



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

Y Pwyllgor Deisebau **The Petitions Committee**

Dydd Mawrth, 21 Ionawr 2014
Tuesday, 21 January 2014

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

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

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

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

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

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

Dechreuodd y cyfarfod am 09:01.
The meeting started at 09:01.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **William Powell:** Bore da pawb, a **William Powell:** Good morning everyone, chroeso cynnes. and a warm welcome.

[2] Welcome to the first Petitions Committee meeting of the new year. I take this opportunity to wish you all, slightly belatedly, a happy new year. I hope it will be a productive term in the work of our committee. We have no apologies this morning; Russell George has indicated that he will be joining us shortly. The normal housekeeping arrangements apply, so I suggest that we move straight to agenda item 2.

Deisebau Newydd
New Petitions

[3] **William Powell:** First is P-04-524, Planning Control and the Welsh Language. This petition was submitted by Owain Arfon Jones and has the support of 123 signatures.

[4] 'We the undersigned call upon the National Assembly for Wales, during its consideration of the Planning Reform Bill, to include a provision making the use of bilingual signage a legal planning condition requirement for all new builds in Wales where the public have access whether on payment or otherwise.'

[5] As supplied in the additional information:

[6] 'More than 50 years after the Welsh Language Society started their campaign for bilingualism in Wales the private sector are still a long way off compliance. Legislation is required to ensure compliance with Paragraph 13 of TAN 20. Individual campaigns like the Premier Inn campaign should not be necessary and a blanket policy is required that puts

Welsh on an equal footing within the private sector.’

[7] This is our first consideration of this matter, and as yet we have not undertaken any action. I suggest that we should write in the first instance to the Minister for Housing and Regeneration to seek his perspective on this, specifically in relation to the draft planning Bill. I do not know whether colleagues will be happy with that approach, or, indeed, whether you have other comments to make at this point.

[8] **Bethan Jenkins:** Beth am Gadeirydd y Pwyllgor Amgylchedd a Chynaliadwyedd hefyd, Dafydd Elis-Thomas, gan fydd y pwyllgor hwnnw yn cymryd y darn hwn o waith ymlaen? Hefyd, rwy'n meddwl efallai y gallwn ysgrifennu at Gomisiynydd y Gymraeg i weld os byddai hi wedi cael unrhyw fath o gyfathrebu ar y materion hyn yn y gorffennol. **Bethan Jenkins:** What about the Chair of the Environment and Sustainability Committee, Dafydd Elis-Thomas, because that committee will be taking this piece of legislation through? Also, I think we could write to the Welsh Language Commissioner to see whether she has had any sort of communication on these issues in the past.

[9] **William Powell:** I think that it would probably make good sense to write directly to them both to get their perspectives, since obviously their views would be highly pertinent to the issue. Joyce, are you content with that?

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

[11] **William Powell:** Okay. Next is P-04-525, Funding for CREST Awards in Wales. This petition was submitted by See Science, the British Science Association, and has the support of 210 signatures.

[12] ‘We, the undersigned, call on the Welsh Government to reinstate the required funding for the Crest Awards in Wales, and want the National Science Academy to recognise the value of the Crest Awards to primary and secondary education, and the requirement of funding for the Crest Awards to continue.’

[13] The petitioner has submitted additional information, pointing out that,

[14] ‘CREST is a project-based awards scheme for the STEM subjects (science, technology, engineering and maths)...Last year over 30,000 CREST Awards were undertaken in the UK giving 5-19yr olds opportunities to explore real-world projects in an exciting way.’

[15] We also have information regarding the success of the increase in the level of participation in the CREST awards in Wales in recent times. It says that

[16] ‘This has enabled the scheme to be offered bilingually’,

[17] which ties in with the previous petition. It has also subsidised the pupils’ registration fee and offered other incentives to participate.

[18] The petitioner maintains that

[19] ‘CREST Awards have brought considerable benefit schools and the implications of the withdrawal of funding will be felt directly by the pupils and teaching staff’

[20] across Wales, and that,

[21] ‘CREST Awards are recognised by all Universities in the UK and provides strong

evidence of contextual data.’

[22] Again, this is our first consideration. Colleagues, how do you propose that we go forward with this petition?

[23] **Joyce Watson:** I think that writing to the Minister for Education and Skills would be the obvious start for us.

[24] **William Powell:** I think that that is the best way forward, absolutely. Let us do that. Bethan, are you happy with that approach? I see that you are; thanks. That is agreed.

[25] P-04-526, Please make Senedd TV accessible to deaf people, was submitted by Mr Mervyn James with the support of 25 signatures.

[26] ‘We call upon the National Assembly for Wales to provide subtitling and signed language access to televised debates and proceedings, to enable the 300,000 with hearing loss and deafness in Wales to follow the democratic processes hearing people already enjoy.’

[27] Since this falls to the Assembly Commission, we should, in the first instance, write to the Presiding Officer as Chair of the Commission.

[28] **Bethan Jenkins:** Efallai y gallem edrych ar y *Record* hefyd, achos codwyd y pwynt hwn gan Aelod Cynulliad—nid wyf yn siŵr pwy—ar lawr y Siambr cyn y Nadolig, ac fe wnaeth Sandy Mewies ymateb? Efallai y gallem edrych ar y *Record* er mwyn cadarnhau’r hyn a gafodd ei ddweud. **Bethan Jenkins:** Perhaps we could look at the Record as well, because an Assembly Member—I am not sure who—raised this specific point on the floor of the Chamber before Christmas, and Sandy Mewies responded. Perhaps we could look at the Record to confirm what was said.

[29] **William Powell:** It is useful to be reminded of that, because I do recall that coming up. Let us do that in parallel to writing to the Presiding Officer to seek her views on this important petition.

[30] P-04-527, Campaign for a Special Cancer Drug Fund in Wales, was submitted by Porthcawl First and collected 247 signatures. The text reads as follows:

[31] ‘Beth Margetson is one of our town’s residents whose life has been overshadowed by a dreadful disease we know as cancer and it will affect nearly 1 in 3 of us at some point during our lives. Many will survive yet others in advanced stages of this disease like Beth are unable to gain access to the latest treatments that have not been approved by NICE although a pathway exists in England & Scotland to obtain treatment via a Cancer drug fund. Here in Wales no such fund exists yet each year over 74 million free prescriptions are issued in Wales at a cost of over £550 million to the NHS in Wales. We therefore request that the Welsh Assembly Government introduce a nominal charge (e.g. £1.00) for prescriptions in order that a special Cancer Drug fund be set up in Wales with the proceeds so that people like Beth and many hundreds of others like her at least have a chance that is being denied to them thus far unlike people in England or Scotland.’

[32] To reassure colleagues, we have been in contact with the person who was named in the petition, and they were content with that, and are supportive of the petition. I think that, in the first instance, we should probably write to the Minister for Health and Social Services on this matter. It is a theme that quite frequently comes up in Plenary debates and questions and in other contexts, so I think that it would be useful to have the Minister’s perspective. Bethan, you indicated that you wanted to speak.

[33] **Bethan Jenkins:** Rwy'n nabod Bethan ac rwyf wedi ei helpu hi fel ei Haelod Cynulliad lleol. Beth hoffwn inni ei wneud yw ysgrifennu, wrth gwrs, at y Gweinidog, ond hefyd at Bwrdd Iechyd Lleol Prifysgol Abertawe Bro Morgannwg. Yn fy marn i, y broblem yw'r asesiadau a'r criteria ar gyfer y cyffuriau penodol, a bod diffyg asesiad o'r criteria, yn hytrach na dadleuon ynglŷn â chronfa, er rwy'n deall bod llawer o bobl am sefydlu cronfa ac rwy'n parchu hynny. Serch hynny, rwy'n credu mai sut mae penderfynu ar roi'r cyffuriau hyn i rywun yw'r peth mwyaf pwysig pan fydd eu hangen arnyn nhw.

Bethan Jenkins: I know Bethan and I have helped her as her local Assembly Member. What I would like us to do is to write, of course, to the Minister, and to Abertawe Bro Morgannwg University Local Health Board. In my opinion, the problem is the assessments and the criteria for these specific drugs, and the fact that there is a lack of assessment of the criteria, rather than a debate about the fund itself, although I understand that many people are asking for establishing a fund and I respect that. However, I think that the most important point here is the process of reaching a decision on the provision of these drugs to patients, when they need them.

