



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

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[The Petitions Committee](#)

23/02/2016

[Agenda'r Cyfarfod](#)

[Meeting Agenda](#)

[Trawsgrifiadau'r Pwyllgor](#)

[Committee Transcripts](#)

Cynnwys Contents

- 3 Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions
- 4 Deisebau Newydd
New Petitions
- 11 Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol
Updates to Previous Petitions
- 27 Deisebau y Cynigir y Dylid eu Cau
Petitions Proposed for Closure

Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi 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
[Bywgraffiad](#) | [Biography](#) Welsh Conservatives

William Powell Democratiaid Rhyddfrydol Cymru
[Bywgraffiad](#) | [Biography](#) Welsh Liberal Democrats

Joyce Watson Llafur
[Bywgraffiad](#) | [Biography](#) Labour

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

Gill Eveleigh Dirprwy Glerc
Deputy Clerk

Steve George Clerc
Clerk

Kath Thomas Dirprwy Glerc
Deputy Clerk

Katie Wyatt Cyngorydd Cyfreithiol
Legal Adviser

Dechreuodd y cyfarfod am 09:04.
The meeting began at 09:04.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **William Powell:** Bore da, bawb. Good morning, all, and welcome to this penultimate Petitions Committee of the fourth Assembly. We have an apology from Bethan Jenkins. On this occasion, there is no substitute. Normal housekeeping arrangements apply.

Deisebau Newydd New Petitions

[2] **William Powell:** So, I propose that we move straight to business under item 2, new petitions, and agenda item 2.1, P-04-672, 'End use of Welsh language'. This petition was submitted by Chris Neilsen and had the support of 12 signatures. It reads as follows:

[3] 'Scrap the compulsory expensive provision of Welsh language by public sector and put the millions wasted into front line services. As we are aware, Wales is the poorest country in western Europe, devolution has been a disaster to anyone living outside of Cardiff, our public services are a mess and Wales cannot afford this daft novelty language.'

[4] Now, a first-consideration letter on this petition was sent to the First Minister on 6 January. We've got a response from the First Minister—and quite a comprehensive and clear response. The petitioner, as yet, has not offered any comments on what the First Minister has had to say. I suggest we probably await the response of the petitioner in accordance with normal practice, but maybe instinct would dictate otherwise. Joyce, I think I sense you've indicated.

[5] **Joyce Watson:** Well, I agree, but I completely disagree that Welsh is a daft novelty language.

[6] **William Powell:** Absolutely. Yes. Okay, I think we need to be consistent in our approach, so, if Russell is content with that also.

[7] **Russell George:** Yes, Chair.

[8] **William Powell:** Okay. Agenda item 2.2, P-04-673, 'Call for all Welsh Political Parties to Offer Everything Bilingually'. Now, this petition was submitted by Aaron Davies, having collected 48 signatures. The text reads as follows:

[9] 'We are calling on the Welsh Government to legislate that all political parties and their candidates that are standing for election (general/national/local) should offer everything bilingually (Welsh/English). This means leaflets, newsletters, websites (and so on) of individual candidates, groups of the party and the main party. Some political parties offer this service already, some candidates also offer this service, but not all.'

We are calling on all political parties to ensure that Welsh speakers have equal rights to information as non Welsh speakers have.'

[10] Now, a first-consideration letter with regard to this petition also was sent to Carwyn Jones, the First Minister, on 6 January, and a response has been forthcoming from the Minister for Public Services, which is in our pack today. At the time when the agenda was being drawn together—and, I believe, since—we've not had any response from the petitioner. Joyce.

[11] **Joyce Watson:** I've got a question about this petition even being on the table, because we haven't got, if I understand it right, the powers to implement this anyway. We don't have powers over political parties and what language they write in or don't write in.

[12] **Mr George:** No, I don't think that's strictly true. I don't think there are any current powers available to Welsh Ministers to—

[13] **William Powell:** But in the draft Wales Bill—

[14] **Mr George:** I think more than that, because it's about the Welsh language, there may be some powers to do this in legislation but, of course, as we are at the end of the Assembly, the possibility of that being a realistic proposition within the next 12 months or so is very limited.

[15] **William Powell:** Absolutely. That's an interesting point you raise, Joyce. Obviously, the whole issue around the power over elections is something that I think was in the draft Wales Bill and may well make it through one of the less contentious items within that package. So, the combination of that and the overarching Welsh language legislation is certainly relevant to this issue. But I think probably, in accordance with our normal practice, we should give the petitioner, as we did in the previous case, the opportunity of a little more time to respond, if colleagues are happy with that? Yes.

[16] Agenda item 2.3, P-04-674, 'Say NO to Dyfed'. This petition was submitted by Bob Kilmister, having collected 879 signatures online and around 1,200 on paper. We understand that further signatures have been collected on paper but there's not been the opportunity to submit those in time for consideration at this meeting. The text reads as follows:

[17] 'We the undersigned are fully prepared to see a reform of local government in Wales but reject the proposal to recreate the former hugely

unpopular Dyfed authority which was abolished in 1996. Welsh Government should learn the lessons of history and not try to impose a solution that the three Counties involved all reject.'

