym yn argymhell bod Llywodraeth Cymru, fel rhan o'i diwygiadau i bolisi cynllunio cenedlaethol ar faterion economaidd, yn sicrhau bod Polisi Cynllunio Cymru yn diogelu canol trefi'n llwyr rhag effeithiau posibl datblygiadau manwerthu ar gyrion trefi, ac y dylai'r Llywodraeth hefyd gymryd camau i wella'r broses o roi polisi cynllunio cenedlaethol a lleol ar waith.**

21. Fodd bynnag, fel y nododd swyddogion Llywodraeth Cymru, ni all polisi cynllunio unioni datblygiadau ar gyrion trefi sy'n rhagddyddio polisi cyfredol.<sup>25</sup> Yn ei dystiolaeth ysgrifenedig, nododd Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr nad oes angen caniatâd cynllunio ar gyfer lloriau mesanîn a ychwanegir at unedau manwerthu ar gyrion trefi yng Nghymru, a bod hynny'n debygol o gael effaith negyddol ar ganolfannau cyfagos.<sup>26</sup> Cododd y Sefydliad Cynllunio Trefol Brenhinol bryderon mai rheolaeth gyfyngedig sydd gan bolisi cynllunio dros ambell ddefnydd penodol ar unrhyw safle, sy'n golygu pan gaiff uned fanwerthu ei dosbarthu'n A1 o dan y Gorchymyn Dosbarthiadau

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<sup>22</sup> Tystiolaeth ysgrifenedig Cyngor Bwrdeistref Sirol Caerffili paragraff 4

<sup>23</sup> Tystiolaeth ysgrifenedig BRC

<sup>24</sup> Llywodraeth Cymru, Diwygio Polisi Cynllunio Cymru Pennod 7 Cynnal yr Economi, Tachwedd 2011

<sup>25</sup> Cofnod y Trafodion paragraff 45, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>26</sup> Tystiolaeth ysgrifenedig Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Defnydd, caniateir ei defnyddio mewn sawl ffordd heb fod angen caniatâd cynllunio pellach.<sup>27</sup>

**Rydym yn argymhell bod Llywodraeth Cymru yn cynorthwyo awdurdodau lleol i wneud defnydd gwell o'u cytundebau â manwerthwyr ar gyrion trefi er mwyn diogelu bywiogrwydd canol trefi ymhellach.**

22. Clywsom gan Ganolfan Rhagoriaeth Adfywio Cymru (CREW) fod trefi megis Pen-y-bont ar Ogwr wedi ceisio cystadlu â chanolfannau manwerthu ar gyrion y dref drwy ddarparu a marchnata cynnig gwahanol ("unigryw"), megis hyrwyddo treftadaeth canol y dref, cynnal digwyddiadau fel marchnadoedd, ffeiriau a gwyliau, a chreu cysylltiadau trafndiaeth gyhoeddus rhwng y dref a chanolfannau ar gyrion y dref.<sup>28</sup> Roedd y Gweinidog Tai, Adfywio a Threftadaeth o'r farn nad oedd yr atebion o reidrwydd yn ymwneud â manwerthu'n bennaf, ond â darparu manau cyhoeddus o ansawdd.<sup>29</sup> Fodd bynnag, nododd y Ffederasiwn Busnesau Bach:

“Trying to create a Dickensian market town world heritage site-type experience for all towns across Wales will not help. Yes, they have a role and it is important, but they must be sustainable 52 weeks a year.”<sup>30</sup>

**Credwn y dylid lledaenu enghreifftiau o arfer da wrth hyrwyddo canol trefi yn ehangach, ac rydym yn argymhell bod Canolfan Rhagoriaeth Adfywio Cymru yn datblygu ei rôl yn y maes hwn, gan gynnwys addysgu ac annog gweithwyr proffesiynol yn y sector.**

23. Bydd adrannau diweddarach o'r adroddiad hwn yn ymdrîn â pharcio yn fanylach, ond cafwyd cwynion gan sawl tyst i'r ymchwiliad hwn fod parcio am ddim mewn datblygiadau ar gyrion trefi'n cael effaith andwyol ar ganol trefi. Er enghraifft, nododd y Ffederasiwn Busnesau Bach fod polisi cynllunio yn caniatáu ar gyfer meysydd parcio mawr am ddim mewn safleoedd ar gyrion trefi tra bod llai o leoedd

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<sup>27</sup> Tystiolaeth ysgrifenedig RTPi

<sup>28</sup> Cofnod y Trafodion paragraffau 34-35 a 143, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>29</sup> Cofnod y Trafodion paragraff 36, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>30</sup> Cofnod y Trafodion paragraffau 108-110, 6 Hydref pm 2011, Pwyllgor Menter a Busnes

parcio yn y dref, a'r lleoedd hynny'n mynd yn ddrutach.<sup>31</sup> Awgrymodd Cyngor Bro Morgannwg y dylid gorfodi canolfannau siopa ar gyrion trefi i godi tâl am barcio er mwyn helpu i sicrhau cyfle cyfartal.<sup>32</sup>

24. Wrth sôn am y cynnig i wrthbwysu meysydd parcio am ddim mewn canolfannau manwerthu ar gyrion trefi drwy gael gwared ar daliadau parcio mewn canol trefi, dywedodd Sustrans wrthym y byddai'n:

“Perpetuate the cycle of decline. It perpetuates the dominance of the car in the town centre and ignores the fact that a large number of people do not use a car to access the town centre. They would prefer to see a better shopping environment, with wider pavements, pedestrianisation and traffic-calming measures. This is a zero-sum game and money spent on providing free car parking is money not spent on improving the town-centre environment.”<sup>33</sup>

25. Eglurodd Nodyn Cyngor a baratowyd gan ein Gwasanaethau Cyfreithiol nad yw'r broses o gyfrifo ardrethi busnes mewn perthynas â pharcio ceir mor eglur ag y mae rhai yn ei gredu. Mae mathau gwahanol o feysydd parcio y gellir codi ardrethi arnynt, ac mae'n rhaid i briswyr ystyried amryw ffactorau. Daethpwyd i'r casgliad y gall meysydd parcio ar gyrion trefi, gan gynnwys meysydd parcio preifat, fod yn destun ardrethi busnes ond y caiff pob maes parcio ei brisio'n unigol.

### **Archfarchnadoedd**

26. Ymddengys mai cymysg yw'r farn mewn llenyddiaeth academiaidd ar effaith archfarchnadoedd ar siopau lleol: teimlir yn gyffredinol fod archfarchnadoedd ar gyrion trefi yn arwain at ddirywiad pellach mewn canol trefi lle maent yn cystadlu'n uniongyrchol â hwy, tra bod rhai arbenigwyr yn dadlau y gall archfarchnadoedd sydd wedi'u lleoli'n dda (megis ar ymyl y dref neu yn y dref) ddenu mwy o siopwyr i ganol trefi. Fodd bynnag, yn ystod ein hymweliad ag Arberth, clywsom fod masnachwyr lleol yn pryderu'n fawr am effaith andwyol bosibl

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<sup>31</sup> Tystiolaeth ysgrifenedig FSB

<sup>32</sup> Tystiolaeth ysgrifenedig Cyngor Bro Morgannwg

<sup>33</sup> Cofnod y Trafodion paragraff 32, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

archfarchnad arfaethedig yn y dref ar rai busnesau sydd eisoes yn bodoli yng nghanol y dref.<sup>34</sup>

27. Dywedodd Canolfan Rhagoriaeth Adfywio Cymru (CREW) wrthym y dylid annog awdurdodau lleol i feddwl yn wahanol am archfarchnadoedd, ac na ddylid ystyried bod siopau "angor" o reidrwydd o fudd i'r economi leol.<sup>35</sup> Anghytunodd Cymdeithas Llywodraeth Leol Cymru â'r farn hon,<sup>36</sup> ond dadleuodd Comisiwn Dylunio Cymru:

"Much regeneration is led by retail and in many cases by an 'anchor store'. Too often in Wales this is the sole focus and mixed use possibilities are not properly explored. This is partly a matter of finance, partly the culture of particular government departments, partly a lack of experience on such schemes (at local and national levels, both politically and amongst officers of local planning authorities), and an absence of systematic analysis of possibilities, cost, opportunity and viability."<sup>37</sup>

28. Yn ystod ein sesiynau tystiolaeth, diddorol oedd clywed bod rhai awdurdodau lleol wedi gosod amodau cynllunio ar archfarchnadoedd er mwyn diogelu masnachwyr lleol - megis atal archfarchnadoedd rhag darparu optegydd neu gigydd yn y siop.<sup>38</sup> Ond clywsom hefyd y canlynol:

"Work [is] needed at a significantly high level between the food store operators, Governments and local authorities to see whether the way they approach their purchasing could be changed. I do not underestimate the problems of that challenge, but I think that there could be a significant win there."<sup>39</sup>

**Rydym yn argymhell bod Llywodraeth Cymru yn comisiynu mwy o waith ymchwil ar effeithiau posibl archfarchnadoedd ar ansawdd canol trefi er mwyn llywio'r broses o ddadansoddi effaith datblygiadau arfaethedig o fewn y system rheolaeth gynllunio a'i**

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<sup>34</sup> Atodiad B

<sup>35</sup> Cofnod y Trafodion paragraff 106, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>36</sup> Cofnod y Trafodion paragraff 157, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>37</sup> Tystiolaeth ysgrifenedig Comisiwn Dylunio Cymru

<sup>38</sup> Cofnod y Trafodion paragraff 131, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>39</sup> Cofnod y Trafodion paragraff 75, 28 Medi 2011, Pwyllgor Menter a Busnes



**gwella, ac y dylai asesiadau o'r effaith ar fanwerthwyr lleol fod yn orfodol mewn perthynas â chynigion archfarchnadoedd.**

29. Gwelwyd beirniadaeth debyg mewn perthynas ag ymagwedd awdurdodau lleol tuag at ddatblygiadau swyddfa ar gyrion trefi. Er bod enghreifftiau da ledled Cymru lle mae datblygiadau swyddfa wedi'u lleoli mewn canol trefi, nododd y Gymdeithas Rheoli Canol Trefi:

“We have seen office space moving out of town centres, and, in some cases, the local authorities are the culprits. They take 300, 400 or 500 jobs out of the town centre and move them to an out-of-town retail park, and then wonder why their town centres are going down the drain.”<sup>40</sup>

**Rydym yn argymhell bod awdurdodau cynllunio lleol yn cael eu hannog, o fewn eu Cynllun Datblygu Lleol, i ystyried datblygiadau swyddfa a gweithle fel modd i gynyddu nifer y bobl mewn canol trefi, ac y dylent asesu canlyniadau posibl cynigion ar gyfer datblygiadau swyddfa ar gyrion trefi, a dewisiadau amgen, yn fwy gofalus.**

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<sup>40</sup> Cofnod y Trafodion paragraff 94, 6 Hydref am 2011, Pwyllgor Menter a Busnes

## Atebion

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### Strategaeth adfywio

30. Galwodd rhai tystion, megis Canolfan Rhagoriaeth Adfywio Cymru (CREW), am bolisi 10 mlynedd cenedlaethol a rhaglen weithredu i adfywio canol trefi.<sup>41</sup> Roedd Cymdeithas Llywodraeth Leol Cymru o'r farn ganlynol:

“The need for the Welsh Government to outline an overall framework for economic renewal and regeneration is now greater than ever”.<sup>42</sup>

31. Wrth holi'r Gweinidog Tai, Adfywio a Threftadaeth ar 22 Medi 2011, gwrthododd yr awgrym bod angen strategaeth gyffredinol ar gyfer adfywio. Fodd bynnag, nododd fod y Fframwaith ar gyfer Ardaloedd Adfywio, a gyhoeddwyd gan Lywodraeth flaenorol Cymru ym mis Hydref 2010, yn parhau'n bolisi cyfredol. Awgrymodd y Fframwaith hwnnw fod "angen ymagwedd fwy cydlynol a chyson er mwyn datblygu'r gweithgarwch sy'n canolbwyntio ar adfywio ym mhob rhan o'r Llywodraeth."

32. Nododd CLILC fod Cynllun Gofodol Cymru wedi mynd ar gyfeiliorn.<sup>43</sup> Argymhellodd y Ffederasiwn Busnesau Bach y dylid diwygio Cynllun Gofodol Cymru,<sup>44</sup> felly hefyd CREW, a argymhellodd y dylid llunio fframwaith buddsoddi i ategu'r Cynllun, sy'n rhywbeth a wnaed yn llwyddiannus yn yr Iseldiroedd, yr Almaen a Denmarc.<sup>45</sup> Nododd CLILC hefyd fod angen i Gynllun Seilwaith Cenedlaethol Llywodraeth Cymru ddarparu'r fframwaith ar gyfer cynllunio yn y dyfodol mewn modd mwy cyfannol ac i ddod â phartneriaid ynghyd.<sup>46</sup>

33. “Dywedodd Cronfa Dreftadaeth y Loteri wrthym:

“In order to be successful, a Townscape Heritage Initiative scheme needs to form part of a wider regeneration programme,

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<sup>41</sup> Tystiolaeth ysgrifenedig CREW paragraff 3

<sup>42</sup> Tystiolaeth ysgrifenedig CLILC paragraff 21

<sup>43</sup> CLILC, Cofnod y Trafodion paragraff 136, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>44</sup> Tystiolaeth ysgrifenedig FSB

<sup>45</sup> Cofnod y Trafodion paragraffau 30, 100 a 112, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>46</sup> Cofnod y Trafodion paragraffau 136 a 180, 28 Medi 2011, Pwyllgor Menter a Busnes

working alongside other agencies and, most importantly, the community, with a clear vision and clear leadership. That is the most fundamental piece of information that comes out of our research. Therefore, we think that the Welsh Government - we are already working closely with it - has a pivotal role in ensuring that all of the agencies are lined up and delivering complementary strategies, with a clear vision and with clear leadership.”<sup>47</sup>

34. Cytunwn â llawer o dystion fod angen i Lywodraeth Cymru ddatblygu'r weledigaeth a'r fframwaith lle gall canol trefi lunio cynlluniau gweithredu.

35. Galwodd tystiolaeth ysgrifenedig gan y Gymdeithas Rheoli Canol Trefi ar i Lywodraeth Cymru gydgysylltu'r broses o lunio polisïau ar draws Adrannau a phortffolios Gweinidogol yn well er mwyn “ensure the lip service paid by the Government can be realised at the local level.” Nododd y papur gan Boots fod angen clir i Lywodraeth Cymru feddwl a gweithredu'n gyfannol gan na ellir ystyried cymorth polisi ar gyfer canol trefi ar wahân.<sup>48</sup> Honnodd Boots hefyd y canlynol:

“A limited understanding by the Welsh Government about how retail works in Wales and this is partly due to the current lack of any meaningful mechanism facilitating dialogue between government and the retail sector.”<sup>49</sup>

Nododd Boots enghreifftiau lle roedd y llywodraethau yn Llundain a'r Alban yn gweithio gyda rhanddeiliaid i hyrwyddo gwaith adfywio canol tref a dinas.

36. Roedd yn arwyddocaol hefyd i Gymdeithas Llywodraeth Leol Cymru nodi mai'r ddolen goll yn y rhan fwyaf o bartneriaethau adfywio lleol yn aml fu Llywodraeth Cymru, a hyd yn oed pan fo swyddog yn gallu mynychu, nid yw bob amser mewn sefyllfa i wneud unrhyw fath o ymrwymadau na phenderfyniadau ariannu.<sup>50</sup>

37. Dywedodd Consortïwm Manwerthu Prydain wrthym ei fod o'r farn y byddai sefydlu un adran o'r Llywodraeth â chyfrifoldeb penodol

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<sup>47</sup> Cofnod y Trafodion paragraff 128, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>48</sup> Tystiolaeth ysgrifenedig Boots paragraff 2

<sup>48</sup> Tystiolaeth ysgrifenedig Boots paragraff 5

<sup>50</sup> Tystiolaeth ysgrifenedig CLILC paragraff 26

am faterion yn ymwneud â manwerthu ac adfywio canol trefi o fudd.<sup>51</sup> Awgrymodd Boots y dylai Llywodraeth Cymru sefydlu fforwm manwerthu a fyddai'n cyfarfod ddwywaith y flwyddyn i wella trefniadau ymgysylltu rhwng y Llywodraeth a'r sector manwerthu ac i rannu arfer da.<sup>52</sup>

38. Mae sawl adran o Lywodraeth Cymru yn ymwneud ag adfywio canol trefi: Busnes, Menter, Technoleg a Gwyddoniaeth; Llywodraeth Leol a Chymunedau; Pobl, Lleuedd a Gwasanaethau Corfforaethol; Dyfodol Cynaliadwy; a Chynllunio Strategol, Cyllid a Pherfformiad.

39. Er bod y Gweinidog Tai, Adfywio a Threftadaeth wedi cymryd yr awenau o ran cydgysylltu ymateb i'n hymchwiliad i adfywio canol trefi, hoffem weld canol trefi yn cael eu hyrwyddo o fewn y Cabinet yn fwy parhaus. Felly, roeddem yn falch o'i glywed yn dweud wrthym ei fod ar fin cyhoeddi system newydd o waith trawsadrannol, gan ganolbwyntio ar adfywio ardaloedd. Nododd y Gweinidog hefyd fod angen cydweithio â llywodraeth leol,<sup>53</sup> er na roddodd unrhyw fanylion am y partneriaethau newydd hynny na sut y byddent yn gweithredu.

**Rydym yn argymhell bod Llywodraeth Cymru yn sefydlu arweinyddiaeth Weinidogol benodedig ar gyfer canol trefi, gan gynnwys sefydlu fforwm polisi canol trefi wedi'i gadeirio gan y Gweinidog arweiniol, a fyddai'n dwyn ynghyd swyddogion o Adrannau gwahanol a chynrychiolwyr allweddol o'r sector preifat, y sector cyhoeddus a'r sector gwirfoddol i rannu arfer da a nodi cynllun gweithredu a fframwaith monitro ar gyfer adfywio canol trefi Cymru.**

### **Trafnidiaeth gynaliadwy ac integredig**

40. Nododd y papur a gyflwynwyd gan Sustrans fod:

“Pedestrian and cycle-friendly environments have been shown as the core around which economic growth, public health, sustainability and overall quality of life are built. It is therefore

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<sup>51</sup> Cofnod y Trafodion paragraff 115, 6 Hydref pm 2011, Pwyllgor Menter a Busnes

<sup>52</sup> Cofnod y Trafodion paragraff 244, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>53</sup> Cofnod y Trafodion paragraffau 8 a 15, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

crucial that these environments are considered in any long-term development and regeneration plans.”<sup>54</sup>

41. Pan ymddangosodd Sustrans gerbron y Pwyllgor, cawsom wybod y canlynol:

“The quality of town centres has far-reaching consequences and implications, not least for health. In 2008, the National Institute for Health and Clinical Excellence produced a study on the built environment and physical activity.[...]. It found that, in order to promote physical activity and tackle obesity, the quality of the built environment and town centres was crucial. Critically, NICE said that the walkability and cyclability of a town centre was very important. It said that the highest priority elements of the physical environment should be the active modes, namely walking and cycling, and that car use should be actively discouraged. It said that road space should be reallocated, and that road space should be set aside for wider pavements, bus lanes and cycle lanes. It said that vehicle access should be restricted, and it recommended road-user charging, traffic-calming measures and safe routes to schools, hospitals and stations.”<sup>55</sup>

42. Yn ei dystiolaeth ysgrifenedig, nododd y Sefydliad Cynllunio Trefi Brenhinol y canlynol:

“Important to provide a range of transport options to support town centres, with a priority in reducing car journeys. Safe and easy access by walking and cycling must also be a priority to promote, as well as the provision of public transport.”<sup>56</sup>

43. Dadleuodd Cynghrair Trafnidiaeth De-ddwyrain Cymru (Sewta) hefyd y canlynol:

“The improvement of access by rail, bus, cycling and walking must be made an integral part of any town centre regeneration plan. Not doing so is likely to undermine the regeneration objectives in the long term.”<sup>57</sup>

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<sup>54</sup> Tystiolaeth ysgrifenedig Sustrans

<sup>55</sup> Cofnod y Trafodion paragraff 5, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>56</sup> Tystiolaeth ysgrifenedig RTPi

<sup>57</sup> Tystiolaeth ysgrifenedig Sewta paragraff 5

44. Nododd Canolfan Rhagoriaeth Adfywio Cymru (CREW) yn ei thystiolaeth ysgrifenedig, er ei bod yn arfer da i gynlluniau trafndiaeth cynaliadwy ac integredig gael eu cynnwys mewn strategaethau adfywio trefi, na lwyddwyd i wneud hyn bob amser, ac mae hyd yn oed wedi tanseilio agweddau eraill ar adfywio.<sup>58</sup> Nododd Sustrans Cymru ymhellach:

“In strategic terms the impact of town centre regeneration projects on sustainable transport is rarely considered at an early stage. Where regeneration schemes have been able to make a contribution has often relied on Sustrans being able to influence the plans, but inevitably we cannot be everywhere and there is a limit to the impact a relatively small charity can have.”<sup>59</sup>

45. Argymhellodd Sewta y canlynol:

“The National Transport Plan should identify city and town centres as a priority for improving interchange, and good quality interchange facilities should be required as a component of regeneration/redevelopment schemes and not as an afterthought.”

Dadleuodd Sewta y dylai fod cyfnewidfeydd mewn canol trefi i integreiddio gwasanaethau rheilffordd a bws, yn ogystal â chysylltiadau athraidd ar gyfer cerdded a seiclo.<sup>60</sup>

46. Pan ofynnwyd i dystion a oedd polisi trafndiaeth a fframwaith cynllunio Cymru, ynghyd â'r canllawiau ar waith dylunio ac adeiladu'r cynllun trafndiaeth, yn darparu sail effeithiol ar gyfer trafndiaeth gynaliadwy ac integredig mewn canol trefi, dywedodd Sewta wrthym:

“Each local authority is looking within its own borders, and developing its local development plan, but there is a bit of a mismatch or a gap in how various local authorities link together.”<sup>61</sup>

47. Mynegodd Sewta bryderon hefyd fod Cynlluniau Trafndiaeth Rhanbarthol yn cael eu llunio heb weledigaeth gyffredinol ar gyfer yr

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<sup>58</sup> Tystiolaeth ysgrifenedig CREW paragraff 4.6

<sup>59</sup> Tystiolaeth ysgrifenedig Sustrans

<sup>60</sup> Tystiolaeth ysgrifenedig Sewta paragraffau 6 a 105

<sup>61</sup> Cofnod y Trafodion paragraff 100, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

ardal gan Lywodraeth Cymru. Cyfeiriodd Sustrans at ddiffyg canllawiau mewn Cynlluniau Trafnidiaeth Rhanbarthol ar sut y gellid cyflawni neu ariannu targedau cenedlaethol ar gyfer cerdded a seiclo a hyd yn oed p'un a ellid gwneud hynny.<sup>62</sup>

48. Pan ofynnwyd i'r Gweinidog Tai, Adfywio a Threftadaeth am y diffyg integreiddio o ran cynllunio trafndiaeth ac adfywio canol trefi, ymatebodd drwy ddweud na ellir adfywio'n briodol heb ystyried yr holl benawdau hynny o'r cychwyn, ac iddo fod yn cenhadu'r safbwynt hwn ledled Cymru.<sup>63</sup> Credwn fod angen arweinyddiaeth fwy cadarn gan y Llywodraeth.

**Rydym yn argymhell bod Llywodraeth Cymru yn sicrhau bod y gwaith o ddatblygu trafndiaeth integredig a chynaliadwy yng nghanol trefi a dinasoedd Cymru yn flaenoriaeth o ran cyflawni'r Cynllun Trafnidiaeth Cenedlaethol. At hynny, dylai Llywodraeth Cymru roi canllawiau clir i awdurdodau lleol i sicrhau bod integreiddio trafndiaeth yn rhan graidd o bob cynllun i adfywio ac ailddatblygu canol tref.**

### ***Mynediad i geir a bywiogrwydd canol trefi***

49. Mae mynediad i geir a pharcio mewn canol trefi yn fater cynhyrfiol a dadleuol iawn. Ar un llaw, nid oes gan nifer sylweddol o'r boblogaeth gar. Dyfynnodd tystiolaeth ysgrifenedig gan Age Cymru ystadegau gan Lywodraeth Cymru a oedd yn nodi bod hanner y cartrefi heb gar yn cynnwys unigolion dros 60 oed ac nad oedd gan 66 y cant o bensiynwyr sengl gar.<sup>64</sup> Nododd tystiolaeth gan Gyngor Bwrdeistref Sirol Rhondda Cynon Taf nad oedd gan 30 y cant o'i gartrefi fynediad i gar ychwaith.<sup>65</sup>

50. Ar y llaw arall, pwysleisiodd nifer fawr o dystion ac ymatebion i'r ymgynghoriad fod mynediad i geir ac argaeledd a chost parcio yn bwysig i lwyddiant canol tref. Dyma, yn sicr, oedd y farn gyffredin ymhlith masnachwyr canol tref y siaradwyd â hwy yn Arberth: roeddent yn pryderu'n fawr fod y cyfyngiadau parcio ar hyd y stryd fawr a'r

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<sup>62</sup> Cofnod y Trafodion paragraffau 101-102, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>63</sup> Cofnod y Trafodion paragraff 100, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>64</sup> Tystiolaeth ysgrifenedig Age Cymru

<sup>65</sup> Tystiolaeth ysgrifenedig Cyngor Bwrdeistref Sirol Rhondda Cynon Taf

taliadau newydd yn y maes parcio penodedig yn cael effaith andwyol ar eu cwsmeriaid.<sup>66</sup>

51. Rhestrodd tystiolaeth ysgrifenedig gan Ardal Gwella Busnes Abertawe nifer o gyflawniadau o ran meysydd parcio a thrafnidiaeth er bod pob un ohonynt yn ymwneud â sicrhau meysydd parcio am ddim neu â phrisiau gostyngol.

52. I'r gwrthwyneb, dadleuodd tystiolaeth ysgrifenedig gan Sustrans nad oedd canfyddiadau cyffredin o bwysigrwydd mynediad i geir mewn canol trefi yn gwbl gadarn, a bod ymchwil o Fryste yn dangos bod manwerthwyr yn dueddol o oramcan pwysigrwydd masnach defnyddwyr ceir o ran nifer y cwsmeriaid bron i 100 y cant. Yn yr un astudiaeth, canfuwyd bod beicwyr a defnyddwyr ceir bedair gwaith yn fwy tebygol o ymweld ag un siop yn unig o gymharu â cherddwyr; ac roedd pedwar o bob pum ymweliad siopa gan gerddwr yn cynnwys mynd i rhwng dau a phum siop, o gymharu â thair rhan o bump o'r rhai a oedd yn teithio mewn car neu ar feic.<sup>67</sup>

53. Dywedodd Sustrans wrthym yn ddiweddarach:

“Retailers - and, in turn, local councillors and officials responding to them - feel that the best way to deliver a short-term injection into a town centre is to increase accessibility by car. Paradoxically, they have created a situation, which now goes against Welsh transport planning guidance, in which out-of-town shopping centres with free car parking were encouraged. To compete with that, they feel that they need to level down, if you like, and match that free parking provision. It is a spiral of decline.”<sup>68</sup>

54. Dadleuodd Sustrans ymhellach fod dileu taliadau parcio gan awdurdodau lleol mewn canol trefi dros dro, er enghraifft er mwyn annog mwy o bobl i siopa yn ystod y cyfnod cyn y Nadolig, wedi arwain at:

“A significant cost to them in lost income. At the same time, because people are travelling more by car, they are travelling less by bus, which means that bus services become less viable and require greater subsidy from local authorities, or contracts

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<sup>66</sup> Atodiad B

<sup>67</sup> Tystiolaeth ysgrifenedig Sustrans

<sup>68</sup> Cofnod y Trafodion paragraff 13, 2 Tachwedd 2011, Pwyllgor Menter a Busnes



are simply not being let. So, a number of examples were reported earlier this week of councils subsidising car parking spaces and, at the same time, withdrawing bus services.”<sup>69</sup>

Fel ateb, awgrymodd Sustrans y dylid rheoli trafndiaeth mewn canol trefi ar sail hierarchaethau gwahanol o athreiddedd fel bod pobl yn ei chael hi'n haws cerdded, seiclo neu ddefnyddio trafndiaeth gyhoeddus ond yn wynebu mwy o gyfyngiadau pe baent yn defnyddio car.

55. Awgrymodd CLILC fod arferion siopa sy'n newid wedi arwain at fwy o ddibyniaeth ar geir ymhlith siopwyr ac wedi gwneud trafndiaeth gynaliadwy yn llai deniadol:

“Changes in shopping behaviour have resulted in major shopping trips to stock up with a ‘boot full’ of goods for a period of days. This has reduced the attraction of public transport, cycling or walking which are more suited to frequent visits and smaller quantities, which an individual can sensibly carry by hand.”<sup>70</sup>

56. Nododd y Sefydliad Cynllunio Trefol Brenhinol:

“Whilst there should be an overall approach to reduce the amount of car journeys to town centres to reduce congestion and make the centres more attractive, inevitably many will still want, and in some cases need, to travel by car. There therefore needs to be a holistic approach to car parking policy within and adjacent to centres, including policies on tariff setting.”<sup>71</sup>

57. Argymhellodd y Gymdeithas Rheoli Canol Trefi y dylai fod strategaeth barcio ar waith ym mhob tref er mwyn ystyried materion yn drylwyr.<sup>72</sup> Awgrymodd Sewta ei bod yn hanfodol rheoli parcio mewn canol trefi ynghyd â gwella trafndiaeth gyhoeddus.

58. Deallwn fod parcio mewn canol trefi yn fater cymhleth a dadleuol iawn, ond tystiolaeth anecdotaidd a gafwyd yn yr ymchwiliad hwn yn bennaf. Mae angen gwasgu'r danadl drwy gynllunio ar gyfer y tymor llawer hwy er mwyn i ganol trefi allu gwrthsefyll prisiau tanwydd cynyddol a phrinder ynni. Cydnabyddwn felly fod angen deall yn llawn

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<sup>69</sup> Cofnod y Trafodion paragraff 32, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>70</sup> Tystiolaeth ysgrifenedig CLILC paragraff 48

<sup>71</sup> Tystiolaeth ysgrifenedig RTPi

<sup>72</sup> Cofnod y Trafodion paragraff 24, 6 Hydref am 2011, Pwyllgor Menter a Busnes

effaith trafndiaeth gynaliadwy ar fywiogrwydd canol trefi yng Nghymru ac i ddarparu sail dystiolaeth ar gyfer rhaglenni yn y dyfodol. Adlewyrchir y casgliad hwn yn ein hargymhelliad mewn perthynas â Chanolfannau Teithio Cynaliadwy (isod), sy'n cynnwys cyfeiriad at effaith bywiogrwydd canol trefi fel rhan o werthusiad trylwyr.

### ***Canolfannau Teithio Cynaliadwy***

59. Mae Canolfannau Teithio Cynaliadwy yn defnyddio amrywiaeth o fesurau ac ymyriadau ategol i leihau tagfeydd a llygredd ac annog ffyrdd o fyw mwy egnïol drwy newidiadau moddol i drafnidiaeth gynaliadwy. Treialwyd y rhaglen yng Nghaerdydd, ac ym mis Gorffennaf 2011, cyhoeddwyd cyllid gwerth £6 miliwn i ariannu'r gwaith o ymestyn y cynllun i Aberystwyth, Caerfyrddin, Hwlfordd a Môn a Menai, gan gynnwys £1.3 miliwn ar gyfer cynllun peilot cynlluniau teithio personol, sy'n cael ei weithredu gan Sustrans.<sup>73</sup>

60. Clywsom gan Sustrans nad oedd y cynllun Canolfan Teithio Cynaliadwy a roddwyd ar waith yng Nghymru yn ystyried gwelliannau a wnaed i'r cynllun yn Lloegr yn dilyn argymhellion yn yr adroddiad gwerthuso.<sup>74</sup>

61. Deallwn fod twf blynyddol cyfartalog o 16% wedi bod yn nifer y bobl sy'n seiclo ledled Canol Dinas Caerdydd ers lansio'r Ganolfan Teithio Cynaliadwy. Dywedodd y Gweinidog Llywodraeth Leol a Chymunedau wrthym fod nifer y bobl sy'n cymudo mewn ceir wedi lleihau o 65 y cant ar ei uchaf cyn y fenter i 58 y cant yn 2010.<sup>75</sup>

62. Rydym yn croesawu'r ffigurau hyn, ond credwn nad yw monitro patrymau teithio yr un peth â chynnal gwerthusiad trylwyr o'r cynllun, ac rydym yn ansicr o hyd beth yw targedau'r cynllun mewn gwirionedd. Roedd Sustrans hefyd o'r farn y dylai prosiectau Canolfan Teithio Cynaliadwy gynllunio ar gyfer y tymor hwy - o leiaf bedair blynedd - yn hytrach na disgwyl cyflawni canlyniadau o fewn ychydig flynyddoedd.<sup>76</sup>

**Rydym yn argymhell bod Llywodraeth Cymru yn sefydlu fframwaith monitro perfformiad trylwyr ac yn comisiynu gwerthusiad annibynnol manwl o'r cynllun Canolfan Teithio Cynaliadwy. Dylai**

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<sup>73</sup> Datganiad i'r Wasg Llywodraeth Cymru, Hwb i Drafnidiaeth Werdd, 18 Gorffennaf 2011

<sup>74</sup> Cofnod y Trafodion paragraff 90, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>75</sup> Cofnod y Trafodion paragraff 97, 20 Hydref 2011, Pwyllgor Menter a Busnes

<sup>76</sup> Tystiolaeth ysgrifenedig Sustrans

**hyn gynnwys asesu effaith pob cynllun ar fywiogrwydd y canol trefi dan sylw, gan gynnwys mynediad i bobl anabl.**

### **Cysylltu economi'r dydd ac economi'r nos**

63. Nododd tystiolaeth ysgrifenedig gan Gyngor Dinas a Sir Abertawe:

“Whilst the night-time economy is an important part of the City Centre function, it has to be recognised that a poor night-time reputation can deter efficient day time functioning. A narrowly focused night-time offer, concentrated on a drinking culture, can lead to the centre proving unattractive.”<sup>77</sup>

64. Dadleuodd y Gymdeithas Rheoli Canol Trefi (ATCM) yn ei thystiolaeth ysgrifenedig:

“We cannot underestimate both the potential and potency of the night-time economy which can be a severe drain for Wales or, with the right intervention and management, can be a significant wealth generator.”

Roedd ATCM o'r farn y dylai'r ymyriadau a'r dulliau rheoli cywir gynnwys partneriaethau a strategaethau i sicrhau na ddylai economi'r nos ganolbwyntio'n gyfan gwbl ar y farchnad 18-24 oed, ond ar gyfuniad gwell o atyniadau ar gyfer ystod ehangach o ddefnyddwyr. Dywedwyd wrthym:

“If town centres are to survive and thrive, 9 a.m. to 5 p.m. is no longer enough. The assets have to be sweated.[...]therefore we have to find new ways of using our town centres. Using them in the evening and at night is very important. We have a programme called purple flag.[...]for the evening and night-time economy and we will be awarding another nine purple flags this autumn. To get a purple flag, you have to be very careful about how your town centre is managed at night.”<sup>78</sup>

65. Yn ogystal â menter y Faner Borffor, dywedodd y Gymdeithas Rheoli Canol Trefi wrthym am "light night", sef cynllun i arddangos canol trefi ac annog pobl nad ydynt o bosibl yn mentro allan i ganol y

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<sup>77</sup> Tystiolaeth ysgrifenedig Cyngor Dinas a Sir Abertawe paragraff 4.5

<sup>78</sup> Cofnod y Trafodion paragraff 59, 6 Hydref am 2011, Pwyllgor Menter a Busnes

dref gyda'r nos i wneud hynny a gweld beth sydd ar gael.<sup>79</sup> Awgrymodd ATCM hefyd y dylid annog manwerthwyr i siarad â'u cwsmeriaid am eu hanghenion a theilwra eu gwasanaethau'n unol â hynny, megis sefydlu mannau casglu mewn canol trefi a fyddai ar agor ar ôl oriau gwaith arferol ar gyfer nwyddau a archebwyd ar-lein, neu weithredu oriau agor 11am - 7pm yn lle'r 9 tan 5 traddodiadol, er mwyn cysylltu economi'r dydd ac economi'r nos.<sup>80</sup>

66. Ni ddiweddarwyd Nodyn Cyngor Technegol Llywodraeth Cymru ar Gynllunio a Manwerthu mewn Canol Trefni ers 1996.<sup>81</sup>

**Credwn y gall fod angen i fusnesau mewn canol trefi weithredu oriau agor mwy hyblyg er mwyn diwallu anghenion cwsmeriaid sy'n newid. Rydym yn argymhell felly fod Llywodraeth Cymru yn diweddarau ei Nodyn Cyngor Technegol ar Gynllunio a Manwerthu i gynnwys canllawiau i awdurdodau lleol ar osod amodau ar ddatblygiadau manwerthu mewn perthynas ag oriau gwaith mwy hyblyg.**

67. Gallai dychwelyd llety gwag uwchben siopau i ddefnydd preswyl fod yn ffactor arall o ran cysylltu economi'r dydd ac economi'r nos. Nododd tystiolaeth ysgrifenedig gan Gydweithfa Sgiliau Adfywio Cymru y gallai cynyddu'r ddarpariaeth dai ddod â bywyd i ardaloedd yn barhaol, megis darparu llety byw uwchben safleoedd masnachol neu ddod o hyd i dai i'r henoed yn agos i ganol tref neu ardal.<sup>82</sup>

68. Fodd bynnag, dywedodd Comisiwn Dylunio Cymru wrthym:

“Mixed use is difficult to achieve in individual buildings in historic town centres. Often, retail investors and developers do not like the idea of having residential properties above them, because residents attract rights; they can stifle future development and the selling on of a building. As a result, our town centres often end up with shops on the ground floor and empty floors above.”<sup>83</sup>

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<sup>79</sup> Cofnod y Trafodion paragraff 64, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>80</sup> Cofnod y Trafodion paragraffau 70-71, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>81</sup> Llywodraeth Cymru, Nodyn Cyngor Technegol (TAN) 4: Manwerthu a Chanol Trefi (1996)

<sup>82</sup> Tystiolaeth ysgrifenedig RSCW paragraff 4.2

<sup>83</sup> Cofnod y Trafodion paragraff 139, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

Roedd y Comisiwn o'r farn y gellid datrys hyn drwy:

“A master plan - if I can use that term, although I do not particularly like it - together, with a shared vision for the town centre; that is what the planning system needs to do. It is about inspiration on behalf of the Welsh Government, and that inspiration comes through exemplars. Where are the best places? How can you inspire people in those neighbourhoods to bring those good design qualities forward?”<sup>84</sup>

**Rydym yn argymhell bod Llywodraeth Cymru yn gweithio gydag awdurdodau lleol i ddatblygu dulliau gweithredu arloesol sydd wedi'u cynllunio ac sy'n annog perchenogion eiddo i roi eu heiddo gwag mewn canol trefi ar osod at ddibenion byw a gwaith a fyddai'n cyfrannu at fywiogrwydd canol trefi heb danseilio gwerth hirdymor yr eiddo.**

### **Pwysigrwydd dyluniad da**

69. Dywedodd Comisiwn Dylunio Cymru wrthym fod dyluniad da yn golygu:

“A process of problem-solving, analysis and testing, and it is a route to innovation. Our experience and evidence also shows that good design is a huge advantage to good business.”<sup>85</sup>

70. Yn ei dystiolaeth ysgrifenedig, cyfeiriodd Comisiwn Dylunio Cymru at astudiaethau sydd wedi dangos bod pensaerniaeth a dyluniad trefol da wedi cael effaith wirioneddol ar yr economi, ac y gall dyluniad da ychwanegu hyd at 20 y cant at werth rhent neu gyfalaf yn ogystal â chyflymu'r broses osod neu werthu.

71. Serch hynny, mynegodd Cronfa Dreftadaeth y Loteri bryderon y gallai canol trefi golli eu hunaniaeth:

“Of significant concern is the erosion of the unique character of towns, both through the loss of independent retailers, the loss of a mixed economy, the loss of historic detail (such as shop

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<sup>84</sup> Cofnod y Trafodion paragraff 139, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>85</sup> Cofnod y Trafodion paragraff 112, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

fronts, canopies, traditional paving etc), and the decline of traditional building skills.”<sup>86</sup>

Roedd y Gronfa am weld ffocws ar aildefnyddio adeiladau hanesyddol yn hytrach na chreu datblygiadau newydd, megis aildefnyddio lloriau uchaf gwag fel llety byw a throsglwyddo adeiladau gwag awdurdodau lleol i sefydliadau gwirfoddol a chymunedol.

72. Rhoddodd tystiolaeth ysgrifenedig Llywodraeth Cymru wybodaeth am yr astudiaethau pennu nodweddion a gynhaliwyd gan Cadw, sef gwasanaeth amgylchedd hanesyddol y Llywodraeth. Mae'r astudiaethau hyn yn nodi natur unigryw lle penodol a'r hyn sy'n ei wneud yn arbennig.<sup>87</sup> Dywedodd y Gweinidog Tai, Adfywio a Threftadaeth wrthym yn ddiweddarach ei fod yn cefnogi'r astudiaethau hyn yn fawr a'i fod yn gofyn i Ganolfan Rhagoriaeth Adfywio Cymru arwain y bartneriaeth â Cadw a Chomisiwn Dylunio Cymru wrth greu atebion pwrpasol i gymunedau.<sup>88</sup> Rydym yn croesawu dull gweithredu'r Gweinidog ac yn cefnogi ei gynlluniau i ymestyn astudiaethau pennu nodweddion Cadw yn ehangach ledled Cymru.

73. Soniodd sawl tyst fod edrychiad, naws neu ymarferoldeb canol trefi yn ffactorau pwysig o ran denu pobl neu eu cadw draw - o ansawdd strydluniau a chelf gyhoeddus, i fynediad i bobl hŷn<sup>89</sup> a phobl anabl,<sup>90</sup> i faterion megis diogelwch personol, diogelwch eiddo, glendid a darpariaeth toiledau cyhoeddus a chyfleusterau newid babanod.<sup>91</sup> Pwysleisiwyd hefyd bwysigrwydd manau agored y gellir eu defnyddio i gynnal gwyliau, ffeiriau ac atyniadau canol tref eraill.

74. Yn ei thystiolaeth ysgrifenedig, ychwanegodd Ymddiriedolaeth y Tywysog dros yr Amgylchedd Adeiledig droednodyn digymell am harddwch a nododd mai'r methiant i greu lleoedd y mae pobl yn dwli arnynt o bosibl fu methiant mwyaf amlwg y llywodraeth a'r diwydiant eiddo ac adeiladu ers canrif.<sup>92</sup>

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<sup>86</sup> Tystiolaeth ysgrifenedig Cronfa Dreftadaeth y Loteri, Cymru paragraff 5.1.1

<sup>87</sup> Llythyr gan y Gweinidog Tai, Adfywio a Threftadaeth at y Cadeirydd, dyddiedig 7 Tachwedd 2011

<sup>88</sup> Cofnod y Trafodion paragraff 121, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>89</sup> Tystiolaeth ysgrifenedig Age Cymru

<sup>90</sup> Tystiolaeth ysgrifenedig Diverse Cymru paragraff 8; tystiolaeth ysgrifenedig Cymdeithas Cŵn Tywys y Deillion paragraff 5

<sup>91</sup> Cofnod y Trafodion paragraff 81, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>92</sup> Tystiolaeth ysgrifenedig Ymddiriedolaeth y Tywysog dros yr Amgylchedd Adeiledig

75. Wrth sôn am ddyluniad manau cyhoeddus mewn canol trefi, nododd Ymddiriedolaeth y Tywysog dros yr Amgylchedd Adeiledig y canlynol:

“The design of public spaces including street furniture, signage and lighting etc [should] be part of a harmonious whole. What we have in abundance may be described as clutter. Town centres are not regenerated by planting faux-Victorian signposts, litter bins and benches among traffic lights and their attendant control boxes, traffic signs and galvanised metal pedestrian barriers.”<sup>93</sup>

76. Clywsom fod Comisiwn Dylunio Cymru yn cynnig Gwasanaeth Adolygu Dyluniadau, gan weithredu fel ymgynghorai anstatudol ar gynigion datblygu. Gall awdurdodau cynllunio lleol, rhanddeiliaid eraill a Llywodraeth Cymru drin ei sylwadau fel ystyriaethau perthnasol yn y broses gynllunio, ac fe'i cydnabyddir fel corff ag awdurdod gan Arolygiaeth Cynllunio Cymru a Lloegr. Yn 2010, craffodd y Gwasanaeth Adolygu Dyluniadau ar werth £1.8 biliwn o ddatblygiadau yng Nghymru. Mae'r Comisiwn ar adegau wedi cael ceisiadau am gynlluniau a arweinir gan fanwerthwyr sy'n amhriodol ac o ansawdd annerbyniol o wael. Mae'r rhain yn niweidiol yn yr hirdymor ac maent yn paratoi'r ffordd am broblemau yn y dyfodol.<sup>94</sup>

Dywedodd y Comisiwn wrthym yn ddiweddarach mai cyfran fach o gynigion datblygu y mae'n craffu arnynt:

“A very small proportion. The issue for us is to be able to influence on a larger scale, and to do that we need stronger referral, I suppose, from Welsh Government departments. They could use us better, and we are very happy to be used.”<sup>95</sup>

**Rydym yn argymhell bod Cadw yn parhau â'i hastudiaethau pennu nodweddion mewn trefi a phentrefi a'u bod yn rhan annatod o unrhyw gynllun adfywio. Rydym yn argymhell hefyd fod Llywodraeth Cymru yn gwneud mwy o ddefnydd o'r Gwasanaeth Adolygu Dyluniadau ac yn annog ei phartneriaid datblygu i wneud yr un peth.**

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<sup>93</sup> Tystiolaeth ysgrifenedig Ymddiriedolaeth y Tywysog dros yr Amgylchedd Adeiledig paragraff 6

<sup>94</sup> Tystiolaeth ysgrifenedig Comisiwn Dylunio Cymru

<sup>95</sup> Cofnod y Trafodion paragraff 205, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

## Rôl awdurdodau lleol

77. Nid yw rheoli canol trefi yn swyddogaeth statudol, er bod ein hadroddiad eisoes wedi datgelu'r rôl allweddol y mae awdurdodau lleol yn ei chwarae o ran hyrwyddo gwaith adfywio canol trefi, megis drwy'r system gynllunio statudol.

78. Roedd Consortiwm Manwerthu Prydain o'r farn na ddylai rheoli canol trefi fod yn swyddogaeth statudol;<sup>96</sup> dadleuodd y Gymdeithas Rheoli Canol Trefi hefyd y canlynol:

“If [town centre management] becomes a statutory role through local government, it becomes a local government post in the public sector, so it becomes more difficult to engage with the private sector.”<sup>97</sup>

79. Roedd angen i'r Gweinidog Tai, Adfywio a Threftadaeth hefyd gael ei ddarbwylllo am y ddadl dros wneud rheoli canol trefi yn swyddogaeth statudol, er ei fod o bosibl yn ei ystyried yn amod cyllid.<sup>98</sup>

80. Dadleuodd y Gymdeithas Rheoli Canol Trefi y dylai trefi yng Nghymru roi cynlluniau twf strategol ar waith. Dywedwyd wrth aelodau:

“The issue is whether you can get a satisfactory interaction between the planning departments and the property departments and try to get this rather more holistic view, which sees the town in the broadest sense and says that, although we may not make so much money out of our property assets, if we look at the wider economic development benefits, we can do that.[...]there is a possibility of local authorities taking five-year leases of premiums and making accommodation available at discounted rents to local traders as a way of really trying to encourage local people to trade, particularly in the early years, when it is quite difficult to build a new business.”<sup>99</sup>

81. Dywedodd CLILC wrthym mai un o'r rolau allweddol i awdurdodau lleol oedd creu amgylchedd deniadol i annog

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<sup>96</sup> Cofnod y Trafodion paragraff 148, 6 Hydref pm 2011, Pwyllgor Menter a Busnes

<sup>97</sup> Cofnod y Trafodion paragraff 46, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>98</sup> Cofnod y Trafodion paragraff 17, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>99</sup> Cofnod y Trafodion paragraff 77, 28 Medi 2011, Pwyllgor Menter a Busnes



buddsoddiad busnes drwy ddatblygu cynlluniau canol tref lleol yng nghyd-destun y Cynllun Datblygu Lleol.<sup>100</sup> Roedd y Cynllun Datblygu Lleol yn allweddol i ystyried canol trefi mewn modd strategol ar draws sir gyfan - gan nodi rolau gwahanol canolfannau gwahanol, ynghyd â chydabod unrhyw hierarchaeth rhyngddynt.<sup>101</sup> Aeth CLILC cyn belled â dweud bod tystiolaeth i awgrymu bod cyswllt posibl rhwng bodolaeth Cynllun Datblygu Lleol cyfredol a thwf economaidd. Roedd y Gweinidog Tai, Adfywio a Threftadaeth hefyd o'r farn bod Cynlluniau Datblygu Lleol yn gwbl allweddol ac y byddai cymunedau'n dioddef heb gynllun o'r fath.<sup>102</sup>

82. Cyflwynodd Deddf Cynllunio a Phrynu Gorfodol 2004 ofyniad statudol i bob awdurdod cynllunio lleol iunio Cynllun Datblygu Lleol. Unwaith y cânt eu mabwysiadu, mae Cynlluniau Datblygu Lleol yn disodli pob cynllun datblygu sydd eisoes ar waith ac fe'u defnyddir fel y sail i benderfynu ar geisiadau cynllunio. Serch hynny, mae Llywodraeth Cymru wedi cadarnhau mai dim ond pump o'r 25 o awdurdodau cynllunio lleol yng Nghymru sydd wedi mabwysiadu Cynlluniau Datblygu Lleol hyd yma, ac nad oes gan Geredigion unrhyw fath o gynllun datblygu o gwbl.<sup>103</sup>

83. Dywedodd Comisiwn Dylunio Cymru wrthym:

“We face some difficult issues with land ownership in town centres. Investment houses and developers often hold large tracts of town centres. Often, on a short-term basis, they are looking for quick returns for their investors. Those two things do not marry up well with a long-term future strategy and vision for our town centres. The crucial part of planning is pulling together local champions and the town centre in a vision for that area.”<sup>104</sup>

84. Yn ôl gwefan Llywodraeth Cymru, mae'r rhan fwyaf o Gynlluniau Datblygu Lleol wedi mynd y tu hwnt i'w cyfnod ymgynghori ac wedi cyrraedd y cam 'adnewo'; y cam nesaf fydd eu harchwilio gan yr Arolygiaeth Cynllunio. Ni fyddem yn dymuno oedi'r broses ymhellach,

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<sup>100</sup> Tystiolaeth ysgrifenedig CLILC paragraff 28

<sup>101</sup> Cofnod y Trafodion paragraff 156, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>102</sup> Cofnod y Trafodion paragraffau 40 a 19, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>103</sup> Llythyr at y Cadeirydd gan y Gweinidog Tai, Adfywio a Threftadaeth, dyddiedig 17 Hydref 2011

<sup>104</sup> Cofnod y Trafodion paragraff 138, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

ond credwn fod Cynlluniau Datblygu Lleol yn allweddol i hyrwyddo'r gwaith adfywio canol trefi mewn modd strategol a chydgysylltiedig.

**Rydym yn argymhell bod Llywodraeth Cymru yn adolygu polisi a chanllawiau cynllunio cenedlaethol ar gyfer manwerthu a chanol trefi er mwyn sicrhau bod awdurdodau cynllunio lleol yn pennu gweledigaeth gadarnhaol ar gyfer pob un o'r canol trefi a'r strydoedd mawr yn eu Cynllun Datblygu Lleol, ac i ddarparu fframwaith cadarn ar gyfer gwneud penderfyniadau ar geisiadau cynllunio i sicrhau y caiff datblygiadau priodol eu lleoli mewn mannau addas y gellir eu cyrraedd yn hawdd drwy drafndiaeth gynaliadwy.**

### **Partneriaethau lleol ac ymgysylltu**

85. Un o'r negeseuon allweddol a ddeilliodd o'r dystiolaeth i'r ymchwiliad hwn oedd bod gwaith rheoli canol trefi effeithiol yn galw am bartneriaeth rhwng y sector cyhoeddus a'r sector preifat - cynrychiolwyr masnachwyr lleol, preswylwyr lleol, y cyngor lleol, yr heddlu a rhanddeiliaid eraill â diddordeb - a bod angen i bawb gyfrannu at gynllun gweithredu canol tref.<sup>105</sup> Serch hynny, awgrymodd tystiolaeth ysgrifenedig gan Ganolfan Rhagoriaeth Adfywio Cymru (CREW) fod y graddau y mae busnesau a chymunedau lleol wedi'u cynnwys mewn gwaith adfywio canol tref wedi amrywio'n fawr yng Nghymru dros yr 20 mlynedd diwethaf.<sup>106</sup>

86. Nododd tystiolaeth ysgrifenedig gan y cwmni ymgynghori ar adfywio trefol, The Means, y canlynol:

“There is no consistency in policy across Wales and no research. In some places there is a functioning infrastructure built on Civic Societies, or Development Trusts, or Chambers of Commerce or Town Centre Partnerships but this is no guarantee of effective communication or liaison between the sectors. Their presence and performance varies from place to place.”<sup>107</sup>

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<sup>105</sup> Gweler CLILC, Cofnod y Trafodion paragraff 160, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>106</sup> Tystiolaeth ysgrifenedig CREW paragraff 4.2

<sup>107</sup> Tystiolaeth ysgrifenedig The Means

87. Dadleuodd CLILC fod awdurdodau lleol mewn sefyllfa dda i hwyluso'r gwaith o adfywio canol trefi fel brocer teg i ddod ag amrywiaeth o bartneriaid ynghyd o'r sector cyhoeddus, y sector preifat a'r sector gwirfoddol a datblygu cynllun gweithredu clir i fynd i'r afael â materion megis trafndiaeth gynaliadwy ac economi'r nos. Roedd gan awdurdodau lleol hefyd amryw rolau o ran iechyd yr amgylchedd, glanhau strydoedd, trafndiaeth a chysylltiadau â diogelwch cymunedol.<sup>108</sup> Roedd CLILC hefyd am weld cyfryngau cymdeithasol yn cael eu defnyddio fel modd i gyfathrebu'n well rhwng partneriaid, masnachwyr lleol yn benodol.<sup>109</sup>

88. Ar y llaw arall, nododd y Ffederasiwn Busnesau Bach fod rhai o'i aelodau o'r farn nad oedd awdurdodau lleol yn gwneud digon i ddiwallu anghenion busnesau.<sup>110</sup> Nododd Consortiwm Manwerthu Prydain fod yn rhaid i ganol trefi gael eu rheoli'n rhagweithiol a'u harwain gan y sector preifat, a bod partneriaethau yng Nghymru'n dueddol o gael eu dominyddu gan y sector cyhoeddus a'u bod yn methu â sicrhau'r arian na'r buddsoddiad busnes sydd ei angen i gyflawni canlyniadau pendant. Argymhellodd y Consortiwm felly y dylai'r Cynulliad ganolbwyntio ar annog partneriaethau effeithiol â'r sector preifat, naill ai'n annibynnol neu drwy Ardaloedd Gwella Busnes.<sup>111</sup>

**Rydym yn argymhell, o fewn fframwaith y Cynllun Datblygu Lleol, fod gan bob tref gynllun cynhwysfawr ar waith, a ddatblygwyd gan bartneriaeth leol o randdeiliaid allweddol a thrwy ymgysylltu â'r gymuned, sy'n cynnwys camau gweithredu i fynd i'r afael â'r materion sy'n effeithio ar hyfywedd canol y dref.**

89. Dywedodd y Gymdeithas Rheoli Canol Trefi wrthym mai rheolwyr canol trefi oedd y cyswllt hanfodol rhwng y sector cyhoeddus a'r sector preifat gan nodi'r canlynol:

“Initiatives should be developed locally, depending on local needs - local solutions for local problems. That is not a cop-out.

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<sup>108</sup> Cofnod y Trafodion paragraff 168, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>109</sup> Cofnod y Trafodion paragraff 234, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>110</sup> Tystiolaeth ysgrifenedig FSB

<sup>111</sup> Tystiolaeth ysgrifenedig BRC

Typically, town centre management is a mechanism for co-ordinating action across the town.”<sup>112</sup>

90. Nododd tystiolaeth ysgrifenedig Cyngor Bwrdeistref Sirol Caerffili er y gallai'r gymuned fusnes leol gefnogi rheolwyr canol trefi yn yr ardaloedd mwy llewyrchus yn Lloegr, mai prin y gellid gwneud hynny yng Nghymru:

“Rarely the case in Wales...and almost all Welsh town centre managers (usually responsible for several towns each) are funded by local authorities. Often, due to financial pressures, this vital service is not provided at all.”<sup>113</sup>

91. Dywedodd y Ffederasiwn Busnesau Bach wrthym fod angen i ni oresgyn y rhwystr diwylliannol rhwng y sector preifat a'r sector cyhoeddus yng Nghymru.<sup>114</sup> Dywedodd y Gymdeithas Rheoli Canol Trefi wrthym, fel rhan o strategaeth canol tref, y dylai fod:

“A programme for someone to go out to engage directly with small businesses and understand their needs and their future needs.”<sup>115</sup>

92. Cyfeiriodd tystiolaeth ysgrifenedig gan Gyngor Bwrdeistref Sirol Wrecsam at Fforwm Canol y Dref sy'n cyfarfod yn fisol ac a gaiff ei arwain gan Reolwr Canol y Dref a'i gadeirio gan aelodau o'r gymuned fusnes, ac at gylchlythyr Canol y Dref.<sup>116</sup>

93. Nododd Cyngor Dylunio Cymru fod y gwaith o adfywio canol trefi wedi bod yn llwyddiannus mewn manau megis Aberdâr ac Arberth oherwydd dycnwch unigolion â gweledigaeth ac egni. Priodolwyd bywiogrwydd canolfannau megis Rhuthun ac Aberteifi hefyd i eiriolwr unigol/cymunedol yn hytrach na menter.<sup>117</sup> Roedd yn amlwg o'n hymweliad ag Arberth pa mor bwysig ydyw i gael unigolion cryf ac effeithiol a all ddod â chymuned leol ynghyd i weithio tuag at nod a rennir.<sup>118</sup>

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<sup>112</sup> Cofnod y Trafodion paragraffau 5-6, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>113</sup> Tystiolaeth ysgrifenedig CBS Caerffili paragraff 7

<sup>114</sup> Cofnod y Trafodion paragraff 66, 6 Hydref pm 2011, Pwyllgor Menter a Busnes

<sup>115</sup> Cofnod y Trafodion paragraff 44, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>116</sup> Tystiolaeth ysgrifenedig Cyngor Bwrdeistref Sirol Wrecsam

<sup>117</sup> Tystiolaeth ysgrifenedig Comisiwn Dylunio Cymru

<sup>118</sup> Atodiad B

94. Pwysleisiodd Cronfa Dreftadaeth y Loteri yng Nghymru bwysigrwydd arweinyddiaeth glir ac effeithiol - yn nhermau cymorth gwleidyddol a rheolaeth o ddydd i ddydd - mewn cynlluniau adfywio.<sup>119</sup> Pwysleisiodd Sefydliad y Tywysog dros yr Amgylchedd Adeiledig bwysigrwydd ewyllys gyfunol a chydlyniant cymunedau bach i wireddu gweledigaeth yn llwyddiannus, boed hynny ar ffurf grŵp bach neu gymuned ehangach.<sup>120</sup>

**Credwn mai'r hyn sy'n allweddol i lwyddiant adfywio canol trefi yn lleol yw arweinyddiaeth gadarn ac effeithiol. Rydym yn argymhell felly fod Llywodraeth Cymru yn ystyried sut i roi gwell cefnogaeth i'r bobl sydd â'r sgiliau angenrheidiol a pharch y gymuned leol i weithredu fel eiriolwyr i ddwyn ynghyd yr agweddau gwahanol ar waith adfywio canol trefi ynghyd â phawb sy'n chwarae rhan ynddo.**

### **Modelau ariannu arloesol**

95. Dywedwyd wrth y Pwyllgor fod y model ariannu confensiynol ar gyfer y gwaith o ailddatblygu canol dinasoedd a chanol trefi ar raddfa fawr yn seiliedig ar fanwerthwyr yn trefnu prydles 25 mlynedd gydag adolygiadau rhent tuag i fyny bob pum mlynedd, y câi eu ffrwd incwm ei phrynu gan gronfeydd pensiwn a chwmnïau yswiriant. Fodd bynnag, mae'r sefyllfa honno wedi newid, gan nad yw manwerthwyr yn cymryd y risgiau hynny mwyach: felly mae'n llawer anos buddsoddi yn y farchnad gan nad yw datblygwyr yn gallu dod o hyd i brynwyr i brynu'r asedau ar ôl iddynt eu datblygu.<sup>121</sup>

96. Mynegodd Cyngor Bwrdeistref Sirol Caerffili bryderon bod arian uniongyrchol i ddatblygwyr drwy'r Grantiau Buddsoddi Trefol neu'r Grantiau Adfywio Trefol wedi dod i ben pan unwyd Awdurdod Datblygu Cymru â Llywodraeth Cymru. Roedd yr awdurdod lleol hefyd o'r farn bod anghysondeb a newid mewn cymorth ariannol gan y Llywodraeth ar gyfer canol trefi wedi golygu bod cynllunio gwaith adfywio hirdymor bron yn amhosibl.<sup>122</sup>

97. Nododd Cronfa Dreftadaeth y Loteri yng Nghymru fod gostyngiadau mewn cyllidebau yn debygol o'i gwneud yn anos i

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<sup>119</sup> Cronfa Dreftadaeth y Loteri, Cymru paragraff 6.6

<sup>120</sup> Tystiolaeth ysgrifenedig Sefydliad y Tywysog dros yr Amgylchedd Adeiledig

<sup>121</sup> Cofnod y Trafodion paragraff 79, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>122</sup> Tystiolaeth ysgrifenedig CBS Caerffili paragraff 5

awdurdodau lleol ddatblygu prosiectau adfywio yn seiliedig ar dreftadaeth a'u cyflwyno i'w hystyried yn y dyfodol. Nododd y sefydliad fod pawb sy'n ymwneud ag adfywio ffisegol yn ailystyried y broses mewn modd radical.<sup>123</sup>

98. Tynnodd CLILC sylw at y broblem lle roedd ffynonellau gwahanol o arian ar gyfer adfywio yn dueddol o dargedu ardaloedd daearyddol gwahanol, gyda blaenoriaethau, dulliau gweinyddu, rheoli a strwythurau gwahanol (a oedd yn gwrth-ddweud ei gilydd o bosibl). Dadleuodd felly fod angen fframwaith adfywio cenedlaethol cliriach a chydgyssylltu'r arian sydd ar gael yn well.<sup>124</sup> Dadleuodd Cyngor Sir Penfro hefyd y dylid symleiddio ffynonellau ariannu ar gyfer adfywio canol trefi.<sup>125</sup>

99. Cydnabu tystiolaeth ysgrifenedig Llywodraeth Cymru y bydd rhai prosiectau adfywio lle na fydd y benthyciadau neu'r gwarantau sydd ar gael yn ddigon i'r sector preifat fuddsoddi ynddynt ac o dan yr amgylchiadau hynny, y bydd angen grantiau neu ymyriadau eraill i lenwi'r bylchau.<sup>126</sup> Fodd bynnag, yn ystod y sesiwn graffu a gynhaliwyd gyda'r Gweinidog Tai, Adfywio a Threftadaeth, eglurodd swyddogion mai dim ond yn yr Ardaloedd Adfywio Strategol y byddai arian ar gael gan Lywodraeth Cymru i lenwi bylchau.<sup>127</sup>

**Rydym yn argymhell bod Llywodraeth Cymru yn helpu awdurdodau lleol a chymunedau i fod yn rhagweithiol wrth chwilio am ffynonellau buddsoddi ar gyfer prosiectau adfywio canol trefi a chael gafael arnynt lle nad oes arian cyhoeddus ar gael.**

### ***Rhyddhad Ardrethi Busnes***

100. Mynegodd llawer o bobl a gyfrannodd at yr ymchwiliad hwn bryderon am ardrethi busnes, a'r effaith ar fusnesau bach yn benodol. Ym mis Rhagfyr 2009, cyflwynodd Siambr Fasnach Arberth ddeiseb i Bwyllgor Deisebau Cynulliad Cenedlaethol Cymru yn galw ar i Lywodraeth Cymru gynnal asesiad effaith o sut y byddai'r newidiadau mewn gwerthoedd ardrethol yn effeithio ar fusnesau yn y dref.<sup>128</sup> Pan wnaethom ymweld â'r dref, clywsom fod ardrethi busnes rhai busnesau

<sup>123</sup> Tystiolaeth ysgrifenedig Cronfa Dreftadaeth y Loteri paragraff 7.5

<sup>124</sup> Tystiolaeth ysgrifenedig CLILC paragraff 13

<sup>125</sup> Tystiolaeth ysgrifenedig Cyngor Sir Penfro

<sup>126</sup> Tystiolaeth ysgrifenedig Llywodraeth Cymru Atodiad 1

<sup>127</sup> Cofnod y Trafodion paragraff 74, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>128</sup> Deiseb P-03-271 Ardrethi Busnes yn Arberth

wedi codi mwy na 200 y cant, ond roedd yn amlwg bod peth dryswch ymhlith y gymuned fusnes leol am y ffordd yr oedd y system ardrethi busnes yn gweithio a faint o ddylanwad y gallai Gweinidogion Cymru ei gael.<sup>129</sup>

101. Mae'r sefyllfa gyfreithiol o ran ardrethi busnes (ardrethi annomestig) yn gymhleth ac mae'r prif fframwaith deddfwriaethol ar gyfer ariannu llywodraeth leol yng Nghymru yn gymwys i Gymru a Lloegr o dan Ddeddf Cyllid Llywodraeth Leol 1988 ('Deddf 1988').