[34] Rwy'n gwybod hefyd bod ABPI Cymru wedi gwneud lot o waith ar hynny, felly efallai y gallem ysgrifennu ato hefyd, fel y corff sy'n edrych ar yr hyn y mae'r diwydiant yn ei wneud yn hynny o beth. Dyna beth fyddwn i'n ei argymhell ar hyn o bryd. Hefyd, gan ein bod wedi cael gymaint o gwestiynau ar lawr y Cynulliad, efallai y gallem, fel gyda'r pwyllgor blaenorol, edrych ar y themâu sy'n dod lan yn y Cyfarfod Llawn a gweld a allwn ni roi rhywbeth at ei gilydd i weld beth mae Aelodau Cynulliad wedi bod yn ei wneud ar y pwnc penodol hwn.

I also know that ABPI Wales has done a lot of work on that, so maybe we could write to it as well, as the body that looks at what the industry is doing in this regard. That is what I would suggest at the moment. Also, because we have had so many questions on the floor of the Assembly, maybe we can, as with the previous committee, look at the themes that come up in Plenary and see whether we can put something together in order to see what Assembly Members have been doing on this specific point.

[35] **William Powell:** I think that is a good set of suggestions, and I am very happy to write to the chair of the health board, Professor Andrew Davies, and to his colleague, the chief executive, on that matter, and also indeed to ABPI. I have attended some briefings and events that relate to this and similar topics. Joyce, if you are content with that approach, let us do that to try to take these matters forward.

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

[37] **William Powell:** The next petition is P-04-528 on all primary schools in Wales taught through the medium of Welsh. This petition was submitted by Mr Phillip Worth with the support of 13 signatures. It reads:

[38] 'We call upon the National Assembly for Wales to urge the Welsh Government to make all primary schools in Wales taught through the medium of Welsh. If we and the Welsh Assembly are truly committed to restoring the Welsh language and creating a bilingual Wales then action is required. I agree that this is something that cannot be done overnight, there are issues such as teacher numbers and the transition between changing the schools from English to Welsh medium. The Welsh Assembly have emphasised the importance of having communities of Welsh speakers. This will only occur if the majority of children leaving school over many generations can speak fluently in Welsh. We call for the Welsh Government to draft a preliminary plan of action and timetable of how such a change could in theory occur.'

[39] As with the other petitions that we have considered so far, this is our first consideration, so we have not, as yet, undertaken any action on it. I think we have to write to Huw Lewis, the Minister for Education and Skills, in the first instance, or possibly to the First Minister, with his overarching responsibility for the Welsh language, or possibly both.

[40] **Joyce Watson:** Also, Chair, we should write to the unions representing teachers because I am sure they would very much want an opportunity to express their views on it too.

[41] **William Powell:** I am content with that. I think we have broad agreement on that one. We move on to P-04-529, A Letting Agents Ombudsman for Wales. This petition was submitted by Let Down in Cardiff and collected 22 signatures. It reads:

[42] ‘We call upon the National Assembly for Wales to urge the Welsh Government to give the people of Wales a ‘Letting Agents Ombudsman’ by including it within their Housing Bill. An ombudsman will give people guidance, issued by the Welsh Government, of what their rights are as a tenant. It will tell them how to complain directly through the agents’ complaints procedure and when all avenues have been exhausted, they can ask the Ombudsman to step in and take action’.

[43] So reads the petition. For consistency, we should write to the Minister for Housing and Regeneration on this matter in the first instance.

[44] **Bethan Jenkins:** Rwy’n meddwl bod cynlluniau i ddod â newidiadau mewn i’r sector preifat ar gyfer landlordiaid i roi mwy o ganllawiau iddynt, ond nid wyf yn gwybod a yw hynny wedi digwydd neu pryd mae hynny yn mynd i ddigwydd. Efallai y gallem ofyn hynny yn y llythyr at y Gweinidog. **Bethan Jenkins:** I think that there are plans to bring changes into the private sector for landlords to give them greater guidance, but I do not know whether that has happened or when it is going to happen. Perhaps we could ask that question in the letter to the Minister.

09:15

[45] **William Powell:** I am happy to build that into the letter to the Minister for Housing and Regeneration. I am also aware of some parallel between this and the petition that was submitted last year from the students of Aberystwyth and beyond. So, maybe later in our consideration there will be an opportunity for a certain amount of grouping or to consider them in the round. Clearly, this is a much broader proposal at the moment, so I will sign off a letter along those lines on behalf of the committee if colleagues are happy.

[46] The next petition is P-04-530, Bilingual Labeling. This petition was submitted by Simon Foster, with the support of 98 signatures. The petition reads as follows:

[47] ‘Like all self-respecting officially bilingual countries, (such as Canada), Wales needs legislation to ensure that all food products sold in Wales be labeled in both Welsh and English. We therefore demand that the National Assembly for Wales...urge the Welsh Government enact said legislation without undue delay.’

[48] I think this is one for Alun Davies, the Minister for Natural Resources and Food. I would be happy to write to him to raise these matters on behalf of the committee.

[49] **Bethan Jenkins:** Hefyd, beth am y Prif Weinidog, sydd â chyfrifoldeb dros yr iaith Gymraeg? Efallai y gallem gael gwybod gan y Prif Weinidog pwy ddylid ysgrifennu **Bethan Jenkins:** Also, what about the First Minister, who has responsibility for the Welsh language? Perhaps we can have an understanding from the First Minister as to

ato pan fydd yr iaith Gymraeg yn dod i mewn i faterion eraill, gan fydd hyn yn digwydd eithaf lot yn awr. Yn ôl fy nealltwriaeth i, byddai angen deddfwriaeth newydd ar gyfer hyn, gan y byddai'n cwmpasu mwy o'r sector preifat nag y mae'r Ddeddf sydd gyda ni awr yn ei ganiatáu.

whom we should be writing to when the Welsh language comes into other matters, as this is going to happen a lot now. My understanding is that new legislation would be required for this, because it would encompass a greater proportion of the private sector than the current Act would allow.

[50] **William Powell:** That is a valid point, and I am very happy to write both to Alun Davies and Carwyn Jones on this matter. In fact, I read recently that Carwyn Jones addressed the Oxford farming conference just a couple of weeks ago with his previous remit of Minister with responsibility for the environment and rural affairs. So, I am sure he would have interest both from the language perspective and, potentially, from the food labelling side. So, I am very happy to write to them both in that connection, if colleagues are happy.

[51] **Joyce Watson:** That is fine and I agree absolutely, but we are talking about businesses as well and the impact on businesses. So, I think we can start there and see what comes back, but I think you would also have to write to the Minister for business because that is where the impact is going to be felt.

[52] **William Powell:** I am happy to consider that, but I think, in the first instance, to be consistent with the previous petition, we write to the departmental Minister and the overarching Minister for the Welsh language, who is the First Minister. Good morning, Russell.

[53] **Russell George:** Good morning.

[54] **William Powell:** The next petition is P-04-531, Renaming Cardiff Airport after Welsh Icon. This petition was submitted by Mr Justin Lilley, with the support of 11 signatures. The petition reads as follows:

[55] 'We call on the Welsh Assembly Government to rename Cardiff Airport the Robert Owen International Airport of Wales after the Welsh hero of the Co-operative Movement.'

[56] He was, of course, a well-known Montgomeryshire hero. I am sure there will be views around the table on this one. The additional information supplied by Mr Lilley states:

[57] 'For Wales to become truly international a modern airport is essential. If the airport and surrounding enterprise zone marketed itself under the Robert Owen brand it could have global appeal and significantly boost the surrounding area by creating jobs and increasing trade.'

[58] There is obviously quite a strong feeling held by the petitioners on this matter and, of the people associated with the co-operative movement, I am sure that Robert Owen would be an outstanding example and that there would be some merit in this. I think I should be writing to the Minister for Economy, Science and Transport on this matter; I know she is a frequent visitor to Montgomeryshire and will very shortly be visiting the Robert Owen credit union in Newtown, so she may have a view on this matter. Russell, as a courtesy, I should bring you straight in.

