



Cynulliad Cenedlaethol Cymru The National Assembly for Wales

Y Pwyllgor Deisebau The Petitions Committee

**Dydd Mawrth, 10 Ionawr 2012
Tuesday, 10 January 2012**

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These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol**Committee members in attendance**

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

Eraill yn bresennol**Others in attendance**

Jeff Collins	Cyfarwyddwr Trafnidiaeth, Llywodraeth Cymru Director of Transport, Welsh Government
Ian Davies	Pennaeth Gweithrediadau'r Rhwydwaith, Llywodraeth Cymru Head of Network Operations, Welsh Government
Carl Sargeant	Aelod Cynulliad (Llafur), y Gweinidog dros Lywodraeth Leol a Chymunedau Assembly Member (Labour), the Minister for Local Government and Communities

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

Gwyn Griffiths	Uwch Gyngorydd Cyfreithiol Senior Legal Adviser
Rhodri Wyn Jones	Dirprwy Glerc Deputy Clerk
Andrew Minnis	Gwasanaeth Ymchwil Research Service
Abigail Phillips	Clerc Clerk

*Dechreuodd y cyfarfod am 9.30 a.m.
The meeting began at 9.30 a.m.*

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

[1] **William Powell:** Bore da a chroeso **William Powell:** Good morning and a warm
cynnes i bawb. Blwyddyn newydd dda i welcome to everyone. I also wish you all a
bawb. happy new year.

[2] Welcome to the first meeting of the Petitions Committee in 2012. I remind
participants that they can speak in Welsh or English, as they wish and are able. Headsets are
available for translation and amplification: channel 0 is for amplification only; channel 1 is
for translation. Please switch off your mobiles if you have not done so. I understand that there
are no scheduled fire alarms this morning, so if something does go off, it will be for real and
we will be in the hands of the ushers. There are no apologies, and we have a full complement
of Members this morning.

9.31 a.m.

**Trafodaeth ar dystiolaeth a dderbyniwyd gan y Gweinidog Iechyd a
Gwasanaethau Cymdeithasol**
Discussion of evidence from the Minister for Health and Social Services

[3] **William Powell:** The first agenda item, which we rightly postponed at the end of the previous term due to a lack of time, is to give full consideration to the evidence session that we had before Christmas with Lesley Griffiths, the Minister for Health and Social Services. We have a transcript of that session, and it would be useful if Members could keep their copy to hand as an aide-mémoire.

[4] We will look first at P-03-136, which is a petition relating to parking in Heath and Birchgrove. Before going any further, I believe that it would be appropriate to refer to the e-mail that we had from one of the petitioners about the last session, and to address correspondence that has just come through from Lesley Griffiths, which I will read to Members. In relation to P-03-136, parking in Heath and Birchgrove, it says:

[5] ‘As agreed, when I attended the Petitions Committee on 29 November in connection with the above petition, I am writing to confirm that the University Health Board last met the Heath & Birchgrove Residents Association on 2 November 2011. During that meeting it was agreed that further liaison meetings will continue throughout this year. The next liaison meeting will be held in February. I hope this is helpful.’

[6] Therefore, this correspondence picks up the reference in the committee meeting transcript to the frequency of such meetings, and whether or not they have taken place. I will now open this up to Members, who can comment on the evidence session, with regard to taking this issue forward.

[7] **Bethan Jenkins:** The problem with the Minister’s letter is that the petitioners have stated in their e-mail to us that they have not received an invitation to meet with the LHB. That e-mail was sent on 5 January 2012, and the evidence session was held on 29 November 2011. We need some clarification on this, because the Minister has a different view to that expressed in the e-mail that we received. If the meeting took place, we need to know how effective it was, what was said, and who was present. If the meeting did not take place, we need to address how we are having different information from different sources.

[8] **William Powell:** We need to be clear on how well-publicised this meeting was, and the means used to get that message out, so that all of the relevant people had an opportunity to be present. Clearly, there are perceptions regarding this issue, which are referred to in the transcript, in the wake of exchanges that took place during the meeting. This is a valid point, and it is one that we can usefully explore with the university health board.

[9] **Joyce Watson:** Chair, I accept the point that has been made. All of the way through, it has seemed absolutely clear that the jurisdiction for car parking and arrangements therein lies with Cardiff Council. You may not agree, but it seems to me that we have exhausted all of the avenues that we can explore and exhaust, in terms of trying to reach a satisfactory resolution for the petitioners. I am minded to suggest, perhaps, closing this petition. Once we have ascertained that this dialogue is happening—and I support our inquiry into that—I do not see that we can go any further.

[10] **William Powell:** It would be useful for us, as has been suggested, to write to the university health board with regard to communications on this matter. Would it not also be useful to write to Cardiff Council stating precisely what has been done and to clarify that it has the jurisdiction on parking issues, and to bring it up to speed with the deliberations we have been party to on the matter? This would ensure that it is aware of its responsibilities,

because there are, clearly, strong feelings about this, and many points have been well made. Prior to the actual closing of the petition, we owe it to the petitioners, and to the issue, to write to the relevant section of the council. Are there any other thoughts on this issue?

[11] **Bethan Jenkins:** I was not present at the previous meeting, so I did not know what happened. However, based on the evidence I have seen, there are still questions regarding the sustainable travel plan, because that has been used as the answer to the question. So, if that cannot be enforceable, we need to know whether changes to those plans would be made in the future, because it will affect not only Cardiff hospitals, but other areas where sustainable transport plans were proposed and potentially not utilised because people still chose to use their cars. So, I think a final piece of work is needed to write to the Minister with regard to that particular aspect, because that is still a bone of contention for the petitioners.

[12] **Joyce Watson:** Cardiff Council ought to put its hand up and take some responsibility on this issue. I agree that there are issues, but there has to come a time—and I think that that time has come—when we as the Petitions Committee put our cards on the table and say, ‘We have listened and we have taken evidence’, which we clearly have. We are trying to work on behalf of the petitioners in trying to get a resolution, and we have done that, accepting that we are seeking clarity on involvement in this public meeting. However, we also have a duty to say to the petitioners where the jurisdiction really lies, and to move them forward by suggesting who they actually need to lobby—they need to lobby Cardiff Council in order to get some progress. At the moment, we are just going around in circles on this issue, as are the petitioners. I am sure that they feel somewhat frustrated. So, I think that that is the best way forward for us.

[13] **William Powell:** In doing that, we would strengthen the arm of the lead petitioner, who I believe is a member of that authority, and it might enable him to take this forward in the appropriate arena, which, as you have said, is Cardiff Council.

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

[15] **William Powell:** So, having agreed to write to the health board regarding the issues that Bethan raised earlier, and to the council, then we need to do as you have suggested. Do we have agreement to write those two letters to get absolute clarity and to then close the petition as proposed? I see that we are unanimous on that. Thank you.

[16] Moving on to the rest of the petitions that were considered in November, we have petition P-03-221 on improved NHS chiropody treatment from the Cynon Valley 50 plus Older People’s Forum. We had a useful session in which we were brought up speed by the Minister and her officials on this. My suggestion is that, because ministerial guidance is soon to be published, it is probably best to wait before taking any further action. Is that sensible? I see that we are agreed.

[17] The next update is on petition P-03-222 from the National Osteoporosis Society, which dates back to June 2009. Again, we had a useful update on this one. What are your views on how we should go forward on this petition?

[18] **Joyce Watson:** Recommendations are going to come forward, and it might be as well for us to wait for those and the considerations of the report.

[19] **William Powell:** Indeed. The transcript reminds us that we were advised that we would be waiting until early in the new year for that, so that is probably the right way to proceed. I see that everyone is happy with that.

9.42 a.m.