102. Mae gan Weinidogion Cymru rai pwerau gweithredol mewn perthynas ag ardrethi busnes, gan gynnwys y gallu i bennu'r lluosydd annomestig cenedlaethol (sy'n ffactor allweddol wrth gyfrifo biliau ardrethi) bob blwyddyn o dan Ddeddf 1988. Yn bwysicach, mae gan Weinidogion Cymru bwerau gweithredol i ddarparu rhyddhad ardrethi i fusnesau bach yng Nghymru. Caiff y rhyddhad hwn ei gymhwyso i filiau ardrethi gan awdurdodau lleol a'i ariannu gan Lywodraeth Cymru ar gyfer y safleoedd busnes hynny sy'n gymwys. Er enghraifft, mae safleoedd elusennau cofrestredig neu glybiau chwaraeon amatur cymunedol a ddefnyddir at ddibenion elusennol yn gymwys yn awtomatig am ryddhad ardrethi busnes gorfodol a ariennir gan Lywodraeth Cymru gwerth 80 y cant.

103. Mae gan awdurdodau lleol bwerau disgrisiwn i gynyddu faint o ryddhad sydd ar gael i elusennau a chlybiau chwaraeon cymunedol ran neu'r cyfan o'r 20 y cant sy'n weddill, a darperir 25 y cant o unrhyw arian ychwanegol gan Lywodraeth Cymru.<sup>130</sup> Mae gan awdurdodau lleol hefyd ddisgrisiwn i ddarparu rhyddhad ardrethi hyd at 100 y cant ar gyfer sefydliadau dielw.<sup>131</sup>

104. Dywedodd y Gymdeithas Rheoli Canol Trefi wrthym fod rhai datblygiadau ar gyrion trefi mewn rhai rhannau o'r DU yn cael budd o eithriadau ardrethi penodol nad ydynt ar gael i ddatblygiadau canol tref, er enghraifft, ni chodir ardrethi ar feysydd parcio ar gyrion trefi ar yr amod eu bod yn parhau am ddim i ddefnyddwyr.

105. Eglurodd tystiolaeth ysgrifenedig Cyngor Bro Morgannwg bwysigrwydd ardrethi busnes:

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<sup>129</sup> Atodiad B

<sup>130</sup> Llywodraeth Cymru, Non-Domestic Rates: Guidance on Rate Relief for Charities and Other Non-Profit Making Organisations

<sup>131</sup> Business Cymru, Trosolwg o gynlluniau rhyddhad ardrethi

“Business rates and employers’ National Insurance Contributions are taxes that, with the exception of a few exemptions, business owners must often pay upfront and regardless of whether or not the business is making a profit. These taxes increase costs and importantly the level of risk for businesses, and as a result act as a significant barrier to entrepreneurialism that is desperately needed to aid the recovery of traditional town centres.”

106. Dadleuodd Cyngor Sir Pen-y-bont ar Ogwr fod cost gyfredol ardrethi busnes yn y prif ardaloedd manwerthu yn atal busnesau manwerthu newydd rhag sefydlu yn ogystal ag amrywiaeth ym maes manwerthu a chyfleoedd manwerthu arbenigol annibynnol. Nododd tystiolaeth ysgrifenedig a gyflwynwyd gan Gyngor Bwrdeistref Sirol Rhondda Cynon Taf y canlynol:

“The optimum business mix will need to include independent local traders as well as national multiple retailers. Independent local traders can help to develop niche markets and encourage local supply chain development which will help to generate a more sustainable local economic base and distinct sense of place.”<sup>132</sup>

107. Un o'r dadleuon a glywsom oedd pe bai ardrethi'n cael eu gostwng, gellid annog busnesau, yn enwedig busnesau llai. Prif neges y Ffederasiwn Busnesau Bach, er enghraifft, oedd ei bod yn well gostwng ardrethi busnes i lefel fforddiadwy yn hytrach na wynebu sefyllfa lle mae ardrethi uwch yn mynd law yn llaw â lefelau meddiannaeth is mewn trefi. Awgrymodd y Ffederasiwn Busnesau Bach y gellid defnyddio refeniw a gynhyrchir gan fanwerthwyr mwy o faint ar gyrion trefi i sybsideiddio busnesau bach.<sup>133</sup>

108. Ar y llaw arall, dadleuwyd y gallai effaith newidiadau mewn ardrethi busnes mewn un ardal ddisodli'r effaith ar ardaloedd eraill. Roedd Canolfan Rhagoriaeth Adfywio Cymru felly o blaid sefydlu trefniant unedig ledled Cymru.<sup>134</sup>

109. Dadleuodd CLILC y gellid ychwanegu at grantiau gorfodol gan Lywodraeth Cymru drwy ddefnyddio grantiau dewisol gan awdurdodau

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<sup>132</sup> Tystiolaeth ysgrifenedig Cyngor Bwrdeistref Sirol Rhondda Cynon Taf

<sup>133</sup> Tystiolaeth ysgrifenedig FSB

<sup>134</sup> Cofnod y Trafodion paragraff 81, 28 Medi 2011, Pwyllgor Menter a Busnes



lleol, fel y gellid defnyddio ardrethi busnes i gefnogi busnesau lleol.<sup>135</sup> Cyfeiriodd y papur gan Gomisiwn Dylunio Cymru at dir mawr Ewrop lle mae graddfeydd prisio ardrethi busnes hyblyg neu symudol sy'n seiliedig ar faint y busnes dan sylw wedi'u defnyddio mewn rhai ardaloedd i gynorthwyo gweithredwyr a manwerthwyr annibynnol llai.<sup>136</sup>

110. Awgrymodd tystiolaeth ysgrifenedig gan Ganolfan Rhagoriaeth Adfywio Cymru y gall anghydbwysedd o ran y mathau o ddefnydd manwerthu arwain at ddirywiad mewn canol trefi penodol - er enghraifft os oes gormod o siopau elusen a gormod o safleoedd lledfanwerthu megis arcedau diddanu a siopau betio.<sup>137</sup>

111. Dywedodd y Ffederasiwn Busnesau Bach y canlynol wrthym:

“We have highlighted the fact that there currently does not seem to be a commitment to look not only at business rate relief but also possibly at a new form of business taxation or business charging that focuses on value for money and helping businesses to grow their turnover, rather than on what can be an arbitrary valuation of a building.”<sup>138</sup>

112. Deallwn fod Gweithrediaeth Gogledd Iwerddon wrthi'n ymgynghori ar ardoll a fydd yn gymwys i'r safleoedd manwerthu â'r gwerth uchaf. Bwriedir i'r ardoll arfaethedig gael ei ddefnyddio i ymestyn y rhyddhad ardrethi busnesau bach a bydd angen deddfwriaeth sylfaenol i gyflwyno'r ardoll a gynigir.

113. Ar 2 Tachwedd, cyhoeddodd y Gweinidog Busnes, Menter, Technoleg a Gwyddoniaeth y byddai'n sefydlu panel annibynnol, wedi'i gadeirio gan yr Athro Brian Morgan, i ystyried y polisi ardrethi busnes cyfredol yng Nghymru a ph'un a yw'n diwallu anghenion busnesau yng Nghymru. Rydym yn croesawu'r fenter hon, a deallwn y bydd y panel yn cyflwyno adroddiad ym mis Chwefror 2012.

114. Gwnaeth ein taro y gellid cyfrifo ardrethi busnes ar gyfer busnesau a leolir mewn canol trefi ar sail elw yn hytrach na gwerth ardrethol. Y cyngor cyfreithiol a gawsom oedd bod trethi o'r fath yn rhan o gymhwysedd San Steffan, felly nid oes gan Gynulliad

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<sup>135</sup> Cofnod y Trafodion paragraff 221, 28 Medi 2011, Pwyllgor Menter a Busnes

<sup>136</sup> Tystiolaeth ysgrifenedig Comisiwn Dylunio Cymru

<sup>137</sup> Tystiolaeth ysgrifenedig CREW paragraff 1.4

<sup>138</sup> Cofnod y Trafodion paragraff 43, 6 Hydref pm 2011, Pwyllgor Menter a Busnes

Cenedlaethol Cymru unrhyw bwerau deddfu. Fodd bynnag, cawsom ein cynghori hefyd fod gan y Cynulliad prima facia (ar yr olwg gyntaf), y gallu i ddeddfu mewn perthynas ag ardrethi annomestig (busnes) yn gyffredinol o dan Bwnc 12 (Llywodraeth Leol) o Atodlen 7 i Ddeddf Llywodraeth Cymru 2006, sy'n cynnwys cyllid llywodraeth leol.

**Rydym yn argymhell bod panel annibynnol Llywodraeth Cymru ar ardrethi busnes yn ystyried newidiadau mewn deddfwriaeth ac yn y broses o arfer pwerau disgresiwn, gyda'r nod o wella'r amrywiaeth o fusnesau manwerthu sy'n bodoli mewn canol trefi a'u hansawdd.**

115. Nid oes amheuaeth y gall awdurdodau lleol hefyd chwarae rhan allweddol yn y maes hwn. Er enghraifft, cawsom wybod gan Ardal Gwella Busnes Abertawe am Gynllun Bywiogrwydd Busnes Canol Tref Rotherham sydd â'r nod o ddenu manwerthwyr annibynnol newydd ac arbenigol i ddechrau busnes drwy gynnig cyfraniadau ariannol tuag at gostau rhent a gwella cyfalaf. Mae'r awdurdod lleol yn cynnig 50 y cant i ymgeiswyr llwyddiannus tuag at gostau rhent yn y flwyddyn gyntaf; 25 y cant tuag at gostau rhent yn yr ail flwyddyn; a 75 y cant tuag at gostau gosod/gwella blaen siop neu ddodrefn stryd/caffi newydd.<sup>139</sup>

**Rydym yn argymhell bod Llywodraeth Cymru yn ystyried datblygu cynllun peilot, o fewn rheolau cystadlu'r UE ac mewn partneriaeth ag awdurdodau lleol a pherchenogion eiddo, sy'n helpu busnesau newydd i sefydlu mewn canol trefi.**

### ***Arian Ewropeaidd***

116. Er bod Cronfeydd Strwythurol yr Undeb Ewropeaidd wedi'u defnyddio i ariannu prosiectau adfywio canol trefi yng Nghymru, clywsom gan CLILC na ellir defnyddio arian Ewropeaidd ar hyn o bryd i danategu datblygiadau manwerthu.<sup>140</sup>

117. Cadarnhaodd cyngor gan ein Gwasanaethau Cyfreithiol nad yw Rheoliadau'r UE yn gwahardd y sector manwerthu rhag cael cymorth ariannol gan raglenni cymorth y sector cyhoeddus yn benodol. Fodd bynnag, mae awdurdodau cyhoeddus yn awyddus i osgoi dadleoli gweithgarwch economaidd ac o ran Cronfa Datblygu Rhanbarthol

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<sup>139</sup> Cofnod y Trafodion paragraff 192, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>140</sup> Cofnod y Trafodion paragraff 216, 28 Medi 2011, Pwyllgor Menter a Busnes

Ewrop, mae hyn yn un o'r gofynion sy'n llywodraethu'r defnydd o'r gronfa. Ystyrir bod cymorth i fusnesau manwerthu yn achosi dadleoli yn gyffredinol ac felly nid yw fel arfer yn gymwys ar gyfer cymorth busnes.

118. O ran y defnydd o Gronfeydd Strwythurol gan y sector preifat, nododd y Ffederasiwn Busnesau Bach y canlynol:

“Many business people are choosing proactively to be part of their local communities against, almost, the prevailing wind of the economy and are choosing, often at their own expense, to stay and are rooted and grounded in their communities. So, if they are not being used to deliver the kind of benefits that structural funds should be giving us, then there is probably something wrong.”<sup>141</sup>

119. Mae'r Pwyllgor Menter a Busnes wrthi'n ystyried y cynigion deddfwriaethol drafft ar gyfer Cronfeydd Strwythurol Ewrop 2014-2020, a byddwn yn cyflwyno adroddiad ar ein canfyddiadau ar ddechrau 2012. Bydd ein hadroddiad yn treiddio'n fanwl i'r dewisiadau gwleidyddol y bydd yn rhaid i Lywodraeth Cymru eu gwneud fel rhan o'r crynodiadau thematig a nodir yn y Rheoliadau newydd.

**Rydym yn argymhell bod Llywodraeth Cymru, wrth negodi'r cynigion deddfwriaethol drafft ar gyfer Cronfeydd Strwythurol yr UE 2014-2010, yn ceisio sicrhau bod y Rheoliadau newydd yn ddigon hyblyg i alluogi'r Cronfeydd i gael eu defnyddio i gefnogi gweithgareddau adfywio canol trefi yn ystod y cylch nesaf.**

### ***Ardaloedd Gwella Busnes***

120. Cyrff a arweinir gan fusnesau ac a ariennir gan fusnesau yw Ardaloedd Gwella Busnes ac a sefydlwyd i wella ardal fasnachol ddiffiniedig. Mae un Ardal Gwella Busnes yng Nghymru ar hyn o bryd, a grëwyd gan fusnesau yng nghanol dinas Abertawe yn 2006 ac sydd wedi'i hystyried yn ddiweddar am ail dymor hyd at fis Awst 2016;<sup>142</sup> mae Ardal Gwella Busnes arall yn cael ei datblygu ym Merthyr Tudful, wedi'i chefnogi gan raglen Ardal Adfywio Blaenau'r Cymoedd. Mae'r

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<sup>141</sup> Cofnod y Trafodion paragraff 63, 6 Hydref pm 2011, Pwyllgor Menter a Busnes

<sup>142</sup> Tystiolaeth ysgrifenedig Cyngor Dinas a Sir Abertawe paragraff 3.4

sefyllfa hon yn wahanol i'r Alban lle mae 11 o Ardaloedd Gwella Busnes wedi'u sefydlu, 17 yn cael eu datblygu a thua 30 ar y gweill.<sup>143</sup>

121. Mae Ardal Gwella Busnes Abertawe yn fusnes ynddo'i hun ac fe'i rheolir gan fwrdd o gyfarwyddwyr a ffurfiwyd o blith rhanddeiliaid yng nghanol y ddinas a enwebwyd gan ei haelodau sy'n rhoi o'u hamser a'u harbenigedd am ddim. Ariennir yr Ardal yn gyfan gwbl drwy ardoll 1 y cant a delir gan aelodau ar sail eu gwerth ardrethol. Cesglir yr arian hwn gan yr awdurdod lleol ar ran Ardal Gwella Busnes Abertawe.

122. Cawsom safbwyntiau gwahanol ar y potensial i wneud mwy o ddefnydd o Ardaloedd Gwella Busnes yng Nghymru. Nododd tystiolaeth ysgrifenedig Llywodraeth Cymru fod tystiolaeth gynyddol i ddangos bod rhai o'r Ardaloedd Gwella Busnes mwyaf llwyddiannus yn cael eu sefydlu mewn canol trefi llai, a bod y Llywodraeth yn ystyried cyfleoedd i gyflwyno Ardaloedd Gwella Busnes mewn rhannau eraill o Gymru.<sup>144</sup>

123. Nododd tystiolaeth ysgrifenedig gan Gyngor Bwrdeistref Sirol Wreccsam mai'r farn gyffredinol mewn perthynas ag Ardal Gwella Busnes ymhlith y gymuned fusnes yn y dref oedd:

“They would welcome the ability to manage a proportion of the income from rates payable for themselves (through an appropriate structure and working with Town Centre Management from the Council) but that, this time in particular, this money should be ring-fenced from the current rates payable and not be an additional charge.”<sup>145</sup>

124. Roedd Cymdeithas Llywodraeth Leol Cymru hefyd o'r farn na ellid cymhwyso'r model Ardal Gwella Busnes yn eang gan fod y rhan fwyaf o fusnesau canol tref yng Nghymru yn cael trafferth talu eu hardrethi busnes sylfaenol a bod darbwylllo manwerthwyr bach bod angen iddynt dalu mwy o dreth yn anodd iawn. Fodd bynnag, roedd CLILC o'r farn y gallai fod yn werth ceisio sefydlu Ardaloedd Gwella Busnes mewn ardaloedd lle roedd siambr fasnach leol drefnus ac ardal dalgylch eithaf llewyrchus.<sup>146</sup>

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<sup>143</sup> Tystiolaeth ysgrifenedig Ardal Gwella Busnes Abertawe

<sup>144</sup> Tystiolaeth ysgrifenedig Llywodraeth Cymru Atodiad 1

<sup>145</sup> Tystiolaeth ysgrifenedig Cyngor Bwrdeistref Sirol Wreccsam

<sup>146</sup> Cofnod y Trafodion paragraff 228, 28 Medi 2011, Pwyllgor Menter a Busnes

125. Dywedodd Boots UK wrthym am fentrau yng Nghernyw a'r Alban lle mae unigolion wedi sefydlu Ardal Gwella Busnes ac yna wedi ei throsglwyddo i reolwr. Drwy wneud hynny, roedd yn bosibl meithrin sgiliau ym maes sefydlu Ardaloedd Gwella Busnes a oedd yn wahanol iawn i sgiliau rheoli Ardaloedd Gwella Busnes.<sup>147</sup> Dywedodd y Ffederasiwn Busnesau Bach fod ganddo safbwynt agnostig mewn perthynas ag Ardaloedd Gwella Busnes:

“It is leadership with the businesses that is important; we should not lose too much sleep over the mechanism for doing that.”<sup>148</sup>

126. Awgrymodd tystiolaeth ysgrifenedig y Gymdeithas Rheoli Canol Trefi fod ein hymchwiliad yn cynnig y cyfle i Gymru ddatblygu dull mwy arloesol o greu Ardaloedd Gwella Busnes ac i ddod yn rhan o'u hesblygiad, ond dadleuodd na fyddai Ardaloedd Gwella Busnes yn briodol i bob canol tref yng Nghymru. Dadleuodd Boots hefyd y canlynol:

“The BID model “of business involvement and commitment to regeneration and sustainability would work well and have widespread benefits.[...]indeed experience suggests BIDs may be more effective in these smaller communities where a sense of local ownership is greater.”<sup>149</sup>

127. Dywedodd Ardal Gwella Busnes Abertawe wrthym mai'r anhawster wrth sefydlu Ardal Gwella Busnes yw siarad â busnesau a sicrhau'r gweithlu; mae hynny'n cymryd amser ac mae angen llawer o gymorth.<sup>150</sup> Nododd y Ffederasiwn Busnesau Bach hefyd beth anfodlonrwydd gydag Ardal Gwella Busnes Abertawe ymhlith rhai o'i aelodau.<sup>151</sup> Gwnaeth ein taro felly y gall fod gwahaniaethau ar gyfer is-barthau o fewn Ardal Gwella Busnes a gwahaniaethau rhwng aelodau Ardal Gwella Busnes, y gall fod angen diwallu eu hanghenion mewn modd mwy craff.

128. Syndod oedd clywed na fanteisiwyd ar arbenigedd a phrofiad Ardal Gwella Busnes Abertawe ar gyfer Ardal Gwella Busnes

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<sup>147</sup> Cofnod y Trafodion paragraff 251, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>148</sup> Cofnod y Trafodion paragraff 59, 6 Hydref pm 2011, Pwyllgor Menter a Busnes

<sup>149</sup> Tystiolaeth ysgrifenedig Boots paragraff 6

<sup>150</sup> Cofnod y Trafodion paragraff 118, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>151</sup> Tystiolaeth ysgrifenedig FSB

arfaethedig Merthyr Tudful,<sup>152</sup> ond clywsom yn ddiweddarach gan y Gweinidog fod trafodaethau wedi'u cynnal yn dilyn ein sesiwn dystiolaeth gydag Ardal Gwella Busnes Abertawe.<sup>153</sup>

**Rydym yn argymhell bod Llywodraeth Cymru yn comisiynu asesiad llawn a thryloyw o effeithiolrwydd Ardal Gwella Busnes Abertawe ac yn ymgynghori ag ystod eang o randdeiliaid i lywio'r gwaith o ddatblygu Ardaloedd Gwella Busnes yng Nghymru ymhellach.**

### **Marchnata a brandio**

129. Dywedwyd wrth y Pwyllgor:

“Marketing, branding and image making is a fundamental aspect of the regeneration of town centres. However, the quality in the design of what has been created in Wales with regard to lighting, signage, street furniture etc has been sometimes inconsistent with regard to both the brand proposed, the audience it was intended to serve, and with regard to its sustainability.”<sup>154</sup>

130. Pwysleisiodd dystiolaeth ysgrifenedig gan Ymddiriedolaeth y Tywysog dros yr Amgylchedd Adeiledig mai'r sylwedd nid y slogan sy'n bwysig yn yr hirdymor.<sup>155</sup> Nododd Dinas a Sir Abertawe hefyd y canlynol:

“Marketing and promotions cannot disguise weaknesses in the fundamental offer.”<sup>156</sup>

131. Clywsom gan Ardal Gwella Busnes Abertawe ei bod yn gallu gweithio mewn partneriaeth i farchnata canol y ddinas a busnesau lleol ar Twitter a Facebook a thrwy lunio a dosbarthu taflenni.<sup>157</sup> Nododd dystiolaeth ysgrifenedig Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr y canlynol:

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<sup>152</sup> Cofnod y Trafodion paragraff 127, 6 Hydref am 2011, Pwyllgor Menter a Busnes

<sup>153</sup> Cofnod y Trafodion paragraff 84, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>154</sup> Tystiolaeth ysgrifenedig CREW paragraff 4.7

<sup>155</sup> Tystiolaeth ysgrifenedig Ymddiriedolaeth y Tywysog dros yr Amgylchedd Adeiledig paragraff 6

<sup>156</sup> Tystiolaeth ysgrifenedig Cyngor Dinas a Sir Abertawe paragraff 8.2

<sup>157</sup> Cofnod y Trafodion paragraff 197, 6 Hydref am 2011, Pwyllgor Menter a Busnes

“A strong brand for the town is important and all public and private bodies involved in the town centre should sign up to the one brand.”

132. O ran marchnata a thwristiaeth, dywedodd Consortiwm Manwerthu Prydain y canlynol wrthym:

“Some of the strongest ideas that we have seen have come through local partnerships, such as loyalty schemes within a given retail location, where a loyalty card gives you discounts within participating businesses, or allows you to accumulate points that you can use for different sorts of activity or expenditure.”<sup>158</sup>

133. Clywsom gan Gomisiwn Dylunio Cymru fod partneriaeth Bro Rhuthun wedi gweithio gyda busnesau lleol i lunio gwefan, cynhyrchu bagiau jiwt a lansio cerdyn teyrngarwch ar gyfer y dref. Mae'r bartneriaeth wedi nodi pensaernïaeth hanesyddol a chyfoes Rhuthun, ei Chanolfan Grefft a'i bwytaï a'i gwestai o ansawdd uchel fel ffactorau allweddol sy'n denu ymwelwyr, manwerthwyr a buddsoddwyr i'r dref.<sup>159</sup>

**Rydym yn argymhell bod Llywodraeth Cymru drwy Croeso Cymru yn annog partneriaethau tref i farchnata eu nodweddion gwerthu unigryw megis treftadaeth bensaernïol ac ansawdd amgylcheddol, cynnyrch lleol a diwylliant lleol, gan gynnwys grwpiau o drefi o fewn ardal o bosibl fel y gall eu nodweddion gwahanol ategu ei gilydd. Gallai hyn fod yn rhan o gynllun canol y dref a argymhellwyd gennym uchod.**

### **Mesur llwyddiant**

134. Dywedwyd wrthym fod diffyg dangosyddion perfformiad allweddol y cytunwyd arnynt i fesur prosiectau adfywio canol trefi llwyddiannus, a hynny'n hanesyddol, yn aml am fod ffrydiau ariannu yn newid mor aml.<sup>160</sup> Pan ofynnwyd i'r Gweinidog Tai, Adfywio a Threftadaeth am ddiffyg fframwaith monitro a gwerthuso ar gyfer prosiectau adfywio, cyfaddefodd fod gan feirniaid bwynt yn hyn o

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<sup>158</sup> Cofnod y Trafodion paragraff 163, 6 Hydref pm 2011, Pwyllgor Menter a Busnes

<sup>159</sup> Tystiolaeth ysgrifenedig Comisiwn Dylunio Cymru a Chofnod o Drafodion paragraffau 192-193, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>160</sup> Cofnod y Trafodion paragraff 194, 28 Medi 2011, Pwyllgor Menter a Busnes

beth, a'i fod o'r farn bod gan Ganolfan Rhagoriaeth Adfywio Cymru rôl i'w chwarae wrth fynd â'r gwaith hwn rhagddo.<sup>161</sup>

135. Argymhellodd Comisiwn Dylunio Cymru y dylid defnyddio system meincnodi trefi a dadleuodd fod manteision amlwg wedi'u cofnodi lle mae systemau dylunio a meincnodi trefi da ar waith.<sup>162</sup>

“Town benchmarking is a simple toolkit; I think that it has only 12 indicators. Those indicators range from parking to the number of empty units, and the toolkit allows you a certain time to measure. Once those have been identified and informed a strategy, systematic action can be taken to address those. That is very much a local tool. While we might look at GVA or GDP figures nationally, at a local level a much more simplified process, such as town benchmarking, is really useful to galvanise activity for local authorities and for people who might be trying to influence change. Statistics and performance indicators over time at Government level and local authority level are often very difficult for people to access, understand and use effectively.”<sup>163</sup>

136. Argymhellodd CLILC y dylid rhannu'r fframwaith gwerthuso a ddatblygwyd gan Gyngor Bwrdeistref Sirol Rhondda Cynon Taf fel arfer da ar gyfer gwerthuso llwyddiant mentrau adfywio canol trefi ledled Cymru.<sup>164</sup> Awgrymodd Consortiwm Manwerthu Prydain fod angen monitro iechyd canol trefi'n effeithiol.<sup>165</sup> Awgrymodd y gallai'r mathau o ddangosyddion gynnwys:

“Footfall, vacancy rates, new business openings, business closures, longevity of businesses, retail employment levels and other employment levels within an urban centre. You could use movements in rateable value as a proxy. As a more subjective measure, I would suggest something on the operation of a successful partnership.”<sup>166</sup>

137. Awgrymodd Siambr Fasnach Arberth hefyd y gallai dangosyddion gynnwys swyddi gwag mewn siopau, siopau'n cau, siopau newydd yn

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<sup>161</sup> Cofnod y Trafodion paragraff 113, 24 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>162</sup> Tystiolaeth ysgrifenedig Comisiwn Dylunio Cymru

<sup>163</sup> Cofnod y Trafodion paragraff 167, 2 Tachwedd 2011, Pwyllgor Menter a Busnes

<sup>164</sup> Tystiolaeth ysgrifenedig CLILC tudalen 18

<sup>165</sup> Tystiolaeth ysgrifenedig BRC

<sup>166</sup> Cofnod y Trafodion paragraff 168, 6 Hydref pm 2011, Pwyllgor Menter a Busnes



agor, newid o ddefnydd preswyl i ddefnydd manwerthu/masnachol, achosion o fethdal, swyddi llawn amser a rhan amser yn y dref, diweithdra, y defnydd a wneir o feysydd parcio a'u refeniw.<sup>167</sup>

**Credwn y dylai Llywodraeth Cymru lunio fframwaith cadarn ar gyfer cynllunio, datblygu a chyflawni prosiectau adfywio canol trefi lle y gellir pennu amcanion a thargedau clir; casglu data, mesur canlyniadau ac effeithiau; a gwerthuso a chymharu perfformiad a llwyddiant.**

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<sup>167</sup> Tystiolaeth ysgrifenedig Siambr Fasnach Arberth paragraff 9

## Atodiad A - Cylch Gorchwyl Ymchwiliad

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- Pa gamau a gymerwyd i gyflawni prosiectau adfywio canol trefi a'u hariannu yng Nghymru? A oes gwersi i'w dysgu o fannau eraill?
- Sut mae Llywodraeth Cymru yn defnyddio'r holl adnoddau sydd ar gael iddi i helpu i adfywio canol trefi yng Nghymru?
- Sut y caiff buddiannau a gweithgareddau cymunedau, busnesau, awdurdodau lleol a Gweinidogion Cymru eu nodi a'u cydgysylltu wrth ddatblygu a gweithredu prosiectau adfywio canol trefi?

Galwodd y Comisiwn am dystiolaeth gan wahodd partion â diddordeb i ymateb i'r cwestiynau uchod a rhannu eu safbwyntiau ar y materion canlynol:

- Y rolau y mae Llywodraeth Cymru ac awdurdodau lleol yn eu chwarae wrth adfywio canol trefi.
- I ba raddau y mae busnesau a chymunedau yn cymryd rhan mewn prosiectau neu fentrau adfywio canol trefi a arweinir gan y sector cyhoeddus, ac i'r gwrthwyneb.
- Y ffactorau sy'n effeithio ar y cymysgedd o safleoedd preswyl, masnachol a manwerthu sy'n bodoli mewn canol trefi - er enghraifft, effaith polisi ardrethi busnes; patrymau o ran nifer yr ymwelwyr; a materion yn ymwneud ag economi'r nos ac economi'r dydd mewn canol trefi.
- Effaith safleoedd manwerthu ar gyrion trefi ar ganol trefi gerllaw.
- Y defnydd o ffynonellau ariannu a datrysiadau ariannol arloesol i gyfrannu at waith adfywio canol trefi - gan gynnwys Cronfa Buddsoddi Cymru mewn Adfywio; y defnydd o Ardaloedd Gwella Busnes; Cronfeydd Strwythurol; buddsoddiad gan Lywodraeth Cymru, awdurdodau lleol a'r sector preifat.
- Pwysigrwydd trafndiaeth gynaliadwy ac integredig mewn canol trefi - gan gynnwys dulliau rheoli traffig, parcio a mynediad.
- Effaith bosibl marchnata a delwedd ar brosiectau adfywio canol trefi - megis twristiaeth, arwyddion, celf gyhoeddus, dodrefn strydoedd, goleuadau a phryderon yn ymwneud â diogelwch.
- I ba raddau y gall mentrau adfywio canol trefi geisio darparu mwy o gyfleoedd cyflogaeth i bobl leol.
- Pa fesurau y gellid eu defnyddio i fesur llwyddiant mentrau a gynhelir i adfywio canol trefi.

## **Atodiad B - Nodyn ar yr Ymweliad Ymchwiliol ag Arberth**

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### **Cefndir**

Ymwelodd y Pwyllgor Menter a Busnes ag Arberth ar 10 Tachwedd 2011, fel rhan o'i ymchwiliad i'r gwaith o adfywio canol trefi. Cyfarfu'r Pwyllgor ag aelodau lleol o'r Siambr Fasnach a chynrychiolwyr o Gyngor Sir Penfro. Tra yn Arberth, ymwelodd y Pwyllgor hefyd â nifer o siopau i drafod materion yn ymwneud ag adfywio canol y dref gyda phobl fusnes leol.

Roedd y Pwyllgor hefyd wedi cytuno i ystyried deiseb Siambr Fasnach Arberth fel rhan o'r ymchwiliad hwn (gweler isod).

Nododd y Pwyllgor er bod Arberth yn enghraifft gadarnhaol o brosiect adfywio, nad oedd o reidrwydd yn enghraifft nodweddiadol o dref yng Nghymru a'i bod yn dibynnu'n helaeth ar dwristiaeth.

### **Materion Allweddol**

Yn ystod trafodaethau'r Pwyllgor codwyd nifer o faterion allweddol. Soniodd llawer o bobl am y cydbwysedd bregus rhwng llwyddiant a methiant, a'r angen am gymorth uniongyrchol i sicrhau bod busnesau lleol yn parhau'n hyfyw.

Roedd ymdeimlad cyffredinol fod yr hinsawdd economaidd sydd ohoni yn cael effaith ar y dref, a oedd yn gwneud pethau'n anodd, ond bod rhai o'r masnachwyr wedi llwyddo i addasu drwy arallgyfeirio eu cynhyrchion.

O ystyried datblygiad technoleg a'r angen i siopau allu masnachu ar-lein, cafwyd cais i sicrhau bod gwasanaeth band eang cyflym ar gael yn Arberth. Cydnabuwyd hefyd fod angen gwell signal ffôn symudol am fod pobl yn canfod llawer mwy am leoedd pan eu bod allan erbyn hyn - sy'n allweddol i dwristiaeth leol.

Teimlwyd bod ymgysylltu â'r gymuned yn hanfodol i sicrhau ymgyrch adfywio lwyddiannus - ystyriwyd bod Arberth yn ddiflas ac wedi dirywio yn adroddiad Tavistock yn 1980, heb lawer o gyfleoedd cyflogaeth nac unrhyw rôl economaidd, ond ers hynny mae'r dref wedi'i hadfywio'n llwyddiannus, a bu camau gweithredu gan y gymuned leol ac unigolion allweddol a'u gallu i hunandrefnu yn gymorth mawr yn hynny o beth.

### ***Trafnidiaeth***

Roedd nifer o bryderon bod yr orsaf drenau wedi'i lleoli ychydig yn rhy bell o ganol y dref a bod y daith ar droed yn beryglus ac yn annymunol. Teimlai pobl mai galw cyfyngedig oedd am drafnidiaeth gyhoeddus gan awgrymu y dylid yn hytrach fuddsoddi mwy mewn gwaith i fynd i'r afael â materion yn ymwneud ag argaeledd lleoedd parcio, taliadau parcio a llif traffig drwy'r dref

ac o'i hamgylch. Roedd pryder mawr ynghylch yr awgrym y dylid adeiladu ffordd osgoi o amgylch Arberth.

Cafwyd cefnogaeth i'r syniad o gael trê'n stêm fel atyniad i ymwelwyr, a allai helpu i ddenu teuluoedd i'r dref.

### ***Ardrethi Busnes***

Yn 2009, cyflwynodd Siambr Fasnach Arberth ddeiseb i Gynulliad Cenedlaethol Cymru yn ymwneud â sut y byddai'r newidiadau mewn gwerthoedd ardrethol yn 2010 yn effeithio ar fusnesau yn y dref. Roedd masnachwyr yn y dref yn teimlo eu bod wedi dioddef yn sgîl eu llwyddiant eu hunain - gan fod rhai wedi gweld cynnydd o fwy na 200 y cant yn eu hardrethi.

Gofynnodd busnesau am fwy o atebolrwydd o ran sut y caiff ardrethi busnes eu defnyddio - gan nad yw'n ymddangos bod y cynnydd sylweddol wedi'i adlewyrchu yn yr arian a fuddsoddir yn lleol.

Cafwyd llawer o sylwadau am yr anhawster i apelio yn erbyn cynnydd mewn ardrethi busnes - dywedodd un masnachwr wrthym na fyddai Asiantaeth y Swyddfa Brisió yn gwrandao er gwaethaf y ffaith bod tri asiant tai annibynnol wedi prisió'r eiddo yn llawer is. Roedd masnachwr arall wedi llwyddo i ennill y frwydr yn erbyn y cynnydd yn ei ardrethi ac wedi cael gostyngiad ddwywaith - ond teimlai ei bod yn broses anodd nad oedd pawb yn ei deall. Nodwyd bod angen i fwy o gymorth ac adnoddau fod ar gael i bobl a oedd am apelio yn erbyn y penderfyniad.

Roedd anfodlonrwydd sylweddol am y ffaith bod penderfyniadau am ardrethi busnes yn cael eu gwneud bob pum mlynedd, gan nad yw'r diffyg hyblygrwydd hwn yn ystyried newidiadau yn yr hinsawdd economaidd nac amrywiolion eraill.

Roedd rhai dulliau gweithredu arloesol wedi'u mabwysiadu megis un busnes a oedd wedi rhannu ei safle yn lotiau ar wahân a oedd wedyn yn cael eu prisió ar wahân.

### ***Tâl am Fagiau Siopa***

Roedd peth dryswch ymhlith masnachwyr am y tâl am fagiau siopa, er enghraifft faint o'r arian sy'n agored i TAW; p'un a oedd angen codi tâl am ddeunydd pacio wrth anfon nwyddau a brynir ar y we; p'un a allant wneud rhoddion uniongyrchol i elusen neu a oes angen rhoi'r arian drwy'r til a sut y byddai'r tâl yn cael ei blismona. Yn ogystal â'r dryswch, roedd nifer o fasnachwyr yn anfodlon ar y tâl yn gyffredinol gan eu bod yn teimlo ei fod yn lleihau eu gallu i farchnata. Fodd bynnag, roedd llawer o'r bobl y siaradodd y Comisiwn â hwy o blaid y polisi.

## **Cynllunio**

Ystyriwyd bod yr angen i gynllunio'n effeithiol yn bwysig er mwyn mynd i'r afael â natur fregus trefi a'r ffin denau rhwng llwyddo a methu. Codwyd nifer o faterion ynghylch cynllunio, ond roedd yn ymddangos bod peth dryswch am briod rolau llywodraeth ganolog a llywodraeth leol.

Mynegwyd rhwystredigaeth am y modd y gall cyfyngiadau cynllunio mewn cytundeb Adran 106 newid. Er enghraifft, honnwyd nad oedd y siop Spar yn Bluestone i fod ar agor i'r cyhoedd i gychwyn, ond fe'i hagogwyd yn ddiweddarach i'r cyhoedd ar ddydd Gwener a dydd Llun - a bellach mae ar agor i bawb bob dydd.

Mynegwyd pryderon mawr am y cynnig i adeiladu archfarchnad ar gyrion canol y dref, oherwydd teimlwyd y gallai hyn amharu ar fasnachwyr annibynnol lleol.

Awgrymwyd bod y system gynllunio yn gwyro tuag at gefnogi busnesau mawr i raddau helaeth - felly roedd angen systemau i alluogi busnesau bach i sefydlu a datblygu. Roedd aelodau o'r Siambr Fasnach yn awyddus i wybod pam na ellid defnyddio siopau lleol llwyddiannus ag enw da megis cigydd neu siop ddillad gadwyn fel siop angor mewn prosiect adfywio - neu o leiaf gael peth cymorth i agor mewn ardaloedd newydd fel y mae'r prif siopau cadwyn.

## Tystion

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Clywodd y Pwyllgor dystiolaeth lafar gan y tystion a ganlyn ar y dyddiadau a nodir isod. Gellir gweld trawsgrifiadau llawn o'r holl sesiynau tystiolaeth yn

<http://www.senedd.cynulliadcymru.org/mglIssueHistoryHome.aspx?lId=1307>

### **28 Medi 2011**

Canolfan Rhagoriaeth Adfywio Cymru  
Cymdeithas Llywodraeth Leol Cymru  
Cyngor Bwrdeistref Sirol Caerffili

### **6 Hydref 2011 - bore**

Y Gymdeithas Rheoli Canol Trefi  
Ardal Gwella Busnes Abertawe  
Boots

### **6 Hydref 2011 - prynhawn**

Ffederasiwn Busnesau Bach  
Consortiwm Manwerthu Prydain

### **2 Tachwedd 2011**

Sustrans  
Cynghrair Trafnidiaeth De-ddwyrain Cymru  
Comisiwn Dylunio Cymru  
Cronfa Dreftadaeth y Loteri

### **16 Tachwedd 2011**

Ymweliad â Siambr Fasnach Arberth

### **24 Tachwedd 2011**

Gweinidog Tai, Adfywio a Threftadaeth Llywodraeth Cymru

## Rhestr o'r dystiolaeth ysgrifenedig

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Darparodd yr unigolion a'r sefydliadau a ganlyn dystiolaeth ysgrifenedig i'r Pwyllgor. Gellir gweld yr holl dystiolaeth ysgrifenedig yn llawn yn

<http://www.senedd.cynulliadcymru.org/mglIssueHistoryHome.aspx?lId=1522>

### Sefydliad

AECOM Ltd

Age Cymru

Andrew Shufflebotham

Busnes yn y Gymuned

Canolfan Ymchwil Trafnidiaeth Cymru, Prifysgol Morgannwg

Cydweithfa Sgiliau Adfywio Cymru

Cylchgrawn UK Progressive

Cymdeithas Cŵn Tywys y Deillion

Cyngor Bro Morgannwg

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Cyngor Bwrdeistref Sirol Rhondda Cynon Taf

Cyngor Bwrdeistref Sirol Wreccsam

Cyngor Dinas Casnewydd

Cyngor Sir Penfro

Cyngor Sir y Fflint

David Lloyd Owen

Dinas a Sir Abertawe

Diverse Cymru

Dyfrffyrdd Prydain

Evocati Limited

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Fferyllfa Neyland

Fferylliaeth Gymunedol Cymru

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Gwasanaeth Cynllunio Cyngor Caerdydd  
Jan Miller  
Liz Davies  
Mike Brain  
Mott MacDonald  
Rockwool Ltd  
Sefydliad Brenhinol y Syrfewyr Siartredig  
Sefydliad y Tywysog dros yr Amgylchedd Adeiledig  
Siambr Fasnach Aberdâr a'r Cylch  
Siambr Fasnach Arberth  
Simon Brogan  
The Means  
Y Sefydliad Cynllunio Trefol Brenhinol yng Nghymru



## **Ymateb Llywodraeth Cymru i Adroddiad Pwyllgor Busnes a Menter Cynulliad Cenedlaethol Cymru ynghylch adfywio canol trefi.**

### **Cyflwyniad Cyffredinol**

Rydym yn croesawu'r adroddiad hwn ynghyd â'r cyfle i drafod y mater hwn, sy'n fater pwysig iawn. Fel y nodais yn fy nhystiolaeth flaenorol i'r Pwyllgor, mae canol ein trefi yn wynebu cryn heriau ar hyn o bryd ac mae'n bwysig ein bod yn cynnal trafodaeth lawn ynghylch sut y gallwn fynd i'r afael â'r holl faterion y mae'r stryd fawr ar draws Cymru yn eu hwynebu.

Hoffem ddiolch i'r Pwyllgor Menter a Busnes am eu gwaith caled wrth gasglu'r dystiolaeth a chyflwyno'r canfyddiadau mewn modd positif a chytbwys iawn. Hoffem ddiolch hefyd i'r holl unigolion a'r sefydliadau sydd wedi darparu tystiolaeth yn ystod y misoedd diwethaf.

Mae'r argymhellion a geir yn yr adroddiad yn cyd-fynd yn agos â'n cyfeiriad polisi cyffredinol ac mae'n bleser gennym dderbyn y rhan fwyaf ohonynt. Mae angen i rai gael eu hystyried ymhellach ac mae'n rhaid i ni ymgynghori â'n partneriaid yn eu cylch ond rydym yn cytuno â byrdwn cyffredinol argymhellion y Pwyllgor. Mae'n dda gweld ein bod yn rhannu dealltwriaeth gyffredin o'r materion a'r heriau, a'n bod yn unfrydol ynghylch y ffordd orau o fynd i'r afael â hwy. Mae hyn yn bwysig iawn wrth i ni gyflawni ein gweledigaeth ar gyfer adfywio canol trefi Cymru.

Cyhoeddais fy mwriad i adolygu ein dulliau o ymdrin ag adfywio yn y cyfarfod llawn fis diwethaf. Rwy'n parhau'n ymrwymedig i gefnogi'r saith Ardal Adfywio sy'n cynnig cymorth amhrisiadwy i'r holl ganol trefi mewn cymunedau ar draws Cymru. Dyma'r amser delfrydol i bwysu a mesur yr hyn sy'n gweithio'n dda a dysgu o'r gweithgareddau diweddar hyn. Ar ddechrau 2013 rwy'n bwriadu amlinellu fy mlaenoriaethau ynghylch buddsoddi ar gyfer gweddill tymor y Cynulliad hwn. Yn ddiamau bydd adfywio canol trefi yn agwedd allweddol ar y buddsoddiad hwnnw yn y dyfodol a bydd gennym yr wybodaeth angenrheidiol ar gyfer dechrau rhaglenni newydd wrth i'n hymrwymyadau presennol ddod i ben. Byddwn hefyd mewn sefyllfa gref i wneud hyn.

Caiff ein hymatebion manwl i argymhellion unigol yr Adroddiad eu hamlinellu isod.

**Argymhelliad 1 - Rydym yn argymhell bod Llywodraeth Cymru, fel rhan o'i diwygiadau i bolisi cynllunio cenedlaethol ar faterion economaidd, yn sicrhau bod Polisi Cynllunio Cymru yn diogelu canol trefi'n llwyr rhag effeithiau posibl datblygiadau manwerthu ar gyrion trefi, ac y dylai'r Llywodraeth hefyd gymryd camau i wella'r broses o roi polisi cynllunio cenedlaethol a lleol ar waith. (Tudalen 14)**

### **Ymateb: Derbyd**

Bydd y polisi diwygiedig arfaethedig (Daeth yr ymgynghoriad ar Bennod 7 Polisi Cynllunio Cymru i ben ar 5 Mawrth 2012) yn ei gwneud hi'n ofynnol i awdurdodau cynllunio lleol fabwysiadu dull mwy cyfannol o fynd i'r afael â gwaith datblygu economaidd a chydabod bod rhywfaint o effaith economaidd yn deillio o'r rhan fwyaf o ddefnyddiau o dir. Bydd

disgwyl i awdurdodau lleol ystyried effeithiau tebygol yr holl ddatblygiadau ac edrych ar yr holl gynigion ar y cyd o safbwynt eu heffaith ar yr economi yn hytrach na'r cynigion yn unigol. Mae'r polisi diwygiedig hefyd yn pennu y dylai awdurdodau lleol geisio canolbwyntio ar ddatblygiadau sy'n denu nifer fawr o bobl, gan gynnwys datblygiadau manwerthu a swyddfeydd, yng nghanol dinasoedd, trefi a phentrefi.

O safbwynt gwella'r modd y gweithredir polisi yn lleol, bydd Llywodraeth Cymru yn mynd i'r afael â hyn wrth weithredu'r ymchwil yn y dyfodol ynghylch effeithiau datblygiadau manwerthu blaenorol ar ansawdd canol trefi.

Mae Llywodraeth Cymru yn gweithio mewn modd rhagweithiol ac yn cynghori awdurdodau lleol ynghylch llunio eu Cynlluniau Datblygu Lleol, gan sicrhau eu bod yn ystyried polisi cenedlaethol. Pan fydd Llywodraeth Cymru yn cyhoeddi unrhyw ganllawiau neu bolisi newydd ynghylch cynllunio mae'n trefnu digwyddiadau hyfforddi a digwyddiadau dosbarthu gwybodaeth ar gyfer awdurdodau lleol er mwyn sicrhau bod pawb yn eu deall a bod modd eu gweithredu'n effeithiol o fewn yr ardaloedd lleol.

Goblygiadau ariannol: O fewn y cyllidebau presennol

**Argymhelliad 2 - Rydym yn argymell bod Llywodraeth Cymru yn cynorthwyo awdurdodau lleol i wneud defnydd gwell o'u cytundebau â manwerthwyr ar gyrion trefi er mwyn diogelu bywiogrwydd canol trefi ymhellach. (Tudalen 15)**

**Ymateb: Derbyn**

Mae rheoliadau eisoes yn cynnwys darpariaeth ar gyfer rhwymedigaethau dan gontract i ddatblygiadau ar gyrion trefi a mater i awdurdodau lleol yw trafod a negodi â datblygwyr a manwerthwyr ar gyrion trefi ynghylch materion o'r fath, gan ddiogelu bywiogrwydd canol trefi, fel y bo'n briodol. Fel rhan o'n hadolygiad o adfywio bydd Llywodraeth Cymru yn ystyried y modd yr ydym yn datblygu canllawiau ar gyfer ein partneriaid er mwyn diogelu bywiogrwydd canol trefi.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 3 - Credwn y dylid lledaenu enghreifftiau o arfer da wrth hyrwyddo canol trefi yn ehangach, ac rydym yn argymell bod Canolfan Rhagoriaeth Adfywio Cymru yn datblygu ei rôl yn y maes hwn, gan gynnwys addysgu ac annog gweithwyr proffesiynol yn y sector. (Tudalen 15)**

**Ymateb: Derbyn**

Dyma faes y bydd Llywodraeth Cymru yn awyddus i'w ddatblygu fel rhan o'n hadolygiad o adfywio. Deallwn y bydd Canolfan Rhagoriaeth Adfywio Cymru yn lansio 'Trefi Bach: Rhwydwaith Polisi ac Ymarfer' yn fuan sy'n ceisio codi ymwybyddiaeth o arfer gorau wrth adfywio canol trefi ac addysgu gweithwyr proffesiynol yn y sector. Byddwn yn cydweithio'n agos â Chanolfan Rhagoriaeth Adfywio Cymru er mwyn cefnogi eu gweithgareddau.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 4 - Rydym yn argymell bod Llywodraeth Cymru yn comisiynu mwy o waith ymchwil ar effeithiau posibl archfarchnadoedd ar ansawdd canol trefi er mwyn llywio'r broses o ddadansoddi effaith datblygiadau arfaethedig o fewn y system rheolaeth gynllunio a'i gwella, ac y dylai asesiadau o'r effaith ar fanwerthwyr lleol fod yn orfodol mewn perthynas â chynigion archfarchnadoedd. (Tudalen 17)**

**Ymateb: Derbyn**

Byddwn yn comisiynu ymchwil a fydd yn astudio effaith datblygiad manwerthu newydd ar ganol trefi yng Nghymru. Bydd hyn yn datblygu'r canllawiau presennol ynghylch pryd y dylai asesiadau effaith manwerthu gael eu paratoi, gan y byddem yn disgwyl i unrhyw newid i ganllawiau presennol fod yn seiliedig ar dystiolaeth gadarn a ddarperir drwy'r ymchwil.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 5 - Rydym yn argymell bod awdurdodau cynllunio lleol yn cael eu hannog, o fewn eu Cynllun Datblygu Lleol, i ystyried datblygiadau swyddfa a gweithle fel modd i gynyddu nifer y bobl mewn canol trefi, ac y dylent asesu canlyniadau posibl cynigion ar gyfer datblygiadau swyddfa ar gyrion trefi, a dewisiadau amgen, yn fwy gofalus. (Tudalen 18)**

**Ymateb: Derbyn**

Mae'r newidiadau arfaethedig i Bennod 7 Polisi Cynllunio Cymru (Cynnal yr Economi) yn pennu y dylai awdurdodau lleol geisio canolbwyntio ar ddatblygiadau sy'n denu nifer fawr o bobl, gan gynnwys datblygiadau manwerthu a swyddfeydd, yng nghanol dinasoedd, trefi a phentrefi. Caiff y safbwynt hwn ei ailadrodd ym Mhennod 10 Polisi Cynllunio Cymru (Manwerthu) sy'n pennu rhai canolfannau trefi, canolfannau ardal, canolfannau lleol a chanolfannau pentref fel y lleoliadau mwyaf priodol ar gyfer swyddogaethau manwerthu, hamdden a swyddogaethau eraill atodol. Mae'n rhaid i'r awdurdod cynllunio lleol ddangos bod ganddo ddigon o dystiolaeth ar gyfer cefnogi strategaethau a pholisiau lleol a rhai sy'n benodol i safleoedd a gynhwysir o fewn eu Cynlluniau Datblygu Lleol, a ddatblygwyd yn unol â pholisi cynllunio cenedlaethol.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 6 - Rydym yn argymell bod Llywodraeth Cymru yn sefydlu arweinyddiaeth Weinidogol benodedig ar gyfer canol trefi, gan gynnwys sefydlu fforwm polisi canol trefi wedi'i gadeirio gan y Gweinidog arweiniol, a fyddai'n dwyn ynghyd swyddogion o Adrannau gwahanol a chynrychiolwyr allweddol o'r sector preifat, y sector cyhoeddus a'r sector gwirfoddol i rannu arfer da a nodi cynllun gweithredu a fframwaith monitro ar gyfer adfywio canol trefi Cymru. (Tudalen 21)**

**Ymateb: Derbyn**

Yn rhinwedd fy swydd fel y Gweinidog Tai, Adfywio a Threftadaeth, fi sy'n bennaf gyfrifol am adfywio canol trefi ar ran Llywodraeth Cymru. Mae nifer o sefydliadau a phartneriaethau allanol hefyd yn cefnogi'r gwaith hwn, gan gynnwys y Panel Adfywio Cenedlaethol a Chanolfan Rhagoriaeth Adfywio Cymru.

Rwy'n bwriadu dwyn ynghyd bawb sydd â diddordeb mewn adfywio canol trefi er mwyn sefydlu fforwm polisi fel rhan o'r adolygiad o adfywio a gyhoeddais ar 21 Chwefror. Byddaf yn ystyried a oes angen i mi sefydlu fforwm sefydlog o'r math hwnnw, gan ddibynnu ar ganlyniad mwy cyffredinol yr adolygiad. Mae cydweithredu ar draws y Llywodraeth yn gwbl hanfodol ac mae hefyd angen cynnwys yn llawn y sector preifat, y sector cyhoeddus a'r sector gwirfoddol.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 7 - Rydym yn argymhell bod Llywodraeth Cymru yn sicrhau bod y gwaith o ddatblygu trafndiaeth integredig a chynaliadwy yng nghanol trefi a dinasoedd Cymru yn flaenoriaeth o ran cyflawni'r Cynllun Trafndiaeth Cenedlaethol. At hynny, dylai Llywodraeth Cymru roi canllawiau clir i awdurdodau lleol i sicrhau bod integreiddio trafndiaeth yn rhan graidd o bob cynllun i adfywio ac ailddatblygu canol tref. (Tudalen 24)**

**Ymateb: Derbyn**

Mae teithio cynaliadwy yn un o flaenoriaethau Llywodraeth Cymru ym maes trafndiaeth. Yn ddiweddar rhoddodd y Gweinidog Llywodraeth Leol a Chymunedau flaenoriaeth i'r Cynllun Trafndiaeth Cenedlaethol er mwyn gallu cyflawni ymrwymadau'r Llywodraeth hon ynghylch mynd i'r afael â thlodi, cynyddu lles a hybu twf economaidd. Mae parhau i ddatblygu trafndiaeth integredig a chynaliadwy o fewn trefi Cymru yn flaenoriaeth o fewn y Cynllun Trafndiaeth Cenedlaethol, fel y tystia'r ymrwymiad i fuddsoddi yn y fenter Canolfannau Teithio Cynaliadwy am o leiaf 3 blynedd arall ynghyd â buddsoddiad parhaus mewn ymyriadau dewisiadau doethach fel y fenter Cynlluniau Teithio Personol a lansiwyd yng Nghaerdydd ym mis Medi 2011 a'r gwaith o'u hyrwyddo.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 8 - Rydym yn argymhell bod Llywodraeth Cymru yn sefydlu fframwaith monitro perfformiad trylwyr ac yn comisiynu gwerthusiad annibynnol manwl o'r cynllun Canolfan Teithio Cynaliadwy. Dylai hyn gynnwys asesu effaith pob cynllun ar fywiogrwydd y canol trefi dan sylw, gan gynnwys mynediad i bobl anabl. (Tudalen 28)**

**Ymateb: Derbyn**

Mae gan Lywodraeth Cymru gomisiwn fframwaith ar gyfer cyflawni gwaith Cynllunio Teithio Personol ar draws Cymru, sy'n cynnwys Cynllunio Teithio i'r Ysgol a Chynllunio Teithio i'r Gweithle. Dyfarnwyd y contract ym mis Rhagfyr 2010 am gyfnod o bedair blynedd. Mae'r fframwaith yn cynnwys gofyniad i ymgymryd â gwaith monitro a gwerthuso perfformiad. Mae'r fethodoleg arfaethedig ar gyfer monitro a gwerthuso perfformiad wrthi'n cael ei hystyried gan y Grŵp Llywio ar gyfer Canolfannau Teithio Cynaliadwy. Unwaith y caiff ei chymeradwyo caiff ei chaffael drwy'r comisiwn fframwaith presennol.

Rydym hefyd wrthi'n monitro effaith y buddsoddiad yn y seilwaith.

Goblygiadau ariannol : O fewn y cyllidebau presennol.

**Argymhelliad 9 - Credwn y gall fod angen i fusnesau mewn canol trefi weithredu oriau agor mwy hyblyg er mwyn diwallu anghenion cwsmeriaid sy'n newid. Rydym yn argymhell felly fod Llywodraeth Cymru yn diweddarau ei Nodyn Cyngor Technegol ar Gynllunio a Manwerthu i gynnwys canllawiau i awdurdodau lleol ar osod amodau ar ddatblygiadau manwerthu mewn perthynas ag oriau gwaith mwy hyblyg. (Tudalen 29)**

**Ymateb: Derbyn**

Rydym yn derbyn bod ein canol trefi yn newid, a bod ein gweithgareddau siopa a hamdden a'n harferion prynu hefyd yn newid. Mae potensial mewn safleoedd gwag i greu unedau preswyl, gan gynnwys uwchben siopau a gwasanaethau eraill ar y llawr gwaelod.

Ni ellir gosod amodau'n ôl-weithredol ar yr amodau oriau agor yn achos datblygiadau presennol. Serch hynny, fel rhan o'r Rhaglen Gwella Ceisiadau Cynllunio, mae gwaith ar y gweill i adolygu canllawiau Cymru ynghylch defnyddio amodau gyda chaniatâd cynllunio; bydd hyn yn destun ymgynghoriad cyhoeddus maes o law. Wrth ystyried a oes angen amod penodol, dylai awdurdodau cynllunio ofyn iddynt eu hunain a fyddai caniatâd wedi'i wrthod pe na byddai'r amod hwnnw wedi'i roi. Ymhlith y ffactorau eraill y mae'n rhaid i awdurdodau cynllunio dalu sylw iddynt mae ystyried a yw amod arfaethedig yn berthnasol i gynllunio, a oes modd ei orfodi, ac a yw'n rhesymol ym mhob agwedd arall.