[59] **Russell George:** I think that it is a very worthy petition and we should at least write, as you suggested, to the Minister, Edwina Hart, first, as we normally do.

[60] **Joyce Watson:** I have no problem with naming an airport after anybody, but I do have a problem with picking out one person over all the other icons that undoubtedly people

will bring to the table. I support the co-operative movement and Robert Owen did huge work and is recognised as having done so. My problem with this petition is that it is but one person of many. That said, we need to write to the Minister and see what her thoughts are.

[61] **Bethan Jenkins:** A fyddai'n benderfyniad i'r Gweinidog, neu a fyddai'n benderfyniad i'r maes awyr? Dyna'r oll sydd ar fy meddwl i. A fyddai'n benderfyniad i'r Gweinidog allu newid yr enw? Roeddwn yn meddwl bod yr arian wedi symud o gwmpas a bod y maes awyr yn awr o dan ei reolaeth ei hun. A allwn gadarnhau hynny yn y llythyr neu drwy ysgrifennu at y maes awyr i weld beth yw ei farn?

Bethan Jenkins: Would it be a decision for the Minister, or would it be a decision for the airport? That is what is on my mind. Would it be a decision for the Minister to be able to change the name? I had thought that the funding had moved around and that the airport was now under its own management. Could we confirm that as part of the letter or by writing to the airport to find out what its opinion is?

[62] **William Powell:** That is an interesting point. I am not completely conversant with the governance arrangements of the airport, but, clearly, the Welsh Government might have a degree of influence and if Mrs Hart has a view, I am sure that she will voice it robustly. Let us see what she thinks in the first instance and, in parallel, investigate the other stakeholders that might well have a role in any such renaming. We also pick up Joyce's concerns about the need for there to be a broader consideration of the great heroes of Welsh history, but the petition that we have in front of us flags up Robert Owen and his distinct contribution. It is a very interesting one.

09:22

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[63] **William Powell:** I welcome Arfon Jones, the petitioner, who is present this morning and other members of the public who are taking an interest in our proceedings this morning.

[64] The next petition is P-04-373, School Exclusion Zones for Mobile Hot Food Vans. As we recall, this was submitted by Arfon Jones and first considered by the committee back in March 2012. It had the support of 43 signatures. It calls on the Welsh Government to consider legislation to create a buffer zone of 400m around all schools in Wales between 8.00 a.m. and 4.30 p.m., during core school hours.

[65] We last considered this on 4 June of last year and agreed to await further information on a new policy, following consideration with stakeholders. The Minister has since written with an update, which is among our public papers. Members, how would you like to take this one forward? It is also an issue that has come up in Plenary questions. I have raised the matter with the Minister for education as well, and he indicated a degree of interest in this. I know that Russell George has taken a keen interest in the related issue of food portion sizes in schools, which is perhaps another relevant issue to the wider debate. Russell, you have indicated.

[66] **Russell George:** In my investigations into portion size, I came across the fact that many schools in my constituency have their food brought in from other schools. It is often brought in on vans and it could perhaps be considered fast food to some extent. I was interested in the wording of the petition because any legislation would have to be worded in such a way as to allow food to be brought in, because many schools have such mobile facilities bringing food in. However, I understand the wider petition. At this stage, all we can do it to wait for the Minister's reply. I do not think that we can do much more at this stage.

[67] **William Powell:** There is a further update that the Minister indicated will be forthcoming. There is still potentially life in the petition and we should await that further information, if colleagues are content.

[68] **Joyce Watson:** Agreed.

[69] **Bethan Jenkins:** A allwn ni ofyn i'r deisebwr beth mae'n meddwl am y llythyr diweddaraf? Yr unig beth yn y llythyr gan y Gweinidog nad oeddwn yn siŵr amdano yn y cyd-destun hwn oedd y ffaith ei bod hi'n sôn am y cynllun i ddiweddarau'r *lay-bys*—y *lay-by update programme*. Nid oeddwn yn deall yn iawn beth sydd gan hynny i wneud â dod â'r system yma i ben.

Bethan Jenkins: Could we ask the petitioner what he thinks about this latest letter? The only thing in the letter from the Minister that I was not sure about in this context was the fact that she talks about the scheme to update the *lay-bys*—the *lay-by update programme*. I was not quite sure what that had to do with bringing this system to an end.

[70] **William Powell:** I think that it would be a good idea to write to the petitioner to seek views, because there is obviously a wider issue here that does not just relate to schools, but relates to *lay-bys* and so on across the whole country.

[71] **Bethan Jenkins:** Efallai y gallwn roi'r cyfathrebiad hwn i'r Pwyllgor Plant a Phobl Ifanc. Ar hyn o bryd, ar y pwyllgor hwnnw, rydym yn gwneud gwaith ar ordewdra. Pan rydym yn cwestiynu pobl sy'n dod mewn i roi tystiolaeth, rydym yn sôn am Wrecsam ac am y newid y maen nhw eisiau rhoi gerbron o ran cynllunio. Felly, efallai y byddai'n haws i bob Aelod o'r pwyllgor hwnnw fod yn ymwybodol o beth mae'r pwyllgor hwn yn ei wneud ar y ddeiseb hon.

Bethan Jenkins: Maybe we could pass this communication on to the Children and Young People Committee. At the moment, in that committee, we are doing some work on obesity. When we are questioning people who come in to give evidence, we are talking about Wrexham and the change that they want to introduce in terms of planning. So, maybe it would be easier for every Member of that committee to be aware of what this committee is doing on this petition.

[72] **William Powell:** I think that that would be a really good bit of joined-up thinking. My sense is that the piece of work that that committee is doing has come up well after this petition was submitted. So, it would be a really good approach. If colleagues are happy, let us write to the Chair of the Children and Young People Committee in that connection.

[73] The next petition is P-04-506, Free bus pass/concessionary travel for benefit claimants, students and under 18s. This was submitted by Mark Griffiths and was first considered by our committee back in October last year. It has the support of 60 signatures. You will recall from the wording of the petition that the petitioner is seeking the introduction of such a scheme to benefit those who would otherwise not have access to transport. He is linking this as a social justice issue, but is also looking at the environmental aspects that he feels would benefit from this approach. We last considered the petition on 8 October and we wrote to the Minister for Economy, Science and Transport and to the regional transport consortia, seeking their views. We have heard back from the Minister and from three of the four consortia, and we also have feedback from the petitioner, all of which we have in our pack. I think that it would probably be sensible, given the specific new points that the Minister has introduced, to write back to the Minister offering her the opportunity to comment on the petitioner's feedback. Are colleagues happy with that approach? I see that you are. There is also a possibility that we could group this with other transport-related petitions, or colleagues may think that this is a distinct matter for the moment. What is your perspective on that one? We have given some thought to grouping in the past, when looking at health-related matters. Do colleagues have a view on this one?

- [74] **Joyce Watson:** Which ones were you thinking of grouping it with?
- [75] **William Powell:** Others relating to bus transport and its availability—
- [76] **Bethan Jenkins:** There are three that have already been grouped. There is the Wrexham one, the Neath Port Talbot one and there is one in Powys, I think.
- [77] **William Powell:** There was a more general one, was there not?
- [78] **Bethan Jenkins:** They have all been grouped anyway. So, I would assume that it would be grouped with them.
- [79] **Joyce Watson:** I am easy, if you think it is—
- [80] **William Powell:** If we ask the Minister for feedback on the petitioner's comments, then, when we revisit that, we will see the direction that it is going in. Then we will reconsider grouping at that point. There are some specific aspects to this that are rather distinct from the wider availability of transport, I think.
- [81] **Joyce Watson:** I think so. I do not want to dilute their petition on their behalf.
- [82] **William Powell:** No, indeed. I just wanted to air that for the moment.
- [83] Moving to another icon of Welsh history, the next petition is P-04-447, Campaign for Statue of Henry VII in Pembroke. This was submitted, as you will recall, by Nathen Amin and was first considered by our committee around a year ago in January 2013. It has the support of 144 signatures and is calling for the,
- [84] 'Welsh Government to fund a statue of Henry VII in Pembroke, town of his birth and birthplace of the Tudor Dynasty.'