Deisebau Newydd New Petitions

[20] **William Powell:** It has been quite a busy period with regard to new petitions, as you will have seen from the agenda and papers. The first petition is petition P-04-351, which calls for the recall of local development plans. It was submitted by councillor Carrie Harper and enjoys the support of 2,471 signatories. It reads as follows:

[21] ‘We call upon the National Assembly for Wales to urge the Welsh government to recall all Local Development Plans across Wales and to scrap the use of population projections issued by the Statistical Directorate that are used to inflate housing numbers in local development plans. We call for all LDPs at whatever stage of development to be halted immediately in order to bring the level of housing growth in line with genuine local needs.’

[22] You will have had your opportunity to read the remainder of that and the comments about the unsustainability of this type of planning as the petitioners see it. As yet, we have not undertaken any action as it came through relatively recently. What do Members feel about this one?

[23] **Russell George:** We could write to the Minister detailing the petitioners’ concerns and asking him to comment.

[24] **William Powell:** Indeed, that makes a lot of sense. When I reread this, I was slightly concerned about the legality of the matter because of the different stages that development plans are at across Wales, and particularly because some have already been adopted. It would be useful if we or the Minister could seek clarification of the legality in the case of authorities where plans have already been adopted.

[25] **Russell George:** I suspect that what the petitioners are asking for is not possible.

[26] **William Powell:** Yes, I have real doubts about that.

[27] **Russell George:** However, it is better that we write to the Minister to ask for the position.

<p>[28] Mr Griffiths: Hoffwn gyfeirio yn gryno at yr ymchwil a wneuthum ar ran y Pwyllgor Menter a Busnes i’r mater hwn. Edrychais ar wefan y Llywodraeth, sy’n dangos, ym mis Medi’r llynedd, fod pump o’r cynlluniau hyn wedi’u mabwysiadu a bod y rhan fwyaf o’r gweddill wedi mynd tipyn o’r ffordd drwy’r broses. Felly, mae’r hyn y mae’r deisebwr yn ei geisio yn golygu y byddai’r gwaith yn cael ei wastraffu ac y byddai angen i bob un fynd yn ôl i’r dechrau. Serch hynny, mater i’r Gweinidog fyddai hynny, ond mae’r hyn a ddywedwyd am y ffaith bod y broses wedi mynd yn bell yn sic yn gywir.</p>	<p>Mr Griffiths: I will briefly refer to the research I conducted for the Enterprise and Business Committee regarding this issue. I looked at the Government website, which shows that, in September last year, five of these plans had been adopted and that the majority of others were well along the way with the process. What the petitioner calls for means that a great deal of this work would be wasted and nearly all of them would have to restart the process. However, that would be a matter for the Minister. What you say about the process being well along the way is certainly correct.</p>
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9.45 a.m.

[29] **Joyce Watson:** The local development plan and other guidance are what drive any

form of economic development right across Wales, quite frankly. I would be surprised if we could deliver what is being asked for here without falling foul of the Government, in intervening with regard to those plans. That said, it is sensible that we write to let the Minister know about this particular concern. However, it is not likely that we will halt all local development plans. If there was an indication in the field of business that we were going to do that, then we would be putting up a sign that Wales is shut for business. We can only address the point made here, and wait for a reply from the Minister.

[30] **William Powell:** Those points are well made, particularly the point about the message that it could send out. That has been helpful. Are there any other thoughts at this time? I see that there are not. In that case, let us write to the Minister to seek clarification. Again, we appreciate the advice that we received earlier on procedure.

[31] The next petition is P-04-352, Save Roath Steam Laundry. This petition was submitted by Dave Green and has collected 145 signatures. It reads:

[32] ‘We call on the National Assembly for Wales to urge the Welsh Government to save Roath Steam Laundry. Built in 1898, Roath Steam Laundry at 33 Marlborough Road is a unique landmark building adjacent to the Roath Mill Gardens Conservation Area. We, the undersigned, object to the demolition of this building which would lead to the further decimation of Cardiff’s architectural and social heritage. Roath Steam Laundry should be conserved for the benefit of the whole community and should become an amenity which all could be proud of.’

[33] We have background information that Cadw has been asked to assess the historical and architectural significance of the building, with a view to its possible listing in future. However, there is a fear that that assessment will not take place in a timely fashion, given the potential for demolition to take place. It is a recent petition, and the intervention of Christmas and the new year means that we have not undertaken anything thus far. What do Members feel is the best way forward on this issue? Are any Members familiar with the building? It looks like an interesting and important topic, with strong feelings in the area.

[34] **Bethan Jenkins:** Given the threat of demolition during the process of potentially listing the building, we should not only write to Cadw for more information, and to the petitioners, but to the Minister to say, ‘Please be aware’—not to say ‘Stop the demolition’, but to say, ‘Look, we are aware that this could happen, so could you be mindful of the fact that it would not be very sensible to go ahead with demolition when the Cadw investigation is taking place?’ I am also concerned that, with the Vulcan Hotel petition, there was supposed to be a review of the listing process in November 2009 or 2010—I am not quite sure when—but that still has not happened. It was in 2010, when Alun Ffred Jones was still Minister. That review has still not happened, and the listing process affects more than one of the petitions before us. Perhaps, therefore, we could urge the Minister to tell us when that review will be taking place, so that things like this do not happen in the future.

[35] **William Powell:** That makes a lot of sense. As is stated in the petition, the building is adjacent to an established conservation area, so there are issues around the setting of that particular group of buildings.

[36] **Bethan Jenkins:** I do not know the background to this matter, but an area in Port Talbot has been designated as a protection area—

[37] **William Powell:** You have raised that matter in the Chamber.

[38] **Bethan Jenkins:** I am not sure whether it would be within the council’s remit to put this building in the same category as other buildings in the surrounding area. I am not sure

whether this is a national or a local consideration.

[39] **William Powell:** There is, I believe, a designation called LIBs—locally important buildings—which is a stage down from full listing, which, as far as I understand it, rests with local authorities.

[40] **Bethan Jenkins:** Yes, but that does not stop demolition.

[41] **William Powell:** No, but there is nevertheless a degree—

[42] **Bethan Jenkins:** We could contact Cardiff Council to see whether it has considered that.

[43] **Russell George:** I agree with that action.

[44] **William Powell:** Okay. So, we need to write to Cadw, Huw Lewis, as the relevant Minister, and to Cardiff Council, urging them to take a serious and fairly urgent look at this issue, given the concern brought forward by the petitioners. We can then consider any responses at a future meeting.

[45] We now move onto P-04-353, Anti-hate Crime Campaign in Wales. This petition was submitted by Wayne Crocker and has collected 336 signatures. It reads:

[46] ‘We call upon the National Assembly for Wales to condemn the rise in learning disability hate-crime and to urge the Welsh Government to create policies which challenge the negative perception of the value of people with a learning disability in Wales today.’

[47] Thus far, we have not taken any action on this. I therefore welcome your suggestions as to how we take forward what is obviously an important issue.

[48] **Joyce Watson:** Yes, it is an extremely important issue, which is on the agenda of Assembly Members, given the Communities, Equality and Local Government Committee’s ongoing inquiry into disability-related harassment in Wales. We have not yet written our report, but we will be doing so and there will be recommendations for the Minister and a discussion in the Assembly, because that is how things are done. Evidence was given by various groups to that committee, so their views will be expressed in that report. We can certainly let the Minister know that this petition has been submitted, and it would only be right and proper to let Ann Jones, as Chair of the committee, know that this has come in, so that it is in the Chair’s hands before we finalise the report, and also to write to the petitioners. It is a work in progress and will be considered and discussed widely by the whole Chamber in the near future.

[49] **William Powell:** So, is that report likely to come out later this term?

[50] **Joyce Watson:** Yes, I would have thought so.