Caiff yr angen am ddiweddarau Nodyn Cyngor Technegol 4 ei ystyried yng ngoleuni'r ymchwil y cyfeirir ati yn Argymhellion 1 a 4.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 10 - Rydym yn argymhell bod Llywodraeth Cymru yn gweithio gydag awdurdodau lleol i ddatblygu dulliau gweithredu arloesol sydd wedi'u cynllunio ac sy'n annog perchenogion eiddo i roi eu heiddo gwag mewn canol trefi ar osod at ddibenion byw a gwaith a fyddai'n cyfrannu at fywiogrwydd canol trefi heb danseilio gwerth hirdymor yr eiddo. (Tudalen 30)**

**Ymateb: Derbyn**

Rydym eisoes yn cefnogi prosiectau a rhaglenni, fel yr Ardaloedd Adnewyddu Tai, a all fod yn sbardun i aildefnyddio eiddo gwag a gwneud cyfraniad gwerthfawr i fywiogrwydd canol trefi. Rydym yn gweithio gyda phartneriaid i fynd i'r afael â materion sy'n gysylltiedig ag eiddo gwag, a byddwn yn ystyried cyfleoedd pellach yn y maes hwn.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 11 - Rydym yn argymhell bod Cadw yn parhau â'i hastudiaethau pennu nodweddion mewn trefi a phentrefi a'u bod yn rhan annatod o unrhyw gynllun adfywio. Rydym yn argymhell hefyd fod Llywodraeth Cymru yn gwneud mwy o ddefnydd o'r Gwasanaeth Adolygu Dyluniadau ac yn annog ei phartneriaid datblygu i wneud yr un peth. (Tudalen 33)**

**Ymateb: Derbyn**

Rydym o'r farn fod astudiaethau pennu nodweddion yn bwysig wrth fynd ati i werthfawrogi hanes a chymeriad lle, a bydd y nodweddion hynny'n rhan annatod o gynlluniau adfywio yn y dyfodol. Bydd Cadw yn parhau i wneud Astudiaethau Pennu Nodweddion mewn trefi penodol, a bydd yn cynnig cyngor a chyfarwyddyd i sicrhau bod unrhyw ddatblygiad yn y dyfodol yn seiliedig ar ddealltwriaeth o gymeriad hanesyddol.

Byddwn yn annog mwy o ddefnydd ar Wasanaeth Adolygu Dyluniadau Comisiwn Dylunio Cymru ar gyfer ein gweithgareddau adfywio canol trefi a byddwn yn annog ein partneriaid adfywio i ddefnyddio'r gwasanaeth hwn.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 12 - Rydym yn argymhell bod Llywodraeth Cymru yn adolygu polisi a chanllawiau cynllunio cenedlaethol ar gyfer manwerthu a chanol trefi er mwyn sicrhau bod awdurdodau cynllunio lleol yn pennu gweledigaeth gadarnhaol ar gyfer pob un o'r canol trefi a'r strydoedd mawr yn eu Cynllun Datblygu Lleol, ac i ddarparu fframwaith cadarn ar gyfer gwneud penderfyniadau ar geisiadau cynllunio i sicrhau y caiff datblygiadau priodol eu lleoli mewn mannau addas y gellir eu cyrraedd yn hawdd drwy drafnidiaeth gynaliadwy. (Tudalen 35)**

#### **Ymateb: Derbynn**

Mae Llywodraeth Cymru o'r farn y bydd y newidiadau arfaethedig i Bennod 7 o Bolisi Cynllunio Cymru yn mynd i'r afael â'r argymhelliad hwn. Mae'n ei gwneud yn ofynnol i awdurdodau lleol lunio sylfaen dystiolaeth o nodweddion economaidd eu hardaloedd, ac i ddatblygu polisiâu priodol ar gyfer cynlluniau datblygu yn seiliedig ar ragdybiaethau deallus am y newidiadau posibl, gan ystyried y polisiâu economaidd cenedlaethol. Mae'r canllawiau ym Mhennod 8 (Trafnidiaeth) a Phennod 10 (Manwerthu a Chanol Trefi) o Bolisi Cynllunio Cymru yn darparu hierarchaeth i hysbysu penderfyniadau ynghylch lleoliad datblygiadau newydd ac maent yn dangos yn glir mor bwysig yw sicrhau trafnidiaeth gynaliadwy.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 13 - Rydym yn argymhell, o fewn fframwaith y Cynllun Datblygu Lleol, fod gan bob tref gynllun cynhwysfawr ar waith, a ddatblygwyd gan bartneriaeth leol o randdeiliaid allweddol a thrwy ymgysylltu â'r gymuned, sy'n cynnwys camau gweithredu i fynd i'r afael â'r materion sy'n effeithio ar hyfywedd canol y dref. (Tudalen 37)**

#### **Ymateb: Derbynn mewn egwyddor**

Rydym yn derbyn byrdwn argymhelliad y Pwyllgor. Mater i'r awdurdodau lleol symud ymlaen ag ef yw hwn drwy'r sylfaen dystiolaeth a'r cynllun cynnwys cymunedau, sy'n angenrheidiol i sicrhau Cynlluniau Datblygu Lleol cadarn.

Mae cydymffurfio â pholisi cynllunio cenedlaethol yn rhan o'r prawf o ddilysrwydd y Cynllun Datblygu Lleol, a chaiff hynny ei asesu gan Arolygydd annibynnol. O ran cynnwys y gymuned, mae'n ofynnol i'r Awdurdod Cynllunio Lleol baratoi Cynllun Cynnwys

Cymunedau yn dangos sut fydd yr awdurdod yn cynnwys y gymuned ym mhob cam o'r broses o baratoi'r Cynllun Datblygu Lleol a'r bobl neu'r grwpiau hynny ddylai fod yn rhan o'r broses.

Byddwn yn ystyried cryfhau'r agwedd hon fwy fyth fel rhan o'n hadolygiad o adfywio.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 14 - Credwn mai'r hyn sy'n allweddol i lwyddiant adfywio canol trefi yn lleol yw arweinyddiaeth gadarn ac effeithiol. Rydym yn argymhell felly fod Llywodraeth Cymru yn ystyried sut i roi gwell cefnogaeth i'r bobl sydd â'r sgiliau angenrheidiol a pharch y gymuned leol i weithredu fel eiriolwyr i ddwyn ynghyd yr agweddau gwahanol ar waith adfywio canol trefi ynghyd â phawb sy'n chwarae rhan ynddo. (Tudalen 38)**

**Ymateb: Derbyn**

Mae llwyddiant cynlluniau adfywio canol trefi yn cael eu priodoli'n aml iawn i ymroddiad a brwdfrydedd unigolion lleol sydd â gallu cryf i arwain. Byddwn yn ystyried sut orau i gefnogi arweinyddiaeth leol fel rhan o'r opsiynau y byddwn yn eu hystyried ar gyfer ein buddsoddiadau yn y dyfodol.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 15 - Rydym yn argymhell bod Llywodraeth Cymru yn helpu awdurdodau lleol a chymunedau i fod yn rhagweithiol wrth chwilio am ffynonellau buddsoddi ar gyfer prosiectau adfywio canol trefi a chael gafael arnynt lle nad oes arian cyhoeddus ar gael. (Tudalen 40)**

**Ymateb: Derbyn**

Rydym yn derbyn yr argymhelliad hwn, er bod angen i ni reoli'r disgwyliadau o ran y lefel o fuddsoddiad sydd ar gael, ac unrhyw ofynion perthnasol, er enghraifft yr enillion sydd eu hangen.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 16 - Rydym yn argymhell bod panel annibynnol Llywodraeth Cymru ar ardrethi busnes yn ystyried newidiadau mewn deddfwriaeth ac yn y broses o arfer pwerau disgresiwn, gyda'r nod o wella'r amrywiaeth o fusnesau manwerthu sy'n bodoli mewn canol trefi a'u hansawdd. (Tudalen 43)**

**Ymateb: Derbyn**

Mae'r panel annibynnol ar ardrethi busnes yn gwybod am argymhelliad y Pwyllgor a'r materion ehangach sy'n ymwneud ag adfywio canol trefi. Caiff hyn ei ystyried fel rhan o'i adroddiad terfynol sydd i'w ddisgwyl cyn diwedd Mawrth. Bydd Llywodraeth Cymru yn ystyried argymhellion y Panel ac yn ymateb i'w adroddiad terfynol fel y bo'r galw.

Goblygiadau ariannol: O fewn y cyllidebau presennol.

**Argymhelliad 17 - Rydym yn argymhell bod Llywodraeth Cymru yn ystyried datblygu cynllun peilot, o fewn rheolau cystadlu'r UE ac mewn partneriaeth ag awdurdodau lleol a pherchenogion eiddo, sy'n helpu busnesau newydd i sefydlu mewn canol trefi. (Tudalen 44)**

**Ymateb: Derbyn**

Bydd Llywodraeth Cymru yn ystyried hyn fel rhan o'i chynigion ar gyfer buddsoddiadau yn y dyfodol.

Goblygiadau ariannol: O fewn y cyllidebau presennol

**Argymhelliad 18 - Rydym yn argymhell bod Llywodraeth Cymru, wrth negodi'r cynigion deddfwriaethol drafft ar gyfer Cronfeydd Strwythurol yr UE 2014-2010, yn ceisio sicrhau bod y Rheoliadau newydd yn ddigon hyblyg i alluogi'r Cronfeydd i gael eu defnyddio i gefnogi gweithgareddau adfywio canol trefi yn ystod y cylch nesaf. (Tudalen 45)**

**Ymateb: Derbyn mewn egwyddor**

O fewn Rhaglen Gydgyfeirio bresennol yr UE mae cyfanswm o 24 o brosiectau adfywio canol trefi wedi'u cymeradwyo gan WEFO sy'n werth oddeutu £270 miliwn o fuddsoddiad. Ar hyn o bryd mae Llywodraeth Cymru yn cyflwyno achos, mewn trafodaethau gyda Llywodraeth y DU a sefydliadau'r UE, i sicrhau parhad ym muddsoddiad Cronfeydd Strwythurol yr UE. Caiff adfywio canol trefi ei ystyried fel rhan o'r broses hon.

Goblygiadau ariannol: O fewn cyllidebau presennol yr UE a chyllidebau'r dyfodol.

**Argymhelliad 19 - Rydym yn argymhell bod Llywodraeth Cymru yn comisiynu asesiad llawn a thryloyw o effeithiolrwydd Ardal Gwella Busnes Abertawe ac yn ymgynghori ag ystod eang o randdeiliaid i lywio'r gwaith o ddatblygu Ardaloedd Gwella Busnes yng Nghymru ymhellach. (Tudalen 47)**

**Ymateb: Derbyn**

Ar hyn o bryd mae Llywodraeth Cymru yn gweithio gyda phartneriaid i ystyried pa mor effeithiol yw'r Ardaloedd Gwella Busnes ac a oes posibilrwydd y gallent gael eu defnyddio mewn man arall yng Nghymru. Gyda chyllid Ardal Adfywio Blaenau'r Cymoedd, rydym yn cefnogi datblygiad Ardal Gwella Busnes ym Merthyr Tudful a fydd yn cynnal pleidlais rhwng busnesau'r dref yr haf hwn. Rydym yn awyddus i ddysgu o brofiad Merthyr a byddwn yn comisiynu adolygiad o'r Ardaloedd Gwella Busnes yng Nghymru a thu hwnt, gan gynnwys Abertawe. Byddwn hefyd yn ystyried y posibilrwydd o ddefnyddio Cronfeydd Strwythurol presennol a dyfodol y UE i gefnogi gallu busnesau i gystadlu drwy fodel Ardaloedd Gwella Busnes Cymru. Dylai rhanddeiliaid gofrestru unrhyw syniadau am brosiectau drwy wefan WEFO.

Goblygiadau ariannol: O fewn y cyllidebau presennol



**Argymhelliad 20 - Rydym yn argymhell bod Llywodraeth Cymru drwy Croeso Cymru yn annog partneriaethau tref i farchnata eu nodweddion gwerthu unigryw megis treftadaeth bensaernïol ac ansawdd amgylcheddol, cynnyrch lleol a diwylliant lleol, gan gynnwys grwpiau o drefi o fewn ardal o bosibl fel y gall eu nodweddion gwahanol ategu ei gilydd. Gallai hyn fod yn rhan o gynllun canol y dref a argymhellwyd gennym uchod. (Tudalen 49)**

**Ymateb: Derbyn**

Mae Croeso Cymru eisoes yn gweithredu yn y modd hwn, a bydd Llywodraeth Cymru yn parhau i weithio gydag awdurdodau lleol a rhanddeiliaid eraill i sicrhau bod y gweithgaredd hwn yn dod â hyd yn oed mwy o werth yn y dyfodol. Mae Croeso Cymru yn chwarae rhan weithgar mewn annog busnesau lleol a phob un sy'n ymwneud â thwristiaeth i gydweithio a hyrwyddo'u hardal fel cyrchfan i dwristiaid. Mae ganddynt wefan benodol, [www.dmwales.com](http://www.dmwales.com), i annog y datblygiadau hyn o ran cyrchfannau twristiaeth a helpu i greu profiad cyflawn ar gyfer ymwelwyr drwy ddod â'r holl asedau twristiaeth mewn un ardal at ei gilydd. Mae Croeso Cymru hefyd yn gweithio'n agos yn yr Ardaloedd Adfywio i sicrhau bod twristiaeth yn chwarae rhan bwysig yng ngweithgareddau adfywio canol trefi.

Goblygiadau ariannol: O fewn y cyllidebau presennol

**Argymhelliad 21 - Credwn y dylai Llywodraeth Cymru lunio fframwaith cadarn ar gyfer cynllunio, datblygu a chyflawni prosiectau adfywio canol trefi lle y gellir pennu amcanion a thargedau clir; casglu data, mesur canlyniadau ac effeithiau; a gwerthuso a chymharu perfformiad a llwyddiant. (Tudalen 50)**

**Ymateb: Derbyn**

Fel y nodais yn y cyflwyniad i'r ymateb hwn, rwyf wedi cyhoeddi y byddwn yn cynnal adolygiad o'n gweithgareddau adfywio cyfredol, yn enwedig y saith Ardal Adfywio. Y bwriad yw pennu beth sy'n gweithio'n dda a dysgu o'r gweithgareddau diweddar hyn. O ran ein rhaglenni buddsoddi yn y dyfodol, byddwn yn sicrhau bod fframwaith yn cael ei ddatblygu i fesur ein perfformiad yn effeithiol ym maes adfywio.

Goblygiadau ariannol: O fewn y cyllidebau presennol

# Eitem 7.5

## **P-03-307 Dylunio er mwyn Arloesi yng Nghymru**

### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cynulliad Cymru i ystyried y rôl bwysig y gallai dylunio ei chwarae yng nghyd-destun arloesi, darparu gwasanaethau cymdeithasol a gweithredu polisïau a rhaglenni menter gymdeithasol. Mae'r alwad hon yn dod yn sgil ymrwymiad cynyddol gwledydd eraill ar draws y byd i'r agenda dylunio, ac yn baratoad ar gyfer polisi arloesi newydd y disgwylir i'r Comisiwn Ewropeaidd ei gyhoeddi. Mae'r polisi newydd hwn yn debygol o gynnwys diffiniad ehangach o arloesi, sef diffiniad sy'n ymdrin â'r gwasanaethau a ddarperir yn y sector cyhoeddus, y sector preifat a'r sector mentrau cymdeithasol, ar delerau cydradd â'r gweithgareddau traddodiadol a welir yn y maes ymchwil a datblygu.

**Linc i'r ddeiseb:** <http://www.senedd.cynulliadcymru.org/mgIssueHistoryHome.aspx?Ild=908>

**Cynigiwyd y ddeiseb gan:** Gavin Cawood

**Nifer y llofnodion:** 369

**Ysytirwyd am y tro cyntaf gan y Pwyllgor :** 16 Tachwedd 2010

**Y wybodaeth ddiweddaraf:** Mae adroddiad y Pwyllgor Menter a Busnes ar Adfywio Canol Trefi wedi'i gyhoeddi

## **P-04-364 Ffibr optig i ardaloedd gwledig**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i bwysu ar Lywodraeth Cymru i wneud rhagor er mwyn hwyluso'r broses o ddarparu band eang ffibr optig / band eang y genhedlaeth nesaf i bawb yng Nghymru, gan gynnwys y sector eFasnach a busnesau cyfathrebu newydd (yn y diwydiant TG), erbyn 2013. Dylid sicrhau hefyd bod busnesau sydd eisioes yn bodoli yn gallu cyfathrebu â'i gilydd yn well ac y byddai'r ddarpariaeth o fudd i'r cymunedau lleol yn ogystal. Er enghraifft, yn y Cymoedd, mae cyflymder y rhyngrwyd sydd ar gael i nifer o deuluoedd a busnesau yn araf iawn o'i chymharu â gweddill y Deyrnas Unedig. Diben y ddeiseb hon yw galw am osod ffibr optig yn yr ardaloedd hyn, lle mae busnesau eisioes wedi'u sefydlu, er mwyn helpu i adfywio'r ardaloedd mwyaf tlawd yng Nghymru/Wales.

**Prif ddeisebydd:** Kai Childheart

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 7 Chwefror 2012

**Nifer y deisebwyr:** 17

**Gwybodaeth ategol:**Ar hyn o bryd, y darparwyr gwasanaethau rhyngrwyd eu hunain sy'n gyfrifol am ddarparu gwasanaethau rhyngrwyd cyflym i ardaloedd penodol, ac fe'u hannogir yn rhannol (ar gyfer y Deyrnas Unedig i gyd) i ddarparu gwasanaeth rhyngrwyd cyflym mewn ardaloedd gwledig. Er enghraifft Ofcom a Fujitsu. Fodd bynnag, nid yw hon yn fenter yng Nghymru ac rwyf o'r farn y gallai greu gwaith yng Nghymru petai'r Cynulliad yn galw amdano. Byddai hyn o fudd mawr i gwmnïau o ran cyfathrebu ac eFasnachu ac o ran denu busnesau newydd i Gymru.

Edwina Hart MBE OStJ AC / AM  
Y Gweinidog Busnes, Menter, Technoleg a Gwyddoniaeth  
Minister for Business, Enterprise, Technology and Science



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-364  
Ein cyf/Our ref EH/05396/12

William Powell AM

committeebusiness@wales.gsi.gov.uk

2<sup>nd</sup> March 2012

Dear William,

Thank you for your letter of 21 February about our work on next generation broadband.

The Programme for Government sets out our commitment to seek to ensure that all residential and business premises have access to next generation broadband by 2015. We are nearing the end of a major procurement exercise to appoint a supplier and are on track to deliver this target.

A handwritten signature in black ink, appearing to read 'Edwina Hart'.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

*Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)*

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**P-04-364 Fibre Optic for Rural Areas  
Correspondence from Ofcom**

Dear Mr Powell,

Thank you for your letter relating to Petition: P-04-364 – Fibre Optic for Rural Areas. Please find below comments which I hope will be helpful to the Committee.

It is worth noting in particular that the Welsh Government is currently in the procurement phase of delivering Next Generation Broadband for Wales (at least 30 Mbps). To assist the delivery of this commitment, the UK Government has also announced a £56.9 million contribution towards the rollout of superfast broadband (30 Mbps) to 100% of the Welsh population by 2015.

Furthermore, we are currently consulting on proposals for the award of spectrum licences (800 Mhz & 2.6 Ghz) to support the rollout of 4G mobile broadband technology, which is set to deliver significantly faster mobile broadband services to rural areas.

Please do not hesitate to contact us if you require further information on these issues or any other Ofcom matter.

Kind regards

Elinor Williams

Director Wales, Ofcom

**Rural Broadband**

Typically (though not always), the reason for slow broadband (or none at all) over a fixed telephone line is the length of the copper wire from the house or business to the telephone exchange. Unlike conventional telephone calls, a broadband DSL signal reduces with distance from the exchange to a point where the broadband service will not work at all (generally at around 5 km). Other factors also impact on fixed-line broadband availability including poor home wiring or other network issues such as the presence of line concentrators and aluminium cabling, which do not carry a broadband signal as efficiently as copper.

Such locations are known as not-spots and are a particular problem in Wales as a greater proportion of rural homes and small and medium-sized enterprises are situated a long way from exchanges compared to other parts of the UK. Approximately 18% of premises in Wales are situated further than 5 km from an exchange compared to the UK average of 14%.

In July 2010, the then Deputy First Minister, Ieuan Wyn Jones AM, announced a new £2 million Broadband Support Scheme that aims to provide consumers in rural not-spots with a grant of up to £1,000 to enable them to gain access to broadband by approaching alternative service providers directly. In July 2011, the Minister for Business, Enterprise, Technology & Science, Edwina Hart AM,

extended the scheme to those consumers living in “slow-spots” (receiving less than 2 megabits per second).

There are a number of alternatives to fixed broadband. Satellite broadband is available almost anywhere in the UK using a dish. Companies such as Avanti and BeyondDSL offer a range of satellite broadband packages.

Companies such as TFL and Exwavia specialise in the deployment of wireless broadband solutions by placing its first wireless distribution node at or near the telephone exchange. This is used to “send” the broadband to where it is required. The distribution of broadband to users is then a simple case of feeding the wireless signal to each premises using the same wireless technology.

However, BT is also in the process of upgrading its fixed network. In June 2008, BT announced a £1.5 billion programme over four years to replace major parts of its copper access network with fibre, at least to the street cabinet, connecting 10 million UK homes. BT has since announced that it will spend a further £1 billion to extend coverage to two-thirds of UK homes by 2015, using a combination of fibre to the cabinet (FTTC) and fibre to the premises (FTTP).

BT has published an initial list of exchange areas across the UK in which it will roll out superfast broadband services, based initially on a fibre to the cabinet solution. However, the business case for investment in Wales’ telecommunications infrastructure is challenging, and BT’s current investment is focused primarily on commercially attractive areas. Indeed, industry and economic analysis has concluded that there is no obvious means whereby the market, unaided, will serve the final third of the UK population.

In an effort to reach the final third, the Welsh Government is currently in the procurement phase of delivering Next Generation Broadband for Wales (at least 30 Mbps). To assist the delivery of this commitment, the UK Government has also announced a £56.9 million contribution towards the rollout of superfast broadband (30 Mbps) to 100% of the Welsh population by 2015.

Ofcom has also recently announced measures which may incentivise the rollout of broadband services to those areas in which there is no or little competition to BT. In our recent review of the Wholesale Broadband Access Market, we proposed that BT should continue to be required to provide bitstream services in a non-discriminatory manner and on the basis of cost-oriented prices to address the potential competition problems posed by BT’s dominance in Market 1 (areas where there is no competition) and Market 2 (areas where there is insufficient competition). These proposals are designed to ensure consumers benefit from competitive services provision at the retail level. The changes may lead to better quality services by enabling ISPs to allocate more bandwidth per customer which could deliver faster broadband services. Ofcom also expects the level of the charge control to incentivise efficient investment by ISPs to roll out their own networks in these areas and enable them to compete with BT Wholesale. It will also incentivise BT Wholesale to upgrade ADSL2+ services as Ofcom has exempted ADSL 2+ technology from charge controls. ADSL 2+ is capable of supporting faster broadband speeds than ADSL, with a maximum possible speed of 24 Mbit/s over the copper network.

## **P-03-315 Deiseb i gael croesfan newydd dros Afon Dyfi**

### **Geiriad y ddeiseb**

Rydym ni, sydd wedi llofnodi isod, yn cefnogi ac o blaid unrhyw gynnig i adeiladu croesfan newydd dros afon Dyfi (neu i ailgyfeirio ffordd yr A487) i gysylltu de Meirionnydd â Phowys, Dyfed a Cheredigion, a hynny er mwyn bodloni ac addasu i ofynion traffig modern, ac rydym yn annog y dylid rhoi blaenoriaeth i ariannu a rhoi cychwyn ar unrhyw gynnig o'r fath. Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i roi blaenoriaeth i'r prosiect.

**Cynigwyd gan:** Fforwm Pobl Hŷn De Meirionnydd

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** Mis Chwefror 2011

**Nifer y llofnodion:** 3,204

Carl Sargeant AC / AM  
Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-03-315  
Ein cyf/Our ref CS/05515/12

William Powell AM

William.powell@wales.gov.uk

4<sup>B</sup> March 2012

Thank you for your recent letter about the A487 Dyfi Bridge.

The ongoing Dyfi Bridge study, which considered the problems, opportunities, and constraints in this area, is nearing completion. The next stage will be to appoint consultants during the summer of this year to develop options to take to public consultation during the autumn of 2013. It would be premature to offer indicative timescales beyond this.

In the meantime, I confirm that we closed the Dyfi Bridge on Sunday 19 February 2012 for one day to facilitate the installation of a new safety barrier. This barrier is now in place and will be used to close the bridge at times of flooding.

We have also taken steps to enhance the diversion signage and have erected CCTV on the north side of the bridge to monitor road conditions. We plan to erect additional cameras near to the Ecoparc to monitor flooding close to the access and on the railway bridge.

Carl Sargeant AC / AM  
Y Gweinidog Llywodraeth Leol a Chymunedau  
Minister for Local Government and Communities

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CF99 1NA

Wedi'i argraffu ar bapur wedi'i ailgylchu 100%  
Tudalen 101

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Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: Carl.Sargeant@wales.gsi.gov.uk  
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**PET(4)-08-12 : Tuesday 15 May 2012**  
**P-03-315 New Dyfi River Crossing**

Email from Petitioner – 3 May 2012

The only comment we have, is that the barrier which has been erected could have been placed in a better position. Vehicles will try to cross the flooded fields before they reach the barrier.

A barrier should have been placed at the north side of the river bridge and another at the south side of the railway bridge. All this expence does not eliminate the extra mileage an ambulance has to cover to get to Bronglais Hospital, and anyone having to make the journey in a hurry from north to south. A new bridge or alternative crossing is of paramount importance and must be on the infrastructure agenda now.

Regards

Gerald Stevens

# Eitem 7.8

## **P-03-309 Caerdydd yn erbyn y llosgydd**

### **Geiriad y ddeiseb:**

Rydym ni, sydd wedi llofnodi isod, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ymyrryd â stopio'r cynllun llosgydd sy'n cael ei gynnig gan Virador. Fel trigolion yng Nghymru, rydym o'r farn y bydd y cynllun hwn yn niweidiol i'n lles a'n iechyd ni a'n plant.

**Cyflwynwyd y ddeiseb gan:** Rick Newnham

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** Tachwedd 2010

**Nifer y llofnodion:** 2,203

Our ref: 2866/201002579/  
SE/JH

Ask for: Steffan Evans



01656 641196

Date: 26 March 2012



Steffan.Evans@ombudsman-wales.org.uk

Dear,

You have previously corresponded with my investigator, Mr Evans, regarding your complaint. In view of the issues involved in this case, I have decided to respond to you personally. This letter forms the final report of my office's investigation into your complaint against Cardiff County Council ("the Council"). You will be aware from your telephone conversations with Mr Evans that we recently met with officers from the Council to discuss the issues arising in this case. Some changes have been made to the draft letter-report in light of those discussions. However, as nothing was raised that had not already been considered, the conclusions reached on your complaint remain unchanged.

### **Your complaint**

Your complaint broadly relates to the Council's handling of Viridor Plc's successful planning application for a waste incinerator development (an energy from waste facility) at Trident Park, Cardiff.

You considered that the consultation exercise undertaken by the Council about the proposed development was inadequate. You believed that the Council should have notified the residents of the local area more extensively and you listed a number of potentially interested parties who in your view would have benefited from notification. Because of the potential impact of the proposed development, you also considered that the Council should have consulted more widely with the residents of the City.

You complained that the Council's failure to properly consult about the application amounted to maladministration which denied persons potentially affected by the development the opportunity to make representations and potentially object to the proposed development. You are of the view that had the consultation exercise been more widespread and comprehensive that the Council would have decided against granting approval for the proposed development.

Your main concern about the impact of the development appeared to be your belief that the facility would release dangerous and harmful emissions which would be detrimental to the health of the City's residents.

You complained that the process of determining the application was flawed and that the decision taken was a miscarriage of justice for the residents of Cardiff.

### **The Ombudsman's role**

My role is to consider and investigate complaints of maladministration or service failure on the part of public bodies which causes hardship or injustice to members of the public. To uphold a complaint I must be satisfied that there has been an injustice or hardship to the complainant resulting from a failing identified by the investigation.

I normally take maladministration to mean that the body concerned has failed to act in accordance with policy or procedure or has otherwise acted unreasonably. If the body has failed to act in accordance with the law then that can also amount to maladministration.

I should explain that I cannot substitute my judgment for that of an authority under investigation, nor can I question the merits of an authority's properly made decision. A properly made decision is one that is taken without maladministration. I do not either, as Mr Evans has previously informed you, have the power to declare a planning consent null and void, as you suggested I should in this case.

### **My investigation**

In addition to the documents you supplied, I have considered the Council's formal response to your complaint, including relevant background papers and copies of the correspondence between you and the Council. Whilst I will not refer to everything I have considered in this letter, I am satisfied that nothing of significance has been overlooked.

To assist me with the determination of your complaint, I sought and obtained independent advice on your complaint from one of my professional advisers, an expert on planning matters.

### **Relevant Law and Procedure**

The Town and Country Planning (General Development Procedures) Order 1995 (as amended) (“the Order”) specifies, amongst other things, the procedure relating to planning applications.

Article 8 of the Order sets out the publicity requirements for applications for planning permission. The Order requires that an application for planning permission for development of this kind, which is accompanied by an environmental statement, be publicised by site display in at least one place on or near the land to which the application relates and by local advertisement. In applications of other kinds publicity can also be provided by serving the notice on any adjoining owner or occupier.

The Order defines “by local advertisement” as meaning by publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated, and where the local planning authority maintain a website for the purpose of advertising planning applications, by publication of the notice on the website.

The Order defines “by site display” as meaning by the posting of the notice by fixing it to some object, sited and displayed in such a way as to be easily visible and legible by members of the public.

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (“the Regulations”) sets out the requirements for assessment of the impact on the environment of projects likely to have significant effects on the environment.

The Regulations define an “EIA application” as being an application for planning permission for EIA development. The proposed development in this case was such a development.

### **Background**

Planning permission was originally refused for an application for a similar development on the same site in July 2009.

A second amended application was submitted to address the reasons given for the original refusal (which, in any case, Viridor Ltd was in the process of appealing when the latter decision was made).

The Council's Planning Committee resolved to grant planning permission for the development on 9 June 2010, subject to conditions and a s106 agreement. The s106 agreement was completed and planning permission (the decision notice) was issued on 29 June 2010.

The Council considered that a full and extensive consultation process had been undertaken for the development which satisfied the requirements of Article 8 of the Order.

The Council said that notification letters were sent to neighbouring occupiers, in accordance with that legislation. It said that the six site notices were displayed at key locations in the communities near the site as had been the case for the original application by Viridor. The Council stated that the locations were chosen to ensure maximum publicity was achieved. It said that the proposals were also advertised in the local press.

The Council told me that it publicised the application on its website in the weekly lists. It said that the application would not have been displayed in the press notice format because that practice had started some six months ago, after the Viridor application had been submitted.

With respect to the residents of Galleon Way, the Council said that they were not sent written notification of the proposals because the properties did not adjoin the application site. They were located approximately 560 metres from the application site.

### **Professional Advice**

Mr Evans sought advice on your complaint from one of my independent professional advisers, an expert on planning matters. The adviser, Mr Y, is a retired planning inspector with twenty years experience of dealing with planning appeals. He is a Chartered Town Planner and a member of the Royal Town Planning Institute.

The adviser noted, as the Council had pointed out, that the statutory requirements for publicity for planning applications of this kind were complied with in this case. In addition, he noted that the Council had advised 17 adjoining owners by letter and fixed six notices in the vicinity of the application site.

The adviser said that your helpful plan showed that there was a group of high-rise apartments to the west of the site that did not benefit from a lamp post notice. He noted that the nearest notice was placed in Lloyd George Avenue some 0.5km away.

In the adviser's view, it should have been apparent to the Council that there was a group of residential / commercial properties to the west of the site which could have benefitted from lamp-post notices, if not letter consultations under the Council's discretionary powers to publicise significant planning applications.

The adviser considered whether, if sufficient shortcomings were found in the publicity to amount to maladministration, it was likely that the decision taken on the application would have been different.

The adviser commented that more widespread publicity for the application would probably have resulted in an increased number of responses from local residents. He said it was also most likely that many of the representations received by the Council would have been objections to the development. He stated that the question then was whether the extra weight of objection would have led to a refusal of permission.

The adviser noted that the committee report on the application referred to eight objections to the development and summarised them under 21 headings. These 21 headings generally fell within the main issues addressed in the report. The adviser said that it seemed to him unlikely that, had there been wider publicity for the application, a significant number of new issues would have emerged from the increase of objections. Given that the substance of the objections to the development were addressed in the committee report and found not to be of such weight as to warrant refusal of the application, he did not consider that extra publicity would have led to a different decision.

Mr Evans asked the adviser to consider whether the decision taken by the Council appeared to him to be manifestly unreasonable or perverse.

The adviser said that planning permission for a similar proposal (ref: 08/2616E) was refused by the Council in July 2009. The single reason for refusal concerned the need for the importation of substantial quantities of waste material from outside the Cardiff area and hazardous waste being exported to England. He stated that this would result in the unsustainable

transportation of waste material contrary to the objectives of TAN 21: Waste (guidance issued by the then Welsh Assembly Government relating to the planning framework for waste management in Wales).

The adviser said that the application that was the subject of the complaint differed from the earlier application in the ways listed at paragraph 1.3 of the committee report. In summary, these were: increases in the amount of recycled waste; a reduction in the amount of residual non-combustible waste; an additional recovery facility for incinerator bottom ash; an examination of the best way to deal with fly ash; a commitment to only treat waste from South East Wales; and minor highway improvements.

The adviser said that the committee report addressed these amendments in detail and concluded, on balance, that the development met the guidance in TAN 21 and the other relevant local and national policies. The adviser told me that in his experience, a decision to refuse permission and then, following amendments designed to address the Council's objections, to permit the development often happened where complex development was involved. The adviser stated that he could see nothing in the process or the decision reached that could be called manifestly unreasonable or perverse.

### **Review of key issues and conclusions**

I acknowledge that in this case the Council's consultation exercise met that which was required of it under the Order. However, the wording of the Order gives considerable flexibility to the consulting authority so that it can meet and even relatively easily exceed the obligations that the Order imposes on it. Its requirements are not onerous and can be achieved without necessarily giving notification that is proportionate to the potential impact of a proposed development. Therefore, that the Council met the statutory minimum does not mean, in itself, that it had not acted maladministratively when it consulted about the application.

The proposed development was of considerable importance with potentially significant environmental implications for the immediate and wider locality. I agree with the adviser that it should have been apparent to officers visiting the site that there was a group of properties (both residential and commercial) to the west of the site in particular which would have benefited either from being notified directly of the application or from the erection of site notices in the immediate vicinity of their properties. I understand that determining the extent of the consultation exercise in developments of this kind involves the professional judgment of the officers concerned but given the nature, significance and siting of the proposed development I am of the view that the



consultation exercise fell short of what could reasonably be expected of it which amounted to maladministration on the part of the Council.

Despite that shortcoming, wide-ranging and often detailed objections were made about the application which was considered by the Council before the application was determined. The Council produced a comprehensive report to committee where the common issues arising relating to health matters, noise nuisance, odour nuisance, pollution etc were all considered in detail (the list is not exhaustive). In view of the objections that were made and considered, I accept the adviser's conclusion that it was unlikely that, had more representations been received as a result of a more extensive consultation exercise, other significant objections would have been raised which would have led to a different outcome.

I also accept the adviser's view that there was no evidence that the decision taken with respect to the planning application was either manifestly unreasonable or perverse. In light of that, I cannot question the merits of the decision.

You have argued that had the consultation been wider, the sheer weight and number of objections to the proposed development would have resulted in the Council refusing permission for the development. I am not persuaded that the application would have been determined differently even if a higher number of objections had been received. Whilst the strength of local opposition to a proposed development is something that the Council as the Local Planning Authority may have regard to in determining a planning application, it is highly unlikely that it would be the decisive factor, especially if the proposal is otherwise acceptable in planning terms, which it appears to have been in this case.

I should also make you aware that the potential negative effect of a proposed development on the value of nearby properties is not a material planning consideration.

Turning to the question of whether an injustice was caused to you personally by the matters complained of, given where you live, I am not persuaded that there is a personal injustice to you arising from the shortcoming identified in the Council's consultation exercise. Whilst I can understand your concerns about the possibility of widespread harm to health being caused by the incinerator, I am not persuaded that this possibility is directly linked to the shortcoming in the consultation process. That injustice, even if it could be

proven with any level of certainty, is linked to the development itself rather than the consultation exercise.

I note that you have now provided consent from three of the residents of Galleon Way authorising you to represent them. Given that these residents would have benefited had a fuller consultation been undertaken, namely the opportunity to object to the proposal, I am satisfied these residents did suffer an injustice in that they were denied the opportunity to make representations about the proposed development. However, given that the outcome would probably not have been any different, the injustice is limited to that lost opportunity.

Regarding your more recent correspondence and the extracts taken from the papers relating to the Council's Environmental Scrutiny Committee, whilst I can understand why you have submitted the papers, I do not consider that they constitute compelling evidence that the Council has acted maladministratively in this matter but rather they are indicative of the view(s) held by members of that committee.

In reaching my decision, I have been guided by, and accept in full, the independent professional advice set out above. I am, however, mindful of the exceptional nature of this development. Developments of this kind are rare. I should make it clear that in reaching my decision I am not setting a precedent as to how extensive consultation should be for future proposed developments of this kind. It will continue to be necessary to determine the extent of a consultation exercise undertaken for an application on its own merits. It was the very particular nature, location, and scale of this development that set it apart and led me to the conclusions I reached. I acknowledge that there was strong local opposition to this development. Nevertheless, the application was accompanied by an Environmental Statement, and was subject to a formal Environmental Impact Assessment. I am also mindful that the Environment Agency had in fact granted a permit for the operation of this incinerator.

Whilst I can therefore understand that you have concerns about the development and the health of the residents of Cardiff and its visitors, for the reasons set out above I **uphold your complaint** only to the extent that the residents of Galleon Way, who you represent, were denied the opportunity to make representations about the proposed development as a result of the shortcoming in the Council's consultation exercise.

I **recommend** that the Council:

1) Apologise to those persons you complained on behalf of, who were denied the opportunity to make representations because of the shortcoming in the Council's consultation exercise.

2) Review its consultation procedure relating to planning applications where the proposed development may have a significant and widespread impact on public health.

This letter concludes the investigation of your complaint, and I am sending a copy to the Council. An anonymised copy of the report has also been sent to Ms X, Deputy Clerk to the Petitions Committee at the National Assembly for Wales.

My office prepares an anonymised summary of every case investigated. My office is obliged to report on its work and the summaries can be used in information published by my office from time to time, and may be placed on the website. I attach a copy of the summary prepared about your complaint. As you will see, you cannot be identified from the information contained in the summary.

Please let my office know if you want any documents you have provided to be returned to you. We routinely destroy our files 15 months after the case is closed.

Yours sincerely

Peter Tyndall  
Ombudsman

Enc

**FOOTNOTE**

This letter constitutes a report under s.21 of the Public Services Ombudsman (Wales) Act 2005.

Barry/Vale Friends of the Earth  
Cyfeillion y Ddaear, y Barri a'r Fro  
14 Robert Street, Barry CF63 3NX  
mobile:- 07980 925643



*Cyfeillion y Ddaear*

Petitions Committee,  
Welsh Assembly / Senedd,  
Cardiff Bay CF99 1AA

20<sup>th</sup> April 2012

### **Petition – P-04-341: Supplementary Evidence for 1<sup>st</sup> May session**

We understand that *Cardiff Against the Incinerator* are presenting evidence in the light of the Ombudsman's decision that residents in the neighbourhood of the proposed Viridor waste incinerator, within 1000m of the site, suffered an injustice through Cardiff Council failing to notify and consult them, and that this amounts to maladministration by Cardiff Council.

We would bring to the Committee's attention that plans for two waste incineration plants on Barry dock were considered at a similar time by the Vale of Glamorgan Council and that also in this case the Council failed to notify residents and businesses in the neighbourhood. In both cases, the planning officer recommended approval on the basis of the land being allocated for waste management purposes in the draft Local Development Plan (LDP), so the planning dept. had an interest in minimising public notification of the two developments. It should be noted, however, that the draft LDP was still confidential and in initial form, approved presumably by the Cabinet Member responsible (Cllr Jeff James), but the planning officer's report still cited the document. Only earlier this year was the draft LDP published, with this proposed designation for waste management purposes.

The two incineration plants are

- a) BioGen municipal waste incinerator on Atlantic Way, Barry Dock (2009/00021/FUL) very visible from housing on Barry Island (Dyfrig St and Redbrink Cres) and in Castleland (Dock View Road), both being elevated above the dock and about 800metres away. The nearest housing on Bendricks Rd is 550m away. Small businesses on David Davies Rd and Woodham Rd are 350-400m away to the north-west.
- b) Sunrise waste wood incinerator (2008/00828/SC1) on Woodham Rd, still closer to Dock View Road housing at about 300metres.

The Sunrise plant was rejected by the Council, then approved on appeal, so there was much information in the public domain by the end; but the BioGen plant was simply approved by the Council in Sept 2009 with few people aware of it and minimal notification of the public by the Council. We should add that Cllr Jeff James as chair of the Planning committee arranged for the proposers BioGen to give a presentation for the Planning Committee (and interested local Councillors, but not the public) on the afternoon prior to the Planning Committee meeting. This pre-meeting was not only prejudicial, but also gave relevant information that the public could not see and could not comment on. The Council's legal officer dismissed complaints at this.

We submit therefore, on the basis of the Ombudsman decision in Cardiff, that the Vale of Glamorgan Council was likewise guilty of maladministration. Would the Petitions committee note this and include the Barry cases with its further actions on the Cardiff/Viridor case.

Max Wallis  
Barry & Vale Friends of the Earth

Welsh Assembly Government  
Petitions Committee

Cardiff Against the Incinerator  
21 Northlands  
Rumney  
Cardiff  
CF3 3AQ  
4<sup>th</sup> May 2012

Dear Sir

I write on behalf of Cardiff Against the Incinerator Committee,

As you are aware, the Ombudsman for Wales has completed his investigation into Cardiff County Council's flawed planning consultation exercise in Cardiff Bay.

The Ombudsman for Wales has found that "the proposed development consultation exercise fell short of what could reasonably be expected of it, which amounted to maladministration on the part of the Council", "however a number of individuals, given where they lived (Galleon Way), suffered an injustice through not being adequately consulted" and "Who were denied the opportunity to make representations about the proposed development, as a result of the shortcoming in the Council's consultation exercise."

It is obvious that this maladministration ruling applies to hundreds of residents residing at the Galleon Way apartment complex and the thousands of residents, employees and businesses in Cardiff Bay, who have all suffered an injustice, due to Cardiff County Council policy of failing to put up or post planning information notices, concerning the planning application for the proposed Viridor incinerator in Cardiff Bay.

Cardiff Council consultation on the Viridor planning application in the Splott and Tremorfa area, consisted of 17 notices by letter in the Ocean Way industrial area, 6 fixed notices in residential areas of Splott.

We call on the Petitions Committee, to forward this maladministration charge against Cardiff County Council, to the Welsh Assembly Government, requesting that their legal department investigate "why" Cardiff County Council, deliberately failed to carry out their legal obligation, to consult on this planning issue. The residents in Cardiff Bay live nearest to the proposed incinerator site. We also request that a public enquiry be set up to thoroughly investigate the consultation maladministration in Cardiff Bay, carried out by Cardiff Council, and the flawed consultation carried out by Prosiect Gwyrdd and the Environment Agency Wales.

The ombudsman for Wales proven case of maladministration and the other charges of flawed consultation, as attached, show that the Cardiff Council has used discredited methods in their drive to force through planning consent for the Viridor incinerator in Cardiff Bay. Using the most effective method at their disposal and restricting local opposition by keeping the residents, employees and businesses out of the planning consultation loop in Cardiff Bay.

The planning committee on 9<sup>th</sup> June 2010 resolved to grant planning permission, subject to conditions and a 106 agreement.

Rodney Berman the Council leader was present at the planning committee meeting, when the Council's head of planning officer stated, "It would be suicidal not to grant planning consent." to Viridor plc. This statement is tantamount to giving instruction to the planning committee and is totally out of order.

The officers and the planning committee chairman had a duty to inform the planning committee that it would be inappropriate to grant merchant planning permission at this time, due to the fact that Cardiff Council, as lead Council in the Prosiect Gwyrdd Consortium, were already in the process of selecting the incinerator company with the most efficient incinerator and the best financial bid, the winning company to be presented with the contract to burn all the residual waste from the five Consortium Councils. Cardiff County Council through Prosiect Gwyrdd, is still carrying out this selection process today. This should have been discussed in Committee and seriously compromises the decision.

The 106 agreement was completed and planning permission issued on 29<sup>th</sup> June 2010. The council decided against going to press prior to the re submission of the planning application, thereby once again denying democratic consultation and scrutiny by the citizens of Cardiff.

We believe that the planning permission issued to Viridor should not be allowed to stand due to undue pressure being put on the planning committee, by officers and the failure of officers to fully brief the planning committee on the Prosiect Gwyrdd work in hand issue. Cardiff Council has failed to carry out due process with regard to planning consultation in Cardiff Bay, this has led to a proven charge of maladministration where the residents, employees and businesses have being substantially and likely deliberately misled.

We request that this flawed Viridor planning consent be thrown out by John Griffiths Environment Minister, Welsh Assembly Government.

Yours faithfully  David Prosser (CATI Media secretary)

Welsh Assembly Government  
Petitions Committee

Cardiff Against The Incinerator  
21 Northlands  
Rumney  
Cardiff  
CF3 3AQ  
4<sup>th</sup> may 2012

Dear Sir

I write to highlight another case of flawed consultation in Cardiff Bay that requires investigation by the Environment Minister

On March 14<sup>th</sup> 2011 Prosiect Gwyrdd (PG) held a drop in meeting at County Hall Cardiff bay. The purpose of the meeting was to give Cardiff Bay residents the opportunity to put their questions on incineration and recycling to the PG partnership staff Unfortunately PG failed to put up notices or posters in any areas of Cardiff Bay to notify residents of this important drop in meeting.

Prosiect Gwyrdd even failed to put up notices in the Galleon Way high rise apartment complex next door to the County Hall Meeting !!  
(PG) failed to conform with their own guide lines and operate a professional information and consultation exercise.

Prosiect Gwyrdd is the partnership of five councils set up to select the incineration company with the winning bid, to construct an incinerator in south East Wales. The nominated company will receive the WAG part funded contract to burn the residual waste from the five South East Wales Local Authorities. The lead council is Cardiff County Council

Prosiect Gwyrdd's correspondence states that their "communications campaign is a mandatory condition of the Welsh Assembly Government funding agreement." This is because, communication, engaging and informing local communities and other key stakeholders, represents best practice for all major infrastructure projects".

PG literature also states "the partnership will be running drop- in information sessions, close to the areas where sites have been identified, so that residents have the opportunity to put their questions to PG officers".

PG also state that they will put up notices close to the sites to inform local people of the drop in meeting. The Environment Minister should investigate why Prosiect Gwyrdd failed to put up drop- in meeting notices anywhere in Cardiff Bay about the meeting on 14<sup>th</sup> March 2011. This must be considered as another case of flawed consultation in Cardiff Bay.

Yours faithfully  David Prosser, Media secretary (CATI)

Welsh Assembly Government  
Petitions Committee

Cardiff Against The Incinerator  
21 Northlands  
Rumney  
Cardiff  
CF3 3AQ  
4<sup>th</sup> May 2012

Dear Sir

I write to highlight yet another case of flawed consultation in Cardiff Bay, this time it concerns the Environment agency Wales.

The Environment Agency Wales held a drop-in meeting at the Novotel Hotel on the 6<sup>th</sup> July 2009, this to discuss incineration issues in Cardiff Bay, they failed to properly notify residents and businesses South of County Hall or employees living or working close (around 500 metres) to the proposed incineration site. They also failed to notify the manager or businesses in the Red Dragon entertainment complex, or any businesses and employees at the Mermaid Quay, restaurant and shopping quarter. This is yet another case of totally flawed consultation in Cardiff Bay. This requires investigation by the Environment Minister.

The Environment Agency Wales (EAW), have an obligation under the Local Democracy, Economic Development and Construction Act 2009. The Act states in section 23, - Duty of public Authorities to seek involvement with interested persons, section (7) states, "interested persons "means a person who is likely to be affected by or interested in the function. The EAW has failed to conform with the Act. There are thousands of people likely to be interested or affected in Cardiff Bay who were not allowed consultation involvement.

The Petitions Committee should question the EAW on this flawed consultation policy in Cardiff Bay.

Yours Faithfully



David Prosser

Media Secretary (CATI)



## **P-04-343 Atal dinistrio mwynderau ar dir comin**

### **Geiriad y Ddeiseb**

Rydym yn galw ar Lywodraeth Cymru i chwilio am ffyrdd i atal dinistrio mwynderau ar dir comin, gan gynnwys tir comin y Marian yn Llangoed, Ynys Môn.

**Cynigwyd gan:** JE Futter

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 15 Tachwedd 2011

**Nifer y llofnodion:** 156

Sarita Marshall  
Deputy Committee Clerk  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Tan y Ffordd Bach  
Glánrafon  
Llangoed  
Ynys Mon  
LL58 8SY

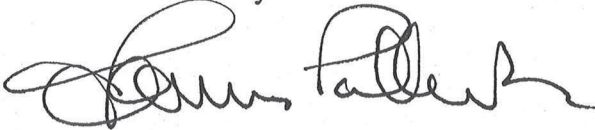
15th September 2011

**Re: Background information relating to the petition P-03-343  
PREVENT THE DESTRUCTION OF AMENITIES ON COMMON LAND – ANGLESEY.**

Dear Sarita

Please find enclosed, various documents which I hope will provide the background information you seek, if you have any questions regarding this please let me know via letter, e-mail or telephone.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Pollock', written in a cursive style.

Tom Pollock

Tel: 01248 490792

E-mail: [tom@excellentcreative.co.uk](mailto:tom@excellentcreative.co.uk)

PREVENT THE DESTRUCTION OF AMENITIES ON COMMON LAND – ANGLESEY

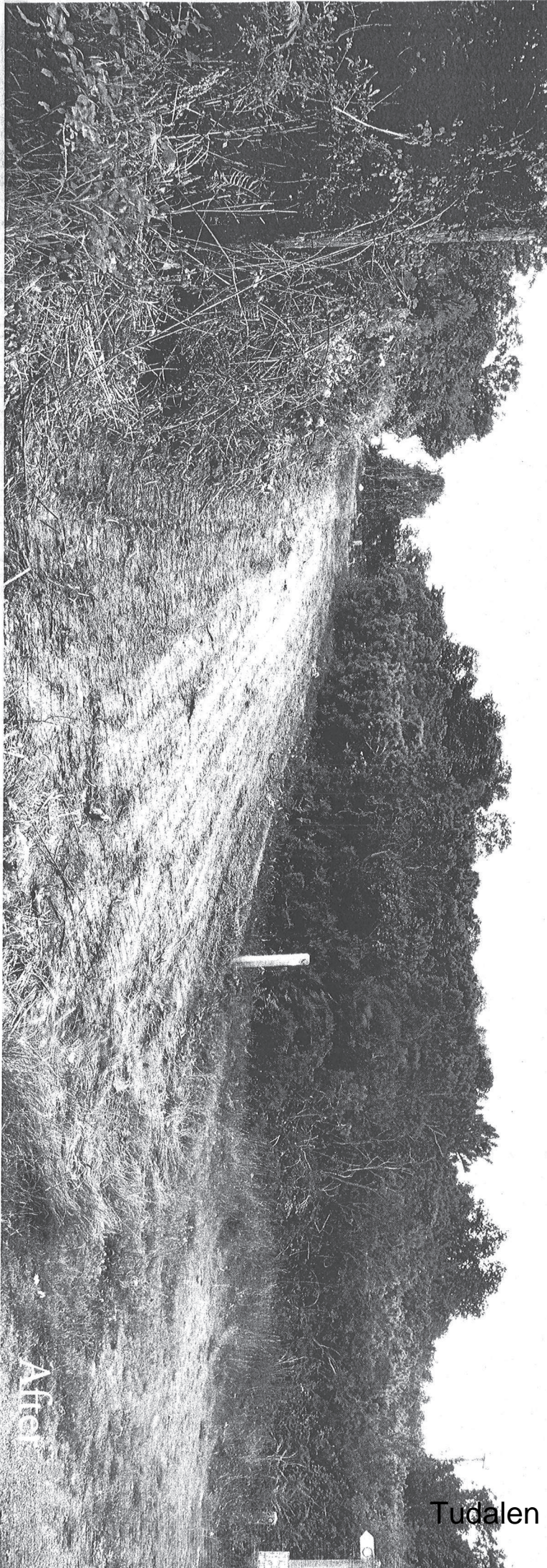
1. In June 2011 large areas of common land were bulldozed in order to create large-scale vehicular access. The topography of the land was changed to accommodate 'tracks' 6.5m – 7m wide – on areas of Marian Common where previously only footpaths existed. Please see attached before and after photographs of the land.
2. This action was undertaken without the knowledge or permission of the registered custodians of the land or without the knowledge or permission of the owners of the grazing rights to the land.
3. This action was extremely distressing to the local community and visitors to Anglesey alike, who regularly walk the common and enjoy the amenities, particularly as it took place in the nesting season. The chance to see such a wide variety of bird, animal and plant life is not something that can be enjoyed everywhere (lists compiled by wildlife experts on the flora and fauna are enclosed). The area has also recently been officially recognised as a red squirrel habitat by The Red Squirrels Trust Wales.
4. The areas that were denuded of flora adjoin the coastal path.
5. Common land in the area is gradually being eroded.
6. A paper petition containing 350 names was presented to Llangoed Community Council and the National Assembly for Wales.
7. The actions of the individuals concerned were reported to the Llangoed Community Council, Anglesey County Council, The Countryside Council for Wales and North Wales Police. All of these bodies were sympathetic but not able to take decisive action (legally or financially) to ensure the future protection of this land.

As well as adding their support to the petitions, many local people and visitors to the area have written to official bodies and politicians regarding this matter and have received support from the local councillor Lewis Wyn Davies, Ieuan Wyn Jones AM and Albert Owen MP. John Griffiths.

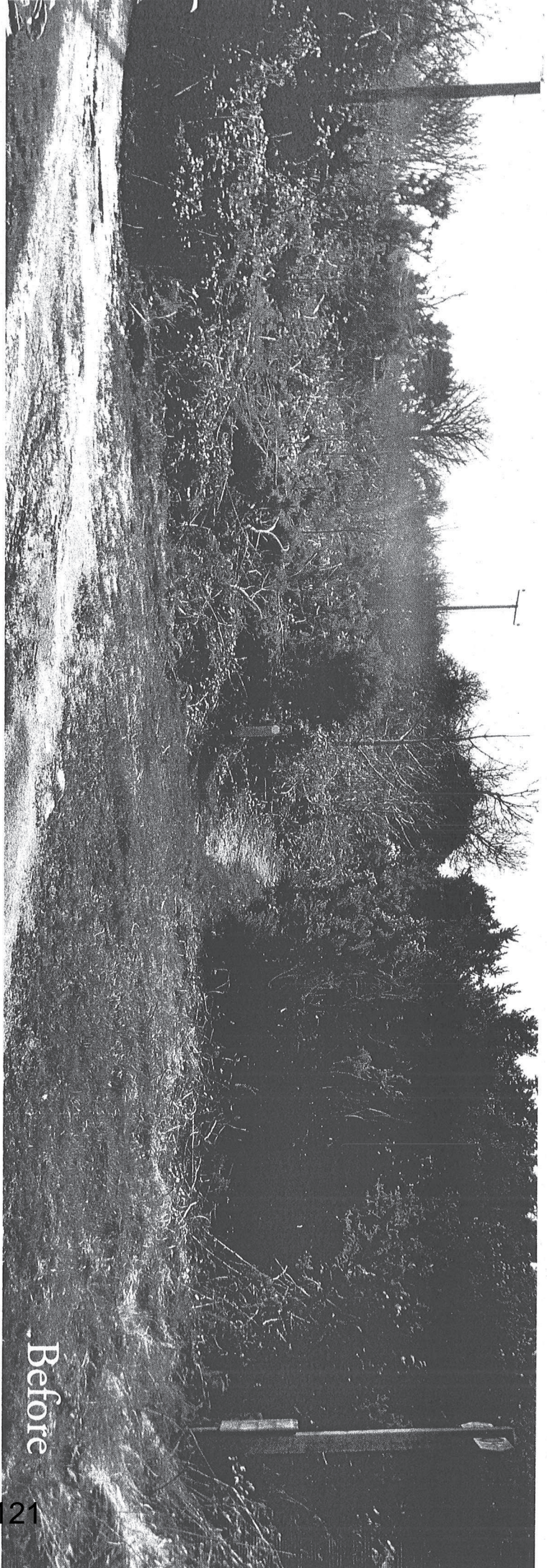
The Welsh Assembly Minister for the Environment has commented in a letter that "it seems to me that there is a wide range of controls over the use of common land and the carrying out of works on common land already in existence to protect the amenity of common land" (John Griffiths to William Powell AM, chair of the Petitions Committee, 20/11/2011).

Whilst there may be a wide range of controls in existence, if none of the official bodies find themselves able to enforce the legislation and, instead, pass it on to the community stating it is a 'civil matter', the law has no teeth whatsoever. If the local community is unable to fund any legal action against trespass and destruction of common land because no support is offered from local or national government, then the law is as good as useless.

The community feel that what is needed is a firm, enforceable law so that everyone knows where they stand. Such a law would prevent common land from being acquisitioned for permanent vehicular use and/or property development and preserve and protect it for the enjoyment of present and future generations.