[18] I think it's probably appropriate for me to declare something of an interest here in that Councillor Bob Kilmister and I are both members of the Mid and West Wales Liberal Democrat list. Councillor Kilmister is also a candidate for Preseli Pembrokeshire in the forthcoming election, so I should put that on the record. I'm sure Joyce, given her local credential, is particularly aware of that anyway, but it needs to be there for the record.

[19] A first-consideration letter was sent to the Minister for Public Services on 11 January. The Minister has responded and that's available to us. We've also got a response from Bob Kilmister and his comments are available in the public papers. I think I should cede to you, Joyce; I sense you've got some comments.

[20] **Joyce Watson:** Well, the only comment I've got here is—. You've made the obvious one that I would've made—

[21] **William Powell:** I've said it first. [*Laughter.*]

[22] **Joyce Watson:** You've saved me that. But, the facts are that we've had a response from the Minister and then we've had another response from the petitioner, which could be or might not be factually correct. Having said all of that, I'm quite happy, in the name of consistency, to put it back to the Minister and await a reply.

[23] **William Powell:** Yes. I'd be happy to facilitate that and if Russell is content with that approach. Good.

[24] Agenda item 2.4 is P-04-675, 'Cover the Cost of the Bedroom Tax in Wales'. This petition was submitted by Jamie Insole, having collected 193 signatures. The text is as follows:

[25] 'Following the recommendation of the National Assembly's own Public Accounts Committee, Cardiff & South Wales Against the Bedroom Tax, Shelter Cymru, Welsh Tenants, TPAS Cymru & the Church in Wales calls upon the Welsh Government to allocate the necessary funds to cover the cost of the bedroom tax in Wales as has been achieved in Scotland.

[26] 'Cardiff & South Wales Against the Bedroom Tax (C&SWABT) is a tenant led, grassroots campaign committed to fighting the 'bedroom tax'.

[27] 'Our experience indicates that the financial burden of the bedroom tax continues to fall predominantly upon the sick, disabled and the most financially vulnerable members of our community. Currently, approximately 33,000 households face the impossible choice of finding extra-money they do not have or 'downsizing' to smaller homes that do not exist.

[28] 'Over the course of 2013 and 2014, social tenants in Wales were made subject to 5136 suspended possession orders. Dramatic cuts in discretionary housing payment, combined with the perfect storm of further welfare reform can only see more people facing insurmountable debt and eviction threats.'

[29] The text continues in a similar vein and it ends,

[30] 'We call upon Welsh Government to show the same leadership, act upon the Committee's recommendation and take tens of thousands of Welsh tenants out of poverty and misery.'

[31] There are some additional comments there that set the petition in its context and there's finally a call to action,

[32] 'It is now time to act!'

[33] The first consideration of this important petition was sent to the Minister for Communities and Tackling Poverty on 11 January. We've got a response from the Minister and her response is available in the public papers. At the time that the papers were being drawn together, and I believe also not since either, we've not received any responses yet from the petitioner, but I suspect they've got various different groups that they may need to draw together to draft that response. So, I think—

[34] **Russell George:** I think, Chair, we should wait until we've got the petitioner's response.

[35] **William Powell:** Absolutely. I was just about to make the same proposal. So, if we're content with that approach, we afford the petitioners the courtesy of a little additional time to respond to what the Minister has said. I think that makes good sense.

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

[37] **William Powell:** Good. Agenda item 2.5 is P-04-676, 'Establish a Welsh Language Champion in our Communities in Wales'. This petition was submitted by Councillor Sion Jones and has the support of 10 signatures.

[38] 'I present this petition to you as a starting point in the campaign to establish a Welsh language champion in our communities in Wales. The role would be a voluntary one, based in the community, and the champion would be appointed to promote the use of the Welsh language in Wales and to support developments in our communities.

[39] 'The language champion would lead on issues with regard to the language, which would include having a role within primary and secondary schools and within parish and town councils, as well as close engagement with county councils and county councillors.

[40] 'The champion would be supported by the Welsh Language Commissioner to carry out the role's functions and to ensure that communities in Wales are aligned with local and national policies in Wales.'

09:15

[41] A first-consideration letter was sent to the First Minister, who has overarching responsibility for the Welsh language, as we know, on 12 January of this year. We've got a response from the First Minister, and as was the case with a number of the previous petitions, we haven't as yet received comment from the petitioner, so I propose, if colleagues are happy, that we adopt the same approach.

[42] **Joyce Watson:** Also, it is the case of course that any local authority can appoint a champion of anything, whatever it is that they wish. It is the case that they could appoint a Welsh language champion in the vein that is being asked for here.

[43] **William Powell:** Absolutely. I think that in principal local authorities that's already pretty much the case, but I'm not clear that that operates at the next tier in terms of town and community councils. But, you're absolutely right.