[51] **William Powell:** Excellent. So, we will write to Ann Jones, as committee Chair, and to Jane Hutt, as Minister with responsibility for equalities. It might also be appropriate to copy in Leighton Andrews, as Minister for Education and Skills, given the vital role that education has to play, and Carl Sargeant, for their information. I see that you agree with that.

[52] We now move onto P-04-354, Public statement of support for Bradley Manning. This petition was submitted by the Reverend Christopher Trefor Davies and collected 90 signatures. It reads:

[53] ‘We call on the National Assembly for Wales to issue a public statement of support for Welsh/US citizen Bradley Manning.’

[54] As colleagues will know, Bradley Manning was arrested and held on charges of aiding the enemy in May 2010, due to his involvement in the WikiLeaks incident. His mother was born in Haverfordwest and so, as her son, Bradley Manning is a British citizen. Supporters of Bradley Manning have campaigned for support from Britain, as there are concerns that he is being held under conditions that Amnesty International has shown concern about, and no date has yet been set for his trial. Bethan, you have been involved previously in seeking to bring together support on this.

[55] **Bethan Jenkins:** Yes, I have supported this petition, and I have also tried to table a statement of opinion. However, because of the legal issues with regard to the situation of his internment and the trial, I am not able, according to the Table Office, to table a statement of opinion at this time. That, obviously, would close down one action for the petitioners. We could ask local Assembly Members in the area whether they want to put a debate forward, but it is more than a Haverfordwest area issue, it is a human rights issue.

[56] **William Powell:** Of course.

[57] **Bethan Jenkins:** I chair the cross-party group on human rights, so it is something that we could consider doing something on. That is not official business, obviously, but we could then write to the First Minister to get a clear Welsh line on this. We need to see whether he has a view on this or not, because what is happening at the moment is dreadful.

[58] **William Powell:** Absolutely. As a member of the cross-party group, I would certainly support you in taking that forward. I wonder whether, as a committee, it would be worth our writing to the Table Office to seek clarity as to the reasons that they quoted to you when you sought to table a statement of opinion. I have seen statements of opinion that have passed that initial test on a whole range of issues, some of which have seemed a little surprising. It would be useful to know what the thinking is and for us to be reminded of that.

[59] **Bethan Jenkins:** I might have the explanation in an e-mail, which I could forward to the clerk, to save time.

[60] **William Powell:** If you have that in your archive, that would be good.

[61] **Russell George:** It would be useful for us to write in any case, because statements of opinion are very much linked to what we do on the Petitions Committee in terms of raising awareness. It would be good to have an official letter from you, as Chair, asking for clarification on that and the reasons why.

[62] **William Powell:** I would be happy to write to you, as chair of the cross-party group, if that is not becoming too bureaucratic, to request that that comes forward at the next meeting, which will be later this term.

[63] **Bethan Jenkins:** I shall await your letter. [*Laughter.*]

[64] **William Powell:** Joyce, as someone who lives close—

[65] **Joyce Watson:** I live in Haverfordwest, so it is not close, it is where I live. Like you, Chair, I represent the area. I agree that the issue is not only one for those representing the area, it is, as Bethan said, one that Amnesty International has raised concerns about, so it is a human rights issue. I have not, to date, been involved in any of this. I support everything that has been said. I suppose that it will be a matter for individual Assembly Members to decide

whether to get involved or not; all we can do is ask.

[66] **William Powell:** Given that there has been some discussion recently as to whether our First Minister is conducting some sort of foreign policy initiatives of his own, I am wondering whether it would not be appropriate for us to bring this important matter to his attention.

[67] **Bethan Jenkins:** He has plenty of opinions on the EU, so why not?

[68] **William Powell:** It would be entirely legitimate, as it is a serious issue with regard to our relations with the United States and the maintenance of human rights. I do not know whether the committee would support that. I see that you do.

[69] We now move on to P-04-355, Cymru not Wales. The petition has been submitted by Mr Dennis Morris, and enjoys the support of 119 signatories. It states:

[70] ‘We call upon the National Assembly for Wales to urge the Welsh Government to formally drop the name “Wales & Welsh”. Wales comes from the Anglo-saxon word *Waleas* meaning “foreigner” We find this word insulting and that our nation should only be known as its original name ‘Cymru’ (land of comrades or countrymen). After over a thousand years of being called “foreigner” we feel it’s time this degrading word should be relinquished.’

[71] At this time, we have not undertaken any work on this petition, so it is a blank sheet. We have the opportunity to take it forward as we think appropriate. I would appreciate your comments on this.

10.00 a.m.

[72] **Bethan Jenkins:** Let us ask the First Minister again, shall we? We could always ask the Assembly Commission what it thinks of rebranding the whole of the National Assembly for Wales.

[73] **William Powell:** Yes. Under which commissioner’s brief would this come?

[74] **Bethan Jenkins:** I think that we have a legal intervention.

[75] **Mr Griffiths:** Mae’r ddeiseb hon yn gofyn am newid enw ffurfiol. Nid yw hynny o fewn gallu naill ai’r Cynulliad na’r Llywodraeth, oherwydd mae’r enwau wedi eu nodi yn Neddf Llywodraeth Cymru 2008, ac ni ellir eu newid heb ddeddfu pellach yn San Steffan. Wedi dweud hynny, mae modd newid enw yn anffurfiol, fel y gwelwch gyda’r Llywodraeth yn penderfynu symud o alw ei hun yn Llywodraeth Cynulliad Cymru i Lywodraeth Cymru. Felly, mae modd gwneud hyn yn anffurfiol, ond nid yn ffurfiol.

Mr Griffiths: This petition asks for a formal name change. That is not within the ability of either the Assembly or the Government, because the names have been prescribed in the Government of Wales Act 2008, and they cannot be changed without further legislation at Westminster. Having said that, names can be changed informally, as we saw with the Government’s decision to move from calling itself the Welsh Assembly Government to the Welsh Government. So, this can be done informally, but not formally.

[76] **William Powell:** Thank you for that clarification. So, we can write to the First Minister in those terms and to the Assembly Commission.

[77] **Joyce Watson:** What we really need to do, in the first instance, is to write back to the petitioner saying what has just been said, namely that meeting the request for a formal change

is not in our gift. If the petitioner then wants to resubmit the petition asking for an informal change—this petition asks us to formally drop it; we have just been told that we cannot do that—

[78] **William Powell:** That would be futile and a waste of time, and there is the difficulty around—

[79] **Bethan Jenkins:** Surely, if the petitioner agreed to it happening informally, they would not need to—

[80] **Joyce Watson:** That is what I am saying.

[81] **William Powell:** We need, however, to seek their assent.

[82] **Bethan Jenkins:** I think that it would be another waste of time if they had to resubmit the whole petition for it to happen informally.

[83] **Joyce Watson:** I am just saying what the petition asks.

[84] **William Powell:** We need to go back to the petitioner with this important piece of advice. I think that that is right. Pending that, we can decide to move forward and write to the First Minister and, potentially, to the Commission on this matter.

[85] **Russell George:** I was never familiar with the fact that ‘Wales’ meant ‘foreigner’—

[86] **William Powell:** It was a new one on me. I am not familiar with the Anglo-Saxon.

[87] **Russell George:** The whole issue revolves around that. I wonder whether we can ask for independent advice from someone, because it is the first that I have heard of that.

[88] **William Powell:** We could write to the most convenient source of Anglo-Saxon scholarship. I am not quite sure where we could go, but I am sure that we could consult our colleagues.

[89] **Russell George:** There has to be an expert in the field whom we can ask for independent advice as to whether this is correct or not, because what we do next will depend on that, I suspect.

[90] **William Powell:** It would be useful to substantiate that point.