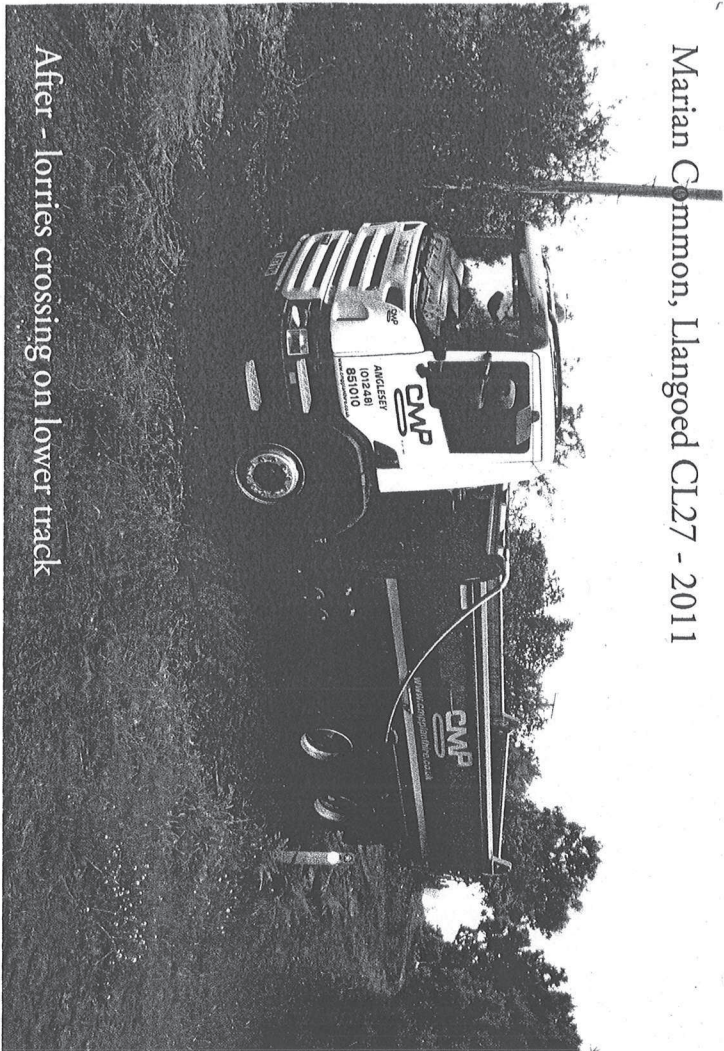


After

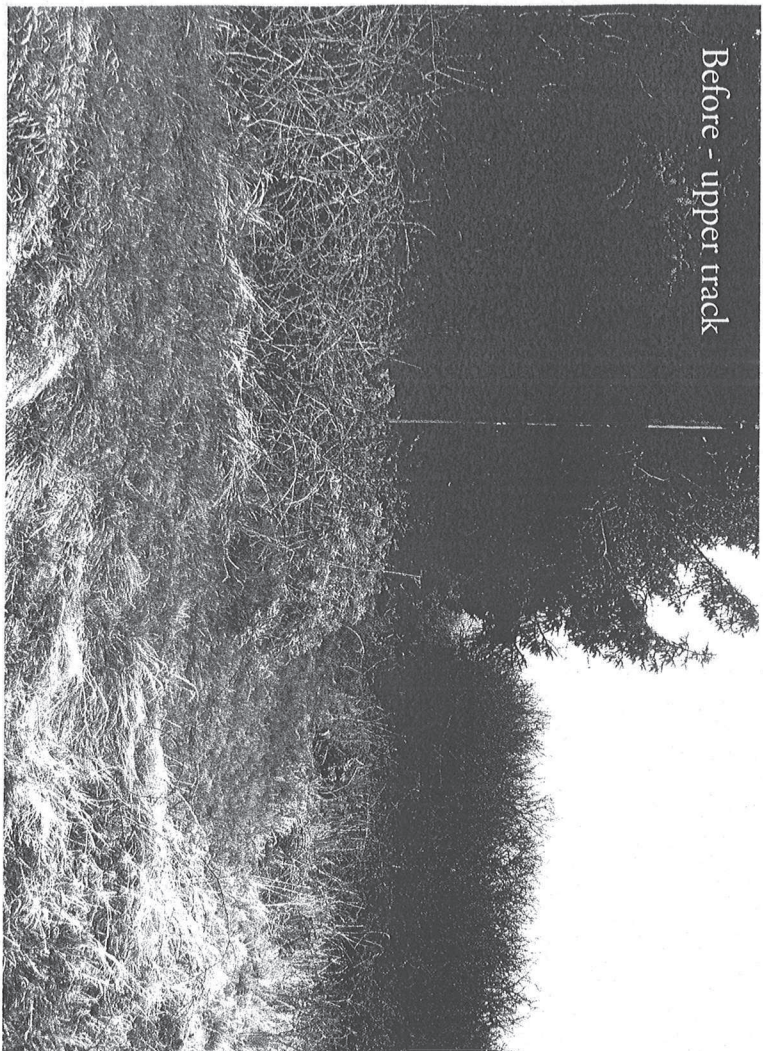


Before

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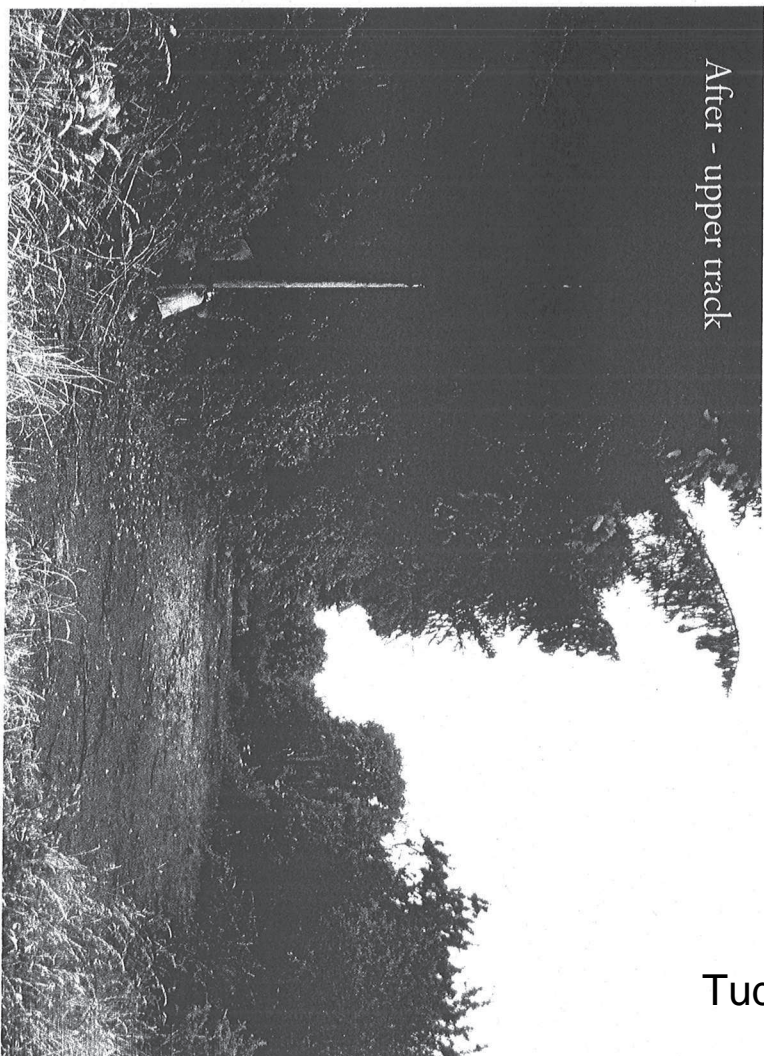
After - lorries crossing on lower track



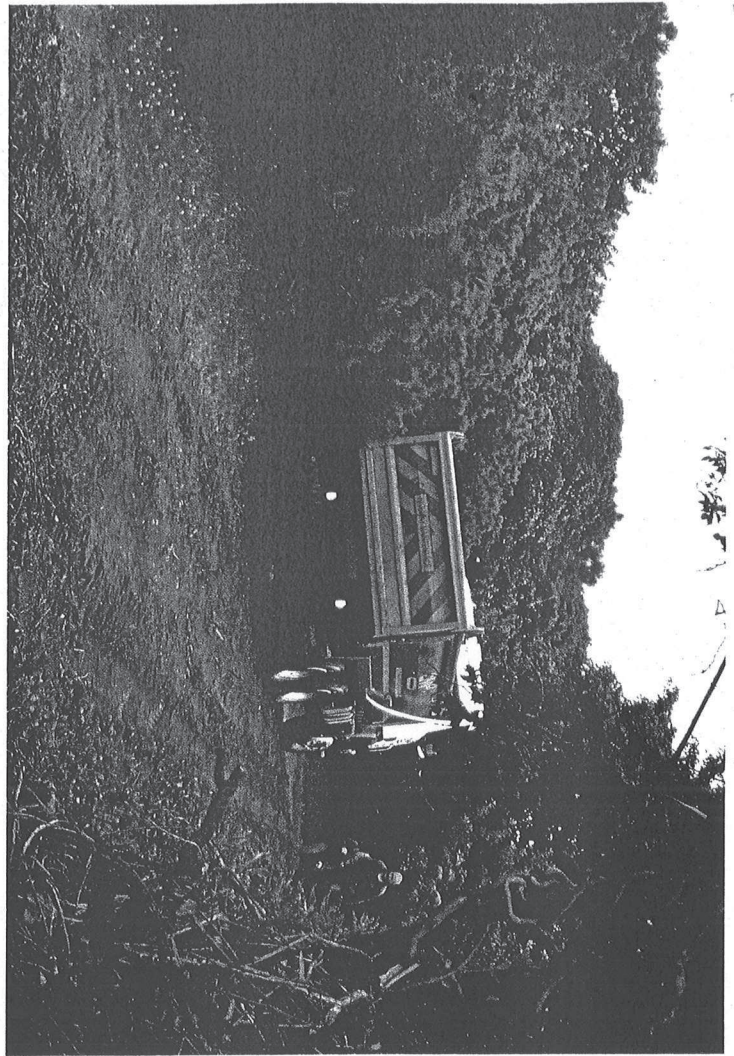
Before - upper track



Before - upper track



After - upper track



This was a proposal handed to the Community Council in July - to date, we have not received a reply.

Proposal to Llangoed Community Council for a community project to conserve and reinstate flora and fauna on Marian Common (CL27).

We would like to thank the Llangoed Community Council for making the time to consider the views of those concerned about recent developments on Marian Common. We would especially like to thank Councillor Lewis for his support and his tireless work on the community's behalf. This proposal is borne out of the concern that Marian Common, one of only a few areas of common land remaining in the area (please see attached map), is being eroded and acquisitioned for permanent, large-scale vehicular use. We wish to make it clear that, contrary to some reports, we do not wish to prevent genuine farmers, with the agreement of the Community Council, going 'off road' on the common land to carry out their business (the point of 'off road' vehicles is that they leave the landscape intact). We do, however, wish to stop the destruction of the natural environment by permanent access roads being constructed on areas of the common where previously only footpaths existed (borne out by careful examination of OS maps from 1889). Whilst it may be the case that Marian Common was periodically burnt in the past as a form of land management, this has not happened for the last twenty years, allowing for a diverse range of flora and fauna to become established (please see attached lists). Many local people, who enjoy the peace and natural beauty of Marian Common, want to see the common remain a habitat for wildlife for the enjoyment of the whole community and for future generations. The discovery that Marian Common is within the territory of a small red squirrel colony makes this proposal all the more urgent. We propose that the community, under the directions of the Community Council, and of official environmental specialists, re-seed and plant the areas that have been denuded of wildlife. To facilitate this, we propose that a working committee of community members be set up to work with the Community Council to prepare and implement a long-term conservation management plan for Marian Common. Many people have offered their support and also their professional and practical skills to help ensure that such a project would be a success. In terms of funding such a project, seeds and saplings are fairly inexpensive, these funds could easily be raised within the community, and many people in the community have offered their physical help in carrying out the re-planting. We have a genuine opportunity as a community, to preserve and further enhance a local area of natural beauty before it becomes developed and lost for good.

We ask that the Community Council give this proposal their due and early consideration so that those willing to help with such a project can work towards preparing a detailed plan of action.

Members of the community who are in favour of this proposal, please register your support with Llangoed Community Council.

Tom & Karen Pollock  
[tom@excellent-design.co.uk](mailto:tom@excellent-design.co.uk)  
01248 490792

Attachments:  
recently recorded fauna and flora on Marian Common.  
map of remaining commons in the local area.

Tom

Following from our recent conversations about possible tree planting at Penmarien, I've put some thoughts down which I hope might be useful. I must point out that as I do have a personal connection to the site any opinions expressed should be taken as my own, based on 17 years experience working as a woodland ecologist, and not necessarily those of CCW.

There are many benefits for wildlife from developing new woodland. Britain was once predominantly covered in forest, but millennia of clearance have left an extremely reduced and fragmented resource. Many woodland species need a certain minimum size of habitat, and so have become restricted to the larger woodland blocks or have become extinct; many more have been affected by fragmentation and general intensification of the landscape, which means they can no longer move naturally between woodland patches, for feeding, dispersal, migration etc. This loss of 'ecological connectivity' is especially serious in the context of climate change, because it means that species are less able to adjust their ranges to keep pace with their required climate space, and so risk extinction.

This need to increase woodland cover and connectivity is central to nature conservation policy.

For example the UK Government's Biodiversity Action Plan (UK BAP) [www.ukbap.org.uk/](http://www.ukbap.org.uk/) sets out targets for restoration and expansion for a wide range of habitats and species, including all native woodland types (i.e. 'semi-natural' woodlands, those comprising native species). The plans are often implemented through Local Biodiversity Action Plans; for example have a look at the following link about the Anglesey LBAP which includes sections for 'woodland' and red squirrel: [http://ukbars.defra.gov.uk/plans/lbap\\_plans.asp?LBAP=%7B42A89BF7%2D2E26%2D4C14%2D8253%2D40937ACA129D%7D&CO=](http://ukbars.defra.gov.uk/plans/lbap_plans.asp?LBAP=%7B42A89BF7%2D2E26%2D4C14%2D8253%2D40937ACA129D%7D&CO=)

In addition to biodiversity, there are strong political drivers to expand woodland cover to deliver 'ecosystem services', e.g. carbon storage, air quality, water management, and flood defence. The Welsh Government has a target to establish 100,000 ha of new woodland over 20 years as a key action to improve Wales' carbon balance and so help mitigate climate change.

Much of the common land at Penmarien has developed over the last few decades as mixed blackthorn/hawthorn scrub. This is a successional phase in woodland development, and self-sown trees (mainly ash and sycamore) are already well established. Over time, these would be expected to mature, shade out the scrub, and full woodland conditions to develop. Tree planting, however, would help accelerate the process, and could also allow a greater diversity of species to be included that may be less able to colonise naturally within our modern landscape.

Interestingly, the ground flora within the scrub already contains a number of species of typical woodland species, e.g. dog's mercury, bluebell, hart's tongue fern, herb robert, wood avens, so there is reasonable precursor vegetation for woodland here. Trees could be established on the recently disturbed areas, but I'd avoid planting the few remaining open grassland areas which have their own biodiversity value.

Given the location (western Britain, limestone bedrock), the natural type of woodland that would be expected to develop is 'upland mixed ashwood', a UK BAP priority habitat

<http://webarchive.nationalarchives.gov.uk/20110303145213/http://ukbap.org.uk/UKPlans.aspx?ID=3>. I suggest the most suitable species to plant would be mainly ash and oak, perhaps with some cherry, birch, rowan and elm (all of local provenance, as far as possible.) Hazel doesn't seem to be present at the moment, but would be a very useful addition for its wildlife value. The presence of red squirrel is interesting, and there might be a case for including some conifers, e.g. Scots pine in the mix, but you'd need to ask the squirrel experts about that.

So overall, I think promotion of woodland at Penmarien would be a positive action for wildlife, making a small but worthwhile contribution to local and national targets.

~~Tom~~

~~Tom~~



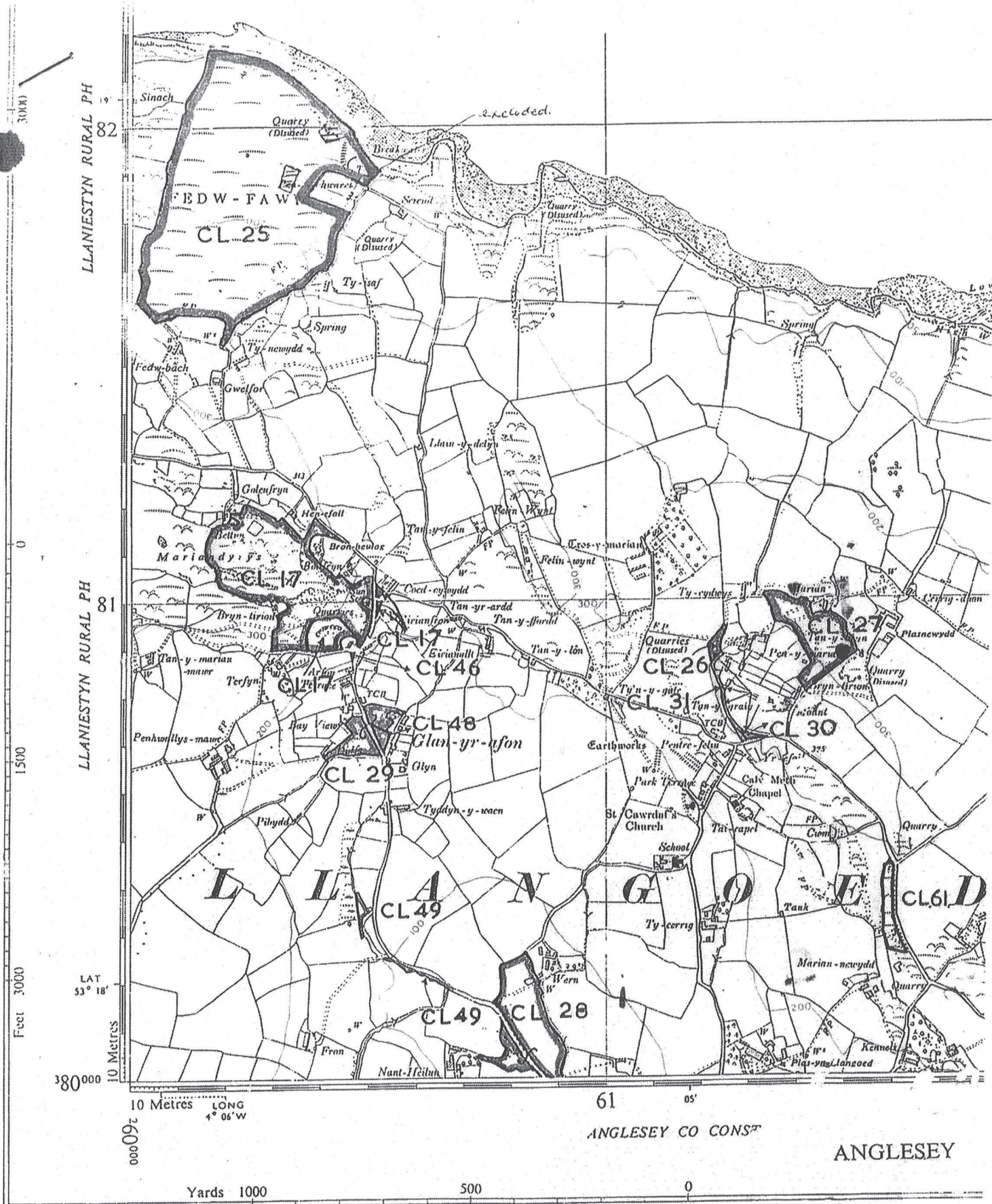
Plant records from 'The Marion', 26 June 2011; 2 hours on site.

This list was compiled on a quick look around the site. It is NOT to be considered a comprehensive list and ONLY includes plants recorded within the scrub and woodland on The Marion - many more species occur on the open grassy areas and along the verges of the permanent tracks. Recording was concentrated in two areas 1) 'Gorwel block', which is the area of c. 0.2 ha of scrub immediately to the north of Gorwel, bounded by the track to Marion Farm, the Anglesey Coast Path, and Mr Wood's newly created tracks; and 2) 'The Bottom Corner', which is on the NW boundary of The Marion, and of interest as the most mature area woodland on the site. Much of the Gorwel block is dense and very spiny scrub - I visited what I believed to be a representative sample (often crawling on hands and knees!), but inevitably did not see it all. A few additional species were recorded informally from elsewhere on The Marion, but no attempt was made to sample these areas comprehensively. A few bryophytes were recorded, but no attempt was made to search out and identify all species and doubtless many more occur. Abundances are recorded on the 'Domin' scale to give a rough indication of relative abundance; values 1 - 3 have been scaled-up from their usual definitions of numbers of individuals at a quadrat level.

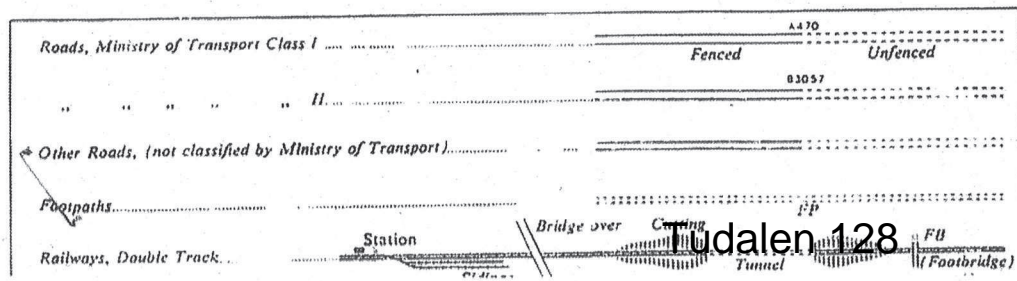
In due course I can provide maps to make the location of these records here and provide more notes and interpretation, but for now this is provided as a record of the raw data.  
 JL 26/6/11

Species	English name	Type	'Gorwel block'		'Bottom corner' Domin	Additional species from other areas	Notes
			Domin	Domin			
<i>Prunus spinosa</i>	Blackthorn	Small tree	8	7			
<i>Crataegus monogyna</i>	Hawthorn	Small tree	4	4			
<i>Fraxinus excelsior</i>	Ash	Tree	4	4			
<i>Sambucus nigra</i>	Elderberry	Small tree	4				
<i>Acer pseudoplatanus</i>	Sycamore	Tree	4	8			
<i>Hedera helix</i>	Ivy	Climber	9	9			
<i>Tamus communis</i>	Black bryony	Climber	4	2			
<i>Dryopteris dilatata</i>	Broad buckler fern	Fern	2				
<i>Polystichum</i> spp.	Shield fern	Fern	2	3			Needs checking to confirm whether <i>P. setiferum</i> or <i>P. aculeatum</i> (or both) are present.
<i>Phyllitis scolopendrium</i>	Hart's tongue fern	Fern	3	4			
<i>Eurhynchium praelongum</i>	A moss	Moss	7	4			
<i>Plagiommium undulatum</i>	A moss	Moss	3				
<i>Geranium robertianum</i>	Herb Robert	Herb	3	2			
<i>Rubus fruticosus</i>	Blackberry	Shrub	4	5			
<i>Pteridium aquilinum</i>	Bracken	Fern	5	2			Patchily distributed, most abundant adjacent to Coast Path.
<i>Silene dioica</i>	Red campion	Herb	3	2			
<i>Viola</i> spp.	Violet	Herb	3	1			Hard to determine species post flowering, but probably <i>V. riviniana</i> .
<i>Arum maculatum</i>	Cuckoo pint	Herb	3	3			
<i>Ranunculus acris</i>	Meadow buttercup	Herb	1				
<i>Fissidens taxifolius</i>	A moss	Moss	2				
<i>Thamnobryum alopecurum</i>	A moss	Moss	2				
<i>Brachypodium sylvaticum</i>	Wood false-brome	Grass	2	2			
<i>Galium aparine</i>	Cleavers	Herb	2	2			

Species	English name	Type	'Gorwel block' Domin	'Bottom corner' Domin	Additional species from other areas	Notes
<i>Geum urbanum</i>	Wood avens	Herb	2	2		
<i>Eupatorium cannabinum</i>	Hemp agrimony	Herb	1			
<i>Ulex europaeus</i>	Orse	Shrub	4			Patchily dominant, increases in abundance downslope.
<i>Potentilla sterilis</i>	Barren strawberry	Herb	1			
<i>Rosa canina</i> agg.	Dog rose	Shrub	2	1		A large patch of hops formerly occurred on the path of the new track and only few strands could be found.
<i>Humulus lupulus</i>	Hop	Climber	1			
<i>Urtica dioica</i>	Stinging nettle	Herb	2	1		
<i>Epilobium montanum</i>	Broad-leaved willow herb	Herb	1			
<i>Dropteris felix-mas</i>	Male fern	Fern	1	3		
<i>Hypericum androsaemum</i>	Tutsan	Herb	2	1		Possibly a garden escape, but notable if not.
<i>Clematis vitalba</i>	Old man's beard	Climber	3			
<i>Mercurialis perennis</i>	Dog's mercury	Herb	3			Concentrated in a strip adjacent to the track to Marion Farm.
<i>Heracleum sphondylium</i>	Hogweed	Herb	2	1		
<i>Taxus baccata</i>	Yew	Tree	1			Two seedlings noted.
<i>Holcus lanatus</i>	Yorkshire fog	Grass	1			
<i>Calystegia sepium</i>	Bindweed	Climber	1			
<i>Ribes uva-crispa</i>	Gooseberry	Shrub	1	1		
<i>Ribes rubrum</i>	Red currant	Shrub	1			
<i>Endymion non-scripta</i>	Bluebell	Herb	1	3		
<i>Hellebore foetidus</i>	Stinking hellebore	Herb	1			Probably a garden escape, but if not, an interesting record.
<i>Ranunculus repens</i>	Creeping buttercup	Herb	1			
<i>Fuschia magellanica</i>	Fuschia	Shrub	1			Garden escape
<i>Aquilegia vulgaris</i>	Columbine	Herb	1			
<i>Chamerion angustifolium</i>	Rosebay willowherb	Herb			2	
<i>Quercus cerris</i>	Turkey oak	Tree			2	Oddly a common oak in this corner of Anglesey.
<i>Ilex aquifolium</i>	Holly	Small tree		1		
<i>Quercus petraea</i>	Sessile oak	Tree		1		Seeding in bottom corner, a few young and maturing trees elsewhere. A single unidentified damson-like tree.
<i>Prunus</i> sp.	A fruit tree	Tree		1		
<i>Stachys sylvatica</i>	Hedge woundwort	Herb		1		
<i>Taraxacum officinale</i> agg.	Dandelion	Herb		1		
<i>Polygonum vulgare</i>	Polypody	Fern		2		
<i>Primula vulgaris</i>	Primrose	Herb		1		
<i>Anthriscus sylvestris</i>	Cow parsley	Herb		1		Common as an epiphyte on trees on lower boundary of Marion.
<i>Lonicera periclymenum</i>	Honeysuckle	Climber		1		
<i>Ribes nigrum</i>	Black currant	Shrub		1		



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ADJOINING SHEETS

SH 58 SE	SH 57 NE
SH 58 SE	SH 57 NE

## BIRDS OF THE MARIAN

The birds on this list use the Marian for nesting, feeding or shelter. Most of them are present during the breeding season, but a few are winter visitors. In accordance with the system of red, amber and green lists used by the RSPB and other conservation bodies, **R** = Red List (species of serious conservation concern) and **A** = Amber List (species of moderate conservation concern).

Pheasant	Pied Wagtail	Coal Tit
Sparrowhawk	Wren	Nuthatch
Buzzard	Duncock <b>A</b>	Treecreeper
Kestrel <b>A</b>	Robin	Jay
Peregrine	Stonechat	Magpie
Black-headed Gull <b>A</b>	Blackbird	Jackdaw
Herring Gull <b>R</b>	Fieldfare <b>R</b>	Rook
Feral Pigeon	Song Thrush <b>R</b>	Carrion Crow
Stockdove <b>A</b>	Redwing <b>R</b>	Raven
Woodpigeon	Mistle Thrush <b>A</b>	Starling <b>R</b>
Collared Dove	Grasshopper Warbler <b>A</b>	House Sparrow <b>R</b>
Cuckoo <b>R</b>	Blackcap	Chaffinch
Barn Owl <b>A</b>	Lesser Whitethroat	Greenfinch
Tawny Owl	Common Whitethroat <b>A</b>	Goldfinch
Swift <b>A</b>	Chiffchaff	Siskin
Green Woodpecker <b>A</b>	Willow Warbler <b>A</b>	Linnet <b>R</b>
Great Spotted Woodpecker	Goldcrest	Lesser Redpoll <b>R</b>
Swallow <b>A</b>	Long-tailed Tit	Bullfinch <b>A</b>
House Martin <b>A</b>	Blue Tit	Yellowhammer <b>R</b>
Meadow Pipit <b>A</b>	Great Tit	Reed Bunting
Grey Wagtail <b>A</b>		

# Community 'appalled'

By **RHODRI BARKER**

THE clearing of an "ancient" area of common land has sparked a row between a community and local businessman.

Residents of Llangoed say they were "shocked" to find gorse at Marian Common had been cut to create an access route.

However, John Wood, whose company carried out the work and whose paddocks are served by the new access route, said he was reinstating a historic right of way which had become overgrown.

A special meeting of the community council was called to discuss the issue, in which county councillor Lewis Davies said locals had been "appalled" by what had happened.

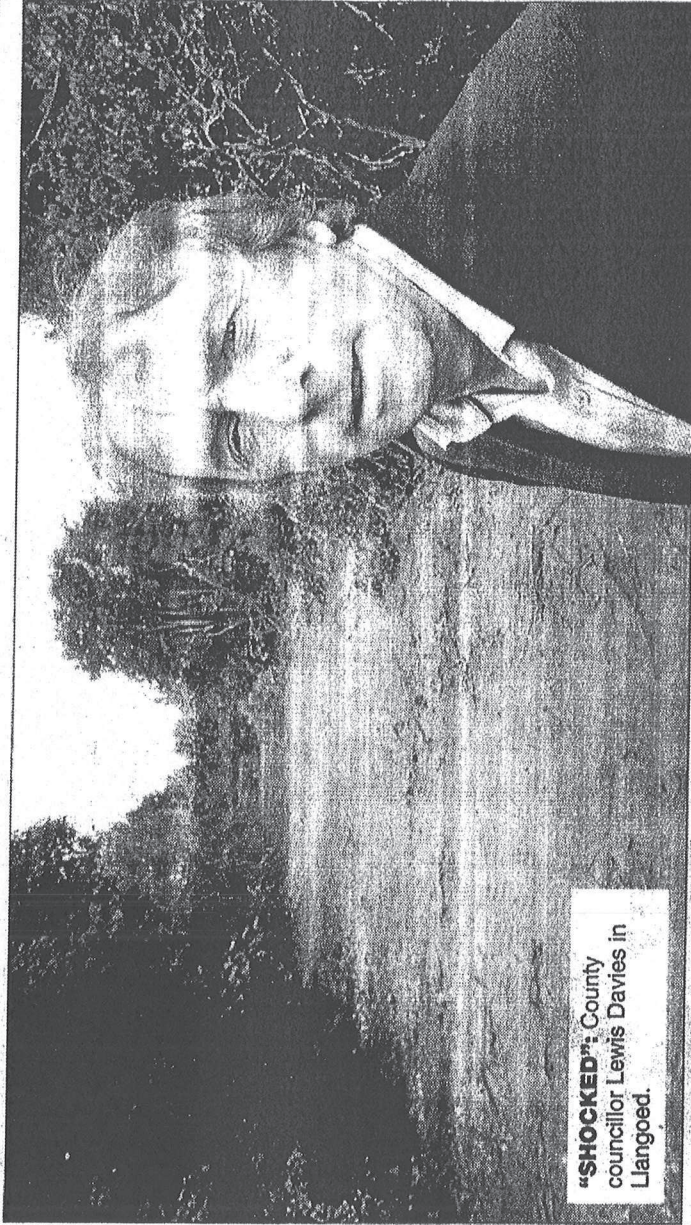
The work had encroached onto common land and disturbed what had been a "very important" habitat for wildlife, said Cllr Davies.

Locals discussed the possibility of taking legal action to prevent any further work going ahead.

Clerk Geraint Parry said he believed the land was owned by the community council, but that it would now clarify its position and investigate possible action.

He said the clearing of the land had been "a shock to everyone in the area".

Pamela Walton, who alerted Cllr Davies when she saw the area being cleared, said: "I was taking my dogs



**"SHOCKED"**: County councillor Lewis Davies in Llangoed.

# Clearing of common land sparks town row

for a walk when, to my great amazement, I could see a great swath of land had been denuded.

"I was absolutely amazed; a few days before, it had been covered in flowers and singing birds.

"It's incredible that one person can do that much damage when so many other people appreciate it so much."

Mr Wood said the work was needed to clear what had been a historic access route.

"Even two years ago, we were able to drive a tractor through there, but the gorse had grown too thick," he said.

"We are farmers and we need access for our vehicles.

"I could hardly walk the coastal path because the gorse had grown so thick.

"The gorse used to be burnt off every year."

Mr Wood said a county council enforcement officer and a member of the

community council had been informed of his intentions before work was carried out.

He said he had been informed that "no wildlife whatsoever" would have lived in the gorse.

He said criticism of the work was "mischief-making of the first order" and that other work had been carried out in the area without attracting complaints.

# Communities angered by comments

**W**E the community of Llangoed take offence at being labelled "mischief-makers of the first order" (*Holyhead & Anglesey Mail*, June 22).

As a community, we are extremely concerned that large (6.5 - 7m wide) roads are being constructed across common land where previously only footpaths existed (this is borne out by careful examination of OS maps from 1889 onwards).

The "historic access route" that Mr Wood refers to is a footpath and not, as he has created, enough room for a two-lane highway.

In addition, contrary to Mr Wood's assertion, Anglesey County Council confirm that no enforcement officer was informed of his intentions to carry out this work.

His actions have destroyed large swathes of common land, which provided habitat for a variety of flora and fauna - for example, toads, hedgehogs, a range of songbirds, orchids, bluebells and much more; even a red squirrel has recently been reported less than 100 metres away.

It is not just gorse that has been destroyed but a variety of shrubs and trees (for which we have pre-demolition photographic evidence).

Furthermore, to suggest that "no wildlife whatsoever would live in the gorse" is not an environmentally informed statement.

It is also not the case that the coastal path

## Community 'appalled'

By PHOENIX BARKER

THE clearing of an "ancient" area of common land has sparked a row between a community and local businessmen.

However, John Wood, whose company carried out the work and whose projects are served by the new road, says he was consulting a local expert on the right of way which had been removed.

A special meeting of the community group was called to discuss the issue in which Mr Wood said he had been "informed" by the local expert.

The work had been carried out since the land was cleared and had been "informed" by the local expert.

Mr Wood said he had been "informed" by the local expert.

Mr Wood said he had been "informed" by the local expert.



**SHOCKED** Councillor Lewis Davies is shocked by the clearing of common land.

## Clearing of common land sparks town row

Mr Wood said he had been "informed" by the local expert.

**CONTROVERSIAL:** How we reported the story surrounding the path in last week's paper

was unmanaged and impassable (unless, of course, one wishes to drive large vehicles along it!).

We call upon the local council, all those in the local community and those further afield who enjoy the peace and solitude of the area whilst on holiday, to help us protect our historic rights to this piece of land before any more destruction can be planned or carried out.

Forty-one people, members of the local community and friends of Marian Common, have put their names to this letter.

**CONCERNED COMMUNITY MEMBERS OF LLANGOED, PEV-  
MON AND GLANRAFON**

No tracks have previously existed over  
this land, except for footpaths.



14th June 1957







10th April 1971

Tudalen 134









# Eitem 7.10

## **P-04-344 Carthfos gyhoeddus yn Freshwater East**

### **Geiriad y ddeiseb:**

Rydym ni sydd wedi llofnodi isod, sy'n berchen ar dai yn Freshwater East, yn galw ar Lywodraeth Cymru i beidio â chymryd camau gorfodi yn erbyn Dŵr Cymru ynghylch gosod carthffos gyhoeddus yn Freshwater East.

**Prif ddeisebwr:** Royston Thomas

**Y dyddiad yr ystyriodd y Pwyllgor y ddeiseb am y tro cyntaf:** 29 Tachwedd 2011

**Nifer y deisebwyr:** 106

## **Freshwater East Action Group against Public Sewer Installation**

c/o Mr M Griffiths  
Rosebay Willows  
Jason Road  
Freshwater East  
Pembroke SA71 5LE

19<sup>th</sup> March 2012

The Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Your ref **P-04-344**

Dear Sir/Madam

### **Petition on Freshwater East Public Sewer**

We refer to your recent e-mail to Mr and Mrs Thomas in which you asked for a reply to your letter to them of 6<sup>th</sup> February. They have informed you that your letter of 6<sup>th</sup> February was not received by them. Our group has now discussed the information attached to your e-mail and our reply is as follows.

The only action taken by the Minister, John Griffiths, to date has been to postpone his decision about taking enforcement action against Welsh Water. The postponement was made pending the outcome of further information from the Environment Agency.

Mr James Dowling (from the Water Policy Branch) has informed us that, at a meeting on 15<sup>th</sup> February, the Environment Agency reported to the Water Policy section that a survey carried out by the EA in January did not reveal any significant problems attributable to the private drainage systems in Freshwater East. It was decided at the February meeting to repeat the EA's survey in the summer when more of the properties in the village are likely to be occupied.

Angela Burns AM has recently informed us that she has been told that the second survey will be carried out in May/June this year.

While we welcome this development, we have not been given any information about the survey work and we will want to have an opportunity to review the reports prepared by the Environment Agency in due course.

We would therefore ask that that our petition should remain open until such time as the Minister makes a decision and we have had an opportunity to see the information supplied to him by the Environment Agency.

Yours sincerely

Members of Freshwater East Action Group  
(cc Mrs Angela Burns AM and Mr J Dowling, Water Policy Branch))

# Eitem 7.11

## **P-04-374 Pob ci fod o dan reolaeth tennyn mewn mannau cyhoeddus**

### **Geiriad y ddeiseb:**

O ganlyniad i'r nifer cynyddol o berchnogion anghyfrifol sy'n caniatáu i w cŵn fynd yn agos at aelodau'r cyhoedd, eu dychryn hwy, eu plant a'u hanifeiliaid anwes a'u peryglu hefyd tra nad yw'r cŵn hynny ar dennyn mewn mannau cyhoeddus, cynigïaf y dylai fod yn gyfreithiol ofynnol i bob ci fod o dan reolaeth tennyn mewn mannau cyhoeddus neu fannau sy'n hygyrch i'r cyhoedd, eu hanifeiliaid sydd ar dennyn a'u plant.

**Prif ddeisebydd:** Wyndham Mark Hopkins

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 28 Chwefror 2012

**Nifer y deisebwyr:** 17

**Gwybodaeth ategol:** Nid oes ond angen i chi ddarllen am bobl yn dioddef ymosodiadau gan gŵn i deimlo sut y dylai'r gyfraith newid er mwyn adlewyrchu'r modd mae perchnogion anghyfrifol sy'n poeni dim am bobl eraill, na phlant nac anifeiliaid anwes yn amharu ar fwynhad pobl a dinistrio bywydau. Efallai iddynt gredu bod eu hanifeiliaid anwes yn ddiogel, tan fod eu ci Dalmataidd neu beth bynnag, yn neidio ar blentyn, ei wthio l'r llawr ac achosi niwed l'w benglog neu ymennydd o ganlyniad l'r gwymp, hyd yn oed os nad yw'r ci wedi cnoi. Helpwch i ddiogelu plant a phobl. Mae cŵn sy'n rhedeg yn rhydd hefyd yn cael eu hanafu, eu bwrw l'r llawr neu'n dioddef ymosodiad gan dadau sy'n pryderu. Berchnogion anifeiliaid anwes, arwyddwch fy neiseb, mae'n rhaid mai dyma'r peth iawn i w wneud.



John Griffiths AC /AM  
Gweinidog yr Amgylchedd a Datblygu Cynaliadwy  
Minister for Environment and Sustainable Development



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-374  
Ein cyf/Our ref JG/05665/12

William Powell AM

committeebusiness@Wales.gsi.gov.uk

28 March 2012

Dear William,

Thank you for your letter of 12 March, following receipt of a petition submitted by Mr Wyndham Mark Jones, about keeping dogs on leads in public places.

There is currently a body of legislation to control dogs and I am unsure whether specific legislation to require all dogs to be kept on a leash at all times in a public place would be appropriate. The Dogs Act 1871 and Dangerous Dogs Act 1991 requires owners to have proper control of their dogs, with penalties for non-compliance ranging from fines to imprisonment and even compulsory destruction of an animal.

Further, under the Clean Neighbourhoods and Environment Act 2005, Local Authorities have the power to introduce Dog Control Orders, which could specify that dogs must be kept on a lead or banned from designated areas.

The Dogs (Protection of Livestock) Act 1953 and Animals Act 1971 also make it an offence for owners to allow their dogs to worry livestock.

Further information about the legislation described above, as well as advice on best practice for keeping dogs, is available in the Welsh Government's Code of Practice for the Welfare of Dogs. The document can be downloaded from [www.wales.gov.uk/animalwelfare](http://www.wales.gov.uk/animalwelfare).

My officials are currently working on a proposal to introduce compulsory microchipping for all dogs in Wales. Whilst the primary aim of the legislation would be to promote welfare, it could benefit enforcement officers in trying to trace owners of straying dogs.

Best wishes,

John Griffiths AC / AM  
Gweinidog yr Amgylchedd a Datblygu Cynaliadwy  
Minister for Environment and Sustainable Development

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: John.Griffiths@wales.gsi.gov.uk  
Printed on 100% recycled paper

# Eitem 7.12

## P-04-378 Ymestyn Ardal o Harddwch Naturiol Eithriadol Gŵyr

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod cynnig Cymdeithas Gŵyr i ymestyn Ardal o Harddwch Naturiol Eithriadol Gŵyr yn cael ei hwyluso. Mae hyn ar sail y ffaith bod Cyngor Cefn Gwlad Cymru wedi cael y cais i'w ystyried ers 2005 a'r ffaith nad yw'r Cyngor Cefn Gwlad, ers mis Rhagfyr 2011, bellach yn ystyried cynigion o'r fath oherwydd y posibilrwydd o sefydlu Corff Amgylcheddol Sengl newydd i Gymru.

### **Prif ddeisebydd:** Cymdeithas Gŵyr

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 27 Mawrth 2012

### **Nifer y deisebwyr:** 1 gan sefydliad

**Gwybodaeth ategol:** Ar 1 Mawrth 2005, ysgrifennodd Cymdeithas Gŵyr (un o'r grwpiau amwynder lleol hynaf a mwyaf yng Nghymru) at Gyngor Cefn Gwlad Cymru i ofyn iddo ystyried ymestyn Ardal o Harddwch Naturiol Eithriadol Gŵyr i ardaloedd yng ngogledd-ddwyrain Penrhyn Gŵyr, rhannau o Aber y Lluchwr ac Ardal Gadwraeth y Lluchwr, a llawer o ardal tir uchel Mawr.

Ymateb Prif Weithredwr Cyngor Cefn Gwlad Cymru (29.03.05) oedd bod y Cyngor Cefn Gwlad yn gweithio gyda Chyngor Sir Ddinbych i "greu proses a fydd yn llywio unrhyw benderfyniadau ynghylch a ddylid cyflwyno darn o dir fel cynnig ar gyfer dynodi Ardal o Harddwch Naturiol Eithriadol. Bwriedir i'r broses ganlyniadol fod yn hollol drosglwyddadwy i unrhyw ardaloedd eraill yng Nghymru." Aeth ymlaen i ddweud: "Mae'n debyg y caiff y cynllun peilot hwn ei gwblhau erbyn mis Mawrth 2006".

Mae cyfres o lythyrau wedi dilyn yr ohebiaeth gyntaf hon ac mae amryw o gyfarfodydd wedi'u cynnal yn swyddfeydd y Cynulliad Cenedlaethol rhwng cynrychiolwyr o Gymdeithas Gŵyr a Chyngor Cefn Gwlad Cymru. Cafodd y cyfarfodydd eu trefnu gan - ac roeddent fel arfer yng nghwmni - Edwina Hart, yr Aelod Cynulliad dros Gŵyr.

Cynhaliwyd dau gyfarfod gyda Ms Jane Davidson pan oedd hi'n Weinidog â chyfrifoldeb dros yr amgylchedd, ac ar 18.07.11, cyfarfu cynrychiolwyr o Gymdeithas Gŵyr â Mr John Griffiths, y Gweinidog (inter alia) dros yr Amgylchedd.

Ym mhob un o'r tri chyfarfod hyn cafodd y cynnig i ymestyn yr Ardal o Harddwch Naturiol Eithriadol ei drafod.

Polisi Dinas a Sir Abertawe yw cefnogi estyniad o'r fath ac mae Cyngor Cymuned Mawr (yr ardal sy'n cael ei heffeithio fwyaf gan y cynnig) wedi mynegi'i gefnogaeth lawn.

Wedi i Orchymyn Dynodi Mynyddoedd Clwyd a Dyffryn Dyfrdwy gael ei gadarnhau gan y Gweinidog ar 22.11.11, fe wnaethom ysgrifennu at Gyngor Cefn Gwlad Cymru eto, yn ei annog i symud ymlaen â'n cynnig ers 2005 ar gyfer Ardal o Harddwch Naturiol Eithriadol Gŵyr. Roedd ateb y Prif Weithredwr yn nodi cymeradwyaeth Llywodraeth Cymru o'r achos dros sefydlu Corff Amgylcheddol Sengl i Gymru. "Ar sail y newidiadau pwysig iawn hyn", meddai "byddwn yn canolbwyntio'n hymdrechion dros y 18 mis nesaf ar weithio... er mwyn sicrhau pontio esmwyth o Gyngor Cefn Gwlad Cymru i'r Corff Amgylcheddol Sengl". Felly "Nid ydym mewn sefyllfa i ystyried unrhyw gynigion pellach ar gyfer newid ffiniau na dynodiadau newydd".

Erbyn hynny, bydd dros wyth mlynedd wedi mynd heibio ers i'n cynnig gael ei roi i Gyngor Cefn Gwlad Cymru yn y lle cyntaf. Yn ein barn ni, mae cyfnod mor hir â hyn o oedi yn afresymol, ac rydym yn galw ar Gynulliad Cenedlaethol Cymru i hwyluso'r broses hon.

CADEIRYDD/CHAIRMAN: MORGAN PARRY • PRIF WEITHREDWR/CHIEF EXECUTIVE: ROGER THOMAS

Anfonwch eich ateb at/Please reply to: Roger Thomas, Prif Weithredwr/Chief Executive  
Cyfeiriad Isod/Address Below  
Llinell Union/Direct Line: 01248 387146; Ffacs/Fax: 01248 385506  
Eboست/Email: n.sanpher@ccw.gov.uk

Abigail Phillips  
Clerk to the Petitions Committee  
National Assembly for Wales  
Cardiff Bay, CARDIFF CF99 1NA

5 April 2012

Dear Ms Phillips

## PETITIONS COMMITTEE - GOWER SOCIETY PETITION RE: GOWER AONB

I am writing to inform the Committee of the position with respect to the proposed extension of the Gower AONB, which was the subject of consideration at your meeting on the 28 March 2012.

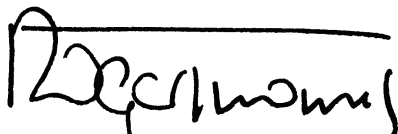
The attached note explains the history of this proposed designation and the underlying process for landscape designations that CCW has developed. It should be noted that landscape designation is a lengthy process and that the completion of the recently-confirmed extension to the Clwydian Range & Dee Valley AONB was our priority.

I have additionally attached for your information an exchange of correspondence I had with the Chair of the Gower Society following the confirmation of the Clwydian Range & Dee Valley AONB extension late last year.

Reference was also made in your recent meeting to evidence given to the Environment & Sustainability Committee about slow responses by CCW to energy development proposals. Prior to these allegations being made, CCW had not received any complaints regarding such matters and, following discussions with the company concerned, I have submitted a supplementary note to the inquiry detailing the very high level of engagement my local staff had with them during the consideration of their proposals and a copy of the letter of thanks that was received by them for their efforts. I am sure that your members who are also members of the E&S Committee will be able to update you on this matter.

Please let me know if there is any further way that I can help with the Committee's work.

Yours sincerely



**Roger Thomas**  
Chief Executive



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## **Proposal to extend the Gower AONB**

### **Context**

The Countryside Council for Wales (CCW) is the Welsh Government's statutory advisor on landscape issues in Wales. CCW is the only organisation that has statutory powers under s82 Countryside and Rights of Way Act to designate new areas of Outstanding Natural Beauty (AONBs) or National Parks in Wales under s7 National Parks & Access to the Countryside Act 1949.

CCW receives a number of requests on a regular basis from a variety of organisations and individuals requesting CCW to consider designating new areas as AONBs or National Parks, or to vary existing protected landscapes boundaries.

### **Proposed extension to the Clwydian Range AONB**

With the last landscape designation taking place in 1985 by our predecessor organisation, CCW had no direct experience of applying consideration of the statutory designation process within a modern context of societal engagement and public sector resourcing constraints.

The proposal to extend the Clwydian Range AONB was rooted in the Hobhouse proposals in 1947, which provides the basis for all our landscape designations, and had been examined but never concluded by the Countryside Commission for Wales in 1977 and again in the 1980s. This proposal was once again revisited following a commitment in CCW's Landscape Policy Document (1996), the formal policy statement of intent in Denbighshire CC Unitary Development Plan and completion of CCW's LANDMAP, a national database of landscape information. These developments formed the basis of the recent proposal to extend the Clwydian Range AONB and were further supported by a longstanding professional and public view that the area was likely to be of national importance in landscape terms. These formal commitments led to CCW beginning a programme of work to evaluate the evidence base.

### **Testing a methodology**

In undertaking an evaluation of the proposal, CCW was also committed to testing a methodology for considering the appropriateness of designation as a tool for maintaining landscape quality and helping to achieve rural sustainability.

Essentially this methodology includes:

- Establishing whether the area is of national importance in landscape terms.
- Identifying the special qualities of the landscape that make it rare or representative.
- Evaluating the existing evidence base to test the national importance in terms of the natural beauty criteria.

- Examining public support and professional recognition that the area is of outstanding landscape quality.
- Identifying the forces for change and likely trends impacting on the area.
- Testing the appropriateness of designation as a mechanism for managing the forces for change. Which includes a thorough consideration of alternative mechanisms to designation.
- CCW would then need to give careful consideration to the desirability of designating the area and would seek to understand the likely support or opposition by the relevant local authorities.
- If CCW's Council conclude that all of these favour a move towards designation, then a public consultation / information programme would be undertaken to provide an opportunity for a public examination of issues relating to the proposal.
- Following the Public Consultation / Information Programme, if CCW Council would need to consider whether it is appropriate to move into the Statutory Consultation with the relevant local authorities.
- If there are objections at this stage from the relevant local authorities then this would be likely to trigger examination at a Public Inquiry.
- If there is support from the relevant local authorities and CCW still believes that it is desirable for the provisions of the CROW Act for the conservation and enhancement of natural beauty should apply to the area, then CCW's Council has the powers to agree to make a Designation Order.
- By law CCW can only consider an area as desirable for designation due to its outstanding natural beauty and not for any other purpose or reason.
- Any Designation Order made is then subject to scrutiny and consideration by Welsh Government, who have the power to reject, vary or confirm the Order.
- The provisions of the Act will only apply to an area if it is formally confirmed by Welsh Government Ministers.

In summary this is a lengthy, statutory process that requires a comprehensive and solid evidence base for the proposal which is subject to public and government scrutiny. Experience from England suggests that this is not overly protracted timescale. Although a little different, the designation of the South Downs National Park took more than ten years complete.

The Clwydian Range and Dee Valley AONB proposals enabled CCW to test the methodology. CCW is currently undertaking work to conclude an outstanding issue associated with the Clwydian Range & Dee Valley process.

### **Proposed extension to Gower AONB**

The Gower AONB was the first Area of Outstanding Natural Beauty to be designated in England and Wales in 1956. A further four AONBs were designated in Wales up to 1985.

CCW receives a number of requests for new areas to be designated or proposals for boundary variations. It is the same legal process for varying a boundary as it is for designating a new area. CCW was made aware of the Gower Societies aspirations

through a letter to Roger Thomas, CEO of CCW from Malcolm Ridge, Chairman of the Gower Society, in 2005.

Over the years there has been further correspondence from the Gower Society outlining their desire for CCW to examine their proposal to extend the existing AONB beyond the Swansea, Clydach and Gorseinon conurbations into a detached area of Mynydd Y Gwair. This area is identified in Welsh Governments TAN8 Strategic Search area and there have been proposals for a windfarm which has recently (15<sup>th</sup> March 2012) been the subject of a Court of Appeal ruling due to likely impacts on peat but the proposals could potentially be resubmitted if those impacts were addressed.

Throughout this period CCW has explained that our efforts and resources have been focussed on developing and testing a methodology through the Clwydian Range & Dee Valley AONB process and therefore we would not be in a position to consider The Gower Societies proposals until that process had finished. The first part of the process has only recently concluded with John Griffiths, Minister for Environment and Sustainability confirming the Designation Order on 22<sup>nd</sup> November 2011.

In this time of public sector constraints it should be noted that CCW does not have the capacity, resources or expertise to consider multiple proposals contemporaneously.

The Gower Society submitted a petition to the Welsh Government Petitions Committee which was considered on 13<sup>th</sup> March 2012. It is disappointing that the Petitions Committee have been given incorrect information that CCW has been considering these proposals to extend the Gower AONB since 2005. During this period as outlined, CCW has been working with our partners and invested great efforts in developing and testing a robust and thorough process with the successful conclusion of the Clwydian Range & Dee Valley being confirmed as an AONB. The Gower Society have been regularly updated on progress with this work on the Clwydian Range and Dee Valley through correspondence, meetings with CCW's Chief Executive and normal local liaison arrangements.

### **Fundamental changes to the Environment Sector in Wales**

There needs to be some recognition of the fundamental changes being proposed for the environmental sector in Wales. Welsh Government's Natural Resource Wales paper contains proposals to merge some of the functions of CCW, Forestry Commission Wales and Environment Agency Wales into a new Single Body on 1<sup>st</sup> April 2013. **It would not be feasible to establish the evidence base to consider the Gower Societies' proposal and complete the legal process outlined, before CCW loose our powers to designate and cease to exist.**

With the Welsh Government proposed Environment Bill in 2014/15 there is also expected that there to be a fundamental review of all designations in Wales, including landscape designations, to assess how they will assist in the delivery of Governments' aspirations for an ecosystem approach to sustainable development. This provides both challenges but also opportunities as other mechanisms may emerge for an

integrated planning and management landscape approach for the delivery of multiple outcomes.

## **Conclusion**

CCW welcomes the interest that the Gower Society and others have in conserving the landscape of Wales, however for the reasons set out in this paper, CCW is not in a position to consider this or any other proposal at the present time.

Given the high level of interest by the public in landscape, it is likely that these issues will need to be given careful consideration by the new Single Body. It is probable that the Board of the Single Body will need to examine the national picture of landscape designation in Wales, within the context of Welsh Government policy and the proposed Environment Bill for Wales, and whether there should be any formal consideration of the proposals put forward by The Gower Society, Cambrian Mountains Society and numerous other groups and individuals. This is based on the assumption that the Single Body will be Welsh Governments statutory landscape adviser and will retain its landscape designation powers.

C.Rothwell

Team Leader – Landscape Advice, Countryside Council for Wales

30<sup>th</sup> March 2012

## **Annex 1**

Link to Gower Society petition:

<http://www.senedd.assemblywales.org/documents/s6066/Coversheet.pdf>

Link to Petitions Committee discussion;

<http://www.senedd.tv/schedule.jsf>





# Cyngor Cefn Gwlad Cymru Countryside Council for Wales

**CADEIRYDD/CHAIRMAN: MORGAN PARRY • PRIF WEITHREDWR/CHIEF EXECUTIVE: ROGER THOMAS**

Anfonwch eich ateb at/Please reply to: Roger Thomas, Prif Weithredwr/Chief Executive  
Cyfeiriad Isod/Address Below  
Llinell Union/Direct Line: 01248 387146; Ffacs/Fax: 01248 385506  
E-bost/Email: n.sanpher@ccw.gov.uk

*by e-mail:-* ridgegower@btinternet.com

Mr M Ridge  
Chairman, The Gower Society  
The Orchard  
Perriswood  
Penmaen  
Swansea  
SA3 2HN

5 December 2011

Dear Mr Ridge

## **EXTENSION OF GOWER AONB**

Thank you for your letter of 22 November 2011. We are delighted that, on 22 November, Minister John Griffiths announced the confirmation of the Clwydian Range and Dee Valley AONB Designation Order.

As you are aware from our previous correspondence, the Countryside Council for Wales (CCW) had undertaken more than seven years' work establishing and assessing the evidence base before my Council agreed to proceed to the Public and Statutory Consultation phases of the process. It was only following this detailed evaluation and scrutiny that CCW decided to submit the formal Designation Order in March for the Welsh Government's consideration.

Since the Order was confirmed, you may be aware that the Welsh Government (WG) has also announced a further significant decision affecting the environmental framework in Wales. On 29 November, WG Cabinet approved the business case for establishing a Single Environment Body comprised of CCW, Environment Agency Wales, Forestry Commission Wales and possibly some functions presently undertaken within government.

This Single Environment Body (SEB) is being established in order to deliver the Welsh Government's vision for the natural environment, 'A Living Wales'. This is an integrated ecosystem approach to managing a sustainable, diverse and productive environment.

Given these momentous changes, we will be focussing our efforts for protected landscapes over the next 18 months in working with our National Parks and AONB partners to ensure a



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Prif Swyddfa/Headquarters  
MAES-Y-FFYNNON, PENRHOSGARNEDD, BANGOR LL57 2DW; FFÔN/TEL: 01248 385500; FFACS/FAX: 01248 355782

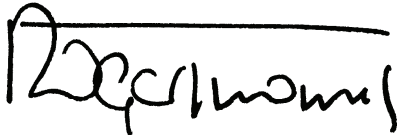
<http://www.ccw.gov.uk>

Tudalen 150

smooth transition from CCW to the SEB. Inevitably there will also be a focus on establishing the new Clwydian Range and Dee Valley AONB. Therefore, given the disappearance of CCW and the legal nature of designation work, we are not currently in a position to consider any further proposals for boundary changes or new designations.

I understand that this will be a disappointing response for you and the Gower Society, but hope that you will appreciate the context within which we are now working.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roger Thomas', written over a horizontal line.

**Roger Thomas**  
**Chief Executive**

cc: Mr John Griffiths AM (ps.minister.for.esd@wales.gsi.gov.uk)  
Mrs Edwina Hart AM (Rosemary.Jones@Wales.gov.uk)  
Mr Martin Caton MP (martin.caton.mp@parliament.uk)  
Cllr John Hague (john.hague@swansea.gov.uk)  
Cllr Ioan Richard (ioan.richard@swansea.gov.uk)  
Mr Mike Scott, Gower Assistant AONB Officer (Mike.Scott2@swansea.gov.uk)

John Griffiths AC /AM  
Gweinidog yr Amgylchedd a Datblygu Cynaliadwy  
Minister for Environment and Sustainable Development



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-378  
Ein cyf/Our ref JG/05819/12

William Powell AM

committeebusiness@Wales.gsi.gov.uk

*Dear William,*

18 April 2012

Thank you for your letter of 26 March asking for my views on the petition put forward by the Gower Society with regard to the possible future extension of the Gower Area of Outstanding Natural Beauty (AONB).

The decision as to whether to designate an area as being of outstanding natural beauty is entirely down to the Countryside Council for Wales. The Welsh Government has no power to make, or to request decisions on designations other than to confirm, vary or reject orders made by the Countryside Council.

There is no mechanism for making applications to the Countryside Council for changes to landscape designations in Wales. Officers of the Countryside Council have met interested parties over a number of years in relation to proposals for extending the Gower designation, but no commitment has been given by them to initiate the work required to formally consider extending the area of the current AONB.

As you noted in your letter, the Countryside Council for Wales is unlikely to make another order for consideration by Welsh Ministers until the implementation of the Natural Environment Framework and the creation of the new single body has been completed. It would not be prudent to start work on what would be a resource intensive project at this time.

I hope this helps to clarify the Welsh Government's position on the matter.

*Best wishes,*

**John Griffiths AC / AM**  
Gweinidog yr Amgylchedd a Datblygu Cynaliadwy  
Minister for Environment and Sustainable Development

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: John.Griffiths@wales.gsi.gov.uk

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# Eitem 7.13

## **P-04-383 Yn Erbyn Dynodiad Parth Perygl Nitradau ar gyfer Llyn Llangors**

### **Geiriad y ddeiseb:**

'Rydym yn galw ar Lywodraeth Cymru i wrthdroi'r dynodiad Parth Perygl Nitradau arfaethedig ar fasn Llyn Llangors, sy'n debygol o effeithio ar tua 25 o fusnesau ffermio.'

**Cyflwynwyd y ddeiseb gan:** Kaye Davies

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 27 Mawrth 2012

**Nifer y llofnodion:** 43



HOUSE OF COMMONS

LONDON SW1A 0AA

John Griffiths AM  
Minister for Environment and Sustainable Development  
Welsh Government  
5th Floor  
Tŷ Hywel  
Cardiff Bay  
CF99 1NA

15<sup>th</sup> March 2012

Ref: RW/OT/NVZ/15032012

Dear *John,*

I believe the farming community within the Llangorse Lake catchment area has been let down by the lack of consultation for the proposed implementation of a Nitrate Vulnerable Zone (NVZ).

Those I have spoken to have expressed their disappointment at having to find out about the proposals via a third party and at a far later date (1<sup>st</sup> February) some two months after the consultation period had begun.

I am also aware that this appears to be a far wider issue than agricultural inputs altering the nitrate levels within the area, for example the two sewage works in Llangorse and Bwlch, or the 70 plus properties with their own septic tanks. Imposing sensitive farming practices will penalise the farming community the most, and I ask on their behalf for you to consider these impacts more thoroughly in order to achieve a fair conclusion for all parties in this case.

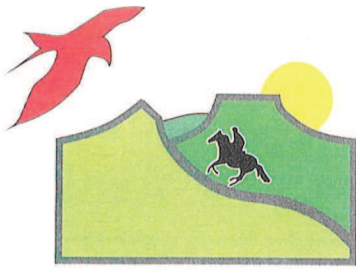
Please find attached the letter of concern from my constituents.

Best wishes

A handwritten signature in dark ink, appearing to read 'Roger'.

Roger Williams MP

Member of Parliament for Brecon and Radnorshire



# Pen-y-Bryn Farms

Gilfach Farm, Llangorse, Brecon, Powys, LD3 7UH  
Tel: 01874 658584 or 658272 | Fax: 01874 658280  
Email: enquiry@activityuk.com | Web: www.activityuk.com

Water Policy Branch,  
Welsh Government,  
Cathays Park,  
Cardiff,  
CF10 3NQ  
15<sup>TH</sup> March 2012

Dear Sir/Madam,

## NVZ designation within the Llangorse Lake catchment area

We the undersigned are a group of farmers farming within the designated area of the proposed NVZ.

As a group and individually we are appalled to discover that we have had no prior notification of the proposals of an NVZ designation and facility to make representations. Had we not been informed from an outside source we would not have been in a position to make representations on our thoughts and worries within the short timescale.

We have met on many occasions in the short time allowed for consultations and have submitted the attached points of concern which need to be addressed prior to future discussions with our group as to how best implement future management controls.

Please find enclosed attachments:

1. Points of Concern
2. NFU Letter
3. FUW Letter
4. Local County Councillor

Correspondence to be directly sent:

1. CLA Letter
2. MP and AM Letter
3. Community Council Letter

CC:

CCW and Environment Agency

Yours Sincerely,

The Undersigned



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Directors: J V M Thomas, I A Thomas, I M Preece, R M Thomas.

Points of concern to be addressed before further consultation with farmers on the implication of a NVZ on land in the catchment area of Llangorse Lake

1. Landowners were not given prior warning for the consultation document and not supplied with a copy, when they are the most important people affected. This contravenes our legal rights under the Human Justices Act.
2. The relevant authority must first look to what originally caused the problem in the lake and make them responsible for the damage done. Also address the current position where the Bwlch sewage works is constantly overflowing due to problems pumping over the cutting. Compounding this issue there is over 70 properties with their own septic tanks and soak aways emptying into a clay basin. After this has been achieved then come back to the farmers and with their cooperation look at how the quality of the lake can be further improved. In the 30-year time span there was no control of the nutrients entering the lake from the two sewage works at Llangorse and Bwlch. This allowed further damage when the motor boats churned up this powerful cocktail and aided by the prevailing wind washed it into and onto the north east shore and over a period of time destroyed the then present reed beds. This has not been rectified and has resulted in damaging the ecological status of the lake.
3. CCW arranged for sections of the eastern side of the lake to be fenced off to allow them to re-establish the reed beds that were extensive prior to the construction of the sewage plant in the early 1950's. They have not made any effort to undertake this work having put the farmers to great expense.
4. There is little reference to the extensive damage done up to the time the sewage was diverted to Talgarth. This damage had long lasting implications with over 30 years of effluent entering the lake from Llangorse and Bwlch, much of the time untreated.
5. Numbers of stock are grossly inaccurate. The number of cattle in 1993/7 was just under 600 and sheep just under 4,000. This has changed to date with cattle remaining the same and sheep reducing to fewer than 3,000. This reflects badly in the figures and graphs submitted in the consultation document.
6. Change by farmers, has been made due to costs and efficiency and no reference or allowances has been made to accommodate these e.g. N levels reduced, due to high pricing, along with nutrient management plans in place for most farms around the lake. The reports are out dated and do not reflect the present as most of the farmers in the catchment area have spent large amounts of money building and installing modern systems to greatly reduce the environmental impact on their own land and eventual run off into the lake.
7. The report is not damning. Since this report has been conducted several improvements have been made on numerous farms that have not been taken into account.