09:30

- [85] One thing that is pretty clear is that the Welsh Government is not going to be funding a statue, and that came through fairly early on. However, we have seen considerable interest in this matter from relevant organisations—history associations and civic organisations—particularly in Pembrokeshire, and also a high degree of media interest in the matter, which is positive for the petitioner, because it gives the whole idea a much wider airing. We would welcome Members' views on how we might take this forward. Clearly, as I said, there is not going to be funding forthcoming from the Welsh Government at this time for this proposal, despite the interest that was expressed by the Minister. What do colleagues think?
- [86] **Joyce Watson:** I think that the petition calls on us to ask the Government to fund it. The Government has said that it is not going to do that. Therefore, in respect of what the petition actually says, there is nothing else that we can do. The wider issues are wider issues, and, as somebody who lives in Pembrokeshire, I understand those. However, we have to work according to what the petitioner has asked and our remit and we have exhausted all avenues in terms of the request that has come to us.
- [87] **William Powell:** I can see that Russell has indicated, as well. I tend to agree with the view that you have expressed, Joyce. I think that there would be some merit in us commissioning a research study into a comprehensive list of alternative funding sources to which we could potentially signpost the petitioner, if that would help. I think that that would be fairly readily available to the committee without great expenditure of time or effort, if colleagues agree. Russell, you indicated.

[88] **Russell George:** Chair, I have not seen a copy of the letter—the last response from the Minister—but I wonder whether there is any merit in writing to the Minister to ask him to facilitate a meeting with other outside bodies that will provide funding, such as the lottery fund. Perhaps he could facilitate a meeting. However, on your suggestion—I indicated before you made your suggestion—I am happy for a wider research paper to be prepared.

[89] **William Powell:** Like a funding search, or something of that sort.

[90] **Bethan Jenkins:** I drio cael rhyw fath o gyfaddawd, byddwn i'n argymell—nid wyf yn gwybod, gan nad ydym wedi ei wneud lot—rhoi'r wybodaeth hon i'r Aelodau Cynulliad lleol a gallant, os ydynt yn teimlo bod diddordeb, fynd at y deisebwr a'i helpu. Nid wyf yn credu ei fod lan i'r Gweinidog yn awr, gan nad yw'r Llywodraeth wedi dangos diddordeb. Efallai bod Aelod lleol sydd hefyd yn ymddiddori yn y maes penodol hwn a all helpu'r unigolyn. Rydym yn gwybod nad yw lot o Aelodau'r Cynulliad yn gwybod yn iawn beth sy'n digwydd yn y pwyllgor hwn ac efallai gall hwn fod yn ffordd i'w haddysgu nhw hefyd am y system deisebau.

Bethan Jenkins: To try to find some sort of compromise, I would recommend—I do not know, as we have not done this a lot—passing this information on to the local Assembly Members and they could, if they feel that there is interest, go to the petitioner and help them. I do not think that it is up to the Minister to do that now, as the Government has not shown an interest. Perhaps there is a local Member who also has an interest in this area and could help the individual. We know that many Assembly Members do not know what happens on this committee and perhaps this could be a way for us to educate them about the petitions system.

[91] **William Powell:** That is a perfectly good idea. We could circulate any further response on this matter to the constituency Member and the other two regional Members for Mid and West Wales who might also have an interest in this matter. If there is support for commissioning a short research study, which need not take very long at all, into sources of funding that would be available, I would be happy to—

[92] **Bethan Jenkins:** We should move to close, however.

[93] **William Powell:** My sense is that, in doing that, we should also be moving to close, yes. Okay. That is agreed.

[94] We move on now to P-04-456, Dementia—This Could Happen to you. This petition was submitted by Helen Jones who joins us today in the public gallery, and was first considered by the committee in February last year. It has the support of 1,413 signatures. It says,

[95] ‘We, the undersigned, call on the National Assembly for Wales to urge the Welsh Government to:

- i. Bring to an end the discrimination against dementia sufferers in Wales who apply for N.H.S. Continuing Care Funding, by allowing for the cognition category of need (known as the ‘domain’) to go up to the level ‘Severe’ in the Welsh version of the Decision Support Tool. This would bring it in line with the English version; and
- ii. Direct Local Health Boards to implement the National Framework for N.H.S., Continuing Care Funding correctly in terms of patient eligibility and without regard to budgetary constraints.’

[96] We last considered the petition on 24 September and we agreed to seek the

petitioner's views on the ministerial correspondence, and to await the consultation on the review of the framework. Duly, the petitioner submitted further comments on this in October, which, as colleagues will have seen, are in the public papers and suggest that the committee considers the matter again in early 2014, which is indeed what we are doing. It seems to me that we need to write to the Minister again to seek an update on how things are progressing in terms of the review. I would very much welcome colleagues' views on this one.

[97] **Joyce Watson:** I do not disagree with us keeping a watching brief, because the petition has come here, on the future progress of this review, which the Minister has mentioned. However, I think that it would be more appropriate for the Health and Social Care Committee to do that, simply because it has better resources than we have by its membership. I would certainly welcome us approaching the Health and Social Care Committee to ask whether it would keep a watching brief on it, and see what its reply is. If it is the case that it is unable to do that, I accept that we will do it. However, in terms of resource and fit, I think that it could be better placed than us.

[98] **William Powell:** Yes. I think that that is a good point. I am very happy to write to the Chair of the Health and Social Care Committee, David Rees, to seek his view on that in order to assess the capacity of the committee. Its workload has been enormous in relation to the scrutiny of the Social Services and Well-being (Wales) Bill, but that is moving to the next phase now. The committee may well have space now, and I would be happy to seek that view from the committee. As Joyce says, it has a significantly greater resource and the expertise to aid us in taking this forward. What are colleagues' views?

[99] **Bethan Jenkins:** Where is the Welsh Government in terms of the review? Do we know?

[100] **William Powell:** I shall be writing to the Minister to seek clarity on that.

[101] **Bethan Jenkins:** I was wondering whether we would need to write to the individual health boards, because the concern in the third paragraph is with regard to how different health boards are complying with this. It does not really matter. If the Welsh Government can give an overview, that is fair, but if not, we need to make sure how the individual health boards are complying with this.

[102] **William Powell:** We need to address that in the wording of the letter that we send to Mark Drakeford.

[103] **Mr George:** I cannot quite remember what was in the correspondence at the last meeting; that may have been addressed or not. I do not know. Perhaps we can look into that.

[104] **William Powell:** Are colleagues happy with that way of going forward? I see that you are. Good. Diolch yn fawr. Excellent.

[105] We now move to look at petition P-04-494, Robotic assisted laparoscopic prostatectomy must be made available to men in Wales now. This petition was submitted by Professor Kevin Davies and was first considered by the committee in July 2013, having collected 2,090 signatures. This particular innovative form of treatment is, as the petitioner states, the twenty-first century gold standard. The petitioner says that

[106] 'Wales as a nation must be at the forefront in offering this standard. We, the undersigned, are appalled by the fact that men in Wales with prostate cancer cannot be offered robotic surgery in Wales, yet in England ALL men have this choice with at least 40 locations offering this treatment and with men from Wales having to pay thousands of pounds to access this capability in these English NHS facilities'.

[107] We last considered this petition on 16 July and we agreed to write to the Minister for Health and Social Services as well as to the local health boards. We have received a number of responses from different health boards and we also have a really helpful research brief, which aids us considerably in considering this further. Also, of course, in the Minister's response, we have flagged up the recent investment that has been made available in this area in terms of the University Hospital of Wales through the health technologies fund, which is obviously relevant. However, that is just one centre, whereas the emphasis in the petition is on the diversity of provision throughout England. Nevertheless, it is clearly a welcome development. I would very much like to hear colleagues' perspectives on the petition and where we stand with it.