[91] **Russell George:** I do not know whom to write to.

[92] **William Powell:** We can take advice on that and write to an appropriate and recognised authority in the field.

[93] P-04-356, calling for a review on the issues set out in the 2007 report on football in Wales, was submitted by Stuart Evans, and he has collected 96 signatures. It reads:

[94] ‘We call upon the National Assembly for Wales to review the issues set out in the 2007 Culture, Welsh Language and Sport Committee report ‘Football in Wales – a review. In March 2011 the people of Wales overwhelmingly voted for more powers to be devolved to Wales. One of these areas was sport and recreation. We call upon the National Assembly for Wales to urge the Welsh Government to use these powers that they did not have in 2007 and review the original report. The FAW needs to be accountable to the people of Wales and provide value for money to the people of Wales. We want the Welsh Government to work

with the FAW and FIFA to ensure that this happens.’

[95] I would appreciate your input on this matter, because it is a recent petition and we have not, as yet, undertaken any action on it. Are there any thoughts from colleagues? Were any colleagues involved in the 2007 committee report?

[96] **Joyce Watson:** Yes, I would have been. We should refer to it to the committee.

[97] **William Powell:** Which would be the successor committee?

[98] **Joyce Watson:** The Communities, Equality and Local Government Committee.

[99] **William Powell:** Okay. So, let us do that in the first instance and refer it back to the Chair of that committee.

[100] We now move to P-O4-357 on allocating social housing in Wales. This petition was submitted by Royston Jones and has collected approximately 115 signatures. It reads:

[101] ‘We call upon the National Assembly for Wales to urge the Welsh Government to address the flawed system for allocating social housing in Wales. At present, a person who has never visited Wales can qualify for social housing ahead of someone born and bred in Wales. This is due to the points system giving preference to the homeless, those in unfit accommodation, those recently released from institutions etc. At first glance, commendable; but when applied on a UK basis we see an endless stream of people with ‘problems’ from outside Wales denying Welsh people social housing and too, often, blighting Welsh communities. To remedy this problem we call on the Welsh Government to introduce a period of five-years’ residency in Wales before anyone qualifies for social housing, exempting only political refugees and others escaping persecution.’

[102] As you will recall, we as a committee recently considered a similar petition. At that time, the Minister wrote to the committee, stating that he had included consideration of local connections in housing allocation criteria guidance for Welsh local authorities. The petitioner, Mr Jones, is aware of that development but felt that the five-year residency qualifier, which is referred to here, is sufficiently different to the consideration of local connections per se, introduced by the Minister. As yet, we have not undertaken any action. Joyce, you have indicated that you wish to speak.

[103] **Joyce Watson:** I have huge problems with this, not least because Wales shares its borders, as you know, Chair; indeed you live very close to one of them. A group of people that would not fit the category described here would be women fleeing domestic abuse, who, in many cases, to protect themselves and their children, have to flee from outside borders that are not necessarily Welsh, in order to survive. On those grounds alone, I can see immediate problems—

[104] **Bethan Jenkins:** They would be the ‘others escaping persecution’, would they not?

[105] **Joyce Watson:** Not according to this, because it states ‘exempting any political refugees and others escaping persecution.’ It is not exactly persecution, in those terms. I do not know whether they would fit that category, because it is tied up with refugees and others escaping persecution. That is the first group that I can think of. The other group that I can think of is essential workers, who are sometimes given priority for social housing where you have an immediate shortage of essential workers to fill whatever vacancies that exist. Those are the ones that I can think of, but I am sure that there are a multitude of others.

[106] The Assembly and local authorities take local connections into consideration in that

points system—I know that because I have a case the other way around, as I am sure have all of you. I do not see that this is particularly different from what we have already spent an awful lot of time looking at as a Petitions Committee. That said, we can write to the Minister sharing this latest petition with him and seeking his views.

[107] **Bethan Jenkins:** Would it be legal to exempt people for five years, under EU rules and regulations?

[108] **William Powell:** We shall seek advice.

[109] **Mr Griffiths:** Mae modd gwneud rheoliadau sy'n pennu categorïau ar gyfer hyn. Nid oes hawl gwahaniaethu ar sail cenedl o ran ymgartrefu'n gyffredinol. Wedi dweud hynny, mae categorïau i'w hystyried yn hyn o beth yn ymwneud â chysylltiadau lleol, fel y gwyddoch, ac felly, os ydych am fwrw ymlaen â hyn, bydd angen gofyn i'r Gweinidog am gyngor manwl.

Mr Griffiths: It is possible to make regulations that set categories in this regard. We cannot discriminate on the grounds of nationality with regard to residency generally. Having said that, categories do come into play with regard to local connections, as you know, so, if you want to proceed with this matter, you will need to ask the Minister for detailed advice.

[110] **Bethan Jenkins:** A ellir nodi cyfnod o bum mlynedd?

Bethan Jenkins: Could you specify a period of five years?

[111] **Mr Griffiths:** A ellid rhoi cyfnod mor hir, nid wyf yn sicr. Byddai angen cyngor manwl ynglŷn â'r hyn sy'n gyfreithlon a'r hyn nad yw'n gyfreithlon.

Mr Griffiths: Whether you could set a period of that length, I am not sure. We would need detailed advice about what is lawful and what is not.

[112] **William Powell:** We should seek that advice before going further in the matter.

[113] **Russell George:** Like Joyce, I have a problem with this, because I think that this would mean that Welsh people would also be denied, which is exactly what this petition is saying is happening. Clearly, it would follow that any Welsh citizen who goes to any other part of the UK would be denied—

[114] **William Powell:** There would be potential reprisals.

[115] **Russell George:** If we support this, in another part of the UK, Welsh citizens could be denied those rights enjoyed by people in any other part of the country, and I have a problem with that. I therefore have great difficulty in supporting this petition, but I am happy that we are to write to the Minister on the matter.

[116] **William Powell:** I share a number of the concerns that you have articulated. On the point about domestic abuse, I thought that, potentially, the term 'persecution' could have covered that, but not when the first half of the sentence is looking at political oppression, because that is setting a different context. However, on the issue of key workers and the issue of legality, we need clarification before we go any further, and I share the reservations that have been expressed by colleagues. So, let us do that in the first instance—shall we hold off from writing to the Minister, or shall we write to the Minister at the same time?

[117] **Russell George:** We can write to the Minister to ask for his views, can we not?

[118] **William Powell:** Okay, but I think that we need to know the firm legal basis before we take it further.

[119] **Bethan Jenkins:** Sorry, but I thought that we were advised to ask the Minister about the legal aspect with regard to the period of five years.

[120] **William Powell:** To seek the legal views, through that route. Let us do that.

[121] The next petition is P-04-359, which relates to problems with the NHS for the deaf. This petition was submitted by Lisa Catherine Winnett, and it has collected 68 signatures. It states:

[122] ‘We the undersigned call on the National Assembly for Wales to urge the Welsh Government to provide a better service for the hearing impaired (H.I.) in the NHS.’

[123] I would suggest with this petition that we again write to Lesley Griffiths, the Minister for health. Are there any other possible things that we should do at this time?

[124] **Joyce Watson:** I would be happy, Chair, for us to call for evidence to see if there is a problem of any real scale, if everyone else agrees. There is a cross-party working group.

[125] **William Powell:** Indeed; I was just about to mention that.

[126] **Joyce Watson:** Ann Jones chairs that group.

[127] **William Powell:** We are keeping her busy today.

[128] **Joyce Watson:** Yes. I am sure that it is only right and proper for us to let that group know what we are doing, and it may be that the group can immediately give us some evidence in any case.

[129] **William Powell:** Okay, it is agreed that we will do that. I think that we can move forward on that basis.

10.14 a.m.