8. To impose restriction on farmers on the use of certain buildings built prior to 1991 is unacceptable unless the rebuild is completely financed by government or the authority imposing these restrictions. Much of the land in the catchment area is about to complete ten years in Tir Gofal and are signed up for Glastir as from 2012 with more entering the scheme 2013/14. To comply with their current entry agreement they would be compelled to replace their slurry systems etc. This would not be cost effective and the only answer would be to withdraw from the Glastir scheme prior to any payments been made.
9. Farmers are the best custodians of the countryside and are more aware of the preservation of the countryside than the bodies of bureaucrats who impose their personal interpretation on out of date research. Unfortunately the Llangorse Lake Advisory Group is not of like mind and do not have an overall policy as to present and future management of the lake.
10. Before imposing more restrictions on the already vulnerable agricultural community in this area the authorities need to get their own house in order and do an in depth study of the amount of effluent created from private sewage disposal from private properties on the south east section of the catchment area. This from CCW studies is being shown to have the highest level of nutrients entering the lake. Most of the other catchment area is already disposed of into the existing mains sewage system. This area of land is not intensively farmed due to the land soil structure, white clay-underlying layer. However this is an area that has the largest number of dwellings with septic tanks emptying into this impenetrable clay base, so all effluent freely entering the lake via the river completely untreated.
11. Compulsory intervention never works; negotiation and mutual need to improve will win hearts and ultimately improve the lake for our future generation to enjoy. It is only there as it was prior to the advent of the sewage problem due to the way our forefathers farmed and moulded the countryside around the lake. Bureaucrats think they are an express train but farmers look to the future in a completely different way and continue to mould the countryside in a fashion that will meet future needs and preserve the fabric of the countryside to meet this need.
12. The suggestion that it may be necessary to purchase some of the land adjoining the lake, this may be acceptable if agreement could be reached, however there is a greater issue, the devaluing of the land forming the catchment area a total of approximately 7,000 acres. This could lead to a claim of at least £45,000,000 from the affected landowners along with annual claims for loss of income.
13. It is the belief of all the land owners that over and above the current improvements made that with cooperation and careful management and monitoring further improvements can be achieved without damaging or curtailing the present level of farming undertaken by farmers of this exceptional area. We are not only farmers but are conservationists as well and seriously want to protect and enhance the environment we have the privilege of farming and living in. without detriment to the lake.



**NFU CYMRU**

Tŷ Amaeth – Agriculture House, Royal Welsh  
Showground

Llanelwedd, Builth Wells, Powys, LD2 3TU

Telephone: 01982 554200 Fax: 01982 554201

Website: [www.nfu-cymru.org.uk](http://www.nfu-cymru.org.uk)



**Director: Mary James**

Ein cyf/Our ref:

Eich cyf/Your ref:

E-mail:

Dyddiad/Date: 13 March 2012

To whom it may concern,

Dear Sir/Madam,

**Proposed NVZ Llangors Lake catchment**

NFU Cymru has met with farmers in the proposed NVZ designation in the Llangors Lake area and a number of concerns have been raised, as outlined in their letter of correspondence enclosed.

We have particular concern regarding the proposal to repeal the exemption for slurry, silage and fuel stores on farms that were built or were committed to being built before 1 March 1991 under SSAFO regulations. NFU Cymru has written to the Minister for Environment and Sustainable Development regarding this issue. There are a large number of these structures on Welsh farms which were soundly built that pose no pollution threat. A significant proportion of these structures will have many years of useful life left in them. We would strongly contend that there is no good reason or evidence to suggest that in these circumstances farmers should be forced into the huge cost of having to build new structures by 2015.

NFU Cymru will also raise other issues regarding the burden of bureaucracy and the impact of this designation, in our direct response to the NVZ consultation which is currently open.

The group of farmers in the Llangors area are hugely concerned regarding the proposed designation. NFU Cymru notes that the reason for the notification is eutrophication in the lake. Nitrate levels in the lake are very low and we would question the implication in the proposed designation that nitrates from agriculture are a significant contributor to eutrophication. This is after all a nitrates directive. We would suggest that those farmers in the catchment appeal against its' inclusion on this basis.

NFU Cymru fully understands these concerns which have been raised by these farmers in the area and we support their representations made.

Yours sincerely,

**Stella Owen**  
**Farm Policy Advisor NFU Cymru**



**FARMERS' UNION OF WALES**  
**UNDEB AMAETHWYR CYMRU**  
**BRECON & RADNOR BRANCH • CANGEN BRYCHEINIOG A MAESYFED**

County Office/Swyddfa Sirol: 8 Ship Street, Brecon, Powys, LD3 9AF.  
Tel/Ffôn: (01874) 622779. Fax/Ffacs: (01874) 610374.  
E-mail/E-bost: brecon-fuw@btinternet.com

Reference/Cyfeirnod:

Date/Dyddiad:

12<sup>th</sup> March 2012

To Whom It May Concern:

The Farmers Union of Wales fully supports the farmers of the Llangorse area in opposing any NVZ Designation for the area. We agree with their points of concern and have raised similar concerns regarding the inclusion of Llangorse as a potential NVZ and numerous other concerns in our own consultation response.

Yours sincerely,

Aled Jones

**Melanie Davies  
County Councillor  
Llangorse Ward**

Castle House  
Llangorse  
Brecon  
LD3 7UD

14<sup>th</sup> March 2012

**Response to the consultation on the review of Nitrate Vulnerable  
Zones in Wales with reference to Llangorse Lake**

I have been part of a family business that operates on Llangorse Lake all my life, I am a member of the Llangorse Lake Advisory Group and am the County Councillor for the Llangorse Ward.

Please note my following comments as part of your consultation regarding the Nitrate Vulnerable Zone designation proposals, as outlined in 'Nutrient Modelling and Nutrient budget for Llangors Lake Report 831 April 2008'.

I am very concerned about the whole process and how it bypasses the local farming community directly affected in the proposed Zone. I do not understand the rationale of not fully engaging at the report and consultation stages, the result is that it leaves affected landowners disengaged and only able to give any challenge after the area has been designated through an appeals process. I am amazed that this is seen as good practice, where is the open and transparent democratic accountability, even within Local Planning Authorities those directly affected are consulted before, as part of a rounded report.

The farming community should have been integral to the report, I am informed that the stock numbers are inaccurate; how then, can the assumptions based on their numbers be given any weight? And why was this information not qualified by asking those who knew eg, the farmers?

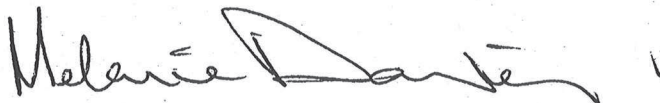
I understand that nutrient management plans are in place already and are common practice and that if the Zone is imposed it will just increase the bureaucracy that local businesses are expected to comply with, resulting in little or no results on the ground, except to devalue the effected land and burden owners with more red tape. I also have a real concern that this will have huge cost implications on individuals with regards to infrastructure and that no audit has been carried out to assess the current suitability of existing buildings, silage, slurry and oil fuel provision. It could undermine some farming practices to the point were some individuals could be driven out of the industry altogether.

I do not understand why the reports recommendations target the Nitrates which are recorded as entering the lake from the North area and does not tackle the issue of the greater in-flow and Nitrate load (50-56%) entering the Lake from the Llynfi inlet (site No 6 in report). Is the Bwlch Sewage Pump Station spilling effluent into the lakes flood zone so it feeds in as sub-surface water?

What is being done to ensure that all the septic tanks in the north eastern area and out towards Bwlch are not polluting the Lake, what about soak-aways in old properties?

The Lake water quality has improved greatly over the last two decades and its status and how this status is arrived at is regularly debated at LLAG. Unfortunately part of the report, the recommendations are drawn from, was drawn up in a very dry spell and samples could only be taken from two inputs into the lake which means the wrong conclusions could be drawn. It is on this basis and those already mentioned above that I would suggest a management agreement should be drawn up between the interested parties and monitoring should be continued to ensure a fair, transparent and equitable way forward any other system at the present point in time is pre-emptive and unsound and while it may have no detrimental effect on the Lake it would have a disproportionate one on the local inhabitants.

I strongly support the conservation of the Lake and the surrounding area, I also believe that voluntary agreements and working groups foster better mutual understanding, respect and working practices than heavy handed legislation. The best placed people to support this work are the farmers themselves who have long term invested interests in the environment by the very fact that they live and work in the area from generation to generation.

A handwritten signature in black ink, appearing to read 'Melanie Davies', with a stylized flourish at the end.

**Melanie Davies**  
**County Councillor**

John Griffiths AC /AM  
Gweinidog yr Amgylchedd a Datblygu Cynaliadwy  
Minister for Environment and Sustainable Development



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-383  
Ein cyf/Our ref JG/05808/12

William Powell AM  
Chair Petition's committee

committeebusiness@Wales.gsi.gov.uk

18 April 2012

*Dear William,*

Thank you for your letter of 26 March regarding a petition against the proposed designation of Llangorse Lake as a Nitrate Vulnerable Zones (NVZ).

The EC Nitrates Directive (91/676/EEC) is intended to reduce water pollution caused by nitrates from agricultural sources and to prevent any further pollution. The Directive is transposed in Wales by the Nitrate Pollution Prevention (Wales) Regulations 2008. Since the introduction of the Directive in 1991, Member States are required to assess and designate areas as Nitrate Vulnerable Zones (NVZs) and produce an Action Programme of measures to reduce levels of nitrogen entering watercourses.

Member States are required to review their implementation of the Directive every four years. The outcome of the review is used to make appropriate amendments to the NVZs and/or the measures in the Nitrates Action Programme. The last review undertaken by the Welsh Government in 2007 resulted in 2.3% of the land area of Wales being designated as NVZs and introduced a strengthened range of measures in the Nitrates Action Programme.

The recent consultation on the Review of Nitrate Vulnerable Zones in Wales which closed on the 16 March invited opinions from individuals and organisations on proposals to:

- revise the coverage of Nitrate Vulnerable Zones
- modify the Nitrates Action Programme measures implemented within the Nitrate Vulnerable Zones.

The consultation was published on the Welsh Government website and was sent to a wide range of stakeholders.

Over the last 12 months, my officials have been working with a NVZ Methodology Working Group to ensure that the method for identifying NVZ's makes use of the best techniques and data available, in order to gather evidence and in particular, learn lessons from previous designation exercises.

Acting upon feedback received during the last review of NVZs, we have ensured the inclusion of farming representatives and independent academics in the Methodology Working Group.

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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The Group includes representation from the National Farming Union (NFU), the Country Landowners Association (CLA) and the National Farming Union Cymru (NFU Cymru). Group members guided, informed and challenged the development of the NVZ designation methodology, which has provided a high level of transparency to a very technical process.

Llangorse Lake was included as a draft NVZ designation within the consultation as it met set criteria in the NVZ assessment process. This is the same for all new draft NVZ designations which have been proposed based on the latest evidence and data from the Environment Agency about waters in Wales that are classed as nitrate polluted waters under the Directive.

The NVZ assessment methodology used for the 2012 review of surface water quality in England and Wales adopted a weight of evidence approach. It combined observed data from monitoring with data on agricultural land use calculated using a national-scale nitrate leaching model.

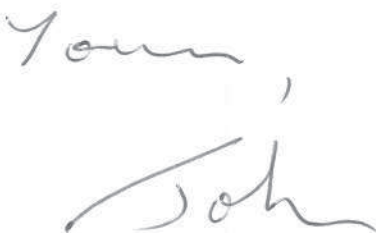
Diffuse nitrate loads from agriculture were derived from the results of the NEAP-N model (Environment Agency, 2008; Anthony *et al.* 1996; Lord and Anthony, 2000; Silgram *et al.* 2001).

The model contains data related to average annual soil drainage, nitrate flux and concentrations from diffuse sources at a 1 km<sup>2</sup> resolution. It used average climate conditions (1971-2000) and data on agricultural land use based on the 2010 Defra Agricultural Census. The model excluded any point source or urban contributions.

Since the consultation closed, my officials are now in the process of summarising and analysing all the responses received. Following analysis of the responses on the issue of the approach to designation of NVZs, I have made a decision that we should continue our policy of designating discrete NVZs. The interim summary of responses on this issue will be published on the Welsh Government website shortly. The next steps are to prepare the detailed maps showing the areas to be designated as NVZs along with information and supporting data that explain the rationale for designation of each area. This information will be available on the Environment Agency website by mid May and will write to all affected landowners.

You may wish to be aware that there is a mechanism in place for landowners who are not content with proposed NVZ designated areas to appeal. Full details on the appeal framework will be provided to all affected landowners. Following this, it is intended that the final changes to the proposed NVZ designated areas will be made under the Nitrate Pollution Prevention (Wales) Regulations which are proposed for implementation in 2013.

We intend to publish a full Government response to the consultation shortly and a copy of the consultation document is attached for your information.



**John Griffiths AC / AM**

Gweinidog yr Amgylchedd a Datblygu Cynaliadwy  
Minister for Environment and Sustainable Development

WG14458



Llywodraeth Cymru  
Welsh Government

[www.cymru.gov.uk](http://www.cymru.gov.uk)

Welsh Government

## Consultation Document

# Review of Nitrate Vulnerable Zones in Wales

Date of issue: **23 December 2011**

Action required: Responses by **16 March 2011**



## Overview

The Nitrates Directive (91/676/EC) aims to reduce water pollution by nitrates from agricultural sources and to prevent such pollution occurring in the future.

The Directive requires the Welsh Government to identify surface or groundwaters that are, or could be high in nitrate from agricultural sources.

Nitrogen is one of the nutrients that can effect plant growth. Surface waters also have to be identified if too much nitrogen has caused a change in plant growth which affects existing plants and animals and the use of the water.

Once a water has been identified, all land draining to that water is designated as a Nitrate Vulnerable Zone. Within these zones, farmers must observe an action programme of measures which include restricting the timing and application of fertilisers and manure, and keeping accurate records.

We have undertaken a review of all Nitrate Vulnerable Zones and are seeking the public's views before making a final decision.

## How to respond

To respond to the consultation, please send your comments, either electronically or in hard copy to the address below.

## Further information and related documents

**Large print, Braille and alternative language versions of this document are available on request.**

The Nitrates Directive (91/676/EC) can be accessed here: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31991L0676:EN:HTML>

Should you wish to ask any questions about the Directive or how Nitrate Vulnerable Zones are designated, you can email the dedicated inbox at: [water@wales.gsi.gov.uk](mailto:water@wales.gsi.gov.uk)

## Contact details

For further information:

[water@wales.gsi.gov.uk](mailto:water@wales.gsi.gov.uk)

Water Policy

Welsh Government

Cathays Park

Cardiff

CF10 3NQ

## Data protection

How the views and information you give us will be used.

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.



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## 1. Introduction

The EC Nitrates Directive (91/676/EEC) is intended to reduce water pollution caused by nitrates from agricultural sources and to prevent any further pollution. The Directive is transposed in Wales by the Nitrate Pollution Prevention (Wales) Regulations 2008. Since the introduction of the Directive in 1991, Member States are required to assess and designate areas as Nitrate Vulnerable Zones (NVZs) and produce an Action Programme of measures to reduce levels of Nitrogen entering watercourses.

Member States are required to review their implementation of the Directive every four years. The outcome of the review is used to make appropriate amendments to the NVZs and/or the measures in the Action Programme. The last review undertaken by the Welsh Government in 2007 resulted in the designation of 2.3% of the land area of Wales as Nitrate Vulnerable Zones and introduced a strengthened range of measures in the Nitrates Action Programme that farms located within NVZs must implement to comply with the Directive.

This consultation document is part of the current review and invites opinions from individuals and organisations on proposals to:

- Revise the coverage of Nitrate Vulnerable Zones
- Modify the Action Programme measures implemented within the Nitrate Vulnerable Zones.

The NVZ proposals have potential implications for all farmers **in existing NVZs and in new NVZs**. The general location of these designated areas are indicated at Annex 1.

Implementation of the Nitrates Directive in Wales has evolved with our understanding of the Directive and as the evidence base for nitrate pollution has grown. The proposed new NVZs for designation follow the latest evidence and data from the Environment Agency about waters in Wales that are classed as nitrate polluted waters under the Directive.

The proposed revisions to the existing Action Programme take account of our 'Working Smarter' commitment to reduce bureaucracy in the farming industry, and builds upon informal consultation with a wide range of stakeholders and research into the effectiveness of the existing measures. We have considered recommendations made by the Farming Regulation Task Force in England (as set out in the 'Macdonald Report') on the Nitrates Directive. These include the 'earned recognition' principle of rewarding good practice with less frequent inspections.

Implementation of the proposals in the Action Programme following the designation process will ensure compliance with the Directive and will contribute to an integrated approach to tackling diffuse pollution in water courses. This will in turn contribute to meeting other European water quality Directives in Wales, such as the Water Framework Directive and Groundwater Directive.

This consultation document covers all elements of the proposed changes to NVZs and Action Programme. The maps at Annex 1 show the new **indicative** NVZ areas. These maps are also available on the What's in Your Backyard section (WIYBY) of the Environment Agency website<sup>1</sup>

All Action Programme proposals in this consultation document are underpinned by detailed scientific evidence generated through research commissioned by the Department for Environment, Food and Rural Affairs (Defra) in consultation with the Welsh Government. The research was carried out across England and Wales, therefore the conclusions and evidence base are applicable to both countries.

This consultation also invites opinions on:

- Rationalising the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010 (SSAFO).

The proposals aim to remove the duplication that currently exists between the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010 and the Nitrate Pollution Prevention (Wales) Regulations 2008 and simplify compliance with both sets of Regulations. We propose standardising the calculation of storage capacity to that of the NVZ Action Programme. This will have potential implications for **all farmers** in Wales and further information can be found in section 9d.

Full details of the rationale and methodology for designation as well as the Action Plan is outlined in full in this document.

## **2. Responding to this consultation paper**

The Welsh Government invites views and comments on the proposed revision of NVZ coverage and the individual Action Programme proposals. Comments are welcome from all interested parties and in particular, farmers, farm consultants, trade and industry bodies.

While consultees may wish to comment on the proposed NVZs and on the proposed changes to the Action Programme rules, these are requirements of the Nitrates Directive or have been discussed with the European Commission in some detail. The Welsh Government is obliged to implement the Nitrates Directive fully in its current form, and is not in a position to make changes to the basic requirements.

<sup>1</sup> [http://maps.environment-agency.gov.uk/wiyby/wiybyController?x=357683.0&y=355134.0&scale=1&layerGroups=default&ep=map&textonly=off&lang=\\_e&topic=nvz](http://maps.environment-agency.gov.uk/wiyby/wiybyController?x=357683.0&y=355134.0&scale=1&layerGroups=default&ep=map&textonly=off&lang=_e&topic=nvz)

**Specific questions have been posed throughout this consultation document. Please refer to these questions when submitting your response.**

Comments are requested by 16th March 2012

Please send your comments to:

Water Policy team  
Welsh Government,  
Cathays Park,  
Cardiff  
CF10 3NQ

(02920) 823192

Email: [water@wales.gsi.gov.uk](mailto:water@wales.gsi.gov.uk)

The Welsh Government will make available all responses to this consultation paper or deposit them in its libraries, unless a respondent specifically asks for his or her response to be treated as confidential. Should you wish some or all of your response to be treated as confidential, please indicate this clearly. Confidential responses will, nonetheless, be included in any statistical summary of numbers of comments received or views expressed.

The Welsh Government will inform all respondees of the outcome of this consultation and the final decision on designating NVZs.

### 3. Background

#### Nitrate loss from agriculture

Water is a vital resource and over the past fifty years, more intensive farming methods have led to an increase in overall loadings of Nitrogen to land, and the loss of some of this Nitrogen into the aquatic environment.

A significant proportion of the UK's nitrate input to the aquatic environment originates from diffuse water pollution which can be described as individual small sources of water pollution, that collectively cause a significant impact. One of which includes sources from agricultural activities.

The Member States of the European Union adopted the Nitrates Directive in 1991. The Directive is designed to reduce pollution from nitrates originating from agricultural sources to surface and groundwater systems.

There are two main reasons for ensuring nitrate concentrations in coastal waters, estuaries, rivers, lakes and groundwaters are maintained below prescribed limits:

- High nitrate concentrations can contaminate drinking water sources. As prescribed in the EC Drinking Water Directives (80/778/EC and 98/83/EC), water companies are required to provide drinking water containing nitrate concentrations less than 50 mg/l.
- High nitrate concentrations can contribute to an overall deterioration in water quality and lead to eutrophication, where nutrient enrichment can result in an undesirable disturbance of the aquatic ecosystem. High levels of nutrients such as nitrate can encourage prolific growth of aquatic organisms including toxic algal blooms and can reduce the oxygen status of water (deoxygenation) leading to fish kills. This reduces the biodiversity and conservation value of aquatic systems as well as the navigational and recreational value of water bodies.

In addition to the Nitrates and Drinking Water Directives, the Welsh Government also has an obligation under the Water Framework Directive to improve and enhance the quality of water in Wales. These include:

- surface freshwater (including lakes, streams and rivers)
- groundwaters
- groundwater dependant ecosystems
- estuaries
- coastal waters out to one mile from low-water.

The Directive requires member states to achieve 'good status' on all water bodies by 2015 in the first instance, through the implementation of River Basin Management Plans and targeted improvement plans.

#### **4. Designated Areas**

The 1991 Nitrates Directive established a broad framework for reducing nitrate pollution from agriculture throughout Europe. The Directive requires Member States to establish Action Programmes, which set out specific good agricultural practice measures for farmers to follow in order to reduce nitrate pollution. It also requires Member States to apply the Action Programme either throughout their national territory (whole Wales NVZ designation), or to specific areas where farmers have to implement the measures (with farmers in other areas being subject only to other national baseline standards).

Where Action Programmes are not applied throughout their national territories, Member States have to designate NVZs using specific tests and review these designations every four years. The tests require the designation of land draining into:

- Groundwaters or surface fresh water systems that contain, or could contain (e.g. due to an upward trend) if protective action (i.e. applying Action Programme measures) is not taken, nitrate concentrations above 50 mg/litre; a significant part of which comes from agricultural sources;
- Freshwaters (e.g. lakes, rivers), estuaries, coastal waters and marine waters that are (or may become so in the near future if protective action is not taken) eutrophic when Nitrogen compounds (e.g. nitrate from fertiliser or manure) enrich the waters and cause accelerated growth of higher forms of plant life and algae. This produces an undesirable disturbance to the balance of organisms and to the quality of water.

The Nitrates Directive requires reviews of both the extent of the NVZs and the effectiveness of the Action Programme every four years. The outcomes of the reviews should be used to make appropriate amendments (i.e. revise the NVZs and/or the Action Programme measures).

#### **5. Action Programme requirements**

The Nitrates Directive requires farmers within designated NVZs to follow Action Programme measures with the aim of reducing nitrate pollution. The Action Programme consists of statutory measures of good agricultural practice, including:

- controlling the dates (closed periods) and conditions under which Nitrogen fertiliser and organic materials are spread;
- having sufficient facilities for storage of manures and slurries;
- limiting Nitrogen fertiliser applications to the crop requirement only;
- limiting quantities of organic material applied per hectare per year;
- limiting the total quantity of organic material plus excreta applied at farm level;
- controlling the areas where Nitrogen fertilisers (both organic and inorganic) can be applied;
- controls on application methods; and

- preparing plans and keeping adequate farm records.

The measures outlined in the Nitrates Directive are intended to contribute to sustainable development by limiting and/or reducing agricultural losses of nitrate through good agricultural practice coupled with limits on fertiliser and slurry/manure loadings and timings, whilst promoting sustainable and adaptable farming. Good practice measures to limit losses of other pollutants are also included.

There are specific benefits arising from implementing the measures required by the Nitrates Directive, including:

- Reducing the escape of nitrate and other nutrients into the water environment to reduce further the risk of eutrophication and excessive plant growth.
- Helping to ensure industries dependent on high water quality remain viable, these include recreation and tourism, fisheries and agriculture, horticulture and food processing.
- Helping to protect habitats important for wildlife conservation and to prevent decreases in biodiversity.
- Helping to maintain and improve the quality of drinking water, and reduce the complexity and cost of water treatment.

In addition to the risk of nitrate pollution, loss of applied Nitrogen by leaching and surface runoff represents an economic loss to farmers. Manures and slurries are a valuable resource as they provide available Nitrogen to plants. Adequate allowance for the nutrients supplied in organic materials can therefore reduce the need for applications of more costly bagged mineral fertiliser. As a result, more efficient, targeted applications of Nitrogen coupled with better accounting for the nutrient value in applied organic fertilisers can lead to lower overall fertiliser costs for individual farm businesses.

The existing Action Programme measures have been in place since January 2009, and are set out in detail in the Welsh Government publication “Nitrate Vulnerable Zones in Wales – Guidance for Farmers” (2009 Edition) available from [www.wales.gov.uk](http://www.wales.gov.uk).

The main requirements of the existing Action Programme are that farmers should:

- Not apply organic manure containing high readily available Nitrogen (such as slurries and poultry manures) on land during the following inclusive dates (the closed periods):

*Table 1 – closed periods for manure with high readily available Nitrogen*

<b>Soil type</b>	<b>Grassland</b>	<b>Tillage land</b>
<b>Sandy or shallow soil</b>	1 September to 31 December	1 August to 31 December
<b>All other soils</b>	15 October to 15 January	1 October to 15

		January
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- Not apply manufactured Nitrogen fertiliser on land during the following inclusive dates (the closed periods)

*Table 2 – closed periods for manufactured fertiliser*

<b>Grassland</b>	<b>Tillage land</b>
15 September to 15 January	1 September to 15 January

- Ensure adequate storage capacity is available to allow for the annual closed periods (comes into force January 2012)
- Limit Nitrogen applications (from both manufactured fertiliser and organic materials) to crop requirements, after allowing for Nitrogen supply from the soil and other sources
- Limit the total amount of Nitrogen in livestock manure applied to agricultural land, whether directly by animals whilst grazing or by spreading, to an average of 170kg/ha across the whole holding.
- Spread no more than 250kg/ha total Nitrogen in organic material on any area of the farm (the field limit)
- Not apply manufactured fertiliser or organic materials when the soil is waterlogged, flooded, frozen or snow covered; or if the field is steeply sloping.
- Spread organic materials and fertilisers as accurately as possible and in a way which does not contaminate watercourses (manufactured Nitrogen fertiliser must not be spread within 2 meters of a surface water, and organic manure must not be spread within 10 meters)
- Keep adequate farm records, including the timing and level of manure/slurry and manufactured Nitrogen fertiliser applications.

The Environment Agency Wales (EA(W)) is responsible for enforcement of the Nitrates Directive in Wales, including Action Programmes measures. The Action Programme requirements also fall under the scope of the Single Payment Scheme (SPS) cross-compliance measures. Accordingly, where relevant, inspections assess compliance with NVZ Action Programme measures and penalties can be applied to SPS payments where breaches are found.

## **6. Timeline Overview**

The Nitrates Directive requires us to review both our designation of NVZs, and the Action Programme of measures that applies inside them, every four years. We are required to do this, and have any new designations and measures in place by 1 January 2013. The outcome of this process, particularly the shape of the Action Programme, will depend not only on your responses to this consultation but also on negotiations with the European Commission.



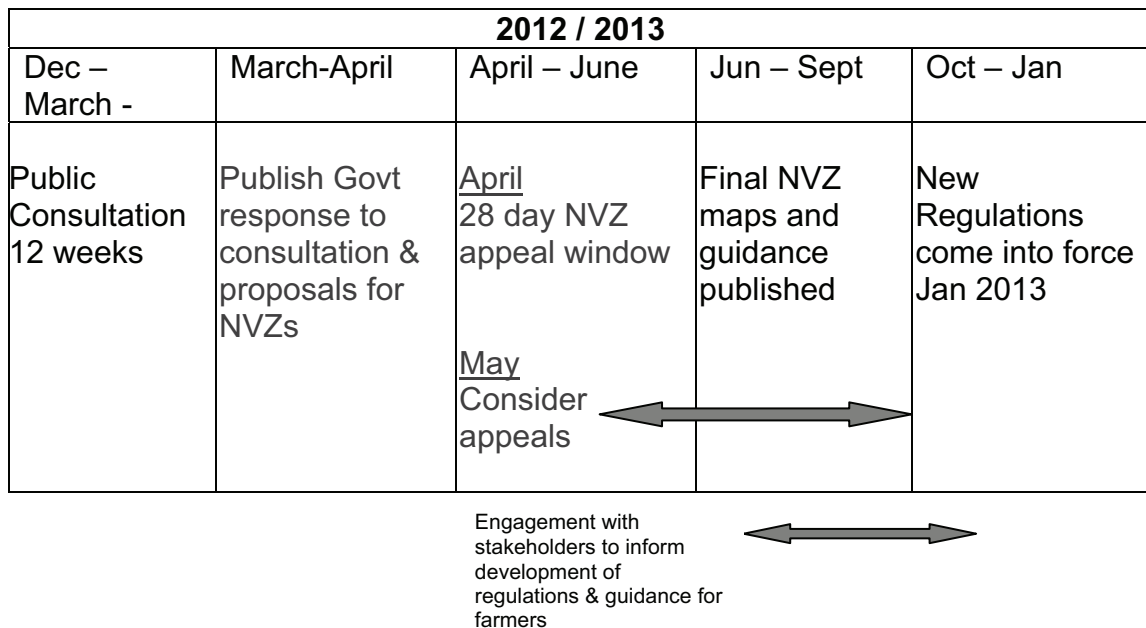
This consultation is a key stage in the current review of the designation of NVZs and consideration of the Action Programme. To get to this stage work has been ongoing for the last 12 months on both the methodology (discussed in section 7) which will be used to identify NVZs and the Action Programme (discussed in section 9).

Looking forward, if we designate discrete NVZs, we will aim to publish firm recommendations, with field level maps on where these will be, in April 2012. There will then be a period during which any challenges to the recommended designations could be made, and following consideration and adjudication of these appeals, we intend to publish final NVZ boundaries in autumn 2012, to be applied through regulation from 1 January 2013 onwards.

In parallel with this consultation, we will be discussing the Action Programme with both the Commission and farming representatives. During the first three months of 2012 we will be reviewing your responses to this consultation and using the evidence you provide, to support our discussions with the Commission. We aim to publish our final proposals for NVZ boundaries and Action Programme around April 2012, although the precise timing is also dependent on discussions between the UK and the European Commission.

The chart below seeks to summarise this time line.

**Chart 1 - Timeline Overview**



## 7. Proposals for designating new NVZs in Wales

Under the Directive we have two options to review and designate land. Our first option requires **as a minimum**, the designation of discrete Nitrate Vulnerable Zones that drain into polluted waters, within which an Action Programme of measures is implemented by farmers. Our second option under the Directive is to designate 'whole territory' NVZs and apply the Action Programmes across the whole of the nation. Most of the northern EU

countries have opted for the 'whole territory' approach, including the UK in respect of Northern Ireland.

### **Option 1 – Targeted approach to designation of discrete NVZ areas.**

To date we have taken a targeted approach and designated NVZs, which currently cover approximately 2.3% of land in Wales. This is consistent with the objective of the Directive, which aims to reduce pollution where it occurs and ensure that those who contribute to it take action to reduce the pollution. In other words, this approach encapsulates the 'polluter pays principle'. It also ensures that burdens are not imposed on those whose land does not drain to nitrate-polluted waters and therefore ensures that any costs are directly associated with implementation of the Directive.

However, the four yearly cycle of reviewing water quality creates uncertainty for farmers, whose land may be removed from NVZ designation at one round and then re-designated at the next, or vice versa. This can make it difficult for farmers to take a long term view and make the right investment decisions for their business. Having land within an NVZ requires landowners to bear the extra costs of complying with the Action Programme. The four-yearly cycle requires a significant resource from both Welsh Government and the Environment Agency in both developing and implementing the appropriate methodologies.

Adoption of the targeted approach would mean modest changes to the current designation picture for 2012/13. The total area designated would increase from 2.3% to 2.5%. This change includes a number of new NVZs as well as some land which would no longer be an NVZ owing to sustained improvements in water quality. A description of the methodology and the potential areas that would be designated as NVZ are included in Annex 1.

#### Proposed Designations

A key part of this review has been the development of the NVZ Methodology Working Group. The group was set up during this review process to ensure that the method for identifying NVZs makes use of the best techniques and data available, and in particular learns the lessons from previous experience. The group consisted of farming representatives and independent academics who have been able to inform and challenge the development of the methodology throughout. The establishment of this group, which included representatives from the National Farmers Union, Country Landowners Association, National Farmers Union (Cymru) and Farmers Union of Wales, has provided a high level of transparency to a very technical process and has enabled informed debate, challenge and change. The details of the membership of the Group is included as part of Annex 1.

The methodologies employed in this review were developed by the NVZ Methodology Working Group. The group reviewed the evidence available and the various methods of analysing the data in accordance with the requirements of the Directive. Once agreed and signed off by the group, the methodologies were then used by the Environment Agency to develop the draft NVZ boundaries.

A number of local quality assurance workshops were then held where the suggested areas were looked at in detail using local knowledge to identify any

anomalies in the data. These workshops were attended by local Environment Agency Wales staff with the Farming Unions attending as observers.

The Environment Agency has completed a review of waters in Wales that may be polluted by nitrates from agricultural sources and has provided its data to the Welsh Government.

The full methodologies will be published by the Environment Agency on behalf of the Welsh Government in February which will include the full rationale behind the designations. A summary of the methodologies is included at Annex 1 of this document.

### **Option 2 – Whole Wales NVZ designation.**

As an alternative, we could introduce a whole Wales approach to designating NVZs and apply the Action Programme throughout Wales. This has been done in Northern Ireland. We know that we need to improve water quality (including phosphate and sediment, not only nitrate) across much of the country to meet the requirements of the Water Framework Directive – based on the 2009 baseline, 33% of all water bodies in Wales are at ‘good’ status.

A ‘Whole Wales’ designation would provide an opportunity to develop an integrated approach to a number of different though related issues. When we consider the many-stranded requirements of the Water Framework Directive, as well as other key objectives on air quality and reducing greenhouse gas emissions, there are likely to be efficiency gains. Using a single legal instrument to set a baseline level of farming nutrient management would give us the opportunity to coordinate action aimed at achieving our objectives and make the base line rules as simple as possible.

Such an approach would make it difficult to determine the costs on the agriculture industry attributable to implementation of the Nitrates Directive. It may appear that costs would be higher than with discrete NVZs though being able to coordinate basic measures to deliver the Water Framework Directive, air quality and climate change policy objectives within one instrument would facilitate minimising the costs on the industry overall by ensuring that measures were fully integrated.

**Q1 - Do you prefer Option 1 (continuing with discrete NVZ designations), or Option 2 (applying the Action Programme to a ‘Whole Wales’ NVZ designation)? Please include comments on the advantages and disadvantages of the two options and the reasons why you prefer one over the other.**

**Q2 - Do you have comments on the areas proposed for designation as NVZs in Wales shown on the indicative maps (at Annex 1) given the Nitrates Directive's basis on which nitrate polluted waters must be identified and land draining into those waters must subsequently be designated?**

## **8. Appeals**

If a whole Wales approach (option 2) is not the preferred option and we continue to designate discrete areas, we intend to publish the Environment Agency's recommendations for NVZ boundaries in April 2012.

When the recommended NVZ boundaries are published you may not agree with those proposals on the basis that you feel areas proposed for inclusion should not be included. If that is the case, you will be able to appeal against that recommendation.

This section is intended to help you understand the timing and opportunity for those appeals. **We are not seeking or accepting appeals at this stage as the maps we have included here are intended to be indicative: they are not firm recommendations and open to change.**

Appeals can be made on either or both of the following grounds:

- **The land does not drain into water which the Welsh Ministers are minded to identify as polluted within the meaning of the Nitrates Directive; or**
- **The land drains into water that the Welsh Ministers should not identify as polluted within the meaning of the Nitrates Directive.**

These two grounds for appeal will be established through regulations. Appeals will be limited to factual matters in relation to the way in which land drains into water bodies and the level of pollution in water bodies. If you wish to appeal, you will need to provide appropriate evidence to support your case.

The appeals will be handled by the Planning Inspectorate who are currently developing the process. They will issue full details of the appeal process (including guidance, forms and appeal deadline) early in 2012 prior to the publication of the field level NVZ designations (expected at Easter 2012). A 28 day window for making appeals will be advertised in the Government's response document. Publishing appeal arrangements in advance of the Welsh Government response to the consultation will allow landowners sufficient time to fully consider the appeals mechanism prior to the appeal window opening.

If the Welsh Government decides to opt for a whole territory approach then the provisions for appeals will be withdrawn from the process as the Whole of Wales will be subject to the regulations rather than discrete areas.

## **9. Action programme**

### *Existing Action Programme Measures*

The proposals in this consultation for changes to the Action Programme reflect developments in our understanding of the pathways of agricultural pollution and key inputs of research commissioned by Defra. The early findings of this research was shared with farming representatives at a stakeholder workshop in April 2011 to explore the advantages and disadvantages of differing options.

The Welsh Government, jointly with Defra, has been continually reviewing the existing measures to establish their effectiveness in reducing nitrate pollution. Many of the most recent surface and groundwater monitoring results have shown a reduction in nitrate concentrations, and can, in part, be attributed to the effect of the current and previous Action Programmes.

Some of the key Action Programme measures, such as the storage requirements, have yet to fully enter into force. When they do, they are likely to take a number of years to have full effect, especially on groundwater. There are also wider trends in agriculture that are not driven by the NVZ Action Programme but may contribute significantly to the reduction of water pollution. For example, there has been a long-term downward trend in the application of Nitrogen fertiliser to grassland, and livestock numbers have fallen in recent years, which will tend to reduce nitrate pollution.

As a result we consider it too early to meaningfully analyse the success of the existing Action Programme. Therefore, other than where new evidence has been generated, the proposals contained within this consultation document are mainly focused on reducing bureaucracy rather than making significant changes to the Action Programme and farming practices.

### *Proposals for the NVZ Action Programme*

This section outlines the changes we propose, or are considering, making to the measures in the existing Action Programme. Most aspects will remain as they are now, but where there is evidence that measures can be improved upon we have developed proposals for further consideration. In selecting a final package of measures we will be looking for the best suite of proposals that support an economically viable farming industry whilst achieving the following goals:

- reductions in losses of Nitrogen from agriculture (with associated benefits of improving water quality and enhancing biodiversity);
- Improving the efficiency with which all sources of Nitrogen are used on farms;
- Minimising pollution swapping (i.e. reducing losses of one pollutant that results in increasing the losses of another pollutant);

- Delivering coherent interventions to support agriculture whilst improving the environment;
- Fulfilling our obligations under the Nitrates Directive;
- Reducing the burden of reporting for farmers.

When commenting on the proposals you should be aware that the Nitrates Directive specifically lists measures that must be implemented by the Welsh Government within an Action Programme. Therefore there is little scope to remove completely many of the basic measures.

The proposed measures are based on research and evidence. However we have presented options or alternatives for consultation purposes and in reaching a final decision on the way forward we will have to consider the best 'package' of proposals to achieve the above goals.

The consultation proposals address the following issues:

- **Rates and limits on the field application of organic manures and manufactured Nitrogen fertilisers**
- **Closed periods for spreading**
- **Restrictions on spreading**
- **Storage of organic manures**
- **Planning nutrient use and keeping records**
- **Cover crops**

**Q3 - How do you think the proposed Action Programme changes will impact on the practical management of typical farm enterprises in the new or existing zones?**

### **9 (a). Rates and limits on the field application of organic manures and manufactured Nitrogen fertilisers**

We intend to maintain the three key application limits at the levels they are now. These are:

- in any twelve month period, the total amount of Nitrogen in organic spread manure on any given hectare must not exceed 250kg.
- in any calendar year the total amount of Nitrogen in livestock manure applied to the agricultural land (either directly whilst grazing or by spreading) must not exceed an average of 170kg/ha.
- the existing Nmax limits which stipulate the maximum amount of crop available Nitrogen that may be applied to a specific crop.

However, we propose to make the following technical changes.

*Contribution of all organic materials to Nmax*

We propose to make a technical change to the Nitrogen-containing materials that must be included in Nmax calculations.

Nitrogen fertilisers are defined in the regulations and include those derived from plant or human sources. At present the Regulations require farmers to only count farm livestock manures and manufactured Nitrogen fertilisers in their Nmax calculations. Nitrogen derived from sewage sludge (biosolids), compost or other organic manures that do not originate from farm livestock are excluded from the calculations.

We consider that the Nitrogen in all organic manures should be counted in the Nmax calculation. This would ensure that assessments of the crop available Nitrogen supplied to crops is more accurate and therefore the chance of applying more Nitrogen than the crop requires will be reduced, thus reducing the likelihood of pollution. Crop yields will not be penalised as it will still be possible to apply the optimum amount of Nitrogen that a crop requires.

Alternatively, we could maintain the current narrow Nmax rule. This would continue the risk of nitrate pollution (and quite probably other pollution such as phosphate, since Nitrogen is not the only nutrient these materials contain). In addition some farmers may be near their Nmax limit already in their calculations using the existing limited range of Nitrogen sources.

**Q4 - Do you agree that crop available Nitrogen from other organic materials should count towards the Nmax limits?**

*Livestock manure Nitrogen efficiency standard values used in Nmax*

The current Regulations require farmers to establish the total amount of Nitrogen available for crop uptake in organic manure that contributes towards the Nmax limit.

The amount of Nitrogen available for crop uptake in organic manure can be established using minimum manure Nitrogen efficiency standard values. These values represent the percentage of the manure total Nitrogen content that has the same effectiveness as manufactured Nitrogen fertiliser.

Table 3 sets out the current standard values in Wales, and those that will come into force from January 2012. These are some of the lowest standard values in the EU.

Recent research has been carried out in England and Wales to review the scientific evidence concerning livestock manure Nitrogen efficiency values. Manure Nitrogen efficiency was measured during 127 replicated field experiments in different geographical locations where soil types, rainfall patterns, land uses (i.e. cereals, potatoes, sugar beet and grassland), manure types, manure application timings and methods, and soil incorporation strategies were different.

The evidence showed that with current good farming practice methods of application, it is realistic to expect higher Nitrogen efficiency values with cattle and pig slurry than those set to apply from 1 January 2012. It showed that significantly more of the original Nitrogen content was available for crop

uptake with spring and summer applications than with autumn and winter applications.

We propose to increase the manure Nitrogen efficiency values for cattle and pig slurries to ensure that all crop available Nitrogen is taken into account when considering Nitrogen plans, and to encourage the uptake of good practice. Table 3 also sets out the manure Nitrogen efficiency standard values that we propose for the next Action Programme.

*Table 3 - Proposed manure Nitrogen efficiency standard values for adoption in the next NVZ Action Programme in Wales (% of total manure Nitrogen).*

Manure type	Current NVZ AP From January 2009 until 31 December 2011	Current NVZ-AP From January 2012	Proposed values for next NVZ- Action Programme
<b>Cattle slurry</b>	<b>20</b>	<b>35</b>	<b>40</b>
<b>Pig slurry</b>	<b>25</b>	<b>45</b>	<b>50</b>
<b>Poultry manures</b>	<b>20</b>	<b>30</b>	<b>30</b>
<b>Farm Yard Manure</b>	<b>10</b>	<b>10</b>	<b>10</b>

#### Advantages

- Updating the manure Nitrogen efficiency standard values will help ensure the Action Programme is based on the most up-to-date evidence.
- Recognising the full Nitrogen contribution that organic manures make to meeting crop demand will reduce the need for additional manufactured Nitrogen fertiliser and should increase farming efficiency.
- This proposal should also encourage a move to best practice in the handling and timing of applying organic manures to land, which will reduce nitrate pollution and manufactured fertiliser bills.

#### Disadvantages

- Changing the Nitrogen efficiency standards so soon after the introduction of the January 2012 standard values may cause confusion.

**Q5 - Do you agree with the proposed changes to the Nitrogen efficiency standard values used in Nmax?**

**Q6 - What concerns or benefits do you think this change may raise?**



### *Organic Manure Nitrogen Field Limit for Composts*

The Farming Regulation Task Force (the Task Force) in England received concerns that the application of the Nitrogen field limit is inappropriate for some slow release organic manures such as compost. The Task Force considered the current field limit does not allow enough of these materials to be used to satisfy plant needs in some instances.

Table 4 sets out the total Nitrogen content and readily available Nitrogen in green compost (commonly made from landscaping and garden 'wastes') compared to cattle Farm Yard Manure (FYM). Green composts have a lower readily available Nitrogen than cattle FYM, therefore they pose much less of a nitrate leaching risk, even at higher rates of application. We therefore propose to allow the application of green composts to supply up to 500kg/ha of total Nitrogen in any two year period.

*Table 4: Typical nutrient content values of composts*

	Dry matter %	Total Nitrogen content kg N/t fresh wt	Readily available Nitrogen kg N/t fresh wt
Green compost	60	7.5	<0.2
Cattle Farm Yard Manure – old	25	6.0	0.6

**Q7 - Do you consider the limit of 500kg/ha of green compost total Nitrogen in any two year period is workable?**

**Q8 - Are there any working restrictions we should consider to ensure we are not creating any unintended adverse consequences?**

### *Organic Manure Nitrogen Field Limit for composts used as mulch*

The fruit growing sector have highlighted that the current NVZ Regulations with respect to the use of compost in fruit orchards are an impediment to improved production and profitability. The mandatory NVZ organic manure Nitrogen field limit of 250 kg/ha of manure total Nitrogen in a (rolling) 12 month period, was viewed as a potential impediment to improved UK top-fruit production.

The use of green compost as mulch on agricultural land at application rates in excess of the current NVZ limit of 250 kg/ha of total Nitrogen represents a very low risk of nitrate leaching to the environment. The proven benefits of compost application to the yields of some crops (e.g. fruit) due to mulching is likely to improve the uptake of soil Nitrogen by the crop (and thus reduce the risk of soil Nitrogen being leached). There is a reported increased yield (by nearly 50%) of apple numbers and weight, and improved soil/plant moisture supply following compost application.

We therefore propose to change the organic manure Nitrogen field limit for compost used as a mulch for top fruit production to 1000kg/ha of total Nitrogen in any 4 year period.

**Q9 - Do you agree that a limit of 1000kg/ha of compost total Nitrogen in any 4 year period when used as mulch for top fruit production is workable?**

**Q10 - Do you have concerns about and/or can you identify benefits from such a change?**

*Derogation from the Livestock Manure-Nitrogen Farm Limit of 170 kg total N/ha/annum.*

In 2009, the European Commission granted Great Britain a derogation from the Livestock Manure-Nitrogen Farm Limit, enabling grassland farmers with grazing livestock to farm with a Nitrogen loading of up to 250 kg of total Nitrogen per hectare per calendar year (total N/ha/yr) subject to a successful annual application being approved annually and satisfying certain conditions aimed at reducing the levels of Nitrogen and phosphorus entering waters.

Less than 1% of farmers farming in Nitrate Vulnerable Zones applied to use this derogation in 2011 in Wales.

Whilst uptake to date has been consistently low, we believe the number of farmers wishing to take advantage of the derogation in future may increase. Therefore we plan to negotiate with the European Commission for a further four year extension (until 2016). While many of the derogation conditions are likely to remain unchanged, we intend to seek to reduce some of the administrative burdens associated with the derogation (e.g. the requirement to submit Fertilisation Accounts to the Environment Agency Wales).

**Q11 - What are your views as to whether or not the Derogation should be renewed?**

## 9(b). Closed periods

### *Closed periods for Organic Manure*

The Nitrates Directive requires the establishment of 'closed periods' that prohibit the spreading of organic manures that contain high readily available Nitrogen (i.e. manures that have more than 30% of the total Nitrogen content in a form that can be readily taken up by the crop; these include slurry, poultry manures and liquid digested sewage sludge) to land at times of the year when the risk of nitrate loss is high, that is when the ground is generally wet and crop growth (therefore nitrate demand) is low.

*Table 5: Existing Closed Periods for organic manures that contain a high readily available Nitrogen*

	<b>Grassland</b>	<b>Tillage land</b>
<b>Sandy or shallow soils</b>	1 September to 31 December	1 August to 31 December
<b>All other soils</b>	15 October to 15 January	1 October to 15 January

These closed periods are in the autumn and early winter, and are times of year when plant growth is limited, resulting in low nutrient uptake and a high risk of nitrate loss

Research has been undertaken by ADAS/Rothamsted Research to investigate the effect on Nitrogen pollution of extending the closed period. The research has shown that the later in the winter slurry is applied, the less nitrate leaches from the soil. On sandy/shallow soils, leaching from slurry applied after mid-late January is negligible. On medium/heavy soils, leaching is considerably reduced at this time compared with slurry applied in November. However 5-10% of what is applied can still be lost to water under average rainfall conditions due to rapid drainage through soil cracks or by surface runoff. Leaching from these soils can be detectable even from slurry applied at the end of March. These results show that closed periods are important to eliminate high risk nitrate leaching situations.

In the absence of any other considerations, the evidence might suggest longer closed periods on medium/heavy soils. However it is difficult to set mandatory closed periods that eliminate the risk of leaching, yet allow practical beneficial application of manures to agricultural land. There is already a limited time in spring for the application of slurry if growing crops are not to be damaged or grass is to be suitable (uncontaminated) for grazing or silage making. Moreover, if more slurry is applied in summer, ammonia losses are likely to increase. There is therefore a balance to be struck between minimising nitrate losses by spreading manures later, and keeping ammonia losses down by spreading before it gets too warm. The policy aim is to encourage manure application in spring and summer to meet the period of high crop Nitrogen requirement whilst achieving a more integrated approach to minimising potential pollution.

There are also further practical considerations on the question of extending closed periods. One of the most significant is the impact an extension would

have on storage requirements due to the Nitrates Directive requiring more storage capacity than needed for the closed period alone. We consider it would be disproportionate to require farmers who have only recently built new stores at considerable expense to further extend their stores now. While the environmental benefit would be modest, the cost of installation would be very high.

The current storage rules were designed to ensure that farmers could always comply with closed period and spreading limitations rules. This results in requirement for 26 weeks storage capacity for pig slurry and poultry manure and 22 weeks storage capacity for all other slurry, including cattle slurry.

We have developed the proposals below so that the construction of additional storage capacity should not be required. Table 6 below assists in explaining this issue

#### *Option 1 - Keep the existing closed periods*

##### Advantages

- The industry is familiar with the existing closed periods, though for some they will only apply from 1 January 2012. This option therefore avoids change before the existing closed periods have been able to have their full impact.
- We would avoid imposing a further round of significant costs on farmers for storage construction, some of whom will have only recently built stores in good faith to meet the current rules.
- Ensures a reasonable period to get manures onto the land in spring, and so secures a balance between environmental protection and the beneficial application of manure.

##### Disadvantages

- Some pollution risk does occur immediately after the end of the closed period.

#### *Option 2 - Extend the end of the closed period by two weeks for all soils other than sandy or shallow soils.*

##### Advantages

- The evidence shows that the pollution risk is higher on these soils than it is in sandy / shallow soils due to rapid drainage through soil cracks or in surface runoff, and therefore this option would reduce that specific risk.
- The existing storage capacity requirement exceeds the end of the closed period by approximately 6 weeks. Therefore increasing the length of the closed periods by two weeks would mean that slurry stores currently compliant with the Directive would not become non-compliant.

##### Disadvantages

- The extension of the closed period would reduce the period available for spreading on key crops, making managing farm activities more difficult.
- The extension of the closed period would reduce the spare storage capacity for farmers to manage slurry production at the end of the closed period. If the weather is wet, or the ground takes a long time to dry out, the spare storage might not be enough.

*Option 3 – extend the closed period by one month for all soils other than sandy or shallow soils.*

#### Advantages

- The evidence shows that the pollution risk is higher on these soils than it is in sandy / shallow soils due to rapid drainage through soil cracks or in surface runoff, and therefore this option would reduce that specific risk.

#### Disadvantages

- The extension of the closed period would reduce the period available for spreading on key crops, making managing farm activities more difficult.
- The extension of the closed period would leave little spare storage capacity for farmers to manage slurry production at the end of the closed period. If the weather is wet, or the ground takes a long time to dry out, there would be a greater chance that spare storage capacity would not be sufficient.

*Table 6: Summary of the closed period date options, (where the option would result in a change from the existing Action Programme the text is provided in italic)*

<b>Option 1</b> Keep as existing	<b>Grassland</b>	<b>Months</b>	<b>Tillage land</b>	<b>Months</b>
<b>Sandy or shallow soils</b>	1 Sept to 31 Dec	4	1 Aug to 31 Dec	5
<b>All other soils</b>	15 Oct to 15 Jan	3	1 Oct to 15 Jan	3.5

<b>Option 2</b> Extend by 2 weeks for soils other than sandy or shallow	<b>Grassland</b>	<b>Months</b>	<b>Tillage land</b>	<b>Months</b>
<b>Sandy or shallow soils</b>	1 Sept to 31 Dec	4	1 Aug to 31 Dec	5
<b>All other soils</b>	<i>15 Oct to 31 Jan</i>	3.5	<i>1 Oct to 31 Jan</i>	4

<b>Option 3 Extend by 1 month for soils other than sandy or shallow</b>	<b>Grassland</b>	<b>Months</b>	<b>Tillage land</b>	<b>Months</b>
<b>Sandy or shallow soils</b>	1 Sept to 31 Dec	4	1 Aug to 31 Dec	5
<b>All other soils</b>	15 Oct to 15 February	4	1 Oct to 15 February	4.5

**Q12 - Which of the three closed period options do you prefer?**

**Q13 - Do you have any comments or further evidence on any of the options that you think the Welsh Government should be aware of?**

### *Rainfall Banding*

The Task Force on Farming Regulation in England recommended making the start and end-dates flexible, and to reflect differences in rainfall and growing season across the country.

We have reservations as to whether flexible end dates to the closed periods are practical. Even when weather conditions mean slurry could be applied later in the autumn, or shortly before the end of the closed period in winter, the scientific evidence shows that there would still be a high risk of its Nitrogen content being leached by rain before it could be taken up by crops. This would risk harm to the environment, and would be a waste of valuable Nitrogen in the slurry. There is also concern that variable ends to closed periods would be unenforceable because weather forecasts are not accurate over the necessary time period (about two weeks).

In England, Defra are proposing to bring forward by two weeks the end of the closed period for sandy or shallow soils in areas with up to 750 mm average annual rainfall per year (to 15 December for both grassland and arable). This is with the intention of reflecting that in areas of less rain there is less leaching. We are not consulting on this proposal as there are very few areas, if any, where this flexibility could be applied in Wales. The map at Annex X shows the broad areas of the country within within this rainfall band (the map does not show the soils criteria).

Furthermore we believe that this proposal adds unwanted complexity to the existing Action Programme and does not take into account the fact that nitrate leaching is not related to rainfall alone.

**Q14 - What are your views on whether the Welsh Government should consider bringing forward by two weeks the end of the closed period for sandy / shallow soils in areas with up to 750 mm average annual rainfall per year (to 15 December for both grassland and arable)?**

## 9(c). Restrictions on manure spreading

Research on the duration of closed periods has highlighted the increased risk of nitrate loss in the period immediately following the closed period on medium/heavy soils. In order to manage this risk the existing Action Programme already restricts the rate of spreading immediately following the closed period until the end of February so that the maximum amount of slurry that may be spread at any one time is 50 m<sup>3</sup>/ha in one application and no repeat application is permitted within three weeks. To further reduce the risk, yet allow practical beneficial application of manures, organic fertilisers and soil conditioners to agricultural land we propose to reduce these rates.

This section explores whether further restrictions on the spreading of slurry immediately after the closed period is a better mechanism to prevent nitrate leaching than extending the closed period.

### *Restrictions on manure applications outside the closed period*

We propose to limit the amount of slurry that can be spread between the end of the closed period and the end of February to 30m<sup>3</sup>/ha of slurry (and other liquid manures with high readily available Nitrogen) in a single application if ground conditions are suitable, and still require a three week period between each individual application. We do not propose any change to the limit on poultry manure.

#### Advantages

- We are often told of the perceived adverse impacts of ‘national slurry spreading day’ immediately after the end of the closed period. Reducing the volume of slurry that may be spread in a short space of time would reduce the risk presented by many farmers spreading slurry simultaneously.
- Reduces the potential for high nitrate leaching risk situations such as direct run-off of Nitrogen containing material at a time of the year when the soil is at or near to field capacity.
- Managing the risk of leaching in this way would enable continued application of manures to agricultural land at the start of the season and may avoid the need to extend the closed periods.

#### Disadvantages

- Could put pressure on existing storage capacity by limiting volume to be spread.

**Q15 - Do you think that reducing the quantity of slurry that can be spread immediately after the closed period is a better or worse mechanism for managing nitrate leaching than extending the closed periods?**

**Q16 - If the application rate during this period were reduced, do you agree with the suggested reductions in the rate of application?**

**Q17 - What further points should the Welsh Government take into account when considering this issue?**

### *Applying organic manures & manufactured Nitrogen fertiliser*

As well as managing pollution through determining when organic manures can be spread, and at what rate, the current rules also seek to reduce pollution by requiring organic manure to be spread in as accurate a manner as possible, using slurry spreading equipment that has a low spreading trajectory (i.e. below 4 meters from the ground, unless the equipment used can achieve an average slurry application rate of not more than 2mm per hour when operating continuously and is used on land with a low risk of run off). The rules also restrict the spreading of organic manures or manufactured Nitrogen fertiliser close to surface water.

The purpose of these rules is to reduce harmful ammonia pollution to air, to prevent spray drift (by limiting the spreading trajectory) and to ensure that there is a reasonable buffer between land where slurry has been applied and watercourses.

We wish to further encourage the uptake of more precise slurry spreading techniques which minimise the risk of pollution. Such techniques make good business sense because they ensure crops get the full benefit from slurry applications whilst minimising the losses of valuable Nitrogen to water and air. We therefore wish to recognise the different risks associated with broadcast or more precise slurry spreading methods by allowing those using more precise techniques and equipment to spread closer to watercourses than at present.

The proposed amendment would allow farmers to spread organic manures to within 6 metres of surface water if using more precise spreading techniques. Otherwise the 10 metre restriction remains.

The Action Programme would include a definition of precision spreading equipment and techniques which would include band spreading (trailing hoses and shoes) and shallow injection.

#### Advantages

- This proposal would encourage accurate spreading of slurry and utilisation of slurry nutrients over a larger field area than presently allowed.
- The wider adoption of more precise application would result in more efficient use of the Nitrogen in organic manures, increasing crop yields and/or reducing the need to buy manufactured fertilisers.
- Studies of more precise slurry spreading techniques have shown they significantly reduce ammonia emissions compared with broadcast spreading.



## Disadvantages

- Increased risk of pollution by placing slurry closer to watercourses.

**Q18 - Do you agree with the proposals to reduce the minimum distance for spreading slurry near watercourses if more precise equipment is used?**

**Q19 - Is the proposed minimum distance from watercourses (6 metres) correct, or does it pose an unacceptable risk of pollution?**

**Q20 - Do you have any comments on how this proposal could work or be improved?**

## 9(d) Storage of Organic Manures

### *Calculating the capacity of storage vessels*

Under the Nitrates Directive, the slurry storage capacity must exceed that required for storage throughout the closed period. This is to ensure that farms have enough slurry storage to comply with the closed periods, and prevent the spreading of slurry at inappropriate times of year. These rules are environmentally important.

In calculating the required capacity we include estimated volumes of water (whether rainwater or wash waters) and other liquids that find their way into slurry stores during the autumn and winter months.

The current rules require that farms that produce livestock manure must provide the following storage capacity requirements:

- 26 weeks storage capacity for pig slurry and poultry manure
- 22 weeks storage capacity for all other slurry, including cattle slurry

We do not propose to change these rules.

As signalled at the beginning of this consultation we are also considering aspects where we can reduce the burden and duplication of Regulation. One such area of duplication is the existing Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010 (SSAFO). These regulation apply both within and outside of NVZs, and require farmers building or substantially renovating stores to have four months' storage capacity. The SSAFO Regulations and Nitrates Regulations have different calculation methods for the way that rain water is accounted for. Currently farmers in NVZs are required to calculate storage by both methods and work to the one that gives the larger volume.

There is in fact very little difference in the volume of storage required for four months as calculated using the SSAFO method (based on a 1 in 5 years highest rainfall amount) and five months as calculated by the NVZ Action Programme method (based on average rainfall). The difference is estimated

to be the equivalent of around an extra two weeks for cattle and an additional six weeks for pigs.

To remove the duplication and simplify compliance with both sets of Regulations, we propose standardising the calculation of storage capacity to that of the NVZ Action Programme method for all farmers. If accepted, the storage capacity requirement will be increased throughout Wales (including outside NVZs) to 5 months (based on average rainfall). This would not impose any other NVZ Rules on farms outside NVZs.

The proposal will have a variable impact farmers in different areas due to different rainfall rates over Wales.

We also recognise that some people will have less storage than required under the revised requirement. We therefore propose to make a transitional provision which would mean that enforcement action would not ordinarily be taken solely on the basis of the volume of storage available. However, if in the future any stores were renovated or replaced they would be required to comply with the results of the new calculation.

#### Advantages

- This proposal would reduce regulatory duplication by providing one method of calculation which would apply to determine all slurry storage capacities.
- It would mean that farmers in NVZs only have to perform one calculation.
- The proposal would also make clear that in terms of slurry storage, there is very little if any difference in the treatment of farmers inside and outside NVZs (except for pig and poultry farmers, who require six months of storage).