[108] **Joyce Watson:** It has been a very interesting petition and it has probably brought to our attention, which I think that petitions should do, something that we might not have otherwise been aware of; I certainly was not. I hope that matching up the Minister's letter and the letter from Cwm Taf Local Health Board sees some progress here, because, quite clearly, there seems to be a match from the fact that it has applied to the fund and the fact that the Minister has said that it has been successful in receiving funding. At least that is progress in terms of the way forward, and recognised progress. I do not suppose that, at this stage, all health boards will be able to provide this facility—not from reading what I have read, in any case. I cannot remember, having read the letters, whether we have had a response from the petitioner on the information that we have garnered. I cannot remember reading that, so, in the first place, we could ask for some comments from the petitioner.

[109] **William Powell:** Yes, if we write to Professor Kevin Davies, as the lead petitioner, I think that that would be very useful.

[110] **Bethan Jenkins:** O'r llythyrau, rydym yn gweld nad yw Hywel Dda wedi ceisio am arian o'r gronfa dechnoleg. Roeddwn am ddeall pam fod y byrddau eraill, yn ôl yr ohebiaeth, wedi ceisio am yr arian ond nad yw Hywel Dda wedi gwneud hynny. Os yw rhai byrddau yn gwneud cais a rhai ddim, a oes disgwyl wedyn i bobl deithio i fwrdd iechyd mewn ardal wahanol, neu a yw'r un yng Nghaerdydd, gan ei fod wedi cael y cyllid, yn mynd i fod yn ganolbwynt ar gyfer Cymru? Dyna beth yr hoffwn ei ddeall ar ran y deisebwr. Efallai y gall y Gweinidog neu'r byrddau iechyd unigol esbonio hynny yn well i ni os ydym yn ysgrifennu yn ôl atynt.

Bethan Jenkins: From the letters, we see that Hywel Dda has not made an application for funding from the technology fund. I wanted to understand why the other boards, according to the correspondence, have applied for that funding but that Hywel Dda has not. If some boards apply and some do not, will people then be expected to travel to a health board in a different area, or will the one in Cardiff, because it has had the funding, be a hub for Wales? That is what I would like to understand on behalf of the petitioner. Perhaps the Minister or the individual health boards can explain that better to us if we write back to them.

[111] **William Powell:** I think that we can build that into the letter that I propose that we write to Mark Drakeford on this matter, asking him to what extent there is co-ordination across Wales and in what spirit the application to the fund has been made. In fact, the detail of its application would probably provide us with the information as to whether it was presenting itself as providing an all-Wales hub, as you said, Bethan, or whether it is principally for the residents in its territorial boundaries and those nearby.

[112] **Russell George:** From the responses that we have received from local health boards, it seems to me that there is different access across Wales, but, to help us build a better picture, it would be useful to make sure that we have responses from all the health boards that we have written to. I think that some of them have not replied. Can we send a chase-up letter to

those?

[113] **William Powell:** I think that we should chase up the ones that have not replied, because, otherwise, we cannot achieve the overview that we need to address the point that Bethan has made as well. I am happy to sign off a chase-up letter to those that we have not heard from and also to get a bit more clarity from Mark Drakeford as to the role that he sees for this, particularly in addressing the patchy provision that there is or there will be if this is the only facility to be funded in Wales.

09:45

[114] Staying with the theme of health, we have P-04-520, Regarding the Cancellation of All Elective Orthopaedic Surgery by Hywel Dda Health Board During the Winter 2013/14. This petition was submitted by Kate O'Dell and was first considered by the committee at its very last meeting of the previous term in December 2013. Ms O'Dell had collected 490 signatures, and we recall the personal testimony of Kate O'Dell and her fellow petitioners regarding their experiences of hearing the news of the proposed cancellation of orthopaedic surgery, with the exception of trauma. Clearly, the wording of the petition underscores the strength of feeling that they have in relation to this. They are calling upon the Welsh Government to reverse the decision. This has been a rather dynamic situation in terms of there being movement back and forth on the issue. There is also more than one interpretation of the actual events, as I think all Members will be aware. The committee considered correspondence on the petition on 10 December, and we agreed to write to the Minister and to Hywel Dda Local Health Board. We also agreed to write to the Chair of the Health and Social Care Committee, David Rees, notifying him of the petition and, indeed, of the actions we had agreed. We have responses in our pack both from the Minister and, indeed, from the health board.

[115] We are actively seeking the views of Kate O'Dell and her colleagues who have led this petition. We have not as yet heard from her, and I think that we probably need to await that before we can take it any further forward. I know that the clerking team is active in pursuing that because, obviously, given the time sensitivity of this, we need to move on it sooner rather than later, if colleagues are happy with that approach for now. Good.

[116] Next 7 is petition P-04-481, Close the Gap for deaf pupils in Wales. This was submitted by NDCS and was first considered by the committee back in May last year. It calls upon

[117] 'the National Assembly for Wales to urge the Welsh Government to develop a national strategy to close the gap in educational attainment between deaf pupils and their peers.'

[118] The National Deaf Children's Society, which has the acronym 'NDCS', which I used earlier—NDCS Cymru—presented this petition on that date as it was Deaf Awareness Week and the second anniversary of 55 Assembly Members pledging to take action on this issue. You will recall also the active interest of our colleague Ann Jones, who chairs the relevant cross-party group and who was present on the occasion of the receipt of this petition, as I recall.

[119] We last considered correspondence on this matter on 11 November, and we agreed to seek the petitioners' views and then to take forward a piece of work, depending on the outcome of that. I referred earlier to the cross-party group, and we also forwarded the latest correspondence to it. We now have the response from the National Deaf Children's Society, as colleagues will see. I am keen to have a steer from you as to how we best take this forward. There was an aspiration earlier on to undertake a focused piece of work on it. Joyce, I believe

that you were leading on that suggestion.

[120] **Joyce Watson:** I am quite happy for us to do that. I also am a member of the all-party group on deaf issues, and I am sure that there is a lot of expertise that we could get in to help us if we have the capacity. There is no point saying that we are going to do a piece of work if we do not have the capacity to do it.

[121] **William Powell:** Yes. I think that there has been an indication that we probably do have some space to take this on. We just need to have a tight idea of how we do so—

[122] **Bethan Jenkins:** That is what I was thinking, because the bullet points in the letter include quite a lot of different areas, from building regulations to inspection roles and so forth. I think that we could talk to the petitioners about what they would see as a priority, because I do not see how we could cover all of those points.

[123] **William Powell:** We need to prioritise the key issues of concern to them—

[124] **Bethan Jenkins:** Yes, we need to ask whether they want to focus on the educational side or the building regulations side or additional learning needs in general. I have a letter from my colleague Simon Thomas about educational psychologists, which is from the Minister, committing to look at the situation with regard to the fact that Cardiff University has said that it will end the course there.

[125] **William Powell:** Indeed—the funding of the Master’s, was it not?

[126] **Joyce Watson:** I have one of those letters, too.

[127] **Bethan Jenkins:** So, I do not know whether the petitioners want to look at that aspect. We could have that conversation with the petitioners.

[128] **William Powell:** It is where we can have the most impact, really, in a positive sense.

[129] **Joyce Watson:** Yes. Given that we do not have the capacity to do a wide, extensive inquiry, I agree with Bethan that we should ask the petitioners where they think that we could do a piece of work that best reflects their need, according to the petition.

[130] **William Powell:** Yes, I am happy with that; it is common sense, really. I would also be happy to copy in the lead member on the cross-party group.

[131] **Bethan Jenkins:** I would love to do a massive piece of work on all of those different things, but it is about what is realistic. It could, perhaps, lead on to something else in the future, if we do a focused piece of work, anyway.

[132] **William Powell:** Like everything else, it will be incremental. You will have certain areas where you can make a difference, and others where it will be a longer process. So, I am happy to write to the lead officer at NDCS and also to copy in our colleague, Ann Jones, for information, since she has taken an interest in these matters.

[133] Next is P-04-516, Make political science compulsory in education. This petition was submitted by Mark Griffiths, and we considered it for the first time in November 2013. It has the support of 12 signatures. The wording of the petition is simple:

[134] ‘We call upon the National Assembly for Wales to urge the Welsh Government to make political science a compulsory part of the school curriculum.’