[44] Okay, if we've got agreement on that as a way of going forward, we'll

move now to agenda item 2.6, P-04-677, 'Equal Access to Welsh Language'. This petition was submitted by Remigijus Šiaučiūnas, having collected 45 signatures. This petition was handed over to committee members at the Senedd on 9 February, and also received attention on S4C that evening. We're very pleased to welcome Remigijus to the public gallery today, and indeed other members of the public. It's very good to have you present.

[45] The text of the petition reads as follows:

[46] 'Welsh language should be as accessible as English language is. Sadly, it is not the case. I am talking from my own experience. I moved to Wales and I would like to learn at least a little bit of Welsh. It is relatively easy to find a free English class and it is impossible to find a free Welsh language class.

[47] 'The Equality Act states that no one should be treated less favourably than another just because of his or her nationality, ethnic or national origins, religion, religious or philosophical belief or absence of religion or belief.

[48] 'Learning Welsh should be as accessible as learning English to anyone, including the first generation immigrants.'

[49] That's a clear statement of the petitioner's key priorities. A first-consideration letter on this petition was sent to the Minister for Education and Skills on 12 January 2016. We've got a response from the Minister. The petitioner has also responded, and his further views are in the public papers today. I propose that we send those comments to the Minister with a covering letter seeking his further views, engaging further with the themes in the petition. Are colleagues happy with that approach? Okay, good. Thank you very much again to Remigijus for his attendance this morning. Good.

[50] Agenda item 2.7 is P-04-678, 'Infirm Supports'. This petition was submitted by Maggie Macleod, having collected 23 signatures. The text reads as follows:

[51] 'I am at a loss to understand why, two years of appealing to the people who have the power to solve problems has thus far failed to solve what is a minor adjustment needed to enable me, a 77 year old female with mobility difficulty due to arthritis of both hips/knees, to travel via the community car. Two cars purchased for the very purpose of (elderly and disabled) which I have need lacks grab handles to enable the front seat passenger to clamour onboard. My File of contacts include the car

manufacturer who was quite prepared to post grab handles, a Cardiff firm also were prepared to do the fitting (surely Swansea has equal experts!)

[52] 'I therefore call on the National Assembly for Wales to urge the Welsh Government to ensure that vehicles used by community transport schemes are fitted with grab handles as a minimum.... I was and am prepared to cover the cost of fitting—the estimate being £200. So make this appeal in one last endeavour to enable me visit the doctors' surgery, main need and to have some social contact. At present my contact is via the internet for shopping etc. If commercial taxis, by law, have to have grab handles, then a similar criteria should apply to community cars.'

[53] A first-consideration letter on this petition was sent to Mrs Edwina Hart, Minister for Economy, Science and Transport, back on 12 January. We've got a response from the Minister. The petitioner has also submitted further background papers, which are in the public papers. Subsequently, the Community Transport Association—or the acronym is CTA—has written to the petitioner and copied me in as Chair of this committee. This is also in the public papers. The petitioner has been asked to offer comments on what the CTA had to say, but at the time of drawing together the agenda, those comments were not available. But, I think the letter from the CTA does appear, at least, to indicate a resolution of the specific issue raised in the petition. Of course, there are wider issues here, and I would welcome colleagues' thoughts on that.

[54] **Joyce Watson:** I think, in this case, we could await further views from the petitioner and see if we can take it further forward. But, there are much wider issues, and they're very eloquently stated in the letter that we have.

[55] **William Powell:** Absolutely, and I think, in a way, in some respects, there's a bit of a crossover issue between the Minister for Economy, Science and Transport and the Minister for Communities and Tackling Poverty. The Minister for communities recently accompanied me on a visit to Brecon Dial-a-Ride, and saw at first hand the evident benefits of community transport on the ground. I think it's important that the petitioner has the opportunity to comment further, as you suggest. If Russell is also content with that approach, that's what we'll do.

[56] **Russell George:** Yes.

[57] **William Powell:** Good. Agenda item 2.8 is P-04-679, 'Remove the

Welsh Baccalaureate Qualification'. This petition was submitted by Jago Lewis, having collected 402 signatures. The text reads as follows:

[58] 'At a time when young people are told that they must excel in core curriculum subjects such as English, Maths and Science the Welsh Baccalaureate takes up time that can be used to concentrate on these areas. The Welsh Baccalaureate is a pointless qualification that serves no real purpose to a student's future. The Welsh Baccalaureate qualification could easily be removed or replaced by a citizenship course. The removal of Welsh Baccalaureate could also help improve grades as it would allow students to focus on real GCSE's and A Levels and will relieve students of added pressure.'

[59] A first-consideration letter was sent to the Minister for Education and Skills on 19 January. The Minister has responded and, as you can see, the Minister has got quite a different view, as one might expect, of the value of the Welsh baccalaureate. The petitioner has been given the opportunity to respond, but hasn't as yet done so.

[60] **Joyce Watson:** Well, we'll wait for that.

[61] **William Powell:** I think we