#### Disadvantages

- Some farmers outside NVZs would need additional capacity when renovating or rebuilding their stores.

**Q21 - Do you agree with this proposed change to the SSAFO calculation? What other factors should be considered?**

#### *Storage of solid livestock manures in field heaps*

In contrast to many other Member States, temporary field heaps of solid manure are an important part of farming practice in Wales which, if not permitted, would have a significant impact on farming operations and would incur significant additional costs for the construction of stores with an impermeable base and effluent collection facilities.

The current NVZ Action Programme has rules on what types of manure may be stored in field heaps, the location of these heaps and the maximum storage time. Manure may only be stored in temporary field heaps if it is solid

enough to be stacked in a free-standing heap and does not give rise to free drainage from within the stacked material.

Since the last review of the Action Programme research has been carried out on the leaching that occurs from solid manure heaps. Leachate production volumes and nutrient losses during solid manure storage were measured from pig FYM, cattle FYM and poultry manure heaps stored for a range of time periods, and from contrasting management practices (e.g. covered or uncovered heaps). The highest total Nitrogen concentrations in leachate were generally measured in the first one to two months from the start of leachate generation, after which only small volumes of leachate containing Nitrogen at low levels were measured.

In other countries there have been concerns that leaving a field heap in situ for a year would lead to a high risk of nitrate leaching. These results show that this is not the case. Based on this scientific evidence, we intend to continue focusing controls on the location of temporary field heaps of solid manure – i.e. preventing field heaps being located on land with rapid hydrological connectivity to a watercourse or groundwater. We intend to retain the current requirements in the Action Programme and no changes are proposed.

**Q22 - Do you agree that the Action Programme does not require any amendments with respect to the storage of solid livestock manures?**

### **9(e) Planning Nutrient Use and Keeping Records**

One key issue raised by the farming community is the extent of the planning and record-keeping requirements under the Nitrates Regulations and the complexity of the guidance. We are committed to reducing this burden, and have developed a number of proposals aimed to achieve this.

#### *Nutrient Management Planning*

It has long been recognised that nutrient management planning is good farming practice. Good nutrient management enables farmers and land managers to better assess the fertiliser required for the range of crops they plan to grow. By matching the usage of fertiliser closely to crop requirements farmers can save money, time and resources as well as minimise the risk of nutrient pollution. We wish to encourage more farmers to adopt nutrient management as a routine part of farm management.

To comply with the NVZ Action Programme, farmers are currently required to plan the application of Nitrogen to crops. As a minimum the Directive requires the Nitrogen planning process to include the following steps:

- Calculate the amount of Nitrogen in the soil that is likely to be available for uptake by the crop during the growing season (i.e. the “soil Nitrogen supply”);

- Calculate the optimum amount of Nitrogen that should be applied to the crop, taking into account the soil Nitrogen supply (i.e. the crop Nitrogen requirement);
- Calculate the amount of Nitrogen from any planned applications of organic manure that is likely to be available for crop uptake in the growing season in which it is spread (i.e. the crop available manure Nitrogen); and
- Calculate the amount of manufactured Nitrogen fertiliser required.

The Nitrates Directive states that actions set out in the Code of Good Agricultural Practice (CoGAP) must be made compulsory in NVZs. Our CoGAP states that you should carefully work out the amount of Nitrogen fertiliser each crop needs, taking into account soil Nitrogen supply, and ensure that you do not exceed the crop Nitrogen requirement.

As with the existing Action Programme we do not propose to specify the format in which the nutrient management plan must be made and kept. In the event of a farm inspection, the farmer or land manager would be responsible for demonstrating that the planning process has been undertaken.

In line with the Working Smarter programme we want to explore whether the principle of 'earned recognition' can be applied in NVZs i.e. good farming practise, such as nutrient management planning, is rewarded with less frequent inspections.

#### *Keeping records – the general burden*

Record keeping has been the accepted way of demonstrating compliance with the Regulations to date, and there is some scope to reduce the level of detail set out in the Regulations.

The advice in the CoGAP is the minimum that we must require of farmers under the terms of the Directive. This is a straightforward need to keep accurate records of the application of Nitrogen-containing materials to crops.

We wish to receive your views about whether we can/should enact the 'polluter pays' principle i.e. exempt from the regulations extensive or small farming systems where the cost of compliance would be disproportionately burdensome compared to the environmental benefit. This would need to be done through reliance on pre-defined categories in order to avoid incurring significant financial or resourcing costs in terms of designation and or appeals.

For example, farms could be exempted on the basis of small size (as done by a number of other Member States), type (e.g. extensive hill grazing where Nitrogen leaching, ammonia and nitrous oxide emissions are generally very low), or other categories such as Less Favoured Areas status.

An alternative is to "low intensity". One possibility is to relate the level of Nitrogen applications to the anticipated crop Nitrogen requirement for maximum economic production. We could, for example, define low intensity farming systems as ones in which less than 50% of the N<sub>max</sub> limit is applied (NB 50% is used here purely for illustration purposes, it is not a proposal).

Another alternative would be to explore using EU thresholds which relate to area for cereals (less than 5 hectares) and animal numbers for Dairy, Beef,

Pigs and Poultry (10,10, 10 and 1000 head respectively). Use of the EU thresholds would eliminate only a small proportion of the arable cropping area and livestock from the NVZ regulations. It would however eliminate a significant number of holdings from the administrative burden of the NVZ Action Programme.

It may be that a combined threshold is required to deal with mixed enterprises which are below the chosen criteria in all of the categories, but represent significant numbers in total. This complexity is less likely to be required with the EU thresholds, which are already very low.

**Q23 – How do you think the Welsh Government could enact the earned recognition principle?**

**Q24 - How else do you think the record keeping burden could be reduced whilst maintaining the environmental benefits of the Nitrates Directive?**

**Q25 - What low intensity farming systems do you consider should not have to keep Nitrates Regulations records?**

**Q26 - Should “low intensity” be defined in terms of the Nmax limit, manure Nitrogen applications, or both? Or should other factors be part of the definition (and if so, what are they)? For your preferred way of defining “low intensity”, what level(s) of the relevant measures would be appropriate?**

**Q27 - Are there any situations where the above should not apply?**

#### *Keeping records – removing duplication*

We are aware of instances where similar records are required by different sets of rules. For example Organic Control Bodies require certified organic farmers to keep records to prove compliance with the Organic Standards. These may also show compliance with the Nitrates Regulations, and those records are checked by the Organic Control Bodies. Provided that compliance with the organic standards provides the assurances we need, we propose to exempt certified organic farms from the need to keep records.

This exemption could be extended to other assurance schemes provided there was sufficient confidence that:

- the record-keeping required by the quality assurance scheme would show compliance with the Nitrates Regulations, or
- the application of fertilisers was at a level low enough to ensure compliance with the Nitrates Regulations.

Where assurance might be provided by accredited private sector or third-party audit, arrangements must be agreed / in place that any farm not meeting the requirements of the scheme relevant to the Nitrates Regulations will not retain membership without correcting those deficiencies.

**Q28 - Do you agree in principle that certified organic farms should not have to comply with the record keeping requirements of the Nitrates Regulations?**

**Q29 - What other quality assurance schemes are you aware of that keep sufficient records to enable exemption from the need to keep Nitrates Regulations records? We would be interested to discuss suggestions with those responsible for running such quality schemes.**

### **9(f) Cover crops**

The Nitrates Directive does not explicitly require cover crops to be included in the Action Programme – they are included in the Directive as an optional measure. A number of other Member States make use of cover crops, and they are currently under consideration as a measure for greening of the Common Agricultural Policy.

We consulted on the use of cover crops throughout NVZs in 2007 but consultees rejected the idea, and Ministers agreed. However, the available evidence indicates that when used in the right way they can be a significant and cost-effective measure for tackling diffuse water pollution from arable land. Research carried out by ADAS showed that the presence of cover crops reduced the concentration of nitrate in leachate by about 25% on farmland where manure was not part of the crop rotation. Where manure was included in the rotation, this effect was greater – about a 40% reduction. We are only proposing the issue of cover crops in certain circumstances and therefore the overall benefits of reduced leaching to groundwater is estimated at around 10%. Allowing volunteers and natural regrowth, plus where necessary sowing other crops to establish a cover following harvest, was as effective in reducing nitrate leaching as purpose sown cover (such as stubble turnips). In practice, therefore, it would be possible to minimise cost by using minimum tillage methods, cheap seed and, where appropriate, using the crop for grazing.

In light of the evidence outlined above, we are considering including cover crops in the Action Programme. We recognise that cover crops would not suit all soils and farming systems. In general, it is where soils are lighter that spring crops are favoured, and therefore where the soil will be bare over the winter. A further consideration in the assessment of cost-effectiveness is securing secondary benefits. As the cost of removing nitrate from drinking water is high, preventing nitrate leaching into drinking water sources (mainly groundwater) is particularly cost-effective.

Our proposal would be to introduce a requirement to ensure cover crops on sandy soils over those areas designated as groundwater NVZs, where the ground would otherwise be left bare over winter. The NVZ maps would highlight where the ground water NVZs and sandy soils are, as defined in the existing regulations. Farmers would be required to establish or maintain a cover crop if the land would otherwise be bare between 1st September and 15th January (i.e. crop harvested before 1st September and following crop not planted until after 15th January). In such cases the cover crop would have to

be sown (or achieved in part through volunteers) by 15th September and not destroyed until after 15<sup>th</sup> December.

#### Advantages

- The available evidence suggests that the use of cover crops under these circumstances would take up significant quantities of nitrate over the autumn and winter period and thereby reduce leaching into groundwater, possibly by as much as 10%.
- This would be a cost-effective measure to reduce nitrate pollution from arable land.
- The presence of a crop would help reduce soil erosion.
- Crops such as stubble turnips could also feed livestock.

#### Disadvantages

- The presence of a cover crop could interfere with operations such as de-stoning of potato land, and preparation of a quality seedbed could be difficult in wet years.

**Q30 - Do you think cover crops should be included in the Action Programme?**

**Q31 - If so, have we identified the correct circumstances (sandy soils over groundwater) for their use?**

**Q32 - Are the suggested dates appropriate? If not, what dates would you suggest?**

**Q33 - What actions do you consider should be defined to show compliance?**

#### **Proposals on the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010**

The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010, as amended, (SSAFO) lay down the construction standards and specifications for stores of these materials. Both the Nitrates Regulations and the SSAFO Regulations have the same aim; reducing the risk of water pollution. Both set out rules about slurry storage. Given the overlap in policy objectives, we intend to reduce the regulatory duplication by merging the relevant sections of the Nitrates Regulations and the SSAFO Regulations into one statutory instrument.

In doing so, we have only undertaken a selective review of the SSAFO Regulations, the existing rules on silage and fuel oils, and also the technical standards set out in the schedules remain unchanged. It is intended that the suggested changes will become part of the Nitrates Regulations. As now,

they will apply throughout the whole of Wales – their application will not be confined to discrete NVZs

The Regulation's are inconsistent in some respects, such as in the way the volume of slurry storage required must be calculated. So we intend to take the opportunity to simplify the Regulations by removing these anomalies. In addition to the earlier section on storage calculations we have a further two proposals on which we are consulting.

#### *Regulation 6 exemption*

The SSAFO Regulations were introduced to provide a minimum standard of safety for people in the farmyard and the environment, which is why they set construction standards and a minimum volume of storage for slurry.

When the regulations were introduced over 20 years ago, an exemption was enacted to avoid farmers who had recently invested in new infrastructure being required to make costly alterations for minimal environmental benefit. This was achieved through Regulation 6 of SSAFO, which says that the Regulations do not apply to slurry stores built before 1 March 1991, or stores for which irreversible commitments had been made by that date – such as the signing of construction contracts. Such stores were therefore not necessarily built to the specification set out in the Regulations, and may be smaller than the capacity required for stores to which the Regulations do apply.

By the time the revised Nitrates Regulations come into force, the SSAFO storage capacity and construction standard will be almost 22 years old. Stores benefitting from the exemption will, apart from those under construction when the rule entered into force, be older. As such, they will be nearing or at the end of their useful lives; the risk of pollution from ongoing leaks or catastrophic failure will be increasing significantly.

There is anecdotal evidence that the exemption is now acting as a perverse incentive in some cases: some farmers are avoiding refurbishing or replacing stores that they know have reached the end of their lives because doing so would mean that they would have to build a larger store. This could result in some people taking increased safety and environment risks

We consider that the public has a reasonable expectation, over two decades after the rules were first introduced, that all stores should now comply with the standards set out in the Regulations. Similar arguments apply in the case of silos and fuel storage tanks. We therefore propose to remove this exemption.

The Regulations will generally enter into force on 1 January 2013. To allow a reasonable time for business planning and adjustment, we propose that the exemption will be repealed from 22 December 2015. This coincides with the start of the second period of action under the Water Framework Directive, and would provide almost another 3 years for the exemption to run, meaning that stores to which the exemption then applied would be nearly 26 years old.

Alternatively, we could maintain the exemption. There would be no direct costs to farmers because there would be no new requirement. However, as existing stores get older and not all of them are replaced, there is likely to be a number of failures of stores resulting in adverse impacts on the environment



and costly work at public expense to clear up the pollution and possibly investigate and prosecute.

**Q34 - Do you agree that the exemption in Regulation 6 should be repealed?**

**Q35 - Do you think the deadline for doing so (22 December 2015) is the right one?**

### *Notification of storage*

Regulation 9 requires farmers to notify the Environment Agency Wales (EA(W)) at least 14 days before material is first stored in a new or refurbished store. The purpose of this rule is to give the enforcement authority the opportunity to inspect the store and assure itself that it complies with the Regulations.

We consider that this is not an effective rule. If a store had been built which did not conform to the standards then enforcement of the rules at that stage would involve considerable expense for the farmer (to make amends) that could have been avoided by earlier intervention. If there were any doubts about compliance, there would therefore also be an incentive not to comply with the requirement to inform the EA(W).

We propose that during the planning phase of a new store (i.e. before irreversible decisions about site and construction method have been made) a farmer should be required to inform the EA(W)

- of the intended construction or renovation of the store,
- its intended purpose,
- its capacity,
- its location, and
- that construction will meet the SSAFO standards

Not to notify the EA(W) would be an offence

It would be assumed that a person constructing a store would select the site consistent with the Regulations and ensure that construction met the appropriate standards and volume. Notification to the EA(W) would enable it to inspect the proposed site and to raise concerns if it had any. A lack of objections or concerns from the EA(W) could not be taken as signalling its approval, but neither would it result in any delay as the notification process would not put a hold on development. If the store was not located in accordance with the Regulations or was badly constructed, the EA(W) would be able to make use of the full range of enforcement options to address the situation.

We consider that the immediate burden of this proposal on farmers would be neutral as its effect would merely be to change the timing of a notification to the EA(W). However, by enabling potential problems to be highlighted and addressed early, it could potentially provide significant savings for anyone who would otherwise have built a non-compliant store.

The alternative is not to make this change. Also cost-neutral in the short term, this option may result in the construction of non-compliant stores resulting in increased environmental risk and costs to farmers to correct defects.

**Q36 - Do you agree that a person constructing a store should notify the EA(W) of his/her intention to do so before firmly committing to the project?**

**Q37 - How might we improve this provision?**

**Q38 - We have asked a number of questions, but are there any other issues about the Action Programme you would like to raise?**

## **10. Next steps**

Your responses to this consultation will help the Welsh Government to decide on the way ahead for the next 4 year period of the Action Programme. The Regulations giving effect to the revised NVZs and Action Programme are anticipated to come into force on 1 January 2013. In previous reviews we have recognised that a number of farmers will not be able to comply with some of the proposed measures straight away. We also recognise that slurry storage facilities and the amendment of the manure Nitrogen efficiency standard values may require further consideration of the timeline to phase in implementations.

**Q39 - Do you consider all the Action Programme measures should be implemented from 1 January 2013?**

To ensure that farmers are aware of, understand, and are able to fulfil their obligations under the proposed Action Programme, we will continue to identify effective mechanisms to provide advice and guidance.

## 11. Summary of Questions:

Q1	Do you prefer Option 1 (continuing with discrete NVZ designations), or Option 2 (applying the Action Programme to a 'Whole Wales' NVZ designation)? Please include comments on the advantages and disadvantages of the two options and the reasons why you prefer one over the other.
Q2	Do you have comments on the areas proposed for designation as NVZs in Wales shown on the indicative map (at Annex 1 given the Nitrates Directive's basis on which nitrate polluted waters must be identified and land draining into those waters must subsequently be designated)?
Q3	How do you think the proposed Action Programme changes will impact on the practical management of typical farm enterprises in the new or existing zones?
Q4	Do you agree that crop available Nitrogen from other organic materials should count towards the Nmax limits?
Q5	Do you agree with the proposed changes to the Nitrogen efficiency standard values used in Nmax?
Q6	Q6 - What concerns or benefits do you think this change may raise?
Q7	Do you consider the limit of 500kg/ha of green compost total Nitrogen in any 2-year period is workable?
Q8	Are there any working restrictions we should consider to ensure we are not creating any unintended adverse consequences?
Q9	Do you agree that a limit of 1000kg/ha of compost total Nitrogen in any 4 year period when used as mulch for top fruit production is workable?
Q10	Do you have concerns about and/or can you identify benefits from such a change?
Q11	What are your views as to whether or not the Derogation should be renewed?
Q12	Which of the three closed period options do you prefer?
Q13	Do you have any comments or further evidence on any of the options that you think the Welsh Government should be aware of?
Q14	What are your views on whether the Welsh Government should consider bringing forward by two weeks the end of the closed period for sandy / shallow soils in areas with up to 750 mm average annual rainfall per year (to 15 December for both grassland and arable)?

Q15	Do you think that reducing the quantity of slurry that can be spread immediately after the closed period is a better or worse mechanism for managing nitrate leaching than extending the closed periods?
Q16	If the application rate during this period were reduced, do you agree with the suggested reductions in the rate of application?
Q17	What further points should the Welsh Government take into account when considering this issue?
Q18	Do you agree with the proposals to reduce the minimum distance for spreading slurry near watercourses if more precise equipment is used?
Q19	Is the proposed minimum distance from watercourses (6 metres) correct, or does it pose an unacceptable risk of pollution?
Q20	Do you have any comments on how this proposal could work or be improved?
Q21	Do you agree with this proposed change to the SSAFO calculation? What other factors should be considered?
Q22	Do you agree that the Action Programme does not require any amendments with respect to the storage of solid livestock manures?
Q23	How do you think the Welsh Government could enact the earned recognition principle?
Q24	How else do you think the record keeping burden could be reduced whilst maintaining the environmental benefits of the Nitrates Directive?
Q25	What low intensity farming systems do you consider should not have to keep Nitrates Regulations records?
Q26	Should “low intensity” be defined in terms of the Nmax limit, manure Nitrogen applications, or both? Or should other factors be part of the definition (and if so, what are they)? For your preferred way of defining “low intensity”, what level(s) of the relevant measures would be appropriate?
Q27	Are there any situations where the above should not apply?
Q28	Do you agree in principle that certified organic farms should not have to comply with the record keeping requirements of the Nitrates Regulations?
Q29	What other quality assurance schemes are you aware of that keep sufficient records to enable exemption from the need to keep Nitrate Regulations records? We would be interested to discuss suggestions with those responsible for running such quality

	schemes.
Q30	Do you think cover crops should be included in the Action Programme?
Q31	If so, have we identified the correct circumstances (sandy soils over groundwater) for their use?
Q32	Are the suggested dates appropriate? If not, what dates would you suggest?
Q33	What actions do you consider should be defined to show compliance?
Q34	Do you agree that the exemption in Regulation 6 should be repealed?
Q35	Do you think the deadline for doing so (22 December 2015) is the right one?
Q36	Do you agree that a person constructing a store should notify the EA(W) of his/her intention to do so before firmly committing to the project?
Q37	How might we improve this provision?
Q38	We have asked a number of questions, but are there any other issues about the Action Programme you would like to raise?
Q39	Do you consider all the Action Programme measures should be implemented from 1 January 2013?

## **Annex 1: Description of the methodology for identifying individual NVZs**

The areas recommended for designation are in line with the criteria set out in the Nitrates Directive - that is land draining to and contributing to the pollution of a “polluted” water, specifically:

- a **surface water** which has, or could have if action is not taken, a nitrate concentration greater than 50 mg per litre
- a **groundwater** which has, or could have if action is not taken, a nitrate concentration greater than 50 mg per litre
- a surface water which is **eutrophic**, or in the near future may become eutrophic if action is not taken.

This consultation includes maps of sufficient clarity to indicate the NVZs compared with existing designations and whether additional areas are identified or deleted. These maps are therefore an indication as to the possible extent of the NVZs.

Following this consultation and if the Welsh Government decide to continue with discrete NVZs, fully interactive field level maps will be published on the Environment Agency website. These maps can be used to determine whether individual parcels of land would fall within an NVZ and also the reason for its potential designation.

For information we have shown below on separate maps the extent and any potential changes of groundwater NVZs, the extent and any potential changes of surface water NVZs, and the extent and any potential changes of eutrophic NVZs. The map at figure 1 combines these areas (areas are designated under differing methodologies but the same area can be included under more than one designation method).

### **Methodology Working Group**

The methods developed have been reviewed in detail during 2010 and 2011 by the Environment Agency, advised by a Defra Steering Group which included both UK and Welsh Government officials, stakeholders and independent academic experts. The ‘Methodology Working Group’ has been able to learn from the previous designation, and inform and challenge the development of the process.

We consider the use of the peer review process has improved the level of transparency of an otherwise very technical process.

The membership of the Methodology Working Group was:

#### **Department for Environment Food and Rural Affairs.**

Simon Crabbe,  
Alex Bowness,  
Alan D’Arcy

**Welsh Government**

James Dowling,  
Tamlyn Rabey

**Environment Agency**

Robert Willows,  
Alwyn Hart,  
Simon Leaf,  
Nigel Crane,  
Ian Davey

**Environment Agency (Wales)**

Clare Blackledge

**Countryside Council for Wales**

Tristan Hatton-Ellis

**WRc (Consultants for EA)**

Andy Davey,  
Rob Moore

**Natural England**

Lindsey Stewart  
Alastair Burn

**Independent Experts;**

David Lerner (University of Sheffield)  
Adrian Butler (Imperial College)  
Anne Williams (British Geological Society)  
Kevin Hiscock (University of East Anglia)  
Stephen Maberly (Centre for Ecology and Hydrology)

**Stakeholders**

Michael Payne, National Farmers Union  
Derek Holliday, CLA  
Dafydd Jarrett, NFU Cymru  
Rhian Nowell-Phillips, Farmers Union Wales  
Sara Crocombe, Tenant Farmers Association  
Luke de Vial, Wessex Water (for Water UK)

**Methodology**

The methodology used represents a robust and practical approach to the identification of polluted waters and NVZs, consistent with assessment approaches adopted for the Water Framework Directive (2000/60/EC) requirements and Groundwater protection. It makes use of all the available data; up to 20 years' worth of monitoring in some cases.

### ***Surface Water Methodology***

Surface waters affected by nitrate pollution were identified using a series of steps. These include dividing the country into a large number of surface water catchments in which all watercourses are deemed to be 'surface water'. The next step was analysing water quality monitoring data to find out whether the nitrate levels in the surface water were above 50mg/l. In parallel to this exercise, a modelling assessment of nitrate pollution in surface waters was undertaken which provides an additional assessment of the risk of nitrate pollution based on how the land is used. The combination of the results of these two methods provided an initial determination of whether the surface water was polluted.

Workshops were then held allowing local area Environment Agency staff to comment on the preliminary results of the assessment and to highlight, for example, where other sources of pollution may have been the reason for high nitrate levels. The workshops were attended by observers from external stakeholder groups. The next and final stages were to check whether the land that drains into the 'polluted' waters.

Figure 2 shows the land identified as draining to polluted surface water.

Surface water NVZs would cover 1.6% of Wales. For surface water NVZs some small areas have been added as shown on the indicative map. Please note that some of this land may remain designated because of polluted groundwater or eutrophication and therefore the percentage figures of the three indicative maps are not cumulative.

These maps are not intended to be definitive at this stage, but rather to give a good overall picture of the extent of likely designations based on the water quality analysis that has been carried out.

### ***Groundwater Methodology***

Groundwaters affected by nitrate pollution were identified using a series of steps. Water quality monitoring data was analysed to determine the mean nitrate concentration in mid 2010 and the predicted mean nitrate concentration in 2025 to determine if the water was, or was likely to become, polluted. If the mean current or predicted nitrate concentration of a groundwater exceeds 50mg/l, it is deemed to be polluted and these areas were mapped.

The area of the 'failed' groundwater is then determined. In parallel, as for surface water, an assessment of nitrate leaching to groundwater using land use data was modelled. The outputs of these 2 methods were combined to provide an initial assessment of whether a ground water was polluted, and the confidence of that conclusion. As for surface water, to incorporate local knowledge and understanding, the results were reviewed and modified where necessary by groundwater quality teams within the Environment Agency at local workshops, which were attended by observers from external stakeholder groups.



Land that is directly above a polluted groundwater does not necessarily drain into it and therefore the final stage was to use geology and other hydrogeological features such as surface water outflows and groundwater flow lines to delineate the catchments of the 'polluted' groundwater.

Figure 3 below shows the land identified as draining to polluted groundwater. Groundwater NVZs would cover 0.8% of Wales.

### ***Methodology for eutrophic waters***

Assessing eutrophication is complex. It describes a process of change rather than a state. It is not possible to assess whether a water is, or may become, eutrophic simply by reference to a single numeric threshold such as a nitrate concentration. Whether a water is eutrophic depends on a large number of variables in addition to the concentration of nutrients. It is necessary to consider the current condition of the water body, including its ecology, and whether undesirable effects and the growth of algae or plants are due to Nitrogen inputs. As with the surface and groundwater assessments, we are also required to consider whether such effects may occur if preventative action is not taken. All these elements are included in the methodology and conclusions are reached based on the weight of the evidence of eutrophication.

Criteria have been established for the relevant water types to decide whether waters are affected by eutrophication. The Environment Agency identified polluted waters if sufficient nitrate was present to promote eutrophication and the elevated nutrient concentrations were having an adverse impact on the plant life in the waters. Information on the impact on water quality and use (e.g. recreation or conservation value) of the water bodies was also considered. Therefore a number of factors were considered in order to come to a rounded judgement, taking into account the weight of evidence, as to whether an individual water was suffering from eutrophication or might do so without preventative action. Having identified candidate eutrophic water bodies the Environment Agency convened a national panel of its own and external experts to ensure consistency in application of the assessment procedure.

External, academic experts were included on the panel because of the greater degree of expert judgement that this methodology requires (compared with the surface and groundwater processes). Observers from stakeholder groups also attended the panel meetings. The final stage was that the land draining to these surface waters was identified.

Figure 4 below shows the land identified as draining to eutrophic water. Eutrophic NVZs would cover 0.3% of Wales.

Figure 1 combines the three individual maps. It shows all three classifications of NVZ, overlapping where this occurs. In total, taking account of the overlaps, about 2.5% of Wales would be indicative NVZs using this methodology. This compares with 2.3% that was identified following the consideration of appeals

in the last round. The indicative NVZ figure of 2.5% may slightly rise or fall as new water catchment boundaries and as the indicative boundaries are firmed up with field boundaries or other features over the next few months.

Figure 1 – Combined NVZ areas

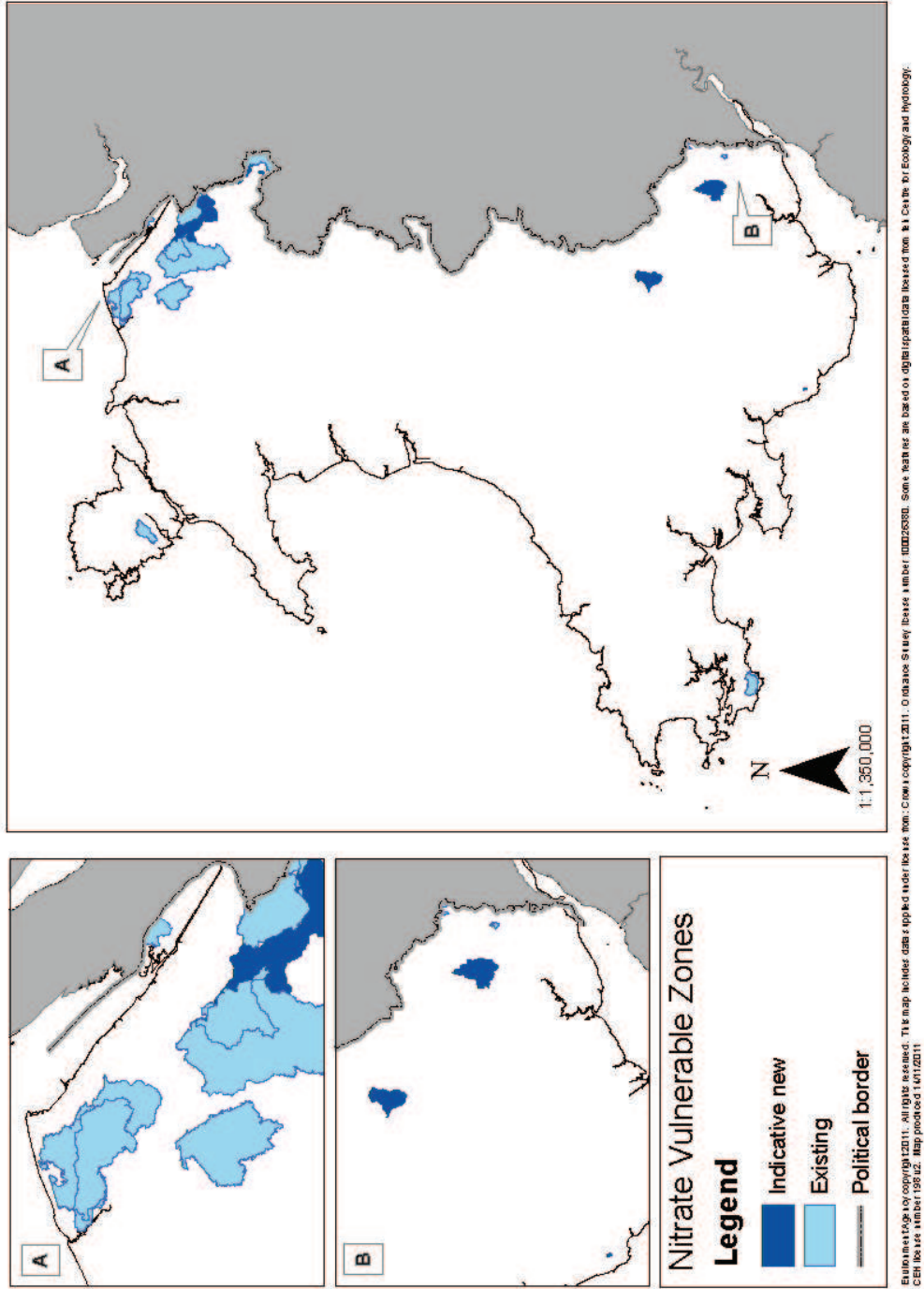


Figure 2 – Surface Water NVZ

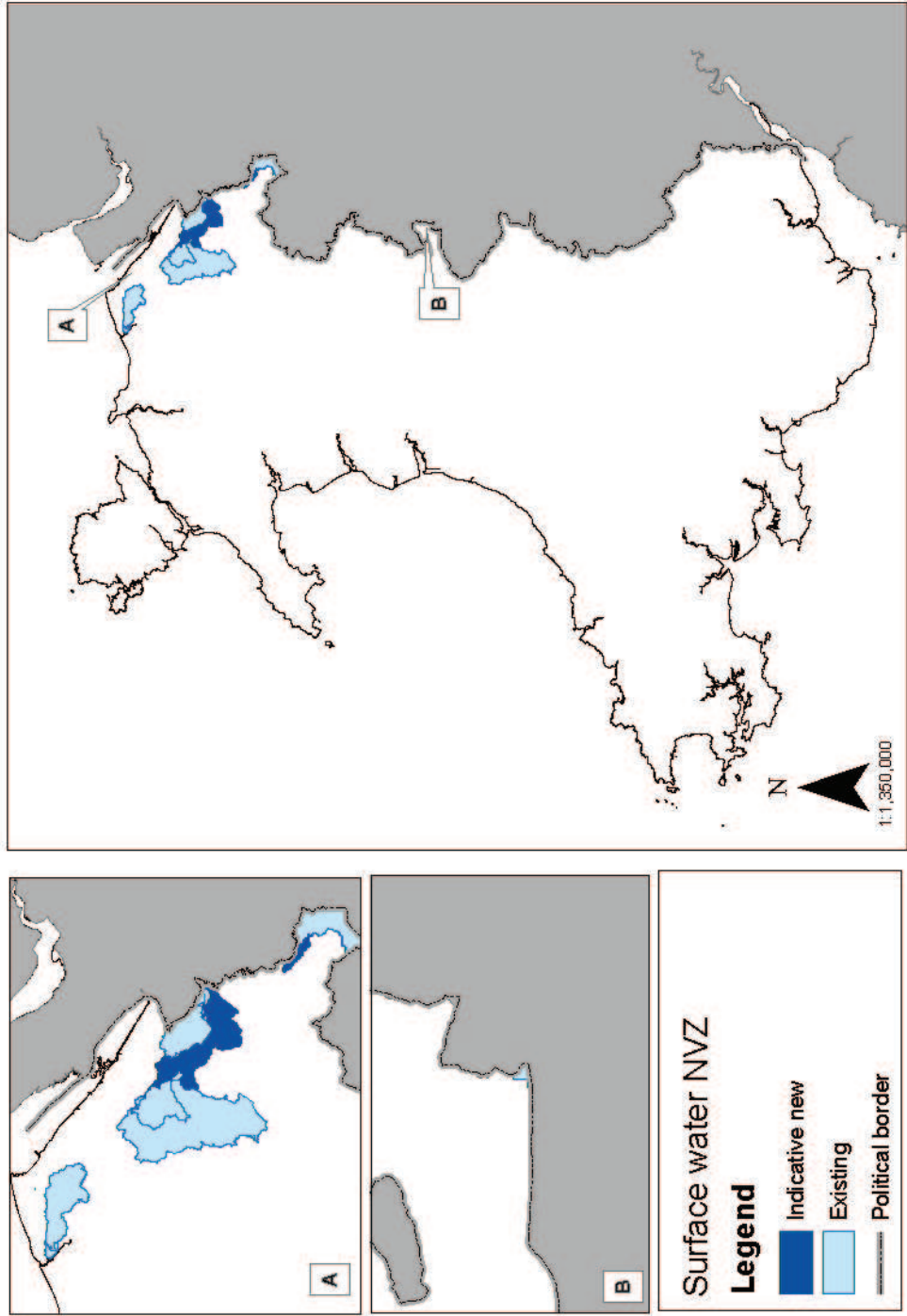
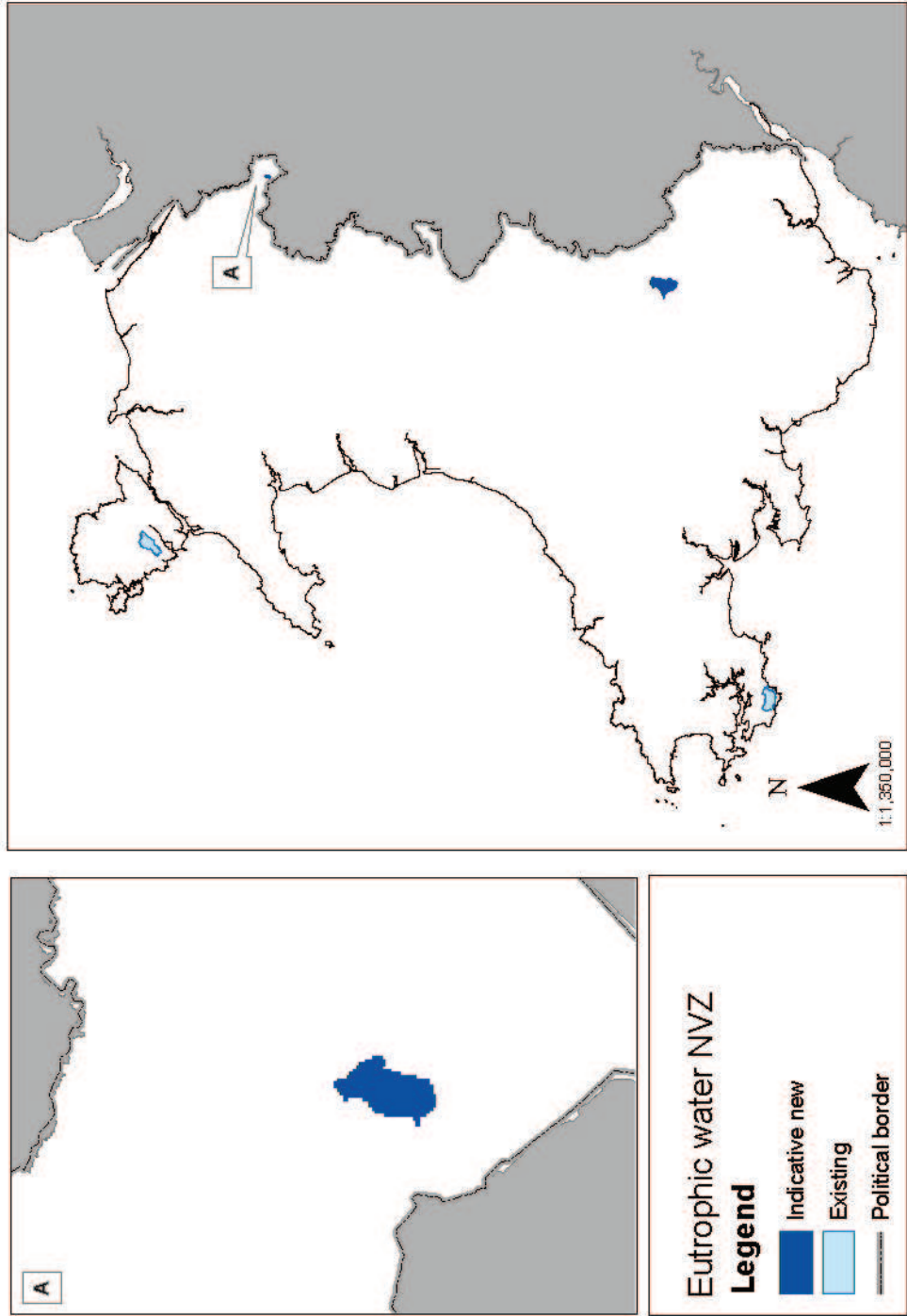




Figure 4 – Eutrophic NVZ



## **P-04-346 Gofal Di-dâl i Blant 3 a 4 yng Nghymru**

### **Geiriad y ddeiseb:**

Galwn ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod gofal di-dâl i blant 3 a 4 mlwydd oed ar gael mewn modd mwy hyblyg ledled Cymru er mwyn galluogi rhieni, yn enwedig rhieni sy'n gweithio, i ddewis pryd a lle y maent yn cael mynediad at ofal plant di-dâl.

**Prif ddeisebydd:** Zelda Smith

**Y dyddiad yr ystyriodd y Pwyllgor y ddeiseb am y tro cyntaf:** 29 Tachwedd 2011

**Nifer y deisebwyr:** 67

**Our Ref/Ein Cyf:**

**Your Ref/Eich Cyf:**

**Date/Dyddiad:**

**Please ask for/Gofynnwch am:**

**Direct line/Llinell uniongyrchol:** 029 2046 8612

**Email/Ebost:**

13<sup>th</sup> February 2012

Daisy Seabourne

daisy.seabourne@wlga.gov.uk



William Powell AM  
Chair Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear William

### **Petition on provision of early years education**

Thank you for the opportunity to respond to the National Assembly's Petitions Committee regarding the provision of early years education in Wales. Providing and securing childcare is an important function of the local authority and has been shown to encourage development in children with a recent study demonstrating the lasting impact on educational achievement. Ensuring provision of adequate childcare also provides additional benefits to the parents, carers and community and can allow parents to return to employment.

When securing provision for free childcare local authorities take into account a full range of factors such as the needs of disabled children, locality and transport, the specific needs of rural communities and access to Welsh provision, in accordance with the Welsh Government's policy statement on childcare *Nurturing Children, Supporting Families*. Local authorities work hard to ensure that sufficient childcare is secured in every locality which allows all children access good-quality provision, and in addition to the factors outlined above, the needs of working parents are considered in the planning process. This not only takes into account the Welsh Government's policy statement on childcare but is also in line with national and local government, commitments to tackle family poverty.

Local authorities secure provision of early years education through a variety of maintained and non-maintained settings. The census shows that there are approximately 170,000 children under the age of 5 in Wales, with 70,293 children accessing nursery provision from the local authority. In 2010/11 there were 63 distinct nursery schools in Wales providing for 1,572 pupils in 10 local authorities in Wales.

The Welsh Government has placed a duty on local authorities to undertake a formal Childcare Sufficiency Audit, to assess current demand for childcare in their area. Each local authority has to

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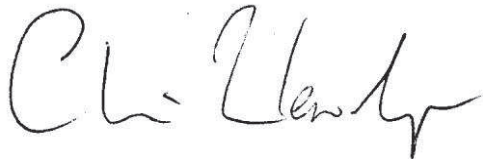
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produce an action plan, based on the findings of the audit, which addresses how future supply will meet the anticipated demand. Local authorities are in the process of updating the audit for this year and will then adjust their action plans for provision accordingly. Although all local authorities have a duty to ensure effective childcare, each local authority has different demands so will fulfil this function in a different way according to the needs of their community.

If you require any further information about the provision of childcare for 3 and 4 year olds in Wales, then please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Llewelyn', written in a cursive style.

Dr Chris Llewelyn  
Director Lifelong Learning, Leisure and Information

Leighton Andrews AC / AM  
Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-346  
Ein cyf/Our ref LA/06626/11

William Powell AM

committeebusiness@Wales.gsi.gov.uk

9 December 2011

*Dear William,*

Thank you for your letter dated 28 November about free childcare for 3-4 year olds.

You will wish to be aware that all local authorities have a statutory duty to offer a minimum of 10 hours a week of free education (Foundation Phase) to all three and four year olds. This provision plays an important part of parent's childcare arrangements and funding to support local authorities meet this duty is provided through the "Nursery and primary school teaching and other services" element of the Welsh Local Government Revenue Settlement.

However, the responsibility for planning and securing suitable nursery education rests with individual local authorities and their Early Years Development and Childcare Partnership.

I am aware that the arrangements adopted by some local authorities provide parents with more flexibility when taking up the offer of a free education places. My officials are currently exploring options which will ensure that similar arrangements are applied across Wales.

The Deputy Minister for Social Services is also considering how best to support parents and respond to the recommendations of the recent Daycare Trust/Save the Children report "The Childcare Trap: Making Work Pay".

*Yours sincerely*  
*Leighton Andrews*

**Leighton Andrews AC / AM**  
Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills

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# Comisiynydd Plant Cymru Children's Commissioner for Wales

## Keith Towler

William Powell AM c/o Abigail Phillips  
Clerk  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff CF99 1NA

21.12.2011

Dear William

I write to you in relation to two petitions that have been received by your committee regarding which you have requested a response from me as the Children's Commissioner for Wales.

### P04-346 Free Childcare for 3-4 year olds

My Investigations and Advice officers have taken calls relating to associated issues, which tend to reflect the confusion among members of the public. Early years services is a complex area of service provision which differs from area to area and has a variety of structures, such as flying start, foundation phase and early education funding.

I think it would be useful to clarify the wording of the petition. When the petitioners refer to free childcare for 3-4 year olds, are they referring to free education places? My understanding is that though the setting could be in nursery schools, nursery classes in primary schools or reception classes in primary schools, playgroups, private day nurseries, independent schools, or with child minders who belong to an approved network, they can all be referred to as providers of free education places. It is clear that the local discretion afforded to local authorities leads to various models of discharging their obligations to free education places.

I would refer you to Newport Council's family service to ascertain that the information attached in your correspondence is an accurate description of the situation in Newport. Its website states:

*'Some Private Day Nurseries are also recognised as providers of education. Children who are resident in Newport and who attend one of the Private Day Nurseries or Playgroups who are Registered Education Providers, may be entitled to funding to cover a half-time early years education place (term time only) instead of a Council Nursery place. Please note that the funding will be paid directly to the setting. If your child does attend one of these settings, they must attend a minimum of 3 sessions on separate days to be eligible for the funding. Please be aware that this funding may not cover the usual charge of the setting, therefore you may still incur a charge. Please speak to individual settings to discuss this in more detail.'*

This will, of course, benefit some families. However the Council may not be able to offer

**Comisiynydd Plant Cymru**  
**Children's Commissioner for Wales**  
**Keith Towler**

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the flexibility to facilitate the needs of all families. It is almost inevitable that some parents will benefit more than others, based on their particular circumstances.

**P-04-337 Free Sunscreen for all School Children under the age of 11**

Whilst acknowledging this as an issue which is relevant to children's right to be healthy, I don't feel as if my Office can add value to the deliberations relating to this particular petition. I do note with interest the response from the Minister for Health and Social Services and will monitor other contributions published by the Committee.

Yours sincerely

A handwritten signature in black ink that reads "Keith". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Keith Towler  
Children's Commissioner for Wales

## **P-04-376 Ad-drefnu Addysg ym Mhowys**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i alw i mewn gynigion Cyngor Sir Powys i ad-drefnu addysg ym Mhowys, a fyddai'n arwain at ffrwd ddeuol ddwyieithog chweched dosbarth cyfrwng Saesneg Llanfair-ym-Muallt ddod yn chweched dosbarth dynodedig Cymraeg.

**Prif ddeisebydd:** Sarah Wheeler

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 13 MAwrth 2012

**Nifer y deisebwyr:** 1,177

E-mail 05-03-2012

Hi Sarita,

The letter from Cllr Avril York was received December 2011 and was sent to Builth Wells Supporting Education for All as an update to members following the county councillors meeting with the Education portfolio holder – Cllr. Stephen Hayes.

The letter from Cllr Stephen Hayes was sent to the Builth and surrounding area county councillors on 7/12/11. Please find attached the minutes from the cabinet meeting 22/11/11 which was a public meeting, Cllr Avril York, attempted to present the Builth Wells Community outrage at the decision to close the English medium sixth form at Builth Wells High School. Builth Wells Supporting Education for All met with Cllr Stephen Hayes early Dec 2011 along with Cllr Avril York and his rationale for closing Builth Wells High School English medium sixth form was that 'some will say having a bilingual dual stream high school will contaminate the Welsh language', hence Welsh designation sixth form, despite not having the critical mass to maintain a Welsh designation sixth form. Please note throughout the consultation process we have as a community attempted to ensure the maintenance of a bilingual dual stream 11 – 18 yrs high school. The supporting petition was also acknowledged as part of the consultation process with 1021 signatures. All we are now aiming for is the removal of the Welsh only designation sixth form and all members hope for is fair and equitable education for **All** in Builth Wells High School with the ability to have a thriving bilingual dual stream 11 – 18 yrs school and maintenance of a bilingual dual stream sixth form.

Hope this is of help?

Please contact me if you require any further background information.

Best wishes

Sarah Wheeler

**E-mail 02-03-2012**

Dear Rhodri,

Please find three documents attached as evidence for the petitions committee. I am sending apologies due to the inability to attend the formal meeting to present the evidence.

Please note Sarita Marshall, Deputy Committee Clerk, Petitions Committee has a copy of the manual petition containing over 1020 signatures as supporting evidence for Builth Wells Community.

May I take this opportunity to thank you and your team for your on-going support and advice throughout the E-petition process.

Please do not hesitate to contact me for any further information.

Very best wishes.

Yours sincerely

Sarah Wheeler

(Sent on behalf of Builth Wells Supporting Education for All)

**Petition Committee evidence**  
**Builth Wells Supporting Education for All**  
**1<sup>st</sup> march 2012**

‘We call on the National Assembly for Wales to urge the Welsh Government to call in Powys County Council’s proposals to reorganise education in Powys, which would lead to Builth Wells’s **bilingual dual stream** English-medium sixth form becoming a Welsh designated sixth form.’

As a community what we are petitioning for is that the Education Portfolio Holder Cllr. Stephen Hayes, Powys County Council, will re-instate the Sixth form English Medium A level designation at Builth Wells High School, which he has closed in the secondary education modernisation in Powys. He has stated there have been radical changes in secondary education, but it appears the only change he has made is close the second largest viable English medium sixth form in Powys (Currently 125 pupils). This option taken by Cllr Hayes was not part of the consultation for secondary school modernisation. This decision has now created inequity, segregation of pupils who wish to maintain their Bilingual dual stream sixth form. (Currently there is one pupil studying 'A' levels in Welsh medium from the 2011 cohort). Builth Wells High School Welsh designation sixth form is mentioned throughout the draft Welsh Education Strategy Plan document for Powys, which also has made the Builth Wells community feel very nervous and powerless despite the majority of the community not being in support of this proposal. The community are very proud of the bilingual dual stream High School at Builth Wells and it forms the centre of a rural community, the change to the designation of the school will also lead to negative effects to the socio-economics of this rural bilingual speaking community.

Please find attached two letters that were sent to the Builth Wells Supporting Education for All, one from local councillors and one from the Education Portfolio Holder Cllr. Stephen Hayes on the 7th December 2011 to the local Councillors. The letters evidence that there is not the critical mass to have a viable Welsh medium sixth form at Builth Wells High School :-

*“the implementation of post 16 education solely through the medium of Welsh should be allowed to grow organically and at its own speed and not implemented until a) it was financially viable and b) that there were sufficient pupils seeking to be educated through the medium of Welsh at ‘A’ Level.*

**AND**

*“I also accept that the date mentioned in the report of 2015 for full change-over is likely to prove unrealistic, as the time necessary for cohorts of pupils to move through earlier stages of their education will require a lengthier transition period.”*



With this statement in mind, why sanction the closure and demise of a large thriving, successful and viable English medium sixth form? The majority of the community oppose this decision and still remain proud of the bilingual dual stream 11-18 yrs High School. All the members hope for is that the Welsh designation is changed back to Bilingual dual stream sixth form, to give the English medium A level students equality of opportunity which is an entitlement for all pupils regardless of the medium of education.

### **Summary of points relating to the closure of the English Medium Sixth form at Builth Wells High School.**

This decision still dismays and confuses the Builth Wells community for several reasons:-

- Builth Wells High School is the only sixth form in Powys to be closed for English medium, the community feels there is now an **inequity** that Powys County Council education portfolio holder has endorsed, compared to the rest of Powys sixth forms. Equality of opportunity which is an entitlement for all pupils regardless of the medium of education.
- Builth Wells High School is the second largest English medium sixth forms in South Powys and has maintained high achievement's with A level results and the sixth form is financially viable.
- The current sixth form AS & A level 2011-2012 has 120 pupils opting to take their A levels at Builth Wells High School, this figure includes 8 pupils from the Welsh medium GCSE cohort, 7 of those pupils elected to take English medium A levels and now 1 (one) pupil is taking Welsh medium A levels.
- The area is 95% English speaking households, but the community remains proud of the bilingual status of the High School and closure of the English medium sixth form will inevitably lead to the demise and eventual closure of the 11 to 16 English medium education provision.
- The education portfolio holder Cllr Stephen Hayes has now acknowledged that *“the implementation of post 16 education solely through the medium of Welsh should be allowed to grow organically and at its own speed and not implemented until a) it was financially viable and b) that there were sufficient pupils seeking to be educated through the medium of Welsh at ‘A’ Level.*
- *Education Portfolio holder, Cllr. Stephen Hayes quoted “I also accept that the date mentioned in the report of 2015 for full change-over is likely to prove unrealistic, as the time necessary for cohorts of pupils to move through earlier stages of their education will require a lengthier transition period.”*

- **Most importantly the pupils wish to continue the bilingual dual stream sixth form in Builth Wells High School, pupils do not want separation or segregation from their friends/peers.**
- The decision will lead to the slow demise of the school with parents opting to not send their children to Builth Wells High School English Medium school due to the lack of choices, uncertainty and loss of continuation of English medium education provision to 18yrs.
- The local economy of Builth Wells community will be severely affected, potentially less investment and less migration to this beautiful area due to loss of English medium High School Education. The community are proud of the bilingual status of the school.

We hope that Powys County Council will change the designation of the sixth form and re-instate the English medium sixth form. Please keep our High School as a Dual Stream Bilingual sixth form. Let the school prove they have a financially viable bilingual dual stream sixth form, why close a Band 2 school, one of only two High Schools who achieved this level in all of South Powys?

Please help the High School and community in Builth Wells to request a re-think of Powys County Councils decision to close the English medium sixth form, give Builth Wells High School an equal chance with the rest of the sixth forms in Powys. The request is that Powys County Council removes the welsh designation and re-instates the bilingual dual stream sixth form. Please do not treat Builth Wells High School and community unequally compared to the rest of Powys High School pupils.

Yours sincerely  
 Builth Wells Supporting education For All  
 (Sarah Wheeler)

NB. Sarita Marshall, Deputy Committee Clerk, Petitions Committee has a copy of the manual petition containing over 1020 signatures as supporting evidence for Builth Wells Community.

Cllr Kelvyn Curry,  
Cllr Maureen MacKenzie,  
Cllr David Price,  
Cllr T Van Rees,  
Cllr Avril York

Dear Members,

### **Secondary, Welsh Medium and Post-16 school modernisation**

Thank you for your letter of 5<sup>th</sup> December regarding the modernisation proposals as they affect Builth High School.

As you know, and I am happy to confirm, the proposals to establish centres of excellence for post-16 Welsh Medium education at Caereinion and Builth High Schools, which were agreed by Cabinet on 22<sup>nd</sup> November, envisage a move by increments to a position where the two schools offer A and AS courses through the medium of Welsh only.

As the Cabinet paper stated, the intention is 'to create sufficient critical mass of learners to enable the cost-effective delivery of courses and to enhance the range of courses available'. The aim, as the paper said, is to commission an increasing number of Welsh medium A/AS courses from Builth Wells Secondary school. The paper went on to say that it is anticipated that English Medium A/AS provision will cease to be provided at Builth in due course, with pupils accessing this provision at Llandrindod Wells High School.

It is clearly accepted, therefore, that progression to designated Welsh medium status at post-16 will occur over time, with no overnight cessation of English medium courses. I referred in presenting the report to the undertaking that no pupil who begins a course or a key stage at a school will be required to move before they complete that course of study. I also accept that the date mentioned in the report of 2015 for full change-over is likely to prove unrealistic, as the time necessary for cohorts of pupils to move through earlier stages of their education will require a lengthier transition period.

At the Cabinet meeting, a question was asked about the effect of the new central commissioning of courses on post-16 provision in Builth HS, and I confirmed that any new commissioning body would be free to make such decisions relating to courses in either medium as it considered justified by demand and available resources. It is not proposed that any application

will be made to alter the designation of Builth and Caereinion High Schools prior to the setting up of the new commissioning body.

The commitment to providing a full range of Welsh-medium courses at post-16 is an important one, and goes hand in hand with the decision to fund enhanced Welsh medium provision at 11-16 at both Builth and Brecon High Schools. There are currently over 450 pupils receiving primary education through the Welsh medium in the catchments of the two High Schools, with demand growing. It is important that we give these pupils, and others in the future, the prospect of first-class secondary education through the Welsh medium. Far from being a threat to the future of Builth HS, the proposal gives the school a key strategic role in the south of the county.

Finally, I am happy to confirm that the details of implementing what is a high-level strategy decision will need to be considered and taken forward through the Authority's Welsh in Education Strategic Plan. The draft of this plan will be worked up with stakeholders, including school governing bodies and senior management teams, and consultation will take place before submission of the final document to Welsh Government. This gives a genuine opportunity not only for those immediately affected, but for the wider public, to input their views on all aspects of implementation of the decision.

Yours sincerely,

## Schools Modernisation Programme

Since the announcements on Schools Modernisation on 8th November, I have been working to improve the position of Builth Wells High School in relation to its sixth form provision.

**Cabinet meeting on 22<sup>nd</sup> November:** I spoke against the proposal for a Welsh only sixth form provision and requested that Builth Wells High School was able to work with the commissioning body to put on a range of economically viable English medium courses. This was picked up by one of the cabinet members, Tony Thomas; the minutes for the meeting state ..

*The Portfolio Holder explained the rationale for a central planning and funding system for commissioning post-16 courses. He confirmed that this approach had the support of the Welsh Government. In answer to Members' questions he advised that it was necessary for the commissioning body to be autonomous and free from competing interests. Democratic overview would be provided by the Scrutiny Committees. He confirmed that when a preferred model for the commissioning body had been approved by Cabinet, consultation would take place before submission to Welsh Government. He wanted the commissioning body to work with neighbouring authorities including those in England. He advised that there was nothing preventing the new body commissioning a small number of subjects in English at the schools designated Welsh medium.*

Because of continued confusion about what had been agreed, Cllr Tim Van Rees, myself and three other councillors wrote to the portfolio holder, Stephen Hayes, on 5<sup>th</sup> December to clarify the position. We reminded Cllr Hayes that the concession was given that *"the implementation of post 16 education solely through the medium of Welsh should be allowed to grow organically and at its own speed and not implemented until a) it was financially viable and b) that there were sufficient pupils seeking to be educated through the medium of Welsh at 'A' Level. It was also conceded that the commissioning body could provide 'A' Level education through the medium of English in subjects again if financially viable"*

Cllr Hayes responded by letter on December 7<sup>th</sup>. He accepts that the date in the report of 2015 is likely to prove unrealistic and that it will require a much lengthier transition period. He confirmed that *"any new commissioning body would be free to make such decisions relating to courses in either medium as it considered justified by demand and available resources"* Cllr Hayes continued that *"It is not proposed that any application to change the designation of Builth and Caereinion High Schools will be made prior to setting up of the new Commissioning Body"*

I trust this clarifies the position for Builth Wells High School – and I wish to record my thanks to Cllrs Tim Van Rees, David Price, Maureen Mackenzie and Kelvyn Curry for supporting me.

Avril York

**MINUTES OF A MEETING OF THE CABINET HELD AT THE PAVILION,  
LLANDRINDOD WELLS ON 22<sup>ND</sup> NOVEMBER 2011**

PRESENT County Councillor E.M. Jones (Leader)

County Councillors L.G. Davies, W.A. Fitzpatrick, K.A. Harris, Mrs M.R. Harris, S.M. Hayes, G.G. Hopkins, W.T. Jones, Mrs K.M. Roberts-Jones and A.G. Thomas

<b>1.</b>	<b>APOLOGIES</b>	<b>C140 – 2011</b>
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There were no apologies for absence.

<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>	<b>C141 – 2011</b>
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County Councillors L.G. Davies, W.A. Fitzpatrick, K.A. Harris, Mrs M.R. Harris, G.G. Hopkins, E.M. Jones, W.J. Jones and Mrs K.M. Roberts-Jones declared personal but non pecuniary interests in C142 – 2011 Secondary School Modernisation as LEA appointed governors.

<b>3.</b>	<b>SECONDARY SCHOOL MODERNISATION</b>	<b>C142 – 2011</b>
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The Portfolio Holder for Learning and Leisure gave an overview of the proposals contained within his reports. He referred to the challenges of improving educational standards, pressures on school budgets and falling pupil numbers. He referred to the consultation and feedback arrangements which would apply to the various proposals.

The Cabinet then heard representations from County Councillors D.R. Jones, for the Shires Independent Group, A.W. Davies for the Welsh Conservative Group, Mrs S.C. Davies for the Welsh Labour Group, D.W. Meredith for Brecon High School, Mrs A. York for Builth Wells High School, Miss M.J.B. Davies for Gwernyfed High School and speaking also on behalf of J.G. Morris for Crickhowell High School who was unable to attend, M.D. Hodges for Llandrindod Wells High School, P.E. Lewis for Llanfyllin High School, G. Morgan for Llanidloes High School, Mrs F.H. Jump for Welshpool High School, J.M. Williams for Ysgol Bro Ddyfi, K. Pathak for Ysgol Maesydderwen and Mrs E.M. Jones for Ysgol Uwchradd Caereinion.

The Cabinet then considered each of the reports in turn.