[135] We have a ministerial response in our papers and, indeed, we have feedback from the petitioner on what Huw Lewis had to say. I think that it would probably be fair and consistent if we were to share the response of the petitioner with the Minister and ask whether he has any further points that he would make in relation to that. Would it also be useful to be in touch with Estyn as, ultimately, it is the arbiter of these matters, in order to see whether it has a view, or do colleagues think that would be premature?

[136] **Joyce Watson:** At this stage, I think it is premature. Let us see—

[137] **William Powell:** Okay. Let us do it step by step.

[138] **Bethan Jenkins:** Efallai y gallwn gysylltu â'r *Electoral Reform Society* hefyd, gan fy mod yn credu ei bod yn gwneud llawer o waith ynglŷn â sut i hybu gwleidyddiaeth mewn ysgolion. Nid yw'n gweithio; rhaid i mi ddweud fy mod yn cytuno 100% gyda'r deisebydd. Nid yw pobl yn cael digon o wybodaeth ynglŷn â sut y mae gwleidyddiaeth yn gweithio yng Nghymru yn awr. Hoffwn inni ysgrifennu yn ôl at y Gweinidog—mae'n dweud yn y llythyr y byddai'n rhoi mwy o fanylion inni ynglŷn â'r ail ran adolygiad o'r cwricwlwm—a gofyn a fydd hynny'n cynnwys gwleidyddiaeth neu ddinasyddiaeth, er enghraifft. Nid yw'n dweud hynny'n glir yn y llythyr. Hyd y gwelaf, mae angen inni edrych ar sut y gallwn wella'r hyn sy'n digwydd ar hyn o bryd, ac nid yw'r llythyr gan y Gweinidog yn rhoi unrhyw fath o weledigaeth ynglŷn â sut y bydd hynny'n digwydd.

Bethan Jenkins: Perhaps we could also contact the Electoral Reform Society, because I think that it does a lot of work in relation to how to promote politics in schools. It is not working; I have to say that I agree 100% with the petitioner. People do not receive sufficient information about how politics works in Wales at present. I would like us to write back to the Minister—he says in the letter that he will give us more detail about the second part of the review of the curriculum—to ask whether that will include politics or citizenship, for example. That is not stated clearly in the letter. As far as I can see, we need to look at how we can improve what is happening at present, and the letter from the Minister does not give us any kind of vision in terms of how that will happen.

[139] **William Powell:** That is a good point. It is clear that we should, probably at the next stage, definitely involve the Electoral Reform Society. I am also aware that we have, coming up in a few weeks' time—

[140] **Mr George:** Was it the Electoral Reform Society or the Electoral Commission?

[141] **Bethan Jenkins:** The Electoral Reform Society.

[142] **William Powell:** Yes, the Electoral Reform Society is doing a piece of work on this and also, in a few weeks' time, I think that the Assembly is hosting its annual conference. I just wonder whether there would be a possibility of incorporating in that a short piece—

[143] **Bethan Jenkins:** Sorry, what is happening?

[144] **William Powell:** There is an A-level politics and government conference that is being hosted in the old chamber in Tŷ Hywel. I am sure that there is quite a tight agenda for that, but I do not know whether or not it would be possible to build this, somehow, into it, either in terms of a very short, focused questionnaire of just a few questions, or in some way through the facilitators of that conference.

[145] **Mr George:** Just to give you a little more background, it is an annual event and we

are helping them out in terms of providing a session on petitions and how they can engage with that process.

[146] **William Powell:** So, this example would be useful.

[147] **Mr George:** Yes. It is organised through our education service and, obviously, the needs of the schools and what they want is part of that, but, certainly, I would think that there is some scope here for looking at this particular issue and asking whether they feel that they get enough education in this area.

[148] **William Powell:** Yes, because we are already on the pitch in terms of there being a slot involving petitions. Certainly, there would be a certain amount of synergy there. I am happy to write to the Minister, but there are a whole number of others that we need to involve at the next stage. Russell, you have indicated.

[149] **Russell George:** Just on the discussion we have just had now, and the education service, I wonder whether there is an opportunity for us to invite the education service to incorporate some petitions, if we refer them, in its debates? I know that it does debate various issues, and it might be useful for us sometimes to ask the education service, formally as a committee, to raise something as part of an education visit in the debating chamber.

[150] **Bethan Jenkins:** And when it goes out to schools.

[151] **Russell George:** Yes, and when it goes out to schools. So, there might be an opportunity for us to write to the education service to ask it do a piece of work on this, seeking views from pupils and feeding the results back to us.

[152] **William Powell:** I have seen some excellent work that the outreach team has done in terms of producing some vox pop, short contributions that have informed committee consideration. Certainly in the Environment and Sustainability Committee we have had a very useful piece of work on at least one occasion, and perhaps we could harness something here as well.

[153] **Mr George:** The education service, I know, does value the petitions system as a way of engaging with young people and schools. It is a sort of hook to hang things on for it.

[154] **Russell George:** I move that we formally do that for this petition, then, and write to the education service and ask it to raise this as part of its outreach.

[155] **William Powell:** I am happy to do that, in the first instance, in the context of the forthcoming event that we are hosting here, and then afterwards more generally. Excellent. That is useful.

[156] Next is P-04-517, Stop the Welsh Assembly Government from bringing in the monitoring of electively home-educated children under the guise of safeguarding. This petition was submitted by New Foundation Home Education, and first considered by the committee back in November 2013. It has the support of 864 signatures. I am sure colleagues will recall—those who were present to receive this petition—that it is a matter of considerable concern and aggravation to a number of the parents and, indeed, some of the children themselves. I will just quote an extract from the petition:

[157] ‘Serious case reviews have shown that the authorities not elective home education have let children down. The government signed up to the rights of the child in 2004 which states that they will consult with children before changing things that affect them. They are not consulting our children who have already shown last year that they are against monitoring

in a different consultation.’

[158] We considered this for the first time and we wrote to both the Minister for Education and Skills and the Deputy Minister for Skills and Technology. We have a response from the Minister for Education and Skills, and it is in the public pack. I would very much welcome colleagues’ views on what the next stage is here. It seems to me that we need to run the ministerial response past the petitioners to get their feedback. Any there any other measures at this stage? No. I think that is probably the best and most consistent way of doing things.

[159] Next is P-04-522, Asbestos in Schools. This petition was submitted by Cenric Clement-Evans, and was first considered by the committee at our last meeting in December. It has the support of 448 signatures, calling on

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

[161] It then goes on to note some specific aspects that the petitioner would like to have introduced. As I said, we considered it on 10 December, and we wrote to the Minister for Education and Skills. We have a response in the public pack on this matter, and the Minister is emphasising that health and safety as such is not a devolved issue. I suppose I should make a declaration of interest in that I am a governor of a primary school in Mid and West Wales—in fact, I was at a governors meeting last evening, and issues around building safety and asbestos were on the agenda. I just need to put that on the record, and also to state that we have recently had correspondence—which I think colleagues have had access to—from the petitioner, Mr Clement-Evans, flagging up questions asked in the House of Lords by the noble Lord Wigley on these matters.

10:00

[162] The response that has come back from Lord Nash, who is the Parliamentary Under Secretary of State for Schools, indicates that there is a degree of responsibility for the management of asbestos in schools that is, in his view, devolved to Wales. Normally, we find ourselves in a situation where the dispute is in the other direction, and we have the sense that things are reserved, whereas here we a Government Minister—and, indeed, Baroness Randerson has also given a response that has been quoted here, so we have Lord Nash and Baroness Randerson, in this paperwork, making a counter argument. I think that we probably need to bring this piece of information to the attention of the Minister and his officials, because, clearly, there are some rather blurred lines here in relation to schools on the one hand, which clearly are devolved, and the crossover in terms of this responsibility. Do colleagues have a view on this one?

[163] **Bethan Jenkins:** I do. I was wondering whether we could have a legal note on this from our team, because there seems to be confusion over responsibility. I say that because I have also seen correspondence that the petitioner has given to me between Annette Brooke MP and David Laws MP. David Laws writes back as the Minister of State for Schools, saying that the management of asbestos in schools in Wales rests with the Welsh Government.