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[130] **William Powell:** This item comes under the local government and communities part of our agenda. We have decided to consider the following two petitions together: P-03-227, Against the proposed Metrix access road in Llanmaes, and P-03-252, Opposing RAF St Athan Northern Access Road (Boverton residents).

10.15 a.m.

[131] You will recall the background to both petitions. Since their submission during the previous Assembly, some fairly fundamental things have happened in that these developments are not taking place. Therefore, it would seem appropriate to draw a line under this and close the petitions. Are colleagues happy to go forward in that way? I see that you are. Thank you.

[132] We move on to petition P-03-318, Cross Border Maternity Services. We have a substantial number of papers from the relevant health board and correspondence from Adam Cairns, the chief executive. This petition was submitted by Mrs Helen Jarvis and collected 164 signatures. It states that:

[133] ‘We, the undersigned, note the proposal to move the consultant-led maternity unit,

neonatal intensive care unit and child inpatient unit from the Royal Shrewsbury Hospital (RSH) to the Princess Royal Hospital (PRH) at Telford.’

[134] In the subsequent paragraphs, concerns are flagged up regarding the impact that this would have on the quality of service enjoyed by local residents in north Powys. The committee has a range of options, but, at this stage, I would like to open up the discussion. I know that Russell has been taking a keen interest in this petition, as have I.

[135] **Russell George:** Yes, as I am sure have all members of the committee.

[136] **William Powell:** Indeed.

[137] **Russell George:** Although 164 signatures were collected, many thousands more supported this petition. The subject of the petition remains a real concern to people in north Powys. So, I certainly would not be prepared to close this petition while it remains such a concern. At this point, I would like to write to the Minister to ask her to keep us updated on the local delivery plan. I would not suggest that we close this petition at this time.

[138] **William Powell:** No, not at this time. Joyce, you have also been involved in this; what is your perspective?

[139] **Joyce Watson:** I met the Powys local health board the day before the Christmas recess began. This was one of the issues on which I asked for information. It is of critical importance and the big problem was that the decision was out of our hands; this is a cross-border issue. I support Russell in saying that we need to keep this under review, because it has implications for the way in which we deliver services. Most importantly, it has implications for the people living in that area. I do not need to tell anyone here that we are talking about one of the most rural areas in Wales, which does not have a district general hospital.

[140] **William Powell:** And has no prospect of getting a district general hospital.

[141] **Joyce Watson:** No, there is no prospect of that at this stage. So, I definitely support keeping this under review. Would it be worth writing to the Health and Social Care Committee to ask it whether it would do the same in order to keep it up on the agenda? We cannot just draw a line under the matter—I am sure that no-one desires to do so—because that would be completely inappropriate.

[142] **William Powell:** We should definitely write to the Chair of the Health and Social Care Committee, and I am happy to do so, because it is difficult for folk sometimes to understand quite how interdependent counties such as Powys and other border counties are on cross-border services. When you look at the diary commitments of the chief executive of the English trust, which show that he undertakes visits and holds community meetings across Powys, you realise the extent of the interconnection. It is critical for the delivery of services and also for future planning on the English side of the border. They are deeply interrelated. So, we will write to the Chair of the health committee. We will also write to the Minister, urging her to keep a close watching brief on how this develops between now and 2014.

[143] Under housing, regeneration and heritage, we have three petitions that we have been considering together, as we will today: P-04-308, Save Gwent Theatre, P-03-311, Spectacle Theatre, and P-03-314, Save Theatr Powys and Mid Powys Youth Theatre. You will recall that we decided at a previous meeting to write to the Auditor General for Wales to ask that he consider undertaking an examination of the Arts Council of Wales investment review, and we have in our papers for today the letter that we received back from him, which makes his position on this fairly clear. Colleagues, what are your thoughts on this one?

[144] **Bethan Jenkins:** It was a better response than the one that he sent to me.

[145] **William Powell:** Okay, so it is progress.

[146] **Bethan Jenkins:** He said outright that he would not consider looking into it.

[147] **William Powell:** He now says that he will revisit it, does he not?

[148] **Bethan Jenkins:** He does, so I think that we should hold him to that. I sit on the Communities, Equality and Local Government Committee, and there is a view to go back to the report that we did on access to the arts in Wales, which looks into some of these issues. To alleviate the petitioners' concerns, that is something that that committee will pick up on. I cannot remember whether I said this in the last meeting or not—so apologies for that—but the Labour Party manifesto stated that there would be a commitment to theatre in education, and we need to see the progress on that at Government level, and whether Huw Lewis will be putting that into action as a Minister. I am not sure whether we have had that response. If we have had it, I apologise.

[149] **Mrs Phillips:** I think that we have had a response.

[150] **Bethan Jenkins:** I cannot remember what he actually said, or what the timeline is for him making these changes to that policy.

[151] **William Powell:** The other issue is that you said that it is on the agenda of the Communities, Equality and Local Government Committee. Is it worth our writing, ahead of the potential closure of these petitions, to alert the Chair to our ongoing concerns about this, and maybe to share the correspondence from the auditor general?

[152] **Bethan Jenkins:** Yes. We could write and close the petition now, I think.

[153] **William Powell:** Do we agree on that? I see that we are unanimous.

[154] We move on to P-03-339, Enforcement of Animal Welfare Standards in the Puppy Farming Industry in South West Wales. You will recall our receiving this petition from Colin Richardson and his colleagues back in October 2011, and it has collected 2,169 signatures. It calls on

[155] 'the Welsh Assembly to urge the Welsh Government to stage an independent inquiry into the enforcement of animal welfare standards in the puppy farming industry in South West Wales.'

[156] We have issued a consultation on this and, as you will have read, we have had five responses, some substantial—although they were not that many in number, some very important issues have been flagged up. In light of that, I would advocate that we write to the Minister urging that an independent inquiry be set up. However, I would very much value your views on how to go forward.

[157] **Bethan Jenkins:** I thought that local government was already looking into this issue. Elin Jones, the previous Minister, had already moved in this direction, but this particular issue raised its head, and then it was put on hold. I think that John Griffiths has said that he is making changes to it now, as we speak.

[158] **William Powell:** So, what we could usefully do, if he has not already received them, is to share with him our consultation responses as part of that process.

[159] **Mrs Phillips:** This particular petition asks very narrowly for the enforcement of the animal welfare standards. This petitioner also has a separate petition relating to a review of the regulations, and it is the review that is under way. This petition is more about enforcing those regulations.

[160] **William Powell:** Yes, this is really quite specific.

[161] **Mrs Phillips:** It is the other end of the issue.

[162] **Bethan Jenkins:** Okay. We could, then, write to ask the Minister for a separate response.

[163] **William Powell:** That is certainly the view that the petitioner and his many supporters are seeking.

[164] **Bethan Jenkins:** If it is not being considered under the current regulations, we could ask the Minister to consider this separately in view of the consultation responses.

[165] **William Powell:** I think that that would be a sensible move. There is a degree of common background here that would obviously be relevant to it. We should be writing as well to the Chair of the Environment and Sustainability Committee, which is a committee, like all the others, with a fairly full agenda at the moment. However, I think that this is an important issue to be factored into the work programme.

[166] **Joyce Watson:** Puppy farming is a big issue in west Wales, and it has been of concern to people for many years—it is not a new issue. What is new is that the Government is reviewing the way in which those practices are being carried out. However, as has been said, this is about enforcement and inspection, really, which is a completely different issue. An independent inquiry would probably have some value, but it would not add anything immediately to this agenda, as it would take some time. We can write to the Minister, but we very recently received an e-mail from the Minister—only this week, I think—saying where he was with his actions. So, I think that it is sensible to put it to the Environment and Sustainability Committee, but I think that we and the petitioners will have to recognise that it might be at least a year before it gets anywhere near—

[167] **William Powell:** Yes, there is a capacity issue. We will ask Gwyn for advice on that one.