### **Secondary and Post 16 Modernisation Overview**

The report set out the background to the proposals and made the case for change.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<b>That the Cabinet notes the strategy for transforming secondary and post-16 education contained within this report.</b>	<b>To ensure full understanding of the challenges facing the sector and the strategy to address these.</b>

## Secondary Modernisation – proposals for 11 – 16 Secondary Education

The Portfolio Holder set out the rationale for the proposals to establish families of schools with formal collaborative governance arrangements and explained that the funding formula would be reviewed to incentivise collaboration. The proposed families were:

- Maesydderwen-Crickhowell-Brecon-Gwernyfed
- Builth Wells-Llandrindod Wells-John Beddoes
- Newtown-Llanidloes-Bro Ddyfi
- Welshpool-Llanfair Caereinion-Llanfyllin

It was proposed that the arrangements would be in place from September 2012. In answer to Members' questions he noted that the proposals would allow for a substantial reallocation of funds to 11-16 education equivalent to approximately £150 per pupil. He did not feel it was appropriate to slot the three special schools into the local families of schools as the three constituted a family in themselves and had been a model of collaboration. In relation to these proposals a two month feedback period commencing 29<sup>th</sup> November 2011 would allow the views of interested parties to be considered during the implementation process.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p><b>1. To establish 'Families' of schools with formal collaborative governance arrangements under the Collaboration between Maintained Schools Regulations 2008;</b></p>	<p><b>To ensure that schools collaborate to raise standards and develop a cost-effective education system.</b></p>
<p><b>2. To carry out a review of the Authority's overall funding formula for schools.</b></p>	<p><b>To ensure that the secondary sector is funded in a transparent, standardised and sustainable manner.</b></p>

## Secondary Modernisation – Proposal for Post-16 education

The Portfolio Holder explained the rationale for a central planning and funding system for commissioning post-16 courses. He confirmed that this approach had the support of the Welsh Government. In answer to Members' questions he advised that it was necessary for the commissioning body to be autonomous and free from competing interests. Democratic overview would be provided by the Scrutiny Committees. He confirmed that when a preferred model for the commissioning body had been approved by Cabinet, consultation would take place before submission to Welsh Government. He wanted the commissioning body to work with neighbouring authorities including those in England. He advised that there was nothing preventing the new body commissioning a small number of subjects in English at the schools designated Welsh medium.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p><b>1. That the Local Authority moves to a central planning and funding</b></p>	<p><b>To ensure that post-16 education is delivered as cost-effectively and</b></p>

<p>system of commissioning post-16 courses;</p> <p>2. That in collaboration with other education providers in Powys, the Authority takes forward plans to formalise the central commissioning system by establishing a new legal entity for all academic and vocational provision within three years.</p>	<p>sustainably as possible, whilst ensuring that learners have access to a broad curriculum, both in English and Welsh.</p>
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### Secondary Modernisation – proposals for Welsh Medium education

The Portfolio Holder explained that the rationale for his proposals to focus provision was to foster and encourage Welsh language provision, provide continuity of provision for pupils and increase breadth of curriculum choice through the Welsh medium. He explained that he had taken on board representations made in respect of Ysgol Dyffryn Trannon and was therefore recommending to the Cabinet that funding for Welsh medium 11-16 education at Llanidloes High School be retained at its current level pending consideration of needs of pupils at Ysgol Dyffryn Trannon under the Welsh in Education Strategic Plan. All proposals relating to Welsh Medium Education would be taken forward under the authority's Welsh in Education Strategic Plan which included a period of consultation before the final plan was submitted to the Welsh Government.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p>1. To deliver 11-16 Welsh Medium education from <u>five</u> dual-stream schools as follows:</p> <ul style="list-style-type: none"> <li>• Brecon High School</li> <li>• Builth Wells High School</li> <li>• Caereinion High School</li> <li>• Llanfyllin High School</li> <li>• Ysgol Bro Ddyfi</li> </ul> <p>2. To provide additional investment and support to these schools to enhance and maintain the curriculum at the appropriate level;</p> <p>3. To retain funding of Welsh medium 11-16 education at Llanidloes High School at its current level pending consideration of the needs of Welsh medium learners at Ysgol Dyffryn Trannon under the Welsh in Education Strategic Plan.</p> <p>4. To commission post-16 Welsh</p>	<p>To ensure that all pupils have equal access to the broadest range of subjects through the medium of Welsh.</p> <p>To ensure that the provision is delivered in a efficient and effective manner</p>



<p><b>Medium provision from <u>three</u> of these schools, of which two will become designated Welsh Medium post-16 providers and one continues as a dual-stream provider:</b></p> <ul style="list-style-type: none"> <li>• <b>Caereinion High School – Welsh Medium</b></li> <li>• <b>Builth Wells High School – Welsh Medium</b></li> <li>• <b>Ysgol Bro Ddyfi – dual stream</b></li> </ul>	
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### **Secondary Modernisation – Associated proposals, including All Through Schools**

The Portfolio Holder presented a number of further proposals in relation to

- supporting the establishment of an All Through school in Machynlleth;
- supporting investigation into the feasibility of All Through Schools in other catchment areas if appropriate;
- the implementation of a long term strategy of modernising school buildings and maximising the benefits of ICT to support teaching and learning in schools;
- reducing surplus places by removing surplus buildings and demountables and investigating alternative community use of empty spaces;
- local consultation on the revised home to school transport policy and undertake a review of all transport routes.

The Portfolio Holder confirmed that the two month feedback period would apply to these proposals.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p><b>1. To actively support the development of an All Through School in Machynlleth;</b></p>	<p><b>To ensure a sustainable, cost-effective education system in this area that leads to an improvement in outcomes for learners.</b></p>
<p><b>2. To support schools in other catchment areas to explore the feasibility of All Through Schools, if appropriate;</b></p>	<p><b>To assess the potential of this model to deliver a sustainable, cost-effective education system in this area that leads to an improvement in outcomes for learners.</b></p>
<p><b>3. To support the proposals in respect of modernising school buildings, reducing surplus capacity, and reviewing home-to-school transport policy as set out in the report.</b></p>	<p><b>To create a long-term, sustainable education infrastructure;</b></p>

The Leader thanked the Portfolio Holder for Learning and Leisure and officers for their work and he also thanked the previous Portfolio Holder whose earlier work and consultations had informed much of the proposals.

<b>4.</b>	<b>LOCAL AUTHORITY MORTGAGE SCHEME</b>	<b>C143 – 2011</b>
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It was agreed to defer this report to 6<sup>th</sup> December.

E.M. JONES  
Leader

Leighton Andrews AC / AM  
Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-376  
Ein cyf/Our ref LA/05504/12

William Powell AM

committeebusiness@Wales.gsi.gov.uk

*Dear William,*

21 March 2012

Thank you for your letter of 12 March about a petition received from Sarah Wheeler of Powys.

I believe that the concerns about 6<sup>th</sup> form provision at Builth Wells High School have arisen because of 2 separate but related consultation exercises recently conducted by Powys. On 29 November 2011 the local authority issued, for consultation, plans for secondary schools and sixth forms which were based on an expectation that schools would be retained but that they would collaborate to raise standards. The plans also suggested that commissioning arrangements would be put in place to coordinate provision and that 2 secondary schools, one of which was Builth Wells High, would become designated Welsh medium post-16 providers. This consultation was followed by a wider consultation on the local authority's Welsh Education Strategic Plan, and this exercise was completed in mid February. This plan reflected the earlier suggestion that Builth Wells High would provide Welsh medium education at post-16. I understand that the local authority does not plan to make this change in the very near future, but that change by 2015 is under consideration.

The inclusion of this target for Builth Wells High in the strategic plan does not render the change inevitable, and there is no specific mechanism for the plan to be called in at present. The Welsh Education Strategic Plan has in any case been submitted to Welsh Ministers and will be scrutinised by the Welsh Language Unit in my department and feedback on its content will be provided to the local authority before Easter.

Under current legislation, even if a regulated change forms part of a plan such as a Welsh Education Strategic Plan, it would still be necessary to undertake statutory procedures under the School Standards and Framework Act 1998. The change from dual stream provision to Welsh-only provision would be a regulated change at the sixth form at Builth Wells School. The statutory procedures include consultation on proposals and the publication of notices with the opportunity for objection. Such proposals currently come to me for determination where objections arise. When I am required to determine proposals to make changes to schools, I take account of all relevant factors, including the views of objectors, before deciding whether or not to approve them.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.Leighton.Andrews@wales.gsi.gov.uk

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I hope that this explanation provides some reassurance that appropriate mechanisms are in place when changes to schools are under consideration. I will ensure that when the local authority is provided with feedback on its Welsh Education Strategic Plan, they are reminded that statutory procedures would be necessary for a number of the changes contained within the plan, including that in view for Builth Wells High School.

*Yours sincerely*



**Leighton Andrews AC / AM**  
Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills

**PET(4)-08-12 : Tuesday 15 May 2012**  
**P-04-376 Reorganise Education in Powys**

3<sup>rd</sup> May 2012

Petitions committee- response for 15<sup>th</sup> May 2012 meeting

**Sarah Wheeler on behalf of Builth Wells Supporting Education for All**

Thank you for the copy of the letter from Leighton Andrews AM, Minister for Education and Skills dated 21/3/12. Can I take this opportunity to clarify the petition statement?

‘We call on the National Assembly for Wales to urge the Welsh Government to call in Powys County Council’s proposals to reorganise education in Powys, which would lead to Builth Wells’ **bilingual dual stream** English–medium sixth form becoming a Welsh designated sixth form.’

Regarding Leighton's first paragraph where he stated that there were 2 consultations one in November 2011, modernisation plans for education and a welsh education strategy consultation (WESP) in February 2012. The Minister needs to be aware that the secondary school and sixth form consultation options within the document **have no relation** to the proposals now sanctioned for the sixth form that was decided by Powys County Council education committee for Builth Wells High School. The proposals have been opposed by the majority of the Builth Wells Community, with a large petition(1180) submitted to the petitions committee; the social and economic effects of the closure of the thriving English medium sixth form would be devastating for the school and the community.

To date we are unaware of the outcome of the WESP and have been unable to source any current information regarding the strategy, welsh designated sixth form at Builth Wells High School is fundamental to the consulted document. At no point has there been an impact assessment released for this proposal in Builth Wells. As a community when the minister states these changes are not imminent, 2015 is imminent and having closure of the sixth form ‘hanging over the school’ compromises future intakes of students.

We as a community wonder what the minister means by 'no specific mechanism for the plans to be called in at present' if there is a statutory procedure for regulated change under the Schools Standards and Framework Act 1998.

We as a community do feel that the minister has clearly stated there will be a statutory procedure including consultation on proposals and the publication of

notices with the opportunity for objection. Builth Wells hope to be given the chance to comment and object; or would this be a closed consultation process?

Please find attached two letters that were forwarded to the Builth Wells Supporting Education for all, from the Education Portfolio Holder Cllr. Stephen Hayes on the 7th December 2011 and the local Councillor. The letters evidence that there is not the critical mass to have a viable welsh medium sixth form at Builth Wells High School:-

*“the implementation of post 16 education solely through the medium of Welsh should be allowed to grow organically and at its own speed and not implemented until a) it was financially viable and b) that there were sufficient pupils seeking to be educated through the medium of Welsh at ‘A’ Level.*

**AND**

*“I also accept that the date mentioned in the report of 2015 for full change-over is likely to prove unrealistic, as the time necessary for cohorts of pupils to move through earlier stages of their education will require a lengthier transition period.”*

With this statement in mind, why sanction the closure and demise of a large thriving, successful and viable English medium sixth form? The majority of the community oppose this decision and still remain proud of the bilingual dual stream 11-18 yrs. High School. All the members hope for is the welsh designation is changed back to Bilingual dual stream sixth form, to give the English medium A level students equality of opportunity which is an entitlement for all pupils regardless of the medium of education.

Yours sincerely

Builth Wells Supporting Education for All

And

Sarah Wheeler

## P-03-294 Clymblaid Genedlaethol Menywod Cymru

### Geiriad y ddeiseb

Rydym ni, sydd wedi llofnodi isod, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gyhoeddi cynlluniau cadarn sy'n nodi sut, yn absenoldeb Clymblaid Genedlaethol Menywod Cymru, y bydd llais, anghenion a safbwyntiau merched yng Nghymru yn cael eu hadlewyrchu mewn polisi ac yn y broses gwneud penderfyniadau yng Nghymru, yn y DU, yn Ewrop ac yn y Cenhedloedd Unedig.

**Linc i'r ddeiseb:** <http://www.cynulliadcymru.org/gethome/e-petitions-old/admissible-pet/p-03-294.htm>

**Cynigwyd gan:** Naomi Brightmore

**Nifer y llofnodion:** 51

**Y wybodaeth ddiweddaraf:** Bydd y Pwyllgor yn ystyried y wybodaeth ddiweddaraf am y ddeiseb hon.

Sarita

I'm sorry for any delay and to hear that you have been awaiting a response. By the time I saw these e-mails it was my understanding that a bid had been opened and had been won by the Women's Equality Network, WEN Wales. I fully support WEN in the work that they are doing.

However, obviously, it is a great disappointment to me and to the many members of WWNC that the need for such funding was only recognised too late to be assistance to WWNC, which formally closed in June 2010 due to withdrawal of core funding by WG. Had this offer come earlier, the trustees and I would have been in a position to bid. With core funding I would have been able to secure the other avenues of funding that I was pursuing at the time. However, this did not happen.

I still feel that a short-sighted and disappointing decision was taken by WG, although I acknowledge that this has now been partially addressed. I would still like to know how they will continue to ensure that the voice of women in Wales can be made loud and clear in policy and decision-making at a local, national and international level.

I would be interested to receive the response of the petitions committee. Please forgive a reply by e-mail only, but I am going on leave today and thought a quick response was better than none.

Thank you

Naomi Brightmore

**Naomi Brightmore, Manager**

Port Talbot and Afan Women's Aid is registered as a Company Limited by Guarantee No: 027142217

Registered as a charity No:1014363

Registered address: 1st Floor, Commercial Buildings, Beverley Street, Port Talbot SA13 1DY.

Tel: 01639 894864 or Mobile 07792 230897

Affiliated to Welsh Women's Aid.



## **P-03-085 Meddygfeydd yn Sir y Fflint**

### **Geiriad y ddeiseb**

Rydym ni feddygon ym Meddygfa'r Laurels, Meddygfa Eyton Place a Chanolfan Feddygol Allt Goch yn rhwystredig (fel yr ydych chi mae'n siwr) oherwydd yr anawsterau a gawn wrth geisio cynnig digon o apwyntiadau ar gyfer ein cleifion.

Fel y gwyddoch, rydym wedi'n cyfyngu'n llwyr gan faint ein hadeilad ac mae gwir angen symud i safle mwy - mewn Canolfan Gofal Sylfaenol newydd os oes modd.

Mae'r cynnydd yn hyn o beth wedi dod i ben yn dilyn penodiad diweddar y Gweinidog Iechyd newydd a hoffem ddod â'n pryderon i'w sylw.

Gofynnwn i chi arwyddo'r ddeiseb hon i gefnogi'n hymdrechion i brysuru'r broses hon;

"Fel cleifion mewn Meddygfa yn Sir y Fflint, gofynnwn i'n Haelod Cynulliad, Mrs Sandy Mewies, roi pwysau ar Lywodraeth Cynulliad Cymru i ddatblygu Canolfan Gofal Sylfaenol newydd ar fyrder"

**Trefnwyd y ddeiseb gan:** Gillian Robinson

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 21 Chwefror 2008

**Nifer y llofnodion:** 412



CYNGOR IECHYD CYMUNED  
COMMUNITY HEALTH COUNCIL

BETSI CADWALADR

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E-bost | E-mail: Pat.Billingham@bcchc.org.uk  
www.communityhealthcouncils.org.uk

Your ref: P-03-85

15 December 2011

Mr William Powell AM  
Chair, Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

Dear Mr Powell

**Re: P-03-85 Surgeries in Flint**

Thank you for your letter of 23 November last. The Betsi Cadwaladr Community Health Council (BCCHC) welcomes the opportunity to give our views on the content of the petition.

We feel it would be useful, however, to provide some background since the original petition was lodged in 2007.

You will be aware that Community Health Councils in Wales were reconfigured in April 2010. This reconfiguration dissolved the former six CHCs in North Wales and established the single BCCHC. In 2007, Flintshire formed part of the Clwyd CHC. Our response is therefore based on documentation from the Clwyd CHC archive and current information acquired during CHC monitoring visits to the practices concerned and from patient feedback passed to CHC members based in the Flintshire locality.

During 2004/05 Flintshire Local Health Board undertook a review of community hospital and primary care services in Flint (which included the three GP practices of the Laurels, Eyton Place and Allt Goch with a combined list of some 14,000-15,000 registered patients) with involvement of all stakeholders including the CHC. Following the review, the health board undertook a consultation on a proposed service model for Flint with two options, both of which proposed a new build integrated primary and community resource centre either in a central location in Flint or on the existing Flint hospital site.

During the review and consultation period, Clwyd CHC actively sought the views on the proposals from the public, patients and other stakeholders in the Flint catchment via public meetings, listening events and a questionnaire. Clwyd CHC's response to the consultation and pertinent appendices are enclosed for information.

The issues of provision of the primary care resource centre and the future of Flint Community Hospital were inextricably linked throughout the process. In the response to the consultation Clwyd CHC felt that the two proposals should have been divorced and undertaken as separate consultations.

Although the issue of closure of the Flint Community Hospital was at the forefront of the feedback to the consultation, there was recognition of a need for change to the delivery of primary care in Flint and a good support for the proposal of a primary and community resource centre.

Members of the Committee may recall the various consultations on changes to NHS services throughout Wales and the strength of feeling voiced by the public that ensued. Subsequently proposed changes, particularly to primary and community care, were not taken forward.

The BCCHC has not undertaken any consultation since 2007 surrounding the current GP practices in Flint but has been actively engaged. CHC members from the Flintshire locality and the practice manager of the Laurels surgery have advised that the inadequacies of the three premises as noted in previous CHC engagement activity and from CHC monitoring visits to the practices, are still very much apparent. The development of a primary resource centre – in a central location in Flint - is supported by patients of the practices. We are aware that the petition continues to generate support sporadically and is still considered 'live'.

We further understand that discussions between the Laurels Surgery and the Betsi Cadwaladr University Health Board have been ongoing but there appears to be something of a stalemate as regards the availability of funding for any such development and a question of who should fund the appointment of further GPs and associated personnel.

The BCCHC is currently awaiting an update from the health board on the overall situation regarding any development of the practices and will advise the Petitions Committee further once received.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Pat Billingham', written in a cursive style.

Pat Billingham (Mrs)  
Chief Officer

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## CLWYD COMMUNITY HEALTH COUNCIL'S RESPONSE TO THE FLINTSHIRE LOCAL HEALTH BOARD'S CONSULTATION ON THE MODERNISING AND IMPROVING OF HEALTH SERVICES IN FLINT, INCLUDING FLINT COMMUNITY HOSPITAL

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The vision described in *Designed for North Wales* and in *Designed for Life* sees more and more services being transferred from the acute setting into the community. A successful move of services from the acute hospitals to the community relies on the availability of good, appropriate, community facilities which will enable individuals to live with confidence in their own community and an infrastructure that would be adaptable to the transfer of more and more services from the acute setting to the community as technology advances and the population of Flint increases.

Currently, the people of Flint receive their primary care and community care from three GP practices, Borough Grove Clinic and Flint Community Hospital, all of which require refurbishment and modernisation. Advances in the treatment of patients in primary care have progressed considerably and the current care providers have no capacity to expand to provide any new services.

The population of Flint is increasing, with consent having been given for the build of approximately 900 new houses. This will impact greatly on primary care services, especially GPs who are currently working to capacity. We have been advised that some of the GPs in Flint are unable to accept any new patients and existing patients are complaining that they have difficulty in getting an appointment to see their doctor.

The review of the *Community Hospital and Primary Care Services in Flint* undertaken by Tribal Secta in 2005 (to be referred to from here on as the Tribal Secta Review) advised that primary and community health care services should be integrated to enable them to provide the most effective and efficient care and their recommendation was that those services would be best provided on a single site.

There were 9 options for delivering primary care short listed and each was awarded scores against the benefit criteria by participating stakeholders. The Integrated Community Hospital and Primary Care Centre at a central location in Flint came out as the clear, preferred choice with 886 points. This is the option that Clwyd Community Health Council would have fully supported, but this option was disregarded by Flintshire Local Health Board and the two options which were chosen for public consultation were:

### **Option 1:**

New Build Integrated Primary and Community Resource Centre **in a central location in Flint** with 10 nurse led beds provided by the NHS within other Community Hospitals in Flintshire – which ranked as 6<sup>th</sup> choice with 531points.

### **Option 2:**

New Build Integrated Primary and Community Resource Centre **on the existing Community Hospital site** with 10 nurse led beds provided by the NHS within other Community Hospitals in Flintshire – which ranked as 8<sup>th</sup> choice with 506 points.

Clwyd Community Health Council, in particular Flintshire Area Committee, has studied both of the options contained in the consultation document *Designed for Flint* and has listened to the views and opinions expressed by the people of Flint, both at the public meetings and at the listening event which the Community Health Council held in Flint Library on 8<sup>th</sup> January 2007. We have also studied the Tribal Secta Review produced in November 2005, which undertook a review of the community hospital services in Wrexham and Flintshire and an independent Research Project carried out at Flint Library by Nathan Griffiths, a resident of Flint.

Out of the 121 responses to our questionnaire (see Appendix 1), 84 did not support either option and 114 said that they could not support the closure of the community hospital. Whilst talking to people it soon became very clear that many people were not against the development of an Integrated Primary and Community Resource Centre, indeed it was supported to a large extent, but that they would like to see the Integrated Primary and Community Resource Centre as well as, not instead of, the community hospital. What also became apparent was that people were not aware of the improvement in health services that they would receive in the Integrated Primary and Community Resource Centre because the focus of their attention was on the closure of the hospital. In this respect Clwyd Community Health Council feels that the consultation would have been improved if it had been carried out as two separate consultations:

**one** to discuss the role of the community hospital and how and where the services provided there could be re-provided in a safer and more appropriate setting and

**two** the integration of the current health services and location of the new Integrated Primary and Community Resource Centre.

Clwyd Community Health Council appreciates that new models of health care are continuously being developed to support individuals to care for themselves in their own homes and that this should reduce demand for hospital beds, but the need for some beds will always be there. The Tribal Secta Review stated that the population of Flint will grow dramatically over the next 10 years. The increase in the number of elderly patients will also grow, ensuring that there will be a constant demand for both nursing and intermediate care beds in Flint. The needs assessment carried out by Tribal Secta identified that there would be a future need in Flint for 10 nursing beds and 10 intermediate care beds. It was recognised that to provide a unit for 10 nursing beds only could not be an option from a clinical safety point of view, but if the nursing beds and intermediate care beds were combined in a single unit then it could be a viable option. This would require a partnership approach by health and Social Services and would provide a mutually beneficial facility.

For many years Flint Cottage Hospital has provided a social care safety net paid for by the NHS but really the financial responsibility of Flintshire County Council. Clwyd Community Health Council would like to see a much stronger and on-going commitment from Flintshire Local Health Board and Flintshire County Council to work together, in line with *Making the Connections – Delivering Beyond Boundaries (November 2006)*, to ensure a fully integrated health and social care service for the people of Flint. Concerns have been expressed about the impact and the cost to Social Services of providing more care in the community and these concerns need

to be addressed to enable Health and Social Services to work together to provide a robust, sustainable service to the people of Flint. Clwyd Community Health Council and the wider public are not convinced that Flintshire County Council will have the resources and the commitment to provide the level of social care which will be required in Flint if the 'social care' beds provided by Flint Community Hospital are lost. A lack of joined up working between local authority and health care providers does not inspire the people of Flint with confidence that the proposals on offer have been well thought out and are realistic.

Currently, the people of Flint have no confidence in the promises of new, increased and improved primary care services. Many people commented that promises of improvements to health services in Flint have been made before and those improvements have not materialised; therefore, the people of Flint, understandably, want to retain the services they currently have. Flint Community Hospital has a long history of serving its community and that community in return, feels very protective towards the hospital. However, the current system is failing the majority of its patients; indeed the main complaint from patients being the inability to obtain a doctor's appointment. Changes need to be made and any delay will mean that access to primary health care services will just get worse.

The people of Flint need to see proof that the changes being proposed are actually going to happen and that primary health care services will be improved. This was also the view of the Welsh Assembly Government who, at a minority Party Debate on 3<sup>rd</sup> October 2006, passed a motion which read:

*The National Assembly believes that no reconfiguration of hospital services should take place without adequately planned community provision; and believes that before any reconfiguration occurs there must be genuine public consultation, with the views of local communities not only listened to but taken on board.*

This will necessitate short term investment to allow the running of both the old and the new services as alternative forms of care (which reduce the need for hospital admission) are developed and put in place. GP access must be improved and other services, currently provided by the hospital, must be re-located **before** the hospital is closed. Once these new services are in place the redundant services provided by the hospital can then be allowed to close down.

However, although improvements to Primary Care Services are urgently needed, Clwyd Community Health Council is concerned there are no plans to re-provide the beds from Flint Community Hospital elsewhere in Flint to reflect the current and future identified need. Although we would like to see a New Build Integrated Primary and Community Resource Centre **in a central location in Flint**, we would ask Flintshire Local Health Board to reconsider its position on providing beds in Flint. If Health and Social Services are not prepared to work together to provide a jointly funded unit, then we would ask Flintshire Local Health Board to provide NHS beds locally in Flint at one or more of the Nursing Homes, particularly for people who are near the end of their life and who cannot, or do not wish to, die at home.

Clwyd Community Health Council would like to re-iterate the Welsh Assembly Government motion that the views of the local community must be taken on board.

## Responses to The Future of Health Services in Flint

	1. The Consultation document outlines a new model of care for Flint which includes more support and treatment in the community and more access to specialist skills when you need them - do you agree with this new model?	2. Do you think that the proposed changes will provide Flint residents with the healthcare services they need?	3. Which of the Options set out in the consultation document do you most support?				4. In order to modernise health Services in Flint it will be necessary to close Flint Community Hospital and provide beds in other community hospitals in Flintshire - do you think this is acceptable?		
			Option 1	Option 2	Neither	Yes	Not Sure	No	
<b>Yes Completely</b>	10	3							
<b>Yes with some changes</b>	55	52							
<b>Not sure/ don't know</b>	6	8							
<b>No Not at all</b>	48	56							
<b>Total</b>	119	119	16	6	84	2	2	114	

<b>Age Groups</b>	
Under 25	2
26 - 45	19
46 - 64	39
Over 65	58
Not stated	3
<b>Total</b>	121

## COMMENTS RECEIVED

The beds inclusive of those that have been provided by the local people and the NHS should be kept in the Flint community - once they are gone they are gone

Flint Cottage Hospital is vital to the residents of Flint, Bagillt and Northop. None of these residents want to travel to any of the other proposed hospitals- more so when they have not got any transport. The Flint Cottage Hospital has provided good health care for as long as I can remember and parents before. If we wanted American rubbish ideas we could go and live there.

We need extra facilities in Flint and with the forecast increase in population, hospital beds as well

The beds should be retained as they are needed by the people of Flint

If ned to attend Mold hospital in evening virtually no public transport. If needed to attend Deeside in evening only 1 bus every hour Then must either walk or wait for another. Holywell same as Deeside.

I have relied on the hospital over the last years having been a patient there several times. I do rely on this hospital as it is, particularly GP Surgeries in Flint Centre

Access to GP surgeries needs to be in Flint Town Centre

ideally I would like the hospital to be kept open with the beds as I think it is needed in Flint

Leave the hospital where it is

Already made my comments in replying to the consultation document. NB at the leisure centre meeting we were told Flint House was already sold but it is up for sale or let. How can we believe what you tell us! Also care in the community is not working. This community needs beds in its own hospital. A few years ago we were promised that Flint hospital would not be closed but improved with clinic rooms and an Xray department. Where is the Xray department? Again how can we believe what you say. You and the government are not listening to what people say or want. Where has all the money gone? Is it in redundancies every time change takes place or is it moved into other budgets which are then unnegotiable when money is needed in another area e.g. to cover debts of General hospitals rather

The town of Flint needs beds in the community

Flint needs hospital beds

In agreement with central clinic but not hospital closure. Please listen to the people. If Flint people are expected to travel to Deeside or Holywell then build new clinic or land adjoining hospital and let Flint have both facilities.

Empty Promises. This is Hobson's choice. We cannot lose our hospital beds - FLHB plan - short term gains for long term disaster

New facilities without closure of hospital

As a growing town with future housing increases to over a 1000 more, doctors and services required but not at the expense of

I am against closing the hospital

We want the hospital left open



Flint Community hospital has always been available and a necessary and much needed part of the community. I would like the hospital kept open

The review identified the need for 10 intermediate beds and 10 nurse led beds. Then this LHB adjudged that the intermediate care beds could be catered for in the community and that nurse led beds could not. So the intermediate care beds are still required wherever they are cared for. The figures given for the running cost for Flint Hospital works out at £950,000 This is approximately £50,000 per bed per year for 19 beds. On a best value criteria not many (if any) hospitals can compete with this for value as for the 30 bed criteria this makes financial mockery of the minimum bed numbers and compares to the other local community hospitals. The review and consultation had only one result and that was the closing of Flint Community Hospital prior to it taking place. Regardless of the Wanless and other reports. As holywell hospital was decided upon over 10 years ago and not over the past 4 years (of these reports) no public consultations, glossy brochures. The only time a consultation has taken place is when facilities are being taken away from this community. The CHC should reject the closure of Flint Community Hospital to allow the Welsh Assembly to make the decision as the I would like the hospital kept open

I would like the hospital to stay open

My main concern is that no-one is listening to the people of Flint - We are educated people and do not like to be thought of as stupid. The care in the community is certainly not working. As some point in our lives we will need a stay at Flint Cottage Hospital. I attended a meeting a few years ago and we were told that the services in Flint hospital would be improved by installing X ray equipment - this has not been done. A lot of money has been spent already refurbishing this little hospital is in very good condition. After 10 years in office, I read in the paper today that now the government will now start to focus on Patient Services!! What more can I say? Where has all the We need beds in Flint for the local people

I would like to keep the hospital in Flint

People wish to die in their own community hospital

I would like to keep the hospital in Flint

I prefer to keep things as they are

Should not have to travel outside Flint for a bed. Flint hospital is full (contrary to what LHB says)

I would like the hospital beds kept open

The population of Flint has a lot of elderly people and we need to keep the beds.

Older people have problems with transport and would not be able to travel as public transport is not very good.

Flint community needs the hospital beds.

Leave the hospital open and expand the services.

I want to keep hospital beds in Flint so that people can see and visit their friends and family

By closing the hospital it is leaving residents of Flint without the care some require.  
 Putting the health centre in the middle of Flint is not a good idea as it will be vandalised.  
 Beds are needed in Flint  
 A new hospital I would agree to.  
 Flint needs its own hospital facilities  
 Keep beds in Flint  
 I would like the hospital turned into a hospice  
 Terminally ill patients need to be in a hospital near their families.  
 I would like FLHB to go back to the drawing board and come up with a new proposal to satisfy all the people of Flint and the surrounding area. I see no reason why you cannot provide a brand new Community Hospital for the town with all the latest facilities (much on the lines of Mold, Deeside and eventually Holywell) According to the press reports, the government has allotted extra money to the Welsh Assembly for National Health services. So why cannot some of this money be spent on providing Flint with a new Community Hospital. The present cottage hospital (as it is locally known) once had an operating theatre and other facilities and a nurses' home, but over the years they were removed. Unlike your Chief Executive, I believe that a town the size of Flint should have on the doorstep, health Beds should be kept local for friends and family to visit and also public transport is a big problem.  
 As Flint is growing even bigger in population it is vital that we do have more services for the health of our community plus we do need the The resource centre must be in the centre of Flint for older people who cannot walk to the cottage hospital  
 I have 4 children and each has been a minor patient in Flint hospital. Both my wife and I have also been patients there.  
 They had to shut Glan Clwyd because of no beds, Flint would have been an alternative.  
 I thought we lived in a democracy. None of the residents of Flint I have spoken to wants to lose the beds in Flint hospital only the LHB are in favour. What about the transport to these other hospitals? Buses don't go direct to Mold and local charity transport is overstrtdched.  
 Now no provision has been made for people who don't have cars . Build a new by all means but keep beds in Flint. The new facility needs to be modified to include beds. At the meeting in St Asaph regarding the main hospitals we were told that more treatment would I think it is disgraceful that you think that Flint does not deserve a hospital when it is the largest town in the county and yet you are spending millions of pounds in Holywell.

1. With the advent of the Oakenholt building Flint will become a large centre of population, retention of a hospital is a must.2. The allocation of beds to the various hospitals is a variable so it is possible to have the members of a family hospitalised in different localities.
3. Visiting relatives could be a major problem a) are the hospitals on a bus route b) frequency of bus services especially on weekends c) We have all turned to Flint hospital at one time or another and are very grateful to them. We need it to stay open and keep the beds

Transportation to the alternative hospitals is practically non-existent and current charitable/voluntary organisations cannot provide for any extra transport. Currently the funds for the proposals have not been allocated and will only be requested after Flint hospital has gone. Once again a cart before a horse situation. If funding is not available after our hospital has ceased, it will be too late to reinstate it. There is no guarantee funds will ever be available. This is all pie in the sky.

Flint is a growing town and needs the beds. 24 hour care will be taken away if Flint Community hospital closes. The consultation provided by the LHB in my view was not a consultation because they have proposed the choices for the residents of Flint. I wish strongly for beds to be kept in the community.

We welcome new services but not at the cost of loss of hospital beds and hospital

We welcome new and improved services in Flint but not at the loss of beds or the hospital. Doctors would have a nice new premise at the cost of NHS, but they have their own budget.

I agree with the improvement of GP surgeries in Flint but we still need inpatient beds.

Flint does need an improved service but inpatient beds should be retained in Flint. As the town gets larger, the elderly population are the main users of beds and demand will increase.

Do not close Flint Community Hospital

It is a disgrace the people of Flint will be losing their hospital if the proposals are accepted.

Have you thought how people are going to get to other hospitals who have no transport and also the patients won't get the care that they As th population of Flint is likely to increase with the building of 900 new houses in Oakenholt, we need more hospital space not less.

For the size of Flint beds are desperately needed in Flint.

The people of Flint need bed space in their local hospital i.e. Flint Cottage Hospital.

This town needs its own hospital beds in the town.

Flint needs beds in a community hospital in its own town. The residents of the town deserve this.

We need a medical centre in the centre of Flint but we also need the hospital with twenty plus beds.

Question 1: The consultation document outlines a new model of care for Flint which includes more support and treatment in the community and more access to specialist skills when you need them - do you agree with this new model?	Question 2: Do you think that the changes proposed in the consultation document will provide Flint residents with the healthcare services they need?	Question 3: Which of the proposals set out in the consultation document do you most support?	Question 4: In order to modernise health services in Flint, it will be necessary to close Flint Community Hospital and provide 10 Nurse led beds in other community hospitals in Flintshire (Mold, Deeside or Holywell). Do you think that this is acceptable?
No, not at all	No, not at all	Neither	No
No, not at all	No, not at all	Neither	No
No, not at all	No, not at all	Neither	No
-	-	Neither	No
No, not at all	No, not at all	Neither	No
-	Yes with some changes	Neither	No
Yes with some changes	No, not at all	-	No
Yes with some changes	No, not at all	Neither	No

-	Yes with some changes	No, not at all	-	-
	Yes with some changes	Not sure/don't know	Neither	No
	Yes with some changes	Yes with some changes	Neither	No
	Yes with some changes	Yes with some changes	Neither	No
	Yes, completely	Yes with some changes	Neither	No
		Yes with some changes	Proposal 2	Yes
	No, not at all	No, not at all	Neither	No
	No, not at all	No, not at all	Neither	No
	No, not at all	No, not at all	Neither	No

Question	Question 7: Which of the following categories do you fit into?
<p><b>6: Please indicate your age group:</b></p> <p><b>Question 5: Do you have any comments you would like to make?</b>  Thank goodness someone is listening to the people of Flint. The consultation is a sham and should have been withdrawn. Someone should be accountable for the public money that has been wasted on this exercise.</p> <p>Flint Hospital and its beds provide vital services to the residents of the town and its surrounding area. It is a disgrace that the LHB are even thinking of removing such vital services. These services should be retained, enhanced and developed not taken. It is essential that the beds are kept at the Community Hospital.</p> <p>It is not necessary to close Flint hospital. It is expeditious for the Local Health Board to close it so they can reduce the North East Wales trusts deficit.</p> <p>With regard to question 1 - I support the need for improved Primary Care in Flint but feel strongly that NHS beds should not be removed from Flint.</p> <p>Flint should have a hospital with beds for the needs of people in Flint. New facilities are needed for doctors and clinic but not at the expense of the beds and our hospital. I feel people will have to pay for their aftercare, therefore it will not comply with the NHS rules. The nursing home investors are the only winners in your proposals not the people of Flint.</p> <p>It is not necessary to close Flint Community Hospital or lose the hospital beds to improve G.P. services. We need a primary health centre but we also need a hospital with beds.</p>	<p>26 to 45</p> <p>46 to 64</p> <p>46 to 64</p> <p>46 to 64</p> <p>-</p> <p>26 to 45</p> <p>46 to 64</p> <p>up to 25</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Local Resident</p> <p>Relative or Carer of patient : Local Resident</p>

There is no doubt that facilities need investment and improvement but why is this at the expense of the Hospital and its beds. The two things should not have been linked. We want new facilities but we also want to keep, improve and develop our hospital.

Keep the hospital open.

I think beds are needed in Flint

Community needs their hospital

-

-

With the largest housing development ever undertaken in Flintshire shortly to commence at Oakenholt has this been taken into account?

-

-	Local Resident
26 to 45	other
46 to 64	NHS member of staff
46 to 64	other
46 to 64	Local Resident
over 65	Local Resident
46 to 64	Local Resident
46 to 64	Local Resident
	Relative or Carer of patient : Local Resident
over 65	Resident

I find it totally unacceptable that residents of the size of Flint are expected to travel to receive medical treatment or convalescence. There is a total lack of consideration for patients as well as families who provide support and comfort. I have heard

Mr William Powell AM  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Your Ref/Eich Cyf P-03-085  
Our Ref/Ein Cyf R/DH/AD  
Date/Dyddiad 22 December 2011  
Ask for/Gofynner am Dave Heggarty  
Direct Dial/Rhif Union 01352 703203  
Fax/Ffacs 01352 704550

Dear Mr. Powell,

### **P-03-085 Surgeries in Flintshire**

Thank you for your letter of 23 November 2011, regarding surgeries in Flintshire.

Flintshire County Council (FCC) is leading a partnership approach to the redevelopment of Flint Town Centre. FCC has commissioned DTZ to prepare a masterplan for the town on behalf of the Town Partnership.

This masterplan is still at an early stage of development and is making excellent progress. Extensive consultation has taken place so far and the strategic framework for the town has been agreed. More detailed work on the options for the town is now underway. The masterplan is due to be completed in February 2012.

The masterplan is considering a wide range of possible land uses for the town; including housing, retail, public space, parking, public service facilities and primary health care facilities. DTZ have the task of producing a range of options incorporating these uses and of extensively testing the preferred option for deliverability. It is, at this stage, too early to predict what mix of uses for the town will be deliverable and when they might be delivered.

FCC is already in discussion with Betsi Cadwallader University Health Board regarding future primary care provision in Flint and would welcome Welsh Government support for the process.

Thank you again for your interest in the regeneration of Flint.

Yours sincerely



Dave Heggarty  
Head of Regeneration

**Carl Longland**  
Director of Environment  
Cyfarwyddwr yr Amgylchedd

Environment Directorate  
Cyfarwyddiaeth yr Amgylchedd



Tudalen 253

County Hall, Mold. CH7 6NF  
Tel: 01352 703203 Fax: 01352 756444  
[www.flintshire.gov.uk](http://www.flintshire.gov.uk)  
Neuadd y Sir, Yr Wyddgrug. CH7 6NF  
Ffôn: 01352 703203 Ffacs: 01352 756444  
[www.siryfflint.gov.uk](http://www.siryfflint.gov.uk)

The Council welcomes correspondence in Welsh or English  
Mae'r Cyngor yn croesawu gohebiaeth yn y Gymraeg neu'r Saesneg



Dear Rhodri,

With reference to the above Petition, please note Mark's e-mail below to the Betsi Cadwaladr University Health Board for your information and further consideration in the Committee's review.

Kind regards

Jessica

---

Dear Mr. Lang,

After having received correspondence from William Powell, Chair of the Petitions Committee for the National Assembly for Wales regarding the petition P-03-85 Surgeries in Flintshire, which raised concerns of GP Practices difficulties in offering enough appointments to patients and the need to move to larger premises, I referred the matter to the Betsi Community Health Council who advised that "discussions between the Laurels Surgery and the Betsi Cadwaladr University Health Board have been on-going...".

They stated that "the Betsi Cadwaladr Community Health Council is currently awaiting an update from the health board on the overall situation regarding any development of the practices...".

I have since met with The Laurels Surgery, one of the Practices affected and have been advised of the following:

- There are 3 Flint GP Surgeries within 80 miles of each other.
- A survey undertaken 4/5 years ago found that the Cottage Hospital was not big enough.
- I understand that the Health Board said that GP Surgeries and the Cottage Hospital were not linked, but this was contested on the basis of evidence by local politicians. For example, the three GP Practices have beds in the Cottage Hospital.
- There are potential new housing developments, but GP Practices are being told that there is no money available to them but that they must keep their lists open.
- I am informed that the initial problem is that when housing developments are approved, there is no discussion of the infrastructure needed. We must start linking the two together.
- It is becoming clinically unsafe in some GP surgeries. Welsh Government statistics in September 2010 reported 1,838 average patients per full time equivalent GP, but they currently have 2,060 – and that is only because they took on a new GP last year. A GP Practice in Shotton is on nearly 2,200.
- They are bursting at the seams and lots of Practices are in the same situation.
- The Laurels Surgery would like to be a training Practice but that would require a dedicated room, which they don't have. They are therefore not able to help young Doctors coming through.
- Closure of minor injury units is affecting GP Practices – they don't have the capacity or the equipment but are taking the flack.
- There has been no on-going discussion with Betsi Cadwaladr University Health Board for years other than over the portakabin outside.

I would therefore be grateful if you could give this matter your attention, clarify the current situation and confirm the Health Board's intended course of action.

Yours sincerely

Mark Isherwood AM

---

Dear Mr. Lang,

Further to my previous e-mail below to you, please note that the first bullet point should state that:

- There are 3 Flint GP Surgeries within 80 yards of each other.

And not 80 miles.

Yours sincerely

Mark Isherwood AM



**GIG**  
CYMRU  
**NHS**  
WALES

Bwrdd Iechyd Prifysgol  
Betsi Cadwaladr  
University Health Board

Mr W Powell AM  
Chair, Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

**Ein cyf / Our ref:** GL/LH/6878/980

**Eich cyf / Your ref:**

**☎:** 01248 384910

**Gofynnwch am / Ask for:** Geoff Lang

**Ffacs / Fax:** 01248 384937

**E-bost / Email:** geoff.lang@wales.nhs.uk

**Dyddiad / Date:** 29 March 2012

Dear Mr Powell

**Peititon: Surgeries in Flintshire**

Thank you for your letter dated February 2012.

The Health Board is presently engaged in a number of Locality Stakeholder events to discuss the development of Primary and Community Services.

One such locality is that which includes Flint and Holywell. We have held one meeting and will be holding another in April and a third in May. The purpose of these meetings is to address some of the current and future challenges in local areas. I would envisage this discussion covering the need for a Primary Care Centre in Flint to identify options as to the way forward. Local GP Practices and other stakeholders are engaged in this work.

Recommendations regarding change will be brought to the Health Board in June.

I trust that this provides an appropriate update on this issue.

Yours sincerely

**GEOFF LANG**  
**ACTING CHIEF EXECUTIVE**

# Eitem 7.18

## **P-04-342 Nyrsys MS**

### **Geiriad y Ddeiseb**

Rydym ni sydd wedi llofnodi isod yn credu bod nyrsys sglerosis ymledol (MS) arbenigol yn darparu gwasanaeth hanfodol i bobl sydd â MS a'u teuluoedd, ac y dylid eu diogelu rhag toriadau mewn perthynas â'r byrddau iechyd. Felly, rydym yn galw ar Lywodraeth Cymru i sicrhau nad yw nifer y nyrsys MS arbenigol yn cael ei leihau yn ystod y Pedwerydd Cynulliad, a bod y buddsoddi yn dal i ddarparu un nyrs fesul 300 o bobl sydd â MS.

**Cynigwyd gan:** Joseph Carter

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** Mis Tachwedd 2011

**Nifer y llofnodion:** 2,163



**Multiple Sclerosis Society**  
Cymru

**MS Society Cymru**

Cwrt y Deml/Temple Court  
Heol y Gadeirlan/Cathedral Road  
Caerdydd/Cardiff CF11 9HA

Ffôn/Phone 029 2078 6676

Ffacs/Fax 029 2078 6677

[mscymru@mssociety.org.uk](mailto:mscymru@mssociety.org.uk)

[www.mssociety.org.uk/wales](http://www.mssociety.org.uk/wales)

Llinell Gymorth/Helpline 0808 800 8000

Abigail Phillips  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CARDIFF  
CF99 1NA

05 April 2012

Dear Ms Phillips

### **Protecting MS Specialist Nurse posts - P-04-342**

Thank you for the letter from William Powell AM dated 22 March 2012 and the copy of the letter from the Minister for Health and Social Services.

We are satisfied by the assurances made by the Minister in this letter that there are no specific "proposals to reduce the current number of dedicated MS nurses."

We believe that the interventions by the Petition Committee have helped to raise the profile of the role of specialist nurses in Wales and that this has helped the long term security of these positions.

The letters that the committee have sent to the Health Boards and to the Minister have resulted in written reassurances that were previously not available. We still have concerns about the shortage of specialist nurses in North Wales and the long term security of posts in West Wales, but at this stage we would be content for the committee to close the petition.

Thank you considering our petition and investigating our concerns.

Yours sincerely,

Joseph Carter  
POLICY, PRESS AND CAMPAIGNS MANAGER  
RHEOLWR POLISI, YR WASG AC YMGYRCHOEDD  
MS Society Cymru

Email/ Epost: [jcarter@mssociety.org.uk](mailto:jcarter@mssociety.org.uk)

Ffon/Tel: 029 2078 6676

Prif Weithredydd/Chief Executive **Simon Gillespie**

Cadeirydd/Chairman **Tony Kennan CBE**

Noddwr/Patron **Professor, The Baroness Finlay of Llandaff**

Sylfaenydd/Founder **Sir Richard Cave KCVO CB DL**



Tudalen 258

Mae Multiple Sclerosis Society yn elusen gofrestrdedig 1139257/ SC041990  
a chwmni cyfyngedig dan warrant yn Lloegr a Chymru 07451571  
Multiple Sclerosis Society Registered charity nos. 1139257 / SC041990  
Registered as a limited company in England and Wales 07451571

# Eitem 7.19

## **P-04-362 Gwasanaethau Ambiwllans ym Mynwy**

### **Geiriad y ddeiseb:**

Rydym ni o'r farn y dylai Mynwy gael y ddarpariaeth ambiwlans briodol. Gan fod disgwyl i boblogaeth Mynwy gynyddu, a bod Uned Mân Anafiadau Monnow Vale wedi cau'n ddiweddar, bydd rhagor o alw ar y gwasanaeth ambiwlans.

### **Cynulliad Cenedlaethol Cymru:**

Rydym yn gofyn i Bwyllgor Iechyd a Gofal Cymdeithasol y Cynulliad Cenedlaethol gynnal ymchwiliad i'r gwasanaeth ambiwlans yng nghefn gwlad Cymru. Byddem yn annog y Pwyllgor i ymchwilio i'r problemau penodol sy'n bodoli ym Mynwy a pha effaith gafodd cau'r Uned Mân Anafiadau yn Monnow Vale ar y gwasanaeth ambiwlans.

### **Llywodraeth Cymru:**

Rydym yn annog y Gweinidog Iechyd a Gwasanaethau Cymdeithasol i ddefnyddio'i phwerau i'w gwneud yn ofynnol i Ymddiriedolaeth GIG Gwasanaethau Ambiwllans Cymru ddarparu gwasanaeth ambiwlans o safon uchel ledled Cymru ac yn enwedig mewn ardaloedd gwledig fel Mynwy.

### **Ymddiriedolaeth GIG Gwasanaethau Ambiwllans Cymru:**

Rydym yn galw ar Ymddiriedolaeth GIG Gwasanaethau Ambiwllans Cymru i wella'r ddarpariaeth ym Mynwy mewn termau real, gydag uned dibyniaeth fawr a/neu ambiwlans yn nhref Mynwy.

**Prif ddeisebydd:** Mathew Davies

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 7 Chwefror 2012

**Nifer y deisebwyr:** Casglwyd tua 450 o lofnodion.



**Y Pwyllgor Cyfrifon Cyhoeddus  
Public Accounts Committee**

William Powell  
Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

28 February 2012

Dear *William,*

**Petition: P-04-362 Ambulance Services in Monmouth**

Thank you for your recent correspondence of 21 February regarding the above. The Public Accounts Committee currently has no specific plans to undertake a further review of ambulance services.

However, as you may be aware, the third Assembly Audit Committee's review of ambulance services featured reports provided by the Wales Audit Office, such as:

- 'Ambulance Services in Wales - further update to the National Assembly for Wales' Audit Committee;' and
- 'Unscheduled Care - patient handovers at hospital emergency departments'

Following your correspondence, I have asked the Auditor General to advise me whether he plans to do follow-up work on these investigations, or whether he would consider doing associated work as part of his forward work programme.

Yours sincerely

**Darren Millar AM**  
Chair of the Public Accounts Committee

**Y Pwyllgor Iechyd a Gofal Cymdeithasol**  
**Health and Social Care Committee**

Cynulliad  
Cenedlaethol  
Cymru  
National  
Assembly for  
Wales



**William Powell AC AM**  
Chair, Petitions Committee  
Cadeirydd, Pwyllgor Deisebau

29 February 2012

Dear William,

**Health and Social Care Committee – Petition P-04-362 Ambulance Services in Monmouth**

Thank you for your letter regarding the petition on ambulance services in Monmouth.

The Committee considered your letter at its meeting this morning. The Committee noted that you have written to the Minister for Health and Social Services and the Welsh Ambulance NHS Trust to seek their views on this petition. The Committee agreed that, in order to avoid any duplication of effort, it would await responses to your respective letters before considering any further work on this matter.

I would be grateful if you could share the responses with me once they are received.

Yours sincerely,

*Mark Drakeford*

**Mark Drakeford AC AM**  
Cadeirydd - Chair

Bae Caerdydd  
Cardiff Bay  
CF99 1NA

Ffôn /Tel: 029 2089 8403  
E-bost /Email: [HSCCommittee@wales.gov.uk](mailto:HSCCommittee@wales.gov.uk)



Lesley Griffiths AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-362  
Ein cyf/Our ref LG/05872/12

William Powell AM  
Chair Petition's Committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

March 2012

Dear Bill

Thank you for your letter of 21 February in regard to petition: P-04-362 Ambulance Services in Monmouth.

The Welsh Government and NHS Wales are committed to delivering safe, efficient and effective focused emergency care services, and this is applicable to rural parts of Wales as well as more urban and sparsely populated regions.

Whilst I acknowledge the petition's focus on the provision of appropriate ambulance services in Monmouthshire, and rural Wales, it should be recognised response times have improved significantly over recent times. The Monmouthshire locality has achieved well in excess of the 60% equity standard for 8 minute response times for Category A calls during 11 of the past 12 months. The standard was not met during December when demand on ambulance services escalated to record levels.

We are working closely with the Welsh Ambulance Services NHS Trust and Health Boards to sustain and improve on response time performance in rural areas and across Wales. However, I feel the statement made in the petition about a high standard of ambulance provision, "...especially in rural areas such as Monmouthshire" is inappropriate. The Welsh Government and NHS Wales' objective is to provide a high quality, timely and clinically appropriate ambulance response to patients who require a response, irrespective of their location.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.lesley.Griffiths@wales.gsi.gov.uk  
Printed on 100% recycled paper

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

Turning to the closure of the Minor Injuries Unit at Monnow Vale, this decision and others about how and where services are provided in Gwent localities are the responsibility of Aneurin Bevan Health Board. However, it is important we accept services cannot be frozen in time and importantly services are not about buildings, they are about care. To ensure patients receive the best services, we need to constantly remind ourselves who these services are for and what is in their best interests and the Welsh Government is committed to working closely with communities to work these issues through.

Finally, the petition urges the Welsh Ambulance Services NHS Trust to "...increase provision of ambulance services...with a high dependency unit and / or ambulance based within Monmouth town". The delivery of ambulance services is the responsibility of the Welsh Ambulance Services NHS Trust from within its discretionary allowance and I understand the Trust has provided a response to this request.

Thank you for seeking my views on this petition.

Regards  
Lesley

**Lesley Griffiths AC / AM**

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

**Pwyllgor Cyfrifon Cyhoeddus  
Public Accounts Committee**

William Powell AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

8 March 2012

**Petition on the provision of ambulance services in Monmouthshire**

Dear Bill

I have recently received correspondence from the Auditor General for Wales in response to my letter of 27 February which asked whether he would be conducting any follow-up work on investigations into '*Ambulance Services in Wales*' and '*Unscheduled Care - patient handovers at hospital emergency departments*'.

The Auditor General has advised us that he is currently undertaking an inquiry into unscheduled care services, which involves gauging the process that health boards and the Welsh Ambulance Trust are making against recommendations made in his report '*Unscheduled Care: A Whole Systems Approach*'.

I attach the Auditor General's correspondence for your consideration.

I should be grateful if you could keep me informed of the outcome of any consideration of this issue by your Committee.

Yours sincerely



**Darren Millar AM  
Chair of the Public Accounts Committee**



Date: 7 March 2012  
Our ref: HVT/1574/fgb  
Page: 1 of 1

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Mr Darren Millar AM  
Chair of the Public Accounts Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff CF99 1NA

Dear Darren

## **FOLLOW UP WORK ON AMBULANCE SERVICES AND UNSCHEDULED CARE**

Thank you for your letter of 28 February 2012 relating to the petition on the provision of ambulance services in Monmouthshire.

Your query is a timely one as I am actually undertaking follow up work on unscheduled care services at present. The work involves gauging the progress that health boards and the Welsh Ambulance Trust are making against recommendations identified in my previous report "*Unscheduled Care: A Whole Systems Approach*". The work is being taken forward through local audit plans and includes examination of patient handovers at emergency departments.

The findings will initially be reported to each of the individual NHS bodies concerned but I fully expect to prepare a national summary from this work later in the year, as indicated in my recent briefing to the Committee on my programme of value for money studies.

I trust that this is helpful.

Yours sincerely

**HUW VAUGHAN THOMAS**  
AUDITOR GENERAL FOR WALES



WALES AUDIT OFFICE  
SWYDDFA ARCHWILLO CYMRU

Wales Audit Office / Swyddfa Archwilio Cymru

24 Cathedral Road / Heol y Gadeiriain  
Cardiff / Caerdydd

CF11 9LJ

Date: 7 March 2012  
Our ref: HVT/1574/fgb

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Page: 1 of 1

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[www.wao.gov.uk](http://www.wao.gov.uk)

Mr Darren Millar AM  
Chair of the Public Accounts Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff CF99 1NA

Dear Darren

### **FOLLOW UP WORK ON AMBULANCE SERVICES AND UNSCHEDULED CARE**

Thank you for your letter of 28 February 2012 relating to the petition on the provision of ambulance services in Monmouthshire.

Your query is a timely one as I am actually undertaking follow up work on unscheduled care services at present. The work involves gauging the progress that health boards and the Welsh Ambulance Trust are making against recommendations identified in my previous report "*Unscheduled Care: A Whole Systems Approach*". The work is being taken forward through local audit plans and includes examination of patient handovers at emergency departments.

The findings will initially be reported to each of the individual NHS bodies concerned but I fully expect to prepare a national summary from this work later in the year, as indicated in my recent briefing to the Committee on my programme of value for money studies.

I trust that this is helpful.

Yours sincerely

**HUW VAUGHAN THOMAS**  
AUDITOR GENERAL FOR WALES

Direct Line: 029 2032 0510

Tudalen 266 mail: [huw.vaughan.thomas@wao.gov.uk](mailto:huw.vaughan.thomas@wao.gov.uk)





Pencadlys yr Ymddiriedolaeth, Ysbyty H M Stanley, Llanelwy, Sir Ddinbych LL17 0RS  
Trust Headquarters, H M Stanley Hospital, St Asaph, Denbighshire LL17 0RS  
Tel/Ffôn 01745 532900 Fax/Ffacs 01745 532901  
[www.ambulance.wales.nhs.uk](http://www.ambulance.wales.nhs.uk)

Our Ref: EPM/rc  
Your Ref:

20<sup>th</sup> April 2012

Please reply to: Rose Cook  
PA to the Chairman & Chief Executive  
Direct Line: 01745 532944  
WHTN: 1713 3944

Mr W. Powell  
Committee Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear Mr Powell,

**Petition: P 04-362 Ambulance Services in Monmouth**

Thank you for the opportunity to discuss the petition request. Please accept my apologies for only now formally writing, this was due to an administrative oversight on my behalf.

I am therefore responding to your letter dated February 2012 regarding the petition the Committee considered at its meeting on 7 February 2012. Before I address the issues raised within the petition, I would like to make it clear that the Welsh Ambulance Services NHS Trust (the Trust) is committed to continually improving the quality and safety of the services we deliver and takes this matter very seriously indeed.

Turning to the petition, the petition requests that the National Assembly for Wales undertakes a scrutiny review into the ambulance service in rural areas, with a specific focus on Monmouth and the issues that have arisen as a result of the closure of the Monnow Vale Minor Injuries Unit; that the Minister for Health, Social Services and Children requires the Trust to provide a service of uniform standard across all rural areas; and that the Trust increases the levels of service provision in Monmouth.

I have examined each of these requests and believe that they have already been addressed through various means. First, the Welsh Government has set out clear national standards relating to the response time performance with the Trust required to achieve a national average of 65% of Category A calls to be responded to within 8 minutes and 60% within each Local Health

Board area. In respect of this, the ambulance service performance within Monmouth for the previous twelve months is set out below.

Month	Monmouthshire Cat A 8 minute performance
Jan-11	51.43%
Feb-11	62.85%
Mar-11	63.20%
Apr-11	64.71%
May-11	65.73%
Jun-11	63.12%
Jul-11	65.80%
Aug-11	65.22%
Sep-11	63.01%
Oct-11	66.28%
Nov-11	69.90%
Dec-11	54.42%
Jan-12	68.37%
Feb-12	62.54%

Second, the Welsh Government and Local Health Boards and Trusts have also undertaken a significant amount of work to understand the challenges relating to the provision of high-quality and equitable services within rural areas across Wales. This culminated in the production of the Rural Health Plan in 2009 which the Trust is currently implementing. Third, the challenges of providing services to Monmouth are well understood by the Trust through the work it has undertaken and have been highlighted within a recent Coroners report relating to a serious adverse incident which occurred in January 2011 and is the incident which gave rise to this petition. The Coroner subsequently issued a rule 43 to the WAST, Aneurin Bevan Local Health Board and Welsh Government which we have recently responded to.

I therefore feel that the collective efforts of the Trust, Aneurin Bevan Local Health Board and the Welsh Government will be better spent working together with the Monmouth community to identify and implement the actions required to achieve the levels of service required in a consistent and sustainable way.

In light of this, one of my Executive Directors and the Operational Director for South East Wales attended a public meeting held in Monmouth on 11 January at which these issues were discussed at great length. In response, the Trust has identified a range of actions which should further improve the provision of services within Monmouth. These include:-

- The ring-fencing a Rapid Response Vehicle (RRV) resource for the Monmouth area by removing it from the deployment plan (completed);
- A review of the deployment plans to reduce the travelling times for ambulance resources in the Monmouth area and the number of occasions resources are called out of area (completed);

- The provision of additional High Dependency Services vehicles and crews in Monmouth to manage lower acuity patients allowing the RRV to focus on Cat A calls (completed and in operation since 19 February 2012);
- Further work with the local Town Council to continue to develop the Community First Responder Scheme (CFRS) and Public Access Defibrillator Scheme (PADs) within the community e.g. the local supermarket; (A new First Responder Team scheme is in place in Abergavenny and further work is being undertaken to identify more Community First Responder and PADS schemes);
- Further work with Aneurin Bevan LHB to reduce patient handover delays (this is ongoing);
- Further work with Aneurin Bevan Local Health Board to develop additional clinical skills and pathways of care other than A & E. The Trust, Aneurin Bevan and Cardiff and Vale Local Health Boards have introduced a Multi-Disciplinary Team of nurses, paramedics and GPs into the control centre to support paramedics in providing more care at home/on-scene and directing more patients to appropriate care pathways (implemented October 2011); and
- The Trust will continue to meet with Monmouth Town Council and the community and provide them with regular progress reports.

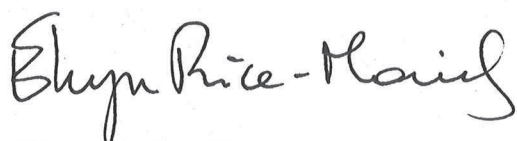
These actions were shared with the community at the public meeting on 11 January, Monmouth Town Council on 27 February and included within the Trust's response to the Coroner on 30 January 2012.

The majority of actions identified are generic ones which are also being taken forward across the whole of Wales, with a particular focus in rural areas which offer a very different challenge. In addition to this, the Trust is continuing to implement its strategy 'Working Together for Success' which will see more patients provided with treatment over the phone or on scene by skilled paramedics and nurse, and directed to pathways of care other than A & E departments. This will support the Trust in reducing the number of ambulance deployed unnecessarily and ensure that more resources are available for life-threatening calls across Wales.

I hope that the information contained above provides you with the assurance that the Trust takes this matter extremely seriously and is doing all it can to improve and sustain the quality of services across the whole of Wales. As stated previously, I believe that the challenge is well understood and that our time is best spent taking action to improve services rather than undertaking further reviews.

Please do not hesitate to contact me if you wish to discuss anything further.

Yours sincerely



**Elwyn Price-Morris**  
CHIEF EXECUTIVE



## **P-04-367 Achub ein Gwasanaethau Ysbyty**

### **Geiriad y ddeiseb:**

- Rydym ni, y rhai sydd wedi llofnodi isod, am weld ein HOLL wasanaethau iechyd lleol yn cael eu cynnal a'u diogelu yn Ysbyty'r Tywysog Phillip.
- Rydym yn gwrthwynebu'r bwriad i israddio'n hysbyty.
- Gofynnwn i'r Gweinidog Iechyd a Llywodraeth Lafur Cymru adolygu'u cynlluniau fel mater o frys.

**Prif ddeisebydd:** Rhydwyn Ifan

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 28 Chwefror 2012

**Nifer y deisebwyr:** Tua 9,000 o lofnodion

Lesley Griffiths AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref LG/06034/12

William Powell AM  
Chair Petition's Committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

11<sup>th</sup>

March 2012

Dear Bill,

**Petition P-04-367 Save our Hospital Services**

Thank you for your letter of 27 February regarding the Save Our Hospital Services petition and Prince Philip Hospital. I want to reassure you neither I, nor Hywel Dda Local Health Board, have any plans to downgrade or close any district general hospitals, Prince Philip included.