[164] **William Powell:** That is consistent with the view taken—

[165] **Bethan Jenkins:** Yes. I am sure that the petitioner would be happy for me to give you this letter afterwards, because he wants to see progress; I have been helping him. I think that we need clarity on the legal situation, however, because otherwise we are going to get even more confused. As we have seen from the Lords questioning, the UK Government seems to be clear, but the Welsh Government is not. So, if we could have that—

[166] **William Powell:** I think it would be really helpful to have a legal note. Would you like to give an initial response, Helen? Obviously, you cannot give a major response off the cuff.

[167] **Ms Roberts:** Diolch yn fawr am y pwyntiau sydd wedi cael eu codi y bore yma. Nid wyf wedi cael fy ngofyn i edrych ar y ddeiseb benodol hon mewn unrhyw ddyfnder. Felly, hoffwn gymryd y cyfle i edrych ar y peth mewn mwy o fanylder, a dod yn ôl at y pwyllgor gyda barn gyfreithiol ynglŷn â chymhwysedd deddfwriaethol ac ati. Ar sail y wybodaeth sydd wedi cael ei rhoi i'r pwyllgor hyd yn hyn, mae'n amlwg iawn bod gwahaniaeth barn ar nifer o ffactorau. Felly, dof yn ôl gyda nodyn cyfreithiol. Diolch yn fawr.

Ms Roberts: Thank you for the points that have been raised this morning. I have not been asked to look at this specific petition in any great depth. So, I would like to take the opportunity to look at it in more detail, and to come back to the committee with a legal opinion on the legislative competence and so on. On the basis of the information that has been given to committee thus far, it is quite clear that there is a difference of opinion on many of these factors. So, I will come back with a legal note. Thank you very much.

[168] **William Powell:** Diolch yn fawr am y cyngor da.

William Powell: Thank you very much for that good advice.

[169] We now move on to the—

[170] **Mr George:** May I just clarify that we want to write to the Minister as well, or do we just wish to seek the legal advice on that point?

[171] **Bethan Jenkins:** I think that we need to write to the Minister as well, drawing attention to the questions that were raised in the House of Lords, and ask, 'In light of this, do you have a change of mind, or are you still of the same view?'

[172] **William Powell:** Yes, I think we should share what has come from the petitioner, and the other information that was forwarded to Bethan from Cenric also. So, if we supply the Minister with that information, and, in parallel, commission this legal opinion, that would be really helpful to taking this forward. It is a matter of concern to pupils and parents across the whole of Wales.

[173] **Bethan Jenkins:** It is a huge issue; it is a ticking time bomb for everyone. We have to make sure that, if there is asbestos in schools, people are aware of that. If we are not going to have anyone taking responsibility over it, we will never know, so—

[174] **William Powell:** Exactly, particularly as you have buildings from the late 1960s, 1970s and early 1980s coming to the end of their lives, so it is becoming an ever more serious issue.

[175] We move on to P-04-500, Call For Regulation of Animal Welfare Establishments in Wales. This petition was submitted by Lisa Winnett and was first considered by the committee in September 2013, and has the support of 265 signatures. As we will recall, it says:

[176] 'We the undersigned, call on the National Assembly for Wales to urge the Welsh Government to regulate Animal Welfare Establishments and legislate for compulsory requirements be met by all animal rescue establishments in line with the report produced by the AWW Animal Welfare Establishments Working Group October 2012. The Welsh Government need to put in place legislation for Wales under the Animal Welfare Act (2006),

to protect animals from neglect and abuse.’

[177] We have a comprehensive and useful legal brief on this matter that goes into all of the different categories that could be affected. We are grateful for that. We also have the response from Alun Davies, Minister for Natural Resources and Food, in our public pack. I think that, at this stage, we need to get the petitioner’s feedback on what the Minister has said.

[178] **Joyce Watson:** Yes, I think so.

[179] **William Powell:** Then, in the light of that, revisiting the legal brief that we have, we can take it further. At the moment, I think that we need to await the response of the petitioner.

[180] **Bethan Jenkins:** I have not had a chance to read the legal brief—I do not have it in my papers. If there is anything there that I have missed—

[181] **Ms Roberts:** Thank you for raising the point, Bethan. In summary, to be concise, under current law, there are some animal-related undertakings that are already governed by licensing regimes—for example riding schools, animal boarding establishments for cats and dogs, and dog breeding as well. So, certain areas are already covered by licensing requirements, but, in response to the wording of the petition, and depending on exactly what is envisaged, there is potential for the National Assembly for Wales to bring forward an Act. It does fall within the legislative competence, but I would need to caveat that by saying that it depends on exactly what is envisaged. Alternatively, under the Animal Welfare Act 2006, Welsh Ministers do have specific powers, under section 13 and other sections, to bring forward regulations. Again, there is potential scope there.

[182] What I would say is that there are a number of issues that would need to be addressed; one of the key issues, it seems to me, would be what constitutes an animal welfare establishment. That term means different things to different people and can cover a variety of establishments—for example, it can cover sanctuaries, rescue and rehabilitation centres, rehoming centres, and even nature reserves. When you look at how the definition has evolved over time, you will see that different terminology has been used, and different categories of establishments fall within those definitions.

[183] In relation to the report that has been produced, it is 35 pages long and is a useful report; there are a number of case studies within it. It makes a number of recommendations as well. It is interesting to see from the Minister’s letter that the Minister is following this up and asking for specific statistical information.

[184] **Bethan Jenkins:** That is useful; perhaps we could ask the petitioner whether they could be more specific. Would that help in terms of what they would like to see happening? Otherwise, it seems to me that it would be very wide indeed—it would be a very big piece of legislation. That is, if any legislation would be forthcoming.

[185] **William Powell:** I think that it is also underlined in the Minister’s response that he would like to be made more aware and to be signposted towards some evidence as to the issues and the category of problem. As you say, otherwise, it is extremely broad. So, if the petitioner is in a position to give more information, that would lend clarity to our further consideration of this. Thank you, again, for informing our discussion of this, Helen; that was really useful.

[186] Okay, I think that we have an agreed strategy. We will write to the petitioner to get more clarity, for all our sakes, so that we can take this forward.

[187] We will move on to the next petition, which is P-04-511, Support for children and

young people participation standards. This petition was submitted by the Powys youth forum and was first considered by our committee back in November 2013. It has the support of 39 signatures. The petition reads as follows:

[188] ‘We call upon the National Assembly for Wales to urge the Welsh Government to provide support for the National Children and Young People’s Participation Standards for Wales self-assessment process.’

[189] In the additional information, we are reminded that the standards were launched in 2007 after being developed by the participation unit. There are seven participation standards: ‘information’; ‘it’s your choice’; ‘no discrimination’; ‘respect’; ‘you get something out of it’; ‘feedback’; and ‘improving how we work’. It is clear that these standards are of particular value in taking forward the work of the youth forum and other youth fora throughout Wales.

[190] We last considered this petition on 11 November, and we agreed to write to the Minister for Education and Skills to seek his views. Indeed, just before Christmas, we had a response from the Minister, and that response is in our public papers today. What, in your minds, is the best way forward on this, given the response that we have had from Huw Lewis?

[191] **Bethan Jenkins:** In his letter, Jeff Cuthbert, in the third paragraph down, says that he will ask his officials to see whether there are other ways they could support the participation standards, considering that the unit no longer exists. I know that it was last year, but perhaps we could write back to ask whether he has given any consideration to that. Also, perhaps we could gain the petitioners’ views with regard to the fact that, because there is no national kitemark anymore, there is no obligation on people to reach the standards or to standardise them anymore. That is a worrying comment from those who gave us their feedback. Perhaps that could be flagged up with the Minister as well.

[192] **William Powell:** We have had some useful feedback from the petitioners on the response that we received from the Minister. It would be helpful, and consistent with our general practice, to get a response from the Minister. This is an important area. Otherwise, there is a danger of real slippage. This obviously relates to some of the issues that we spoke of regarding the previous petition, in terms of people’s awareness and engagement in—

[193] **Bethan Jenkins:** Have we written to Save the Children to ask it why it—*[Inaudible.]*—the first place?

[194] **William Powell:** I believe so, but we will double-check on that.