[168] **Mr Griffiths:** Pwynt o wybodaeth yw hwn yn hytrach na phwynt cyfreithiol. Nid oes amheuaeth fod y pwerau cyfreithiol naill ai gan y Gweinidog neu'r Cynulliad. Fodd bynnag, mae llythyr gan y Gweinidog dyddiedig 15 Tachwedd, sydd yn dweud:

Mr Griffiths: This is a point of information rather than a legal point. There is no doubt that the legal powers lie either with the Minister or the Assembly. However, a letter from the Minister, dated 15 November, says:

[169] ‘Consequently I see no reason, at this stage, for an independent inquiry into the enforcement of animal welfare standards in the dog breeding industry’.

[170] Felly, mae wedi ystyried y cais hwnnw'n benodol ac wedi ymateb yn y ffordd honno. Therefore, he has considered that request specifically and responded fully to it.

[171] **Joyce Watson:** There we are, then. That is it.

[172] **William Powell:** In that case, we had better confine our main action to writing to the

Chair of the Environment and Sustainability Committee for forward planning on that issue. Is everyone agreed? I see that you are.

[173] We have two further petitions to consider ahead of the ministerial session; I can see that the Minister and his team are ready to join us. The first of those petitions is P-03-343, Prevent the destruction of amenities on common land—Anglesey, submitted by J.E. Futter in November with the support of 156 signatories. We wrote to the petitioners seeking information, and I believe that we are still seeking further clarification. Until we receive that, we have difficulty in taking this any further forward. Are colleagues agreed? I see that you are. Okay, so let us await that clarification and hope that we get it by the time of our next meeting.

[174] The next petition is an Assembly Commission-related petition, namely P-04-330, A Welsh Language Record in our Assembly, which was submitted by Catrin Dafydd in September 2011, with the support of 1,334 signatures. It expresses concern

[175] ‘about the status and use of the Welsh language in the National Assembly. Welsh is now an official language in Wales, and we are very proud of this development. Nevertheless, the decision to allow the Record—a document of the highest symbolic importance—to become, essentially, a monolingual English document, after having been entirely bilingual since 1999, runs counter to this development and denigrates the official status of the Welsh language. We therefore call on the National Assembly for Wales to return to a policy of providing a fully bilingual Record, so that the people of Wales can read the Assembly’s proceedings in their own language, be that Welsh or English. This is a matter of principle and of respecting the fundamental linguistic rights of the people of Wales.’

10.30 a.m.

[176] We had an announcement recently from the Assembly Commission on its decision to maintain a fully bilingual Cofnod, which I believe goes a substantial way to addressing this matter. However, correspondence came in yesterday evening from Catrin Dafydd. She makes it clear that this decision does not meet the full aspirations of the petitioners. I would welcome colleagues’ views on that correspondence, and on how best to proceed.

[177] **Bethan Jenkins:** I believe that the relevant legislation is going to the committee stage, and it would be appropriate for the committee designated to scrutinise the legislation by the Business Committee to discuss the content of that correspondence. That is, amendments could be put forward that would reflect the petitioners’ concerns. I recognise the issues raised by the petitioners, but I think that that would be the best way forward. It would be preferable to keep the petition open during the committee stage of the process, and then it will come back to us.

[178] **William Powell:** So, the committee stage process will be conducted while the petition is still live.

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

[180] **William Powell:** Are Members agreed on that way forward? I see that they are. As soon as the legislation is allocated to a relevant committee, we can contact the Chair and ensure that we can maintain dialogue and achieve a result that comes as close as possible to satisfying the petitioners’ wishes.

10.31 a.m.

Y Gweinidog Llywodraeth Leol a Chymunedau—sesiwn tystiolaeth lafar
The Minister for Local Government and Communities—oral evidence session

[181] **William Powell:** We move on now to the next agenda item, and we welcome the Minister and his team here this morning.

[182] Minister, I wish you and your team a happy new year—blwyddyn newydd dda. We will be considering a series of petitions under this agenda item: P-03-144, which is on guide dogs for the blind and the issue of shared space; P-03-162, which is on road safety in Llanspyddid; P-03-261, which is on local solutions to Newtown traffic; and P-04-319, which is the Newtown traffic petition. Minister, could you please introduce your team?

[183] **The Minister for Local Government and Communities (Carl Sargeant):** Good morning, Chair, and a happy new year to everyone. This is the first committee meeting of the year, and it is good to be with you this morning. I will let my team members introduce themselves, starting with Jeff Collins.

[184] **Jeff Collins:** I am Jeff Collins, and I am the director of transport in the Welsh Government.

[185] **Ian Davies:** I am Ian Davies, and I am the head of network operations in transport.

[186] **William Powell:** First, we will consider issues relating to guide dogs for the blind, petition P-03-144. Minister, could you please lead us off?

[187] **Carl Sargeant:** Chair, I was expecting questions from the committee.

[188] **William Powell:** If you would like to move on to questions immediately, that is okay. I thought that you might have had some initial remarks. Minister, could you please elaborate on the obstacles that prevent adoption in Wales of the UK Government guidance on shared space?

[189] **Carl Sargeant:** The committee will be aware that a report has been published by the Department of Transport in the UK Government. The Welsh Government is still yet to be convinced of a positive outcome in relation to shared space. We believe that there is still work to be done. We are not dismissing the issue, but we are saying that more evidence needs to be taken about the use of shared space in practice. As a Government, we have not endorsed the report. We are not opposed to it in principle, but we are looking at how to gather better evidence on the opportunities that may be presented for shared spaces in the future.

[190] **William Powell:** So, if equality and other issues can be addressed, do you still have an open mind on taking this forward?

[191] **Carl Sargeant:** We are taking forward the cycling Bill, and there are new opportunities to better understand the nature of how we use spaces for pedestrians and vehicles. There is little evidence, as I said, to argue either way about the dangers of a scheme of shared space. My personal view, and that of the Welsh Government, is that we must have better respect of users of infrastructure, both of road services and pedestrianised areas. There are examples of where these areas are in place, where there is a reduced speed limit in a shared space. However, it is still untested. We need to have better evidence on how these areas will develop. The Welsh Government will not be pursuing shared spaces in Wales in our schemes until there is better evidence that shows that they could prove a better solution for infrastructure in our communities.

[192] **Bethan Jenkins:** Rydych yn nodi na **Bethan Jenkins:** You state that the Welsh

fydd Llywodraeth Cymru yn datblygu Government will not develop shared-space
cynlluniau manau a rennir ar ffyrdd o fewn schemes on roads within its jurisdiction until
ei hawdurdodaeth nes iddi gael rhagor o further evidence is forthcoming on the effect
dystiolaeth am effaith cynlluniau'r DU. Pa of UK schemes. When do you anticipate that
bryd y rhagwelwch y bydd digon o sufficient evidence will be available?
dystiolaeth ar gael?

[193] **Carl Sargeant:** I am sorry, Chair, I only got half of that through the translation, but I think that the last bit, which I heard, was the important bit, on when we intend to follow on with shared-space schemes.

[194] We are mindful of what is happening in the UK. My team will keep abreast of what is happening. I am keen to find a solution that everyone is happy with. As I said, it is about a cultural change in the way pedestrians and traffic use the infrastructure. The issue is about the respect element, because at the moment we have fixed solutions: kerbsides, barriers and so on, which separate pedestrians from traffic. Once you remove those, you would think that the risk would increase. We need to be able to evidence that. If we are to propose that we should have a shared space, we have to be assured of the cultural operation of such an area, so that pedestrians and road users have equal rights. We have to be convinced of that, and I am yet to be convinced. That is why we need to look at the evidence that is being pursued and what is happening in England.