In regular meetings with the Chair of Hywel Dda Health Board, I have been reassured plans are very much focused on upgrading, rather than downgrading services across Hywel Dda including Prince Phillip.

The Health Board tells me there are no plans for significant change to Prince Philip and I am pleased to hear there are options currently being considered to enhance the role of the Breast Care Unit and Elective Orthopaedic services and to provide a new Specialised Rehab Centre of Excellence.

Hywel Dda Health Board is in the process of engaging with staff and the local population to produce proposals for service change, which will be put forward in the next few months for thorough public consultation

I have made it clear the status quo is not an option for the Health Service in Wales. As the Wanless Report of 2003 said and the Bevan Commission reiterated recently, the NHS has to change to ensure future services are safe, sustainable and of the best quality.

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CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.lesley.Griffiths@wales.gsi.gov.uk  
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Wedi'i argraffu ar bapur wedi'i ailwylchu (100%)

All local Health Boards are currently drafting proposals for the future of services to ensure the Welsh NHS meets a number of challenges, from an ageing population to a UK-wide problem with recruitment.

All plans put forward by Health Boards across Wales will be scrutinised, not only by independent clinicians on the National Clinical Forum, but by the Welsh Government and most importantly, by the public. It is vital people engage with those plans over the coming months.

Regards  
Lesley

**Lesley Griffiths AC / AM**

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

# Eitem 7.21

## **P-04-368 Annog gweithgarwch corfforol ac iechyd mewn colegau Addysg Bellach**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i hyrwyddo gweithgarwch corfforol ac iechyd mewn colegau Addysg Bellach.

**Prif ddeisebydd:** Alun Jones

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 28 Chwefror 2012

**Nifer y deisebwyr:** 23

**Gwybodaeth ategol:** Gall Gweithgarwch Corfforol fod yn gyfrwng i wella a chynnal nid yn unig priodoleddau corfforol unigolion ond hefyd eu hiechyd a'u lles yn gyffredinol. Rwy'n credu bod angen i Golegau Addysg Bellach osod amcanion a thargedau clir i gynyddu'r nifer sy'n cymryd rhan mewn gweithgarwch corfforol a chwaraeon yn ystod eu hamser hamdden drwy greu rhaglen strwythuredig, gynhwysol a difyr sy'n uno ac yn cynnwys y myfyrwyr ac sy'n addasu l'w hanghenion. Drwy wella iechyd cyffredinol myfyrwyr, gellir gwella nid yn unig perfformiad y coleg, ond perfformiad Cymru gyfan. Mae gennym ddyletswydd nid yn unig i hyrwyddo gweithgarwch corfforol, iechyd a lles, ond hefyd i gymryd camau pendant i gyfrannu at raglenni a fydd yn ysbrydoli'n myfyrwyr i fyw'n iachach ac i gymryd rhan yn amlach mewn gweithgarwch corfforol.

Rwy'n credu bod bwllch eang a gwendid amlwg yn y modd y caiff gweithgarwch corfforol ac iechyd ei hyrwyddo mewn colegau Addysg Bellach. Mae angen strategaeth a chanllawiau clir i golegau eu dilyn. Mae gennym ddyletswydd i geisio hyrwyddo gweithgarwch corfforol ac iechyd ymhlith ein myfyrwyr er mwyn gwella iechyd cyffredinol ein cenedl.

Lesley Griffiths AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-368  
Ein cyf/Our ref LG/06190/12

William Powell AM  
Chair Petition's Committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

  
March 2012

Dear Bill,

Thank you for your letter dated 27 February 2012 to Leighton Andrews AC/AM regarding promoting physical activity and health in Further Education colleges. Your letter has been passed to me as this area of work is part of my portfolio.

The Welsh Government encourages adults and children to increase their participation in physical activity through active lifestyles, play, active recreation and sport. It is envisaged that people should be able access physical activity opportunities in a range of settings, rather than being restricted to leisure centres. Colleges can help promote the importance of leading an active life through both through the curriculum and extra curricular activities offered to students.

We have set a commitment to extend our *Welsh Network of Healthy School Schemes (WNHSS)* into colleges in the *Programme for Government 2011-2016*. My policy officials will be setting up a task and finish group in the summer to begin the initial stages of extending the scheme to Further Education (FE) and High Education (HE) settings.

Regards  
Lesley

Lesley Griffiths AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

English Enquiry Line 0845 010 3300  
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Correspondence.lesley.Griffiths@wales.gsi.gov.uk  
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**The Physical Activity Network for Wales response to consultation on petition received by the National Assembly for Wales entitled: 'We call on the National Assembly for Wales to urge the Welsh Government to promote physical activity and health in Further Education colleges.'**

Whilst we have no particular knowledge or understanding of the present specific physical activity promotion activities of Further Education colleges in Wales, we would always endorse any actions that promoted an increase in physical activity in the Welsh population as a whole and amongst particularly 'inactive' groups in particular. In that regard we know that over 70% of the population do not achieve the necessary recommended levels of physical activity to benefit their health, and teenage girls appear to be a group where levels of physical activity appear to drop significantly.

However, whilst there is undoubtedly a role for Further Education colleges, we have no evidence that they are any better or worse at promoting physical activity than other educational sectors or settings including schools, Higher Education or workplaces. Nonetheless the potential for post-16 education to contribute to improving physical activity is recognised within the Welsh Assembly Government's Physical Activity Action Plan 'Creating an Active Wales' with a specific identified action to "*Develop a 'healthy campus' model for use by further and higher education institutions in order to provide increased physical activity in the post-16 sector*", with a timescale of 2010 – 2015, and we are pleased to see that work has been initiated at a number of colleges within the context of a 'Health College' scheme modelled on the 'Healthy Schools' programme to address this action.

In terms of feasibility, there are a range of actions available to colleges to increase physical activity amongst their student population including:

- Utilising existing sport & exercise facilities outside of the normal curricular timetable.
- Encouraging the development of individual travel plans that promote the use of active travel options.
- The provision of adequate facilities on-site that support walking and cycling. e.g. Covered and lockable cycle storage areas, showers & changing facilities, safe routes to local amenities to/from the college.
- The development of college-based sport and recreation teams with associated events to promote them.

Among the barriers to participation may be:

Lack of facilities or infrastructure.

Perceived lack of time.

Prioritising academic responsibilities.

Alternative attractions during free time. e.g. The bar.

I hope this contributes usefully to the debate.

Sincerely

Malcolm Ward FFPH, MPH, PG Dip.

Principal Health Promotion Specialist & Manager of Public Health Networks

Public Health Wales



## **Response to the National Assembly for Wales Petitions Committee consultation on P-04-368 Promote physical activity and health in Further Education colleges**

**Respondent's name:** Ele Hicks

**Respondent's Role:** Social Policy Officer

**Organisation:** Diverse Cymru

### **Contact details**

Email: [Ele@diverseecymru.org.uk](mailto:Ele@diverseecymru.org.uk)

Phone: 029 20 368888

Address: 3<sup>rd</sup> Floor

Alexandra House

307-315 Cowbridge Road East

Cardiff

CF5 1JD

### **Background**

Diverse Cymru is an innovative new organisation in the Welsh Third Sector, created in recognition of the realities faced by people experiencing inequality in Wales.

Diverse Cymru promotes equality for all. We believe that we can work together to challenge discrimination in all its forms and create an equitable future for the people of Wales.

Diverse Cymru aims to make a real difference to people's lives through delivering services that reduce inequality and increase independence; supporting people to speak for themselves and to connect with decision makers; creating opportunities for participation and development; raising awareness of equality issues; and inspiring people to take action against inequality.



Our current services include direct payments, self directed and independent living support, befriending and advocacy. We produce information resources, run a service user involvement project and co-ordinate volunteer placements. We facilitate forums and groups that work on various issues, from improving disability access to equality impact assessments. We provide consultancy services and deliver a range of training courses on equality related topics.

We are happy for our response to this inquiry to be published and would be pleased to present further oral evidence if this would be of use to the committee.

### **Consultation Questions**

#### **1. Do you feel that the action called for is reasonable and/or feasible?**

We agree that requiring Further Education institutions to take action to actively promote participation in physical activities is reasonable and feasible. Existing promotional materials and activities such as prospectuses, freshers fairs, websites, and information packs for new students could easily be adapted to incorporate further information and promotion of physical activities programmes. Therefore this could be achieved without placing a significant financial or administrative burden on Further Education Institutions.

However we feel that any such promotion must clearly be subject to equality duties and therefore should include addressing both provision and barriers to participation for people from protected characteristic (equalities) groups, in particular for disabled, BME and LGBT people and for women. Further information regarding these barriers and methods of overcoming them is provided in response to question 3.

#### **2. If so, what in your view is the best way of promoting and/or increasing physical activity in further education institutions?**

As mentioned in response to question 1, we feel that integration of physical activity promotion into existing promotion opportunities would be the most effective and least resource intensive method of ensuring consistent and wide-spread promotion of activities.

Additionally tutors and/or lecturers could promote opportunities to learners at the beginning of each academic term.

Any promotion should be mindful of the need to ensure inclusive opportunities and promotion. The petitioner themselves states that further education institutions should have a "*well-structured, inclusive and fun programme that unites, includes & adapts to the needs of the learners.*" In order to be able to unite and include learners there is a need to address equality issues regarding participation in physical activity and the culture of racism, homophobia, disability and gender segregation in sports in

general, which actively excludes individuals rather than includes them. Therefore we believe that all promotion of physical activity within further education should include both anti-discrimination information which promotes the positive contributions that people from different backgrounds and abilities can make through sport, and information on sports and activities that are accessible to disabled people and those that are available to mixed genders.

### **3. What are the barriers to promoting and/or increasing participation in physical activity in further education institutions?**

A large number of sports, particularly the most popular, such as football, rugby and cricket, segregate women and men into separate teams, and in many cases there is no women's team where there is a men's team. This segregation contributes to societal prejudice, such as feelings that women are physically weaker than men and not capable of participating in sport at the same level. It is essential that further education institutions both ensure that there is provision for women's teams alongside men's teams, and also ensure that mixed gender sports are promoted to both genders as equal participants.

Inclusion of trans students should be ensured and promoted, as gender segregation within sports can be a particularly complex area regarding transexual students and whether they qualify for competitions within the men's or women's sports and insurance. At a practice, non-competitive level the gender identity of all trans students should be respected, yet many staff will not be aware of this and therefore require guidance on dealing with these concerns. Regarding competitive entry into sports trainers should be supported to enter sensitive discussions with sports professional bodies, without disclosing personal information about any trans participants.

Regarding BME participation in physical activities it is vital to ensure that cultural and religious considerations, such as ensuring that the timings of activities do not clash with religious observances and that adaptations can be made for cultural requirements, such as women-only swimming sessions.

Regarding disabled people's participation, there are a range of issues, given the vast spectrum of impairments. Some provision should be made for specific disability sports, with links to local or national disability sports organisations such as Disability Sports Wales. Sports such as boccia should be provided where there is a lack of sports that disabled learners can participate in. However consideration should also always be given to adaptations that can be made so that disabled learners can participate alongside their non-disabled peers, in order to achieve inclusion and unity, rather than further separate disabled learners. For example disabled athletes could train alongside non-disabled athletes in track and field sports.

Across the protected (equality) characteristics it is essential to actively challenge all discrimination and prejudice displayed by both participants and spectators. Many groups across the protected characteristics participate in sports far less than others, due to their experiences and/or fear of prejudice and discrimination. This fear is further heightened by cases such as the recent racism cases in football and the tragic suicide of Justin Fashanu due to homophobia and racism in football. Therefore active policies and tackling discrimination and prejudice in physical activity is required in order to ensure that all learners feel included and able to participate without fear of discrimination.

# Eitem 7.22

## **P-04-375 Stopio'r system optio allan ar gyfer rhoi organau**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Lywodraeth Cymru i stopio'r cynigion ar gyfer ei system optio allan ar gyfer rhoi organau. Rwyf o'r farn ei bod yn gwbl anfoesegol fod Llywodraeth Cymru yn ceisio cyflwyno system o optio allan ar gyfer rhoi organau. Ni ddylid cyflwyno'r system hon, yn enwedig os nad yw'n ystyried barn perthnasau. Er fy mod yn gweld yr angen am roi organau er mwyn osgoi marwolaethau diangen, rwyf yn dal o'r farn mai penderfyniad i'r unigolyn ddylai hyn fod ac nid rhywbeth a gaiff ei orfodi arnom gan y wladwriaeth. Dywedodd Dr Morgan, Archesgob Cymru: Mater o rodd, nid mater o ddyletswydd, yw rhoddi organ, does bosib ac rwy'n cytuno'n llwyr gyda'r datganiad. Mae'r system hon yn annheg ac yn treisio hawliau unigolion. Arwyddwch y ddeiseb os ydych o'r un farn ac am stopio'r ddeddfwriaeth hon rhag cael ei phasio.

**Prif ddeisebydd:** Bablin Molik

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 28 Chwefror 2012

**Nifer y deisebwyr:** 71

Lesley Griffiths AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref  
Ein cyf/Our ref LG/06240/12

William Powell AM  
Chair Petition's Committee  
Ty Hywel  
Cardiff Bay  
CF99 1NA

20<sup>th</sup>  
March 2012

Dear Bill,

Thank you for your letter of 12 March regarding Petition: P-04-375 Stop Opt-Out Organ Donation.

The Welsh Government is committed to introducing a soft opt-out system of organ donation which, evidence suggests, could increase the number of organ donations by up to 25 per cent. Last year one person a week on average died in Wales, whilst waiting for a transplant. I realise this is a very emotive issue and this is why it was so important to consult widely on how the arrangements for an opt-out system will work. The One Wales Government held debates across Wales on the issue of organ donation in 2008. The outcomes of these public debates and a formal public consultation in 2009, clearly demonstrated the majority supported a change to the status quo and the introduction of legislation in respect of organ donation. You may also be aware a recent BBC poll showed two thirds of the Welsh public are in favour of a change in the law.

Members will be aware we made it clear in our 2011 Manifesto, we would introduce an Assembly Bill in order to move to a 'soft opt-out' system of donation, backed up by a comprehensive communication programme. A White Paper, published in November, last year focused on how a Bill might be implemented. Nevertheless the consultation on the White Paper offered respondents the opportunity to make any points they wished on the issue. The consultation attracted a large response with 1,234 replies received, of those who offered an opinion, 52% of all respondents (646) supported the proposals and 39% (478) opposed. There are, of course, a number of sensitive issues involved and we are, therefore, considering the responses carefully as the draft Bill is developed, which we intend to publish for consultation before the summer.

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Caerdydd • Cardiff  
CF99 1NA

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.lesley.Griffiths@wales.gsi.gov.uk

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%) Tudalen 282

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I should like to reassure those people who signed the petition a soft opt-out does not mean people's organs will be taken automatically or forcibly. The White Paper explained if someone dies in circumstances which makes them a potential donor, there will be a clear emphasis on the need for families to be involved in the decision making process around donation.

Thank you again for the opportunity to comment on this petition.

Regards  
Lesley

**Lesley Griffiths AC / AM**

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



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## DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

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TEITL	<b>Cynigion ar gyfer deddfwriaeth ynghylch rhoi organau a meinweoedd - cyhoeddi ymatebion i'r ymgynghoriad ac ymchwil ansoddol gysylltiedig</b>
DYDDIAD	<b>18 Ebrill 2012</b>
GAN	<b>Lesley Griffiths AC, Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol</b>

Ar 8 Mawrth 2012 cyhoeddais grynodedb o'r ymatebion i'r ymgynghoriad ar ein Papur Gwyn ar gynigion ar gyfer deddfwriaeth ynghylch rhoi organau a meinweoedd.

Heddiw, rwy'n rhyddhau rhestr o'r 1,234 o ymatebwyr fel Atodiad i'r crynodeb hwnnw a hefyd yn cyhoeddi'r ymatebion a ddaeth i law. Rydym wedi cadw'n ddiennw yr holl ymatebwyr a ofynnodd am hynny ac yn cadw un ymateb yn ôl ar gais yr ymatebydd. <http://new.wales.gov.uk/consultations/healthsocialcare/organ/?skip=1&lang=cy>

Rwyf hefyd yn cyhoeddi'r ymchwil ansoddol a gynhaliwyd gan Beaufort Research Ltd i gefnogi'r ymgynghoriad. Cynhaliodd yr ymchwilwyr chwe grŵp ffocws ledled Cymru, ac yn ogystal â hynny cynhaliwyd saith cyfweiliad manwl er mwyn archwilio'r agweddau tuag at roi organau a chynigion Llywodraeth Cymru ar gyfer y ddeddfwriaeth. Gofynnwyd i'r ymchwilwyr sicrhau bod ystod o oedrannau wedi'u cynnwys o fewn y grwpiau ffocws a hefyd pennwyd cwotâu er mwyn sicrhau cyfranogiad gan gymunedau o Bobl Dduon a Lleiafrifoedd Ethnig. <http://wales.gov.uk/about/aboutresearch/social/latestresearch/organdonation/?skip=1&lang=cy> (Saesneg yn unig)

Rwy'n falch i nodi'r gefnogaeth fras i roi organau ymysg cyfranogwyr y grwpiau ffocws. Yn gyffredinol, roedd yn haws iddynt gyflwyno achos o blaid y cynnig yn hytrach nag yn erbyn y cynnig. Er ein bod yn nodi mai ymchwil ansoddol gyda sampl bach yw hwn, mae'n gyson â'r hyn a wyddom o arolygon barn ehangach.

Ar yr un pryd mae'r ymchwil yn dangos sut mae angen inni godi ymwybyddiaeth o'r broses rhoi organau yn gyffredinol ac hefyd ein cynigion ar gyfer system optio allan. Mae cyfathrebu da'n hanfodol. Rydym wedi ymrwmo i gynnal ymgyrch raddol o ymwybyddiaeth gyhoeddus yn ystod y ddwy flynedd rhwng hynt y ddeddfwriaeth yn y

Cynulliad a gweithredu'r system optio allan yn llawn. Gan gadw hyn mewn cof, rwy'n bwriadu cyhoeddi Bil Drafft ar gyfer ymgynghori ymhellach ar ddull Llywodraeth Cymru o weithredu ym mis Mehefin 2012.

Caiff y datganiad ei gyhoeddi yn ystod y toriad er mwyn rhoi'r wybodaeth ddiweddaraf i aelodau. Os bydd aelodau eisiau i mi wneud datganiad pellach neu ateb cwestiynau ynglŷn â hyn pan fydd y Cynulliad yn dychwelyd, byddwn yn hapus i wneud hynny.



## **P-03-197 Achub y Vulcan**

### **Geiriad y ddeiseb:**

Mae Gwesty'r Vulcan yn Stryd Adam, a adeiladwyd yn 1853, yn un o dafarndai hynaf Caerdydd. Trefnwyd iddo gael ei ddymchwel ym mis Mehefin 2009 i wneud lle i faes parcio aml-lawr a fflatiau. Helpwch ni i wneud i'r datblygwyr gynnwys y Vulcan yn eu dyluniadau a rhoi stop ar y fandaliaeth ddianghenraid hon o ddiwylliant a hanes Caerdydd.

Mae sôn am symud y dafarn i Amgueddfa Sain Ffagan ond ni ddylai'r Vulcan fod mewn amgueddfa; dylai fod lle y bu am 155 blynedd - yng nghanol Caerdydd.

Rydym ni, sydd wedi llofnodi isod, yn credu bod mwy o werth i Gaerdydd o gael Gwesty'r Vulcan yn sefyll nag o'i gael wedi'i ddymchwel, ac mae mwy o werth iddo o'i gael yn sefyll lle y mae nag o'i gael mewn amgueddfa. Rydym yn annog y datblygwyr i barchu diwylliant a hanes Caerdydd a diogelu'r adeilad hanesyddol hwn ar ei safle presennol.

**Cyflwynwyd y ddeiseb gan:** Rachel Thomas

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 2 Mawrth 2009

**Nifer y llofnodion:** 5,000

**Cynulliad Cenedlaethol Cymru**  
Y Pwyllgor Deisebau

Achub y Vulcan: Gwarchod adeiladau  
hanesyddol

Chwefror 2010



Cynulliad Cenedlaethol Cymru yw'r corff sy'n cael ei ethol yn ddemocrataidd i gynrychioli buddiannau Cymru a'i phobl, i ddeddfu ar gyfer Cymru ac i ddwyn Llywodraeth Cymru i gyfrif.

Gallwch weld copi electronig o'r adroddiad hwn ar wefan y Cynulliad Cenedlaethol:  
**[www.cynulliadcymru.org](http://www.cynulliadcymru.org)**

I gael rhagor o gopiâu caled o'r ddogfen hon cysylltwch â:  
Y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
CF99 1NA

Ffôn: 029 2089 8393  
Ffacs: 029 2089 8021  
E-bost: [Petition@wales.gsi.gov.uk](mailto:Petition@wales.gsi.gov.uk)

Tudalen 288

**Cynulliad Cenedlaethol Cymru**  
Y Pwyllgor Deisebau

Achub y Vulcan: Gwarchod adeiladau  
hanesyddol

Chwefror 2010



## **Y Pwyllgor Deisebau**

Gwaith y Pwyllgor Deisebau yw ystyried deisebau a gyflwynir gan y cyhoedd, a bwrw ymlaen â'r mater dan sylw ar ran y deisebwyr.

## **Ei bwerau**

Sefydlwyd y Pwyllgor ar 26 Mehefin 2007 gan y Cynulliad i ystyried deisebau a gyfeirir ato gan y Llywydd. Mae gan y Pwyllgor bŵer i gymryd unrhyw gamau sy'n briodol ym marn yr Aelodau mewn perthynas â'r ddeiseb dan sylw.

## Aelodau'r Pwyllgor

<i>Aelod Pwyllgor</i>	<i>Plaid</i>	<i>Etholaeth neu Ranbarth</i>
Christine Chapman	Llafur	Cwm Cynon
Andrew RT Davies	Y Ceidwadwyr Cymreig	Canol De Cymru
Michael German	Democratiaid Rhyddfrydol Cymru	Dwyrain De Cymru
Bethan Jenkins	Plaid Cymru	Gorllewin De Cymru



# Cynnwys

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## Argymhellion y Pwyllgor

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Mae argymhellion y Pwyllgor i Lywodraeth Cymru i'w gweld isod. Ewch i'r tudalennau perthnasol yn yr adroddiad i weld y dystiolaeth a'r casgliadau sy'n cyd-fynd â'r argymhellion:

**Argymhelliad 1.** Rydym yn argymell bod Llywodraeth Cymru yn ystyried cyflwyno canllawiau, neu ddeddfwriaeth os yw hynny'n angenrheidiol, er mwyn gwarchod adeiladau sy'n bwysig am resymau cymdeithasol a diwylliannol.

**(Tudalen 11)**

**Argymhelliad 2.** Rydym yn argymell bod Llywodraeth Cymru yn ymgynghori ag awdurdodau lleol Cymru a Chymdeithas Llywodraeth Leol Cymru gyda'r nod o gryfhau'r pwerau sydd gan awdurdodau lleol i warchod adeiladau sy'n bodloni'r meini prawf ar gyfer rhestru'n lleol rhag cael eu dymchwel. **(Tudalen 15)**

# 1. Cefndir y ddeiseb

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1. Ar Adam Street yng nghanol Caerdydd y saif y Vulcan Hotel ('y Vulcan'). Fe'i codwyd ym 1853, a hwn yw'r unig adeilad i oroesi'r ailddatblygu parhaol a fu ar ganol y ddinas yn yr ardal a adwaenid cynt fel Newtown. Y cwmni Marcol Asset Management Ltd sy'n berchen ar y Vulcan ar hyn o bryd, ac mae'n ei osod i SA Brain & Co.
2. Daeth bygythiad i ddyfodol y Vulcan yn sgil y datblygiad diweddaraf yng nghanol dinas Caerdydd – datblygiad canolfan Dewi Sant 2. Mae'r Vulcan yn sefyll ar safle yn Adam Street oddi mewn i'r ardal a oedd i'w datblygu.
3. Yn 2005, dechreuodd Awdurdod Datblygu Cymru gynt bwysu am orchymyn prynu gorfodol drafft ('y Gorchymyn') ar gyfer y tir y byddai ei angen ar ddatblygiad Dewi Sant 2. Ar yr un pryd, cynhaliodd yr Awdurdod drafodaethau er mwyn ceisio sicrhau y byddai'r datblygiad yn mynd yn ei flaen drwy ddod i gytundeb, yn hytrach na thrwy'r gorchymyn<sup>1</sup>. Gwnaed hyn yn unol â'r canllawiau a oedd mewn bod ar y pryd<sup>2</sup>, a'r rheini'n argymhell y dylid hyrwyddo gorchymynion prynu gorfodol law yn llaw â phroses o gyd-drafod.
4. Nid caffael y safle ynddo'i hun oedd y nod wrth wneud y gorchymyn<sup>3</sup>, ond sicrhau bod y cynllun datblygu yn llwyddo. Yn 2006, daeth Awdurdod Datblygu Cymru yn rhan o Lywodraeth Cynulliad Cymru ('Llywodraeth Cymru'). Penderfynodd Llywodraeth Cymru fwrw ymlaen â'r dull yr oedd yr Awdurdod wedi'i ddechrau, ac arweiniodd hynny at wneud y Gorchymyn ym mis Tachwedd 2006. Fodd bynnag, nid yw'r Gorchymyn wedi'i ddefnyddio hyd yma.
5. Ar yr adeg hon, roedd Marcol Asset Management Ltd (Marcol) yn rheoli rhan sylweddol o'r safle yn Adam Street. Dim ond dau eiddo a oedd ar ôl heb eu caffael. Un o'r rhain oedd y Vulcan, a oedd yn berchen i SA Brain & Co Ltd (SA Brain).
6. Ers hynny, daeth Marcol yn rhydd-ddeiliad ar y Vulcan, drwy gytundeb preifat ag SA Brain, er bod y cwmni'n gwybod yn barod bod y gorchymyn prynu gorfodol yn bodoli. Golygai hynny mai cwmni datblygu preifat oedd unig berchennog safle Adam Street, a'r cwmni hwnnw'n gallu cyflawni'r nod o fwrw ymlaen â gwaith ailddatblygu mawr<sup>4</sup>. Roedd gan Awdurdod Datblygu Cymru gytundeb gyda Marcol i beidio â chaffael y tir pe bai Marcol yn dod yn berchen ar yr holl safle<sup>5</sup>. Etifeddodd Llywodraeth Cymru y cytundeb hwn pan ddaeth yr Awdurdod yn rhan

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<sup>1</sup> E-bost gan Lywodraeth Cynulliad Cymru, 'Cais Rhyddid Gwybodaeth 3034', 23 Ionawr 2009

<sup>2</sup> Cylchlythyr Cynulliad Cenedlaethol Cymru 14/04 'Gorchymynion Prynu Gorfodol'

<sup>3</sup> E-bost gan Lywodraeth Cynulliad Cymru, 'Cais Rhyddid Gwybodaeth 3034', 23 Ionawr 2009

<sup>4</sup> Ibid

<sup>5</sup> Ibid

o'r Llywodraeth yn 2006. O ganlyniad, ni fu'n rhaid i Lywodraeth Cymru gaffael y tir drwy'r Gorchymyn.

7. Ers dod yn berchen ar y Vulcan, mae Marcol wedi'i osod yn ôl i SA Brain o dan gytundeb dros dro, wrth aros i'r gwaith ailddatblygu ddechrau. Pan ddaeth y ddeiseb hon i law, roedd y brydles i ddod i ben ym mis Mehefin 2009.

8. Ar ddechrau 2008, sefydlodd Rachel Thomas a Graham Craig, y prif ddeisebwyr, ymgyrch 'Achub y Vulcan'<sup>6</sup>. Elfen ganolog o'r ymgyrch hon oedd cychwyn deiseb i'w hanfon at Gynulliad Cenedlaethol Cymru. Casglwyd 5,000 o lofnodion ar y ddeiseb hon ac fe'i cyflwynwyd i'r Cynulliad ar 12 Chwefror 2009. Bryd hynny, roedd disgwyl i'r Vulcan gau a chael ei ddymchwel ym mis Mehefin 2009.

9. Yn wreiddiol, roedd ymchwiliad y Pwyllgor Deisebau i'r ddeiseb hon yn canolbwyntio ar y posibilrwydd y gallai Llywodraeth Cymru restru'r Vulcan fel adeilad o bwysigrwydd cenedlaethol.

10. Wrth ymchwilio i'r uchod, fe'n harweiniwyd hefyd i edrych ar y pwerau sydd gan awdurdodau lleol i warchod adeiladau sy'n bwysig ar lefel leol.

11. Ym mis Mehefin 2009, cynigiodd y datblygwr ymestyn prydles y Vulcan am dair blynedd, gan leihau'r bygythiad y byddai'r adeilad yn cael ei ddymchwel yn y dyfodol agos, ond heb sicrhau dyfodol y Vulcan yn y tymor hir.

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<sup>6</sup> Mae blog ymgyrch 'Achub y Vulcan' i'w weld yn <http://save-the-vulcan.blogspot.com>

## 2. Statws adeilad rhestredig

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12. Ar ddechrau'r ymgyrch, asesodd y deisebwyr yr opsiynau a oedd ar gael i warchod y Vulcan rhag cael ei ddymchwel. Dywedodd Mr Graham Craig, un o drefnwyr ymgyrch 'Achub y Vulcan', mai rhestru'r adeilad oedd y ffordd orau, mae'n debyg, a'r unig ffordd y gallent feddwl amdani, o warchod yr adeilad<sup>7</sup>. Felly, roedd rhan gyntaf ein hymchwiliad i'r deiseb hon yn canolbwyntio ar ymdrechion y deisebwyr i sicrhau bod y Vulcan yn cael ei restru, ac ymateb Llywodraeth Cymru i hynny.

### *Dadl y deisebwyr dros restru'r adeilad*

13. Dywedodd y deisebwyr wrthym fod cais blaenorol wedi'i gyflwyno i Cadw i sicrhau bod y Vulcan yn cael ei restru<sup>8</sup> a bod y ceisiadau hyn wedi bod yn aflwyddiannus. Dywedodd Cadw y byddai'n fodlon ystyried cais newydd i restru'r adeilad, ar yr amod bod y cais hwnnw'n cynnwys gwybodaeth newydd.

14. Bu Mr Craig yn ymchwilio i hanes y Vulcan a lluniodd gais newydd i'w gyflwyno i Cadw. Yn sgil ei ymchwil, daethpwyd o hyd i'r wybodaeth newydd hon:

- Pared a oedd wedi'i guddio
- Y gwaith ailwampio a wnaed o dan oruchwyliaeth Fred Veall, y pensaer o Gaerdydd
- Pwysigrwydd cymdeithasol a diwylliannol mwy diweddar y tŷ tafarn hwn

15. Pan ddaeth y cais newydd i law, ailasesodd Cadw y Vulcan yn erbyn y meini prawf ar gyfer rhestru adeiladau. Rhoddodd Cadw grynodedd i ni o'r prif feini prawf a ddefnyddir gan Weinidogion Cymru wrth benderfynu pa adeiladau i'w cynnwys mewn rhestrau statudol, ac mae'r rheini fel a ganlyn<sup>9</sup>:

- Diddordeb pensaernïol
- Diddordeb hanesyddol
- Cysylltiadau hanesyddol agos gyda phobl neu ddigwyddiadau sy'n bwysig i Gymru
- Gwerth grŵp

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<sup>7</sup> Cofnod y Trafodion, y Pwyllgor Deisebau, 17 Mawrth 2009 p.5

<sup>8</sup> Cadw yw is-adran amgylchedd hanesyddol Llywodraeth Cymru

<sup>9</sup> Cadw, *Paper to the Petitions Committee: Petition P-03-197 Save the Vulcan*, 17 Mawrth 2009

16. Mae'r meini prawf hyn i'w gweld yng nghylchlythyron 61/96 a 1/98. Gyda phryder, sylwasom fod y cylchlythyron hyn yn bodoli ers cyn sefydlu Cynulliad Cenedlaethol Cymru, ac nad ydynt wedi'u diwygio i ddwyn i gyfrif flaenoriaethau newydd a all fod gennym yn sgil datganoli. Dywedodd Cadw wrth ymateb i'n cwestiynau:

'There is a plan for some heritage protection legislation that would cover England and Wales. That legislation is very much intended to tighten up and to bring together the fairly disparate collection of legislation that currently prevails in England and Wales, and also to provide greater clarity and accountability on the heritage protection process. That legislation currently does not have a slot in the UK Parliament, but as part of the underpinning process of that legislation finding its way through the UK Parliament, I think that it is extremely likely that issues such as the criteria will be revisited.'<sup>10</sup>

17. Ni wnaeth Llywodraeth y DU gynnwys Mesur Seneddol ynghylch gwarchod treftadaeth yn ei rhaglen ddeddfwriaethol ar gyfer 2009/10<sup>11</sup>, ac rydym yn pryderu braidd y gall hyn achosi oedi wrth ddatblygu trefniadau yng Nghymru ar gyfer gwarchod ein treftadaeth adeiledig.

18. Yn ystod ein hymchwiliadau, cyfeiriodd y deisebwyr yn gyson at bwysigrwydd cymdeithasol a diwylliannol y Vulcan. Dywedwyd bod iddo arwyddocâd cymdeithasol pwysig<sup>12</sup> a goblygiadau cymdeithasol cryf<sup>13</sup> yn sgil y cysylltiadau â Newtown ac adeiladu dociau Caerdydd. Dywedodd Jenny Randerson AC mai yno y byddai'r gweithwyr o Iwerddon a adeiladodd y dociau yn y bedwaredd ganrif ar bymtheg yn yfed<sup>14</sup> a disgrifiwyd y Vulcan gan y deisebwyr fel yr unig gysylltiad gweledol sydd ar ôl â hen ardal Newtown<sup>15</sup>.

19. Holwyd Cadw ynghylch yr arwyddocâd cymdeithasol, a'r ymateb oedd:

'The current criteria do not permit an assessment of a building's social interest where special architectural or historic interest is absent'<sup>16</sup>.

20. Cwblhaodd Cadw ei asesiad o'r Vulcan ym mis Mawrth 2009, gan ddod i'r casgliad a ganlyn:

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<sup>10</sup> Cofnod y Trafodion, y Pwyllgor Deisebau, 17 Mawrth 2009 p.16

<sup>11</sup> <http://www.commonleader.gov.uk/files/pdf/803%20Cm%207739.pdf>

<sup>12</sup> Cofnod y Trafodion, y Pwyllgor Deisebau 17 Mawrth 2009 p.9

<sup>13</sup> Ibid p.7

<sup>14</sup> Ibid p.7

<sup>15</sup> Ibid p.9

<sup>16</sup> Cadw, *Supplementary paper - the Social and Cultural Significance of Buildings*, Ebrill 2009

‘although there is clearly a strong case to be made for the local significance of the Vulcan, and for its contemporary social and cultural value, there are insufficient grounds to support a recommendation for listing.’<sup>17</sup>

21. Ysgrifennodd y Gweinidog dros Dreftadaeth atom ar 22 Mehefin 2009 yn cadarnhau ei fod wedi penderfynu peidio â rhestru'r Vulcan gan nad oedd y meini prawf ar gyfer rhestru wedi'u bodloni.

### ***Casgliadau***

22. Rydym yn ddiolchgar i Cadw am ailasesu'r posibilrwydd o restru'r Vulcan, yn sgil tystiolaeth ychwanegol a ddaeth i law yn dilyn gwaith ymchwil gan y deisebwyr. Ar ôl trafod argymhelliad Cadw na ddylid ychwanegu'r Vulcan at y rhestr statudol, derbyniwn fod yn rhaid i Cadw asesu pob adeilad yn unol â'r meini prawf a bennwyd. Yn sgil hyn, deallwn nad yw'r Vulcan yn bodloni'r meini prawf hynny, a phe byddent yn argymhell rhestru'r Vulcan, mae'n bosibl y byddai Cadw a Gweinidogion Cymru yn agored i'r risg o her gyfreithiol. Oherwydd hynny, rydyn yn derbyn y penderfyniad a wnaeth y Gweinidog dros Dreftadaeth.

23. Credwn fod y 5,000 o lofnodion a gasglwyd mewn cefnogaeth i'r ddeiseb hon yn dyst i'r ffaith bod y Vulcan yn adeilad pwysig i bobl Caerdydd. Mae'n bwysig yn bennaf am resymau cymdeithasol a diwylliannol, a hwn yw'r cysylltiad gweledol olaf gyda hen ardal Newtown yng Nghaerdydd. Gan fod y trefniadau presennol ar gyfer gwarchod adeiladau'n statudol yn canolbwyntio'n llwyr ar asesu'r diddordeb pensaernïol a hanesyddol, a hynny ar lefelau cenedlaethol a lleol ill dau, nid oes unrhyw fodd o warchod adeiladau sy'n bwysig i gymunedau am resymau eraill.

24. Mae'r meini prawf a ddefnyddir i benderfynu a ddylid rhestru adeiladau yn bodoli ers y cyfnod cyn sefydlu Cynulliad Cenedlaethol Cymru. Credwn y dylid diwygio'r canllawiau hyn. Nodwn nad yw Llywodraeth y DU wedi cyflwyno'r ddeddfwriaeth y cyfeiriodd Cadw ati wrth roi tystiolaeth i ni, ac rydym yn pryderu y gall hyn gael effaith negyddol ar ddatblygu trefniadau yng Nghymru ar gyfer gwarchod ein treftadaeth adeiledig.

25. Croesawn y ffaith bod Llywodraeth Cymru yn bwriadu ymgynghori ar y canllawiau ac yn bwriadu eu diwygio maes o law<sup>18</sup>.

**Rydym yn argymhell bod Llywodraeth Cymru yn ystyried cyflwyno canllawiau, neu ddeddfwriaeth os yw hynny'n angenrheidiol, er mwyn gwarchod adeiladau sy'n bwysig am resymau cymdeithasol a diwylliannol.**

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<sup>17</sup> Llythyr gan y Gweinidog dros Dreftadaeth at Gadeirydd y Pwyllgor Deisebau, *Vulcan Public House, Adamsdown, Cardiff*, 27 Ebrill 2009

<sup>18</sup> Llythyr gan y Gweinidog dros Dreftadaeth at Gadeirydd y Pwyllgor Deisebau, 22 Mehefin 2009

### 3. Gwarchod yn lleol

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26. Wrth ystyried a oedd y Vulcan yn bodloni'r meini prawf ar gyfer rhestru adeiladau'n statudol, pwysleisiodd Cadw fod llywodraeth leol hefyd yn ymwneud â gwarchod adeiladau. Nododd fod y prif gyfrifoldeb dros wneud penderfyniadau am arwyddocâd a gwarchod adeiladau hanesyddol yng Nghymru yn gyfrifoldeb lleol, ac mai'r awdurdod lleol sy'n rhoi caniatâd i restru adeiladau<sup>19</sup>.

27. Tra nad yw'n cylch gwaith yn ein galluogi i drafod penderfyniadau a wneir gan awdurdodau lleol unigol, penderfynwyd ceisio canfod a oes gan awdurdodau lleol ddigon o bwerau i warchod adeilad sydd o bwysigrwydd lleol pe na bai Cadw yn ychwanegu'r adeilad hwnnw at y rhestr genedlaethol. O'r dystiolaeth a ddaeth i law gan Gyngor Caerdydd, mae'n ymddangos bod awdurdodau lleol yn defnyddio'r un meini prawf ar gyfer rhestru â Cadw, ond heb fod gofyniad i'r adeilad fod o bwysigrwydd cenedlaethol.

28. Gall awdurdodau lleol ychwanegu adeiladau o bwysigrwydd lleol at restr gan ddefnyddio'r un meini prawf â'r rheini a ddefnyddir gan Cadw ar gyfer y rhestr genedlaethol, ond heb fod gofyniad i'r adeilad fod ag arwyddocâd cenedlaethol. Pennir y meini prawf hyn mewn cylchlythyr sydd, unwaith eto, yn perthyn i'r cyfnod cyn sefydlu Cynulliad Cenedlaethol Cymru, ac nid oes unrhyw gyfarwyddiadau pellach wedi'u rhoi i awdurdodau lleol ers cyhoeddi'r cylchlythyr hwn dair mlynedd ar ddeg yn ôl. Mae'r dystiolaeth a ddaeth i law yn awgrymu nad yw'r rhestr leol hon yn gwneud nemor ddim i warchod adeiladau rhag cael eu dymchwel. Mewn gwirionedd, dywedodd swyddogion o Gyngor Caerdydd nad yw rhestru adeiladau'n lleol yn eu gwarchod mewn unrhyw ffordd rhag cael eu dymchwel<sup>20</sup>. At hynny, dywedodd swyddog na allai feddwl am unrhyw enghraifft lle'r oedd defnyddio'r rhestr honno wedi arwain at beidio â dymchwelo adeilad<sup>21</sup>.

29. Rhoddwyd gwybod i ni hefyd fod Cyngor Caerdydd wedi ceisio cefnogaeth Swyddfa Cymru a Chynulliad Cenedlaethol Cymru er mwyn ehangu'r pwerau sydd ganddo er mwyn gwarchod adeiladau sydd ar y rhestr leol, ond ofer fu'r ymdrechion hynny<sup>22</sup>.

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<sup>19</sup> Cofnod y Trafodion, y Pwyllgor Deisebau, 17 Mawrth 2009 p.15

<sup>20</sup> Ibid p.5

<sup>21</sup> Ibid p.9

<sup>22</sup> Ibid



30. Mae'r meini prawf ar lefel leol yn gyfyngedig yn yr un ffordd â'r meini prawf cenedlaethol – hynny yw, ni allant ystyried adeiladau sy'n bwysig am resymau ac eithrio arwyddocâd hanesyddol neu bensaernïol. At hynny, roeddem yn pryderu'n arw am y diffyg pwerau sydd gan awdurdodau lleol i warchod adeiladau sy'n bodloni'r meini prawf ac wedi'u cynnwys ar restr leol.

31. Ar ôl clywed tystiolaeth gan Gyngor Caerdydd, holwyd barn Cymdeithas Llywodraeth Leol Cymru, er mwyn gweld a oedd awdurdodau lleol eraill yng Nghymru yn rhannu safbwynt Cyngor Caerdydd. Cadarnhaodd y Gymdeithas fod pwysigrwydd lleol adeiladau yn peri pryder i awdurdodau cynllunio lleol ledled Cymru<sup>23</sup>.

32. Dywedodd Cymdeithas Llywodraeth Leol Cymru:

'The public clearly think it is somewhat strange that as planners Local Authorities can involve ourselves in porches and alterations to houses in the street, but we cannot prevent gaps appearing in those streets through demolition and clearance - which often have a far more detrimental impact'<sup>24</sup>

### ***Y Mesur Seneddol drafft ynghylch gwarchod treftadaeth***

33. Cyfeiriodd Cyngor Caerdydd a Chymdeithas Llywodraeth Leol Cymru ill dau at absenoldeb Mesur Seneddol ynghylch treftadaeth<sup>25</sup>. Dywedodd Cyngor Caerdydd:

'There was a suggestion that the buildings on the local list might benefit from some statutory protection from demolition [...]'

## **4. Materion eraill**

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34. Ceisio gwarchod y Vulcan drwy'r broses restru genedlaethol neu leol oedd y prif nod wrth i ni ystyried y ddeiseb hon. Fodd bynnag, bu i ni drafod nifer o faterion eraill hefyd, gan gynnwys:

- Pwerau Llywodraeth Cymru mewn perthynas â phrynu gorfodol

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<sup>23</sup> Llythyr gan Gymdeithas Llywodraeth Leol Cymru at y Pwyllgor Deisebau, *Petition - Save the Vulcan*, 27 Gorffennaf 2009

<sup>24</sup> Ibid

<sup>25</sup> Ibid

- Ail-leoli'r Vulcan
- Ymgorffori'r Vulcan yng nghynlluniau'r dyfodol

### ***Gorchymyn Prynu Gorfodol***

35. Awgrymodd y deisebwyr y gallai Gweinidogion Cymru fod mewn sefyllfa i ddefnyddio'r Gorchymyn Prynu Gorfodol sydd ganddynt i sicrhau nad yw'r Vulcan yn cael ei ddymchwel. Mae'r Dirprwy Brif Weinidog wedi cadarnhau na fyddai hyn yn bosibl heb i Weinidogion Cymru fod yn agored i her gyfreithiol, gan y byddai hynny'n mynd yn groes i'r rheswm gwreiddiol dros wneud y Gorchymyn.

### ***Ail-leoli'r Vulcan***

36. Crybwyllwyd y syniad o symud y Vulcan, fric wrth fric, i Amgueddfa Werin Cymru yn Sain Ffagan. Gwrthwynebai'r deisebwyr hyn yn gryf, gan ddatgan bod mwy o werth i'r Vulcan yn ei safle presennol nag mewn amgueddfa<sup>26</sup> a'i fod yn perthyn i'r man lle safodd ers 155 o flynyddoedd – yng nghanol Caerdydd<sup>27</sup>.

37. Awgrymwyd i'r deisebwyr y gellid ystyried y posibilrwydd o ail-leoli'r Vulcan yn yr ardal gyfagos. Mae hyn wedi digwydd o leiaf ddwywaith wrth ailddatblygu Bae Caerdydd, pan symudwyd yr Eglwys Norwyaidd a'r 'D-shed'. Nid oedd y deisebwyr yn credu y byddai hyn yn ddichonadwy ar sail y gost a'r prinder tir yn yr ardal.

### ***Cynnwys y Vulcan yng nghynlluniau'r dyfodol***

38. Nid yw'r datblygwr wedi gwneud sylwadau am ddyfodol y Vulcan a safle Adam Street yn y tymor hir. Mae ceisiadau cynllunio sydd wedi'u cyflwyno i Gyngor Caerdydd yn ddiweddar wedi cynnwys y Vulcan ochr yn ochr â datblygiadau eraill<sup>28</sup>.

39. Yn ôl Jonathan Adams, y pensaer lleol nodedig sy'n cefnogi'r ddeiseb i achub y Vulcan, nid oes unrhyw reswm pam na ellid ymgorffori'r Vulcan wrth ailddatblygu'r safle yn y dyfodol, a byddai'n gyfle cyffrous o safbwynt pensaernïol<sup>29</sup>.

<sup>26</sup> Geiriad y ddeiseb [www.cynulliadcymru.org](http://www.cynulliadcymru.org)

<sup>27</sup> Ibid

<sup>28</sup> Cyngor Sir Caerdydd, ceisiadau cynllunio [09/01308C](#) a [09/01309C](#)

<sup>29</sup> Tystiolaeth lafar i'r Pwyllgor Deisebau yn y cyfarfod â Mr Adams ar 18 Mai 2009.

## 5. Casgliadau

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40. Ar sail y dystiolaeth a ddaeth i law, rydym yn pryderu nad oes gan awdurdodau lleol yng Nghymru ddigon o bwerau i warchod adeiladau sy'n bodloni'r meini prawf ar gyfer rhestru'n lleol. Nid yw Llywodraeth y DU wedi cynnwys Mesur Seneddol ynghylch gwarchod treftadaeth yn ei rhaglen ddeddfwriaethol ar gyfer 2009/10, a gallai hwnnw fod wedi bod yn gyfle i roi sylw i rai o'r pryderon hyn.

**Rydym yn argymhell bod Llywodraeth Cymru yn ymgynghori ag awdurdodau lleol Cymru a Chymdeithas Llywodraeth Leol Cymru gyda'r nod o gryfhau'r pwerau sydd gan awdurdodau lleol i warchod adeiladau sy'n bodloni'r meini prawf ar gyfer rhestru'n lleol rhag cael eu dymchwel.**

41. Rydym yn cydnabod bod dyfodol y Vulcan yn nwylo'r datblygwr. Rydym yn cydnabod bod y brydles wedi'i hymestyn ac yn gobeithio bod hyn yn arwydd bod y datblygwr yn cydnabod bod y Vulcan yn ased a fydd yn cyfrannu'n gadarnhaol at ddatblygiad Caerdydd yn y dyfodol. Gobeithiwn y bydd y datblygwr yn parhau i weithio gyda phob parti er mwyn sicrhau parhad i'r Vulcan yn y dyfodol.

## Tystion

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Rhoddodd y tystion a ganlyn dystiolaeth lafar i'r Pwyllgor ar y dyddiadau a nodir isod. Gellir gweld trawsgrifiadau llawn o'r sesiynau tystiolaeth lafar yn [Achub y Vulcan trawsgrifiadau](#)

### *17 Mawrth 2009*

Rachel Thomas	Prif ddeisebydd, Grŵp Achub y Vulcan
Graham Craig	Grŵp Achub y Vulcan
Jenny Randerson	Aelod Cynulliad, Canol Caerdydd
Marilyn Lewis	Cyfarwyddwr, Cadw
Judith Alfrey	Cadw
Laurence Burr	Cadw

### *9 Mehefin 2009*

Richard Cole	Uwch Swyddog Cynllunio, Cyngor Sir Caerdydd
Steven Phillips	Cyfarwyddwr Corfforaethol, yr Amgylchedd, Cyngor Sir Caerdydd

## Rhestr o'r dystiolaeth ysgrifenedig

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Cafodd y Pwyllgor y deunydd a ganlyn yn dystiolaeth ysgrifenedig. Gellir gweld yr holl dystiolaeth ysgrifenedig yn llawn yn [Cynulliad Cenedlaethol Cymru | Y Pwyllgor Deisebau](#)

<i>Enw / Sefydliad</i>	<i>Dogfen</i>	<i>Cyfeirnod</i>
Llywodraeth Cymru	E-bost 'Cais am Ryddid Gwybodaeth 3034', 23 Ionawr 2009	P-03-197-1
Cynulliad Cenedlaethol Cymru	Cylchlythyr 14/04 'Gorchmynion Prynu Gorfodol'	P-03-197-2
Cadw	Papur i'r Pwyllgor Deisebau: P-03-197 Save the Vulcan, 17 Mawrth 2009	P-03-197-3
Cadw	Papur atodol – the Social and Cultural Significance of Buildings, Ebrill 2009	P-03-197-4
Swyddfa Arweinydd Tŷ'r Cyffredin	The Draft Legislative Programme 2009/10 – Governments Response and Summary of Consultation	P-03-197-5
Y Gweinidog dros Dreftadaeth, Llywodraeth Cymru	Llythyr at Gadeirydd y Pwyllgor Deisebau, 27 Ebrill 2009	P-03-197-6
Y Gweinidog dros Dreftadaeth, Llywodraeth Cymru	Llythyr at Gadeirydd y Pwyllgor Deisebau, 22 Mehefin 2009	P-03-197-7
Steve Thomas, Prif Weithredwr, Cymdeithas Llywodraeth Leol Cymru	Llythyr at Gadeirydd y Pwyllgor Deisebau, Petition – Save the Vulcan, 27 Gorffennaf 2009	P-03-197-8

# Eitem 7.24

## **P-04-381 Adfer Ysbyty Gogledd Cymru**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i asesu treftadaeth bensaernïol Ysbyty Gogledd Cymru ac i sicrhau bod y clwydfannau ystlumod sydd yno yn cael eu gwarchod. Ein dymuniad yw bod yr adeilad gwirioneddol unigryw hwn yn cael ei gadw a'i adfer ar gyfer y genedl.

### **Gwybodaeth ategol:**

Gwybodaeth ategol: Mae Ysbyty Gogledd Cymru yn enghraifft dda o loches Fictorianaidd a gynlluniwyd gan y pensaer Thomas Full James. Agorodd ym 1848 a chaeodd ei ddrysau ym 1995. Gyda 160 mlynedd o hanes o fewn ei furiau, mae'r bygythiad i'r adeilad yn un real, ond dylai Ysbyty Gogledd Cymru gynt rannu ei stori drist, gyda'r nod o gadw'r safle 126 acer hwn, i warchod y cyd-destun hanesyddol ar gyfer y cenedlaethau sydd i ddod. Yn ystod y cyfnod ar ôl gwaredu'r ysbyty, cafwyd dilyniant o berchnogion, ac mae rhai ohonynt wedi cyfrannu tuag at ddirywiad yr adeiladau, gan gymryd asedau oddi yno a dymchwel adeiladau rhestredig yn groes i Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990. Bu tarfu ar glwydfannau ystlumod, ac mae hynny'n groes i Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981.

Cafwyd problemau niferus o ran gwaredu ac ail-ddatblygu'r ysbyty Fictorianaidd hwn a'r adeiladau sy'n gysylltiedig ag ef, ers dros 15 mlynedd. Disgrifiwyd yr adeilad unwaith gan asiantaeth amgylchedd hanesyddol Cymru, Cadw, fel yr ysbyty pwrpasol mwyaf gwych i gael ei godi yng Nghymru erioed. Fodd bynnag, gallai'r awdurdod lleol gael ei roi mewn perygl ariannol dirfawr pe bai'n cael y safle tra bo cyflwr yr adeiladau yn dal i ddirywio, oni bai ei fod wedi cytuno ar amrywiaeth hyfyw o ddefnyddiau newydd a bod ganddynt bartner datblygu i ddarparu'r cynllun. Byddai o werth archwilio hanes y broses waredu hyd yma, gan fod yr hanes hwnnw'n tynnu sylw at nifer o wersi defnyddiol iawn i'w dysgu, sy'n berthnasol yn ehangach.

**Cyflwynwyd gan:** Paul Sharrock, restoration4nwh

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 27 Mawrth 2012

**Nifer y llofnodion:** 29

Huw Lewis AC / AM  
Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-381  
Ein cyf/Our ref HL/05461/12

William Powell AM  
[committeebusiness@Wales.gsi.gov.uk](mailto:committeebusiness@Wales.gsi.gov.uk)

10 April 2012

*Dear William*

Thank you for your letter of 26 March about the petition by Paul Sharrock, on behalf of the Restoration for North Wales Hospital Group, asking the National Assembly for Wales to urge the Welsh Government to assess the architectural heritage of the former North Wales Hospital and to ensure that the bat roosts at the site are protected.

Responsibility for the condition and restoration of the former hospital is a matter for the owner. Denbighshire County Council has lead responsibility for listed building matters in its area rather than the Welsh Government and may intervene with statutory notices if it has concerns about a building's condition.

The former hospital was assessed – and listed - by my officials in Cadw in 1981 as an exceptionally fine, and pioneering example of, Victorian asylum architecture. In 2000, further buildings at the site were listed on account of their architectural importance at the national level.

Since its closure as a mental hospital in 1995, the Council has been actively seeking a new and appropriate use. In 2006, the Council approved outline planning permission for the restoration and development of the site for residential, commercial and parkland use. In 2008, the Council approved an application for listed building consent to demolish a number of the lesser important listed structures so that the development could proceed and the more significant historic buildings could be retained. My officials in Cadw were notified of that application to consider if it should be called-in for determination by the Welsh Ministers but concluded that such intervention was unnecessary. The work commenced but soon stopped as the development was said, by the private owner based in the Virgin Islands, to be no longer viable due to the economic climate at that time.

The former hospital is currently derelict and in a fragile and dangerous condition. The Council is currently taking action under the Planning (Listed Buildings and Conservation

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Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence [huw.lewis@wales.gsi.gov.uk](mailto:huw.lewis@wales.gsi.gov.uk)

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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Areas) Act 1990, carrying out urgent preservation works in the region of some £850K and attempting to recover the cost of the initial works from the owner's agent. The Council is also considering the feasibility of legally transferring ownership of the buildings so that they may be saved and any such transfer could potentially involve an enforced sale or Compulsory Purchase Order by the Council. My officials are kept fully informed of the position but as the owner has appealed to the Welsh Ministers, in practice the Welsh Government's Planning Division, against the recovery of costs by the Council, it is inappropriate for me, or my officials, to comment.

The condition of the former hospital is such that I understand that it has been necessary to carefully demolish unstable elements of the buildings although the material has been stored for reconstruction at a later date. I understand from previous correspondence with the Restoration for the North Wales Hospital Group that it has reservations about the need to remove so much original fabric and my officials have clarified the position. I also understand that the Council's project team includes the full range of specialists that one would expect to be working on such a project and the Health and Safety Executive, and the Prince's Regeneration Trust, are fully involved.

The Council has explained to my officials that it continues to have proper regard to the protected species, including bats, but this is outside my ministerial portfolio and you may wish to take it up with the Minister for Environment and Sustainable Development.

Finally, the issues raised by the petitioner are matters for the local authority to consider and I understand that the Council's Conservation Architect, Phil Ebbrell, would be pleased to explain the Council's approach to the preservation of this important listed building. Mr Ebbrell may be contacted by email [phil.ebbrell@denbighshire.gov.uk](mailto:phil.ebbrell@denbighshire.gov.uk) or telephone 01824 406937. If the petitioner remains dissatisfied, he may take the matter up with the Council's Monitoring Officer who is also the Council's Head of Legal and Democratic Services Department and can be contacted by telephone 01824 712562 or [dcc\\_admin@denbighshire.gov.uk](mailto:dcc_admin@denbighshire.gov.uk)



**Huw Lewis AC / AM**

Y Gweinidog Tai, Adfywio a Threftadaeth  
Minister for Housing, Regeneration and Heritage



# Eitem 8.1

## **P-03-170 MENCAP Cymru – Deiseb i gynyddu nifer y bobl ag anableddau dysgu a gyflogir gan y sector cyhoeddus yng Nghymru**

### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Comisiwn y Cynulliad a Llywodraeth Cynulliad Cymru i arwain o ran cyflogi mwy o bobl ag anableddau dysgu, ac i annog cyflogwyr eraill yn y sector cyhoeddus, fel y Gwasanaeth Iechyd Gwladol ac awdurdodau lleol, i gyflogi mwy o bobl ag anableddau dysgu.

Dim ond un o bob 10 o bobl ag anableddau dysgu y mae arnynt eisiau gweithio sydd mewn unrhyw fath o gyflogaeth lle rhoddir tâl. Mae hyn yn annheg.

**Linc i'r ddeiseb:** <http://www.cynulliadcymru.org/gethome/e-petitions-old/eform-sign-petition-old/p-03-170.htmP-03-170%20-%20i%20gynyddu%20nifer%20y%20bobl%20ag%20anableddau%20dysgu%20a%20gyflogir%20gan%20y%20sector%20cy>

**Cynigwyd gan:** MENCAP Cymru

**Nifer y llofnodion:** 134

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



William Powell AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Tŷ Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

12 April 2012

Dear William

**Petition from Mencap Cymru – more employment opportunities for people with a learning disability**

On 27 April 2010, I wrote to Christine Chapman AM, the Committee's previous Chair, regarding the Petitions Committee's consideration of Mencap Cymru's petition to:

*"urge the Assembly Commission and the Welsh Assembly Government to take a lead in employing more people with a learning disability, and to encourage other public sector employers such as the NHS and local authorities to employ more people with a learning disability."*

Since that time the Assembly Commission has made a commitment to creating work opportunities for people who may experience difficulties entering employment.

From July 2010 to August 2011, we worked with Gofal to run a pilot supported work placement for an individual experiencing mental ill health. The emphasis of the placement was to provide training and valuable work

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh



experience in order to enable the participant to apply for employment through the usual recruitment channels in the future. Prior to the start of the placement, Assembly staff worked hard to ensure that the placement would be safe, welcoming and effective. We will build upon this pilot to deliver more work placements which will be open to people with a learning disability.

Alastair Howells joined the Research Service for an initial six months from July 2010 following a direct request to our Human Resources Department. Alastair and his support worker initially requested that the placement be unpaid. Alastair was originally referred to the Assembly through the Pathways to Work Project, a scheme that helped people who were claiming Employment and Support Allowance or incapacity benefits to get work. Alastair was subsequently supported by Gofal's Pathways to Employment Project, a scheme which offers one-to-one support to people who have been experiencing mental ill health to take the first steps towards employment.

During this first six months, Alastair contributed to the work of the Research Service by adding to the value and quality of the briefings that were provided to Assembly Members.

The placement was extended for a further six months on a four hour per week and paid basis owing to the fact that Alastair had made considerable progress. Since undertaking the placement, Alastair's support worker has noted that his confidence and social skills have been significantly enhanced. This in turn has had a positive impact on Alastair in terms of his quality of life and his confidence to apply for paid employment elsewhere.

Below are testimonials from Alastair and his support worker on the impact of the placement:

**Testimonial from Alastair Howells:**

"I got great satisfaction from my work placement. I found the work very interesting. I now feel more confident meeting new people and am able to use this opportunity to build on my skills and social networks. In conclusion I had a great time working with all the staff at the Assembly. It really has been a worthwhile experience and I will take lots away with me. I have found the experience useful for my future career plans."

**Testimonial from Julie Rees (Support Worker, Gofal)**

"Having worked with Alastair for two years, the positive effect that this placement has had on him on a personal and employability level has been of tremendous value. I can see the huge changes in him: he's far more confident and has gained valuable social and employment skills that will enable him in the future."

The Assembly has also benefited greatly from Alastair's time with us, not only in terms of the work that he has done but also by providing a valuable learning opportunity for staff across the organisation.



We are building upon this positive experience to undertake further paid work placements in the future. The placement will be dependent on the capacity of the service area and the individual's abilities and skills level. If necessary, our HR and Equality Teams will work together with partners to ensure that the person undertaking the placement is supported and empowered to realise their capabilities.

A specific action relating to work placements for people from under-represented groups has been included in our new Equality Plan. Such placements will be available to people with a learning disability. We have recently advertised a work placement for this year with a number of representative organisations, including Mencap.

I am delighted that our work placement scheme demonstrates that the Assembly's petitions process is a valuable contributor to inclusive democracy and we are pleased to be able to provide employment opportunities to people under-represented groups.

If you require any further information please do not hesitate to contact me.

Yours sincerely

**Claire Clancy**

**Prif Weithredwr a Chlerc/Chief Executive and Clerk**

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

**cc. Sandy Mewies AM, Commissioner for the Sustainable Assembly**