[195] **Bethan Jenkins:** It is probably because of funding, but we could find out exactly why. Perhaps it is looking to do something different.

[196] **William Powell:** Apparently, we have not written to it; I do not recall signing off such a letter. It would be really useful if we do write to it, because it may have some relevant information. As you said, it is probably a funding issue, but, on the other hand, it would be useful to see whether there are any other points that it can share with us. I am happy to do that and to write back to the Minister, sharing the feedback that we have received from the petitioners.

[197] The next petition is P-04-482, Public noticeboards across Wales notifying the public of who all their political representatives are. This was submitted by Sovereign Wales and was first considered by our committee in May of last year, having collected 11 signatures. We recall the aspiration of Sovereign Wales in relation to sharing this information. It has even given some guidance as to the size of the boards that it thinks would be relevant to contain all the information that it would like to be made available locally.

[198] We considered correspondence on the petition and we agreed to write to a number of stakeholders, including the Welsh Local Government Association, One Voice Wales, the Electoral Commission and, indeed, the Electoral Reform Society. Also, we agreed to seek clarity as to whether the Assembly Commission would be in a position to comment. So far, we have had a partial response. We have had a response from Steve Thomas, chief executive of the WLGA, and we have also heard from the Electoral Commission. It is far from clear to me where we can go with this. Russell has indicated and I would very much like his perspective on this.

[199] **Russell George:** The petition flags up a wider issue, namely that a lot of the public do not always know who their elected representatives are, and if they do know, there is sometimes a lack of clarity on what they are responsible for. I come across that frequently. However, my local council provides a newsletter, so I think that there is a responsibility on institutions—

[200] **William Powell:** When you say ‘council’ do you mean the local town council?

[201] **Russell George:** The local county council produces a newsletter on a quarterly basis, but it is the responsibility of the institutions very often to promote their responsibilities. Also, as elected members, I am sure that all of us have a website and use social media. I certainly write to my councils to say when I have a surgery. So, although it raises a wider point about people’s uncertainty, sometimes, about who their elected representatives are, there is enough information out there already, I do not think that I want to inflict large pictures of me on people all around my constituency. [*Laughter.*] I knew that Joyce would agree with me on that. Also, in times of austerity, I do not think that it is a worthy use of resource, so I move that we close the petition, although I think that it has a lot of merit.

10:15

[202] **William Powell:** Also, if you went down this route, you would have all sorts of other inclusion issues, such as providing information through other means, such as a Braille version and a recorded version—

[203] **Bethan Jenkins:** [*Laughter.*] Sorry, I was just thinking about people feeling Russell’s face—to differentiate between him and Joyce. [*Laughter.*]

[204] **William Powell:** I am uncomfortable going any further down this route, Bethan.

[205] **Russell George:** Yes, what is the next item on the agenda? [*Laughter.*]

[206] I move to close the petition, Chair.

[207] **William Powell:** Okay. Bethan, I assume, given the reference that you have just made, that you wish—

[208] **Bethan Jenkins:** No, I like the idea. I think that we need to be more outward facing.

[209] **William Powell:** Yes, absolutely. In theory, it would be great, but it is part of a wider issue.

[210] **Bethan Jenkins:** It is not for one institution. Like Russell said, it is for the individual councils to take responsibility.

[211] **William Powell:** And individual members as well.

[212] **Bethan Jenkins:** And us. Although, sometimes, people put posters over our faces when we try to advertise surgeries.

[213] **William Powell:** Never.

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

[215] **Joyce Watson:** Anyway, should we move to close this petition?

[216] **William Powell:** Indeed. I think that we have a consensus.

[217] We now move to the next petition, P-04-519, Abolition of Park Homes Sales Commission. This petition was submitted by Caerwnon Park Residents Association and was considered by the committee in its final meeting of last year in December. It reads as follows:

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

[219] We considered the petition for the first time, as I said, in December, and we agreed to write to the Minister for Housing and Regeneration to seek his views on the petition, and also to Peter Black, seeking his views, given his particular experience on taking the Mobile Homes (Wales) Act 2013 through the Assembly. We have had responses from both the Minister and Peter Black, and we have also had the petitioners’ comments. We can see that, on this occasion, there is a difference of view between the petitioners and Mr Peter Black. They have previously worked quite closely on other aspects relating to the Act, but here, in terms of the issues that Peter has raised, they are of a different view. In this context, it would probably be useful to write to the Minister for Housing and Regeneration to get his perspective. Given the response we got from the petitioners, they clearly have their own experience of this. There is the potential to build this into upcoming legislation, given the issue of the perverse incentive for owners to keep having that pull on moneys through each sale. That is something on which I want to get some more clarity.

[220] **Joyce Watson:** I support having more clarity, so let us write to the Minister.

[221] **Bethan Jenkins:** Sorry to drag this on—

[222] **William Powell:** No, not at all.

[223] **Bethan Jenkins:** The issue that I found interesting—and this is not my speciality—was that Peter Black mentioned that pitch fees would increase if the commission went. However, the petitioners say that that could not be done, or that it could only be done through the consumer price index, formerly the retail price index, or through the agreement of residents. So, we need clarity on that.

[224] **William Powell:** I am not certain whether there may be space for us to ask for a legal view on this.

[225] **Joyce Watson:** I think there is.

[226] **Bethan Jenkins:** I am sure the legal team would not mind.

[227] **William Powell:** We have been turning to the team quite a lot today, but, given that we are close to getting to the end of our agenda, I am sure that we can make that request.

[228] **Ms Roberts:** That is absolutely fine. Basically, there was an Order that covered this direct point, which was the Mobile Homes (Commissions Order) 1983. That provided that a site owner was entitled to receive commission on a sale of a mobile home, up to a maximum of 10%. It was always the maximum that was seen to be used. The Minister's letter confirms that, in Peter Black's landmark piece of legislation, the Mobile Homes (Wales) Act 2013, the position is restated. So, that position is continued. What is different is that there is a provision in that Act that allows Welsh Ministers to amend the rates by regulation.

[229] **Bethan Jenkins:** It does not seem clear that the Minister wants to do that, does it?

[230] **William Powell:** No, indeed. It would be useful to see how he responds to the views of the park residents association promoting this petition. Then we can get some further clarity from him. Thanks for your contributions on that.

10:20

Papur i'w Nodi Paper to Note

[231] **William Powell:** Under this item, we have P-03-262, Academi Heddwch Cymru / Wales Peace Institute. This petition was submitted by the Welsh Centre for International Affairs, Cymdeithas y Cymod, Cynefin y Werin and CND Cymru in November 2009. It states:

[232] 'We call upon the National Assembly for Wales to investigate the potential for and practicality of Wales having a Peace Institute concerned with Peace and Human Rights, comparable with those supported by state governments in Flanders, Catalonia and elsewhere in Europe.'

[233] We laid a report of our consideration of the petition before the Assembly in October 2013. The First Minister has now formally responded on behalf of the Government. The committee report will be debated in Plenary on 5 February and we will have an opportunity to take part in that. It is a landmark occasion. We are aware of the work of John Cox and many others in relation to this and, as a tribute to their persistence in promoting this important cause, we now have it coming to a debate in Plenary. I thought that it was useful to share Carwyn Jones's letter with Members of the committee so that it is there on the public record. I am looking forward very much to that occasion.

[234] I just want to flag up a couple of presentations that are coming up. Is there going to be a presentation tomorrow, or is that now not happening?

[235] **Mr George:** No. Apart from the ones that you have there, there is an earlier one than that, which is 28 January, next week, at 1 p.m., which is a campaign to secure the future of Cardigan hospital.

[236] **William Powell:** We also have the presentation of the Save our Fire Stations petition, which is on Tuesday 4 February, again at 1 p.m.. Finally, and highly relevant in the light of recent events, we have the presentation of a petition on planting trees to reduce flooding, on Wednesday 5 February, again at 1 p.m., which is the same day as the Plenary debate on the peace institute petition. Colleagues will be reminded of these diary engagements nearer the time. Thank you very much indeed. Diolch yn fawr iawn for all your contributions this morning.

Daeth y cyfarfod i ben am 10:23.
The meeting ended at 10:23.