[195] There are examples of other countries that do this as well, so we are looking beyond the UK boundary.

[196] **William Powell:** Good. Joyce, you have particular experience of this issue.

[197] **Joyce Watson:** Minister, we have had evidence from the Guide Dogs for the Blind Association indicating that local authorities are not consulting with disabled people's groups effectively. What steps will you take to ensure that local authorities follow best practice?

[198] I also raise a concern of my own. My dog is now blind and I walk him with him being completely without sight. That has given me an insight into how difficult it can be to negotiate a space and the obstacles within that space. There are boundaries that he knows, understands and follows. It has given me a completely different perspective from a position of trying to negotiate a space, albeit with a blind dog. However, it would be just the same if he was a person with absolutely no sight whatsoever. I walk him in the same place he has walked for 11 years and I have observed how he uses boundaries to good effect. Guide dogs are used to lead people who are blind and use the guidelines that they have trained to use. If we were to have shared spaces and take that legislation forward, all those dogs who have been trained to guide in the way they currently do would immediately have a problem. How would we deal with that? If the dogs have a problem, the people who rely on them have exactly the same, if not a bigger, problem.

[199] **Carl Sargeant:** It is a very complex and important question. I am sure that the committee understands the legislative nature of these proposals and my responsibility in that regard. Local authorities are highway authorities unto themselves and they have a duty to comply as a highway agency. I have my own authority with regard to Welsh Government road networks, but local authorities have authority on local roads. They have a duty with regard to the safe passage of all traffic, including all pedestrians and cyclists, so you may wish to consider approaching local authorities directly on that. They are expected to comply with those regulations. As I said earlier, I have no intention of introducing shared spaces as Welsh Government policy until I can evidence the proposal. I would expect local authorities to also consider our approach to this, but, as I said earlier, they are highway authorities in their own right. However, in order for them to pursue such a proposal, they would have to

consider their statutory responsibilities with regard to safety. So, they are in the very same position as me. They need to be able to evidence right and wrong and the benefits of such an operation in the communities they represent.

[200] **William Powell:** Thanks very much. I think that concludes our consideration of shared spaces. We are now going to move to a pair of petitions coming from radically different positions on the Newtown bypass proposals, which are petitions P-03-261 and P-04-319. Late last night, we received correspondence from one of the petitioners of petition P-03-261, Gary Saady from Newtown Traffic Solutions group. Given the late nature of this, I should read the text so that we have the context of his remarks.

[201] ‘Thank you for sending this correspondence to Newtown Traffic Solutions group. Please thank Mr. Sargeant for taking the time to reply. Unfortunately his letter has done nothing to allay the group’s (NTSG) fears that Newtown may be lumbered with an archaic, expensive and short-term ‘solution’ to its congestion problem. More imaginative and forward-thinking transport planners—in Denmark (Copenhagen), Germany (Freiburg) and Holland (anywhere), for instance—would resolve the traffic issues without destroying the beautiful environs, whilst at the same time reducing both carbon emissions and endemic obesity.’

[202] With regard to the reference to public consultation, he goes on to say that this, in his terms, has not fully taken place. Finally, with regard to the Minister stating that if there were any objections, a public inquiry would be held before an independent inspector, he says:

[203] ‘Please may we assure him that there are objections and therefore an inquiry will be necessary.’

[204] Apologies for the late nature of that correspondence, but it is very relevant to our discussion now. Russell, may I ask you to lead on this?

[205] **Russell George:** Yes. First, may I say that Mr Saady’s views are probably those of the minority in mid Wales. Indeed, one petition had a few hundred signatures and one had more than 5,000. So, although we are looking at the two together, the vast majority of people support the bypass. However, I think that Mr Saady’s views are also valid because some of his ideas need to be adopted as well as the bypass. That is worth pointing out as well. Obviously, the Newtown bypass has been subject to continuous delays since it was first put in the trunk road forward programme. I think that people will now want a timetable for that programme and to know when the construction phase will start. It would be useful if you could outline that. Most importantly, the many thousands of people who signed the petition probably want to know when the first car will drive onto that new bypass. That is the bottom line. If he could detail a timetable, I would appreciate that.

10.45 a.m.

[206] **Carl Sargeant:** You will be aware of the reprioritisation within the national transport plan regarding my actions on the Newtown bypass. The provisional start date for publication of the orders is in that proposal, which is 2012-13. Beyond that, it would be wrong of me to make any further discussion points on the Newtown bypass, on the basis that I have made my decision to pursue this proposal and have indicated when I will be laying the orders for discussion. Subject to the detail of the letter that you have there, all residents and all people will have the opportunity, subject to a public inquiry and publishing the orders, to express their views in either direction. From that, I will make a decision on the scheme, subject to a public inquiry, without prejudice. I do not want to be accused of prejudicing my decision at this early stage. My commitment to the scheme has been clearly mapped out in the national transport plan.

[207] **William Powell:** Thank you for setting out the context of the procedure that we need to follow. Colleagues have areas that they want to pursue, but it may be safer to move on to the other issue—which we have considered for some time—of petition P-02-162. It is about road safety concerns on the A40 in Llanspyddid, just outside Brecon. Bethan, I believe that you want to lead on this—

[208] **Russell George:** Sorry, Chair, are we going back to the Newtown issue? There were some other questions—

[209] **Carl Sargeant:** On the Newtown bypass, I have made my decision-making process for the future clear. I would not want to compromise that. I am happy, subject to some of your questions, to discuss issues around the other petition that you have on traffic congestion and the roundabout.

[210] **William Powell:** Sorry, I misinterpreted and was being overcautious. Joyce, you have the green light to go back to planning.

[211] **Joyce Watson:** It is the red lights that are stopping the traffic. [*Laughter.*]

[212] Happy new year, Minister. You issued a letter dated 29 July last year, saying that discussions with residents and other observations suggest that the new signalling system in the town is working well. Could you elaborate on that?

[213] **Carl Sargeant:** I would like to think that I operate in an open and transparent manner, and that when we get things wrong, we should say so. When the lights were installed, they were not working effectively. I asked my team to look at that closely. We remodelled and—what is the technical term for what you do to the lights to realign them?

[214] **Mr Davies:** Recalibrate.

[215] **Carl Sargeant:** The lights have been recalibrated. We believe that there has been a marked difference in the way that traffic flows through Newtown. However, we also believe that the Newtown bypass solution would bring enhanced benefits to the Newtown area. Subject to my decision, we believe that there would be ongoing benefits to a Newtown bypass—should it happen—and that it will have a direct effect on that junction and the traffic flow through Newtown. We recognise that there was an issue with the lights, but we believe that we have recalibrated them and that there is now an easing of traffic flow through the town.

[216] **William Powell:** To take that a step further, you have indicated that a before-and-after study has been undertaken, comparing past and current congestion levels. Is that study around the recalibration exercise that you have just mentioned?

[217] **Carl Sargeant:** Yes, the modelling study is ongoing, and once we have that data, we will do some scenario simulation, with regard to the computerised signalisation of traffic lights and roundabouts, to see whether any benefit analysis can be taken from the data. I suggest, Chair, that we need a little more time to ensure that we are able to find the right solution, which may be in place after the computerised modelling study. Anecdotally, we have heard arguments from both sides of the fence, with some people saying that the situation is worse, while others are saying that it is better. I want to think that we operate statistically, and so, when I have that modelling study data, I will be happy to share some of it with the committee. I will make my decision on whether we should move to a different style of junction or continue with the current junction, but I will base that decision on the statistical data that I receive from my department.

[218] **William Powell:** It would be helpful for our consideration of both of these petitions to have those data as soon as possible.

[219] **Russell George:** I appreciate your honesty, Minister, about the fact that the new SCOOT system that was introduced is not working as expected. People will appreciate your honesty about that. We are grateful that you will provide that before-and-after study information to the committee to consider once it has been finalised. When you look at that statistical information, will you consider the real feeling that people are avoiding the town and using other routes? So, in looking at that modelling study, please take into account that, yes, traffic has eased, but that it might be as a result of people using other routes. I am pleased that you mentioned that you would be prepared to re-examine that junction. Will you comment on whether you would be prepared to consider putting a trial roundabout back in place—and I say ‘trial’ because that would not involve any great expense—given the feeling that the traffic problems in Newtown were considerably worse after the roundabout was removed? Will you confirm that you will at least consider putting a trial roundabout back in place?

[220] **Carl Sargeant:** I can assure the committee and the Member that, if I believe that congestion could be considerably eased by way of a different model, I will seriously consider an alternative method of providing a different style of junction—whether that be a temporary roundabout or otherwise. What I will not do is pre-empt the statistics that are coming through, because while you suggest that it would not be too expensive, there will be an expense, and I will not act on anecdotal evidence that it would be better. I will base my decision on fact. However, I will seriously consider and pursue any better alternatives.

[221] **Russell George:** When do you expect the before-and-after study to be available to us?

[222] **Carl Sargeant:** I imagine that the data will be completed by next month. We have just had Christmas, when traffic flows are different, so I want to get a complete package that will better inform us on the right decisions as to whether we should or should not make any changes. The expense that could be incurred on the back of a potential bypass solution for Newtown must also be taken into consideration. I am more than happy to share the data with the committee, subject to them being robust and complete. So, when I have the data, I will share them with you.

[223] **William Powell:** Thank you, Minister. If they were available later this term, that would be helpful for our deliberations.

[224] We will now move to considering the issue that I referred to earlier, which is the position on road safety concerns in Llanspyddid on the A40. Bethan, you indicated previously that you wanted to come in on this one.

[225] **Bethan Jenkins:** Ymdriniwyd â nifer o’r materion yng nghyd-destun y pwnc hwn, ond nid mater goleuadau yn yr ardal. Yn eich papur, rydych yn nodi na fyddwch yn ystyried gwneud gwelliannau i oleuadau yn Llanspyddid gan nad oes hanes o broblemau yn ymwneud â diogelwch ffyrdd sy’n gysylltiedig â gwrthdrawiadau yn ystod y nos. A wnewch chi ymhelaethu ar hynny a dweud wrthym, er enghraifft, faint o ddamweiniau sy’n gorfod digwydd yn y nos cyn i oleuadau gael eu hystyried? A oes gennych ragor o wybodaeth ar sut rydych yn

Bethan Jenkins: A number of the issues in the context of this matter have been dealt with, with the exception of the issue of lighting in the area. In your paper, you note that you will not consider improvements to lighting in Llanspyddid as there is no history of road-safety problems related to night-time collisions. Will you elaborate on this and tell us, for example, how many night-time accidents have to occur before lighting is considered? Do you have additional information on how you track the effect on drivers of a lack of lights in this area?

tracio'r effaith ar yrwyr oherwydd nad oes goleuadau yn yr ardal hon?

[226] **Carl Sargeant:** Thank you for your question and for recognising the work that has already taken place in the area with regard to the modification. I pre-empted what you might ask me on the details. I thought that your question would refer to collisions at night because of lighting, so I took the opportunity to look at the accident record for that area.

[227] There are no threshold numbers to trigger the consideration of lighting systems. We take a holistic view about what we believe are the right solutions for different areas. I can share some data with the committee about this particular area, and I will pass the paper through to you, Chair. Between September 1999 and November 2009 there were only two night-time collisions. One was early evening, about 8 p.m. in September, and one was just before midnight in November. Of the two that occurred in the evening, there was only one serious incident—I say 'only' but I am not saying that lightly. All other incidents on that road have been in daytime, which would indicate that there is more of a problem during the daytime than the evening. Therefore, lighting would not be the solution to the problem.

[228] **Bethan Jenkins:** You say that, but it is January now and it is very dark when you are driving at 3 p.m.. Having no lights on the road affects people. It is difficult for you to try to say that lighting is appropriate all of the time. This is not just a night-time issue: in the climate that we have, it is dark from 3 p.m.. If there are more accidents from 3 p.m. on, would that justify a trigger of some sort for that area?

[229] **Carl Sargeant:** My team and I take road safety seriously; it is a priority for the Welsh Government. Based on incidents that have been presented to you locally by petitioners, we have assessed the data, and it is pretty clear to us that incidents happen in the daytime. Your broader point about lighting and that it goes dark at 3 p.m. is important but, realistically, it is about funding. If I was able to light all the highways across Wales, I would probably not be popular with John Griffiths, the Minister for Environment and Sustainable Development, but on a safety element, I would consider it, subject to financing.

11.00 a.m.

[230] We have to look at the incident rates in an area. You have asked me to look at this specifically. Based on our interventions already, in terms of road markings and so on, and the historic accident rate, we do not believe that the solution for this area would be lighting. I am sympathetic to what you are saying, but, in terms of where we are with this particular element of the road network, we do not believe that that would be beneficial. I am happy to share the accident record with you, Chair.

[231] **William Powell:** That would be useful for us.

[232] **Carl Sargeant:** However, as I said, since 1999, there have been two evening collisions.

[233] **Bethan Jenkins:** I have one small question. You say that there is no trigger. I find it difficult to understand how you would determine—you say that, if you had all the finance in the world, you would put lights everywhere—where there would be some lights on highways and where there would not. Is it all based on there being one or two very serious incidents?

[234] **Carl Sargeant:** That was a hypothetical answer to your question, really. I said that, if I had the money available, I would do it, because I believe that it might benefit the safety of people who walk and travel on the road network. However, the reality of life is that some of our road networks do not get used after midnight, or very late at night, although they might,

so it would not be economic to install lighting systems everywhere across Wales.

[235] We look at incident data, and, where there has been a recording of a slight accident or a severe accident, involving serious injury or death, we map out what we believe is the solution to the problem. If it is speed related, we may do some hardening on the road network. If there are speed issues at night, we may do some hard road maintenance and lighting. The evidence in this case does not raise concern that there is an issue at night. Predominantly, accidents there take place in the daytime. We believe that we have done some hard work on the carriageway, in terms of new lines and signage. We do not believe that lighting would benefit the incident rate in that area.

[236] **William Powell:** Joyce, the A40 cuts through our region from east to west. I think that you had a quick question on ongoing monitoring.

[237] **Joyce Watson:** Yes, it is just that. Minister, are you as a Government going to monitor the impact of the changes? What process is likely to be followed in terms of reviewing the need for any further measures?

[238] **Carl Sargeant:** We constantly monitor how our network is used. When any incidents or accidents happen on our network and are raised with my department, we take that very seriously and look to see whether it was a one-off incident or there is a pattern to collisions or accidents in a particular area. We collect that validated data. Once we receive that—as I said, I can offer you the record for that particular area—if we believe that there is a problem, it is our duty as a highway authority to ensure that we consider the safety of pedestrians, cyclists and other road users, and we take that seriously. So, we monitor the data and, subject to any concerns, we act appropriately.

[239] **William Powell:** Excellent. Thank you, Minister. You have a busy agenda on the first day of term. We are very grateful that you have shared this session with us this morning. We are due to see you again on Tuesday, 24 January, to consider some of the petitions around the filming of council meetings and related issues. We look forward to that. Thanks to your team and thank you all.

*Daeth y cyfarfod i ben am 11.04 a.m.
The meeting ended at 11.04 a.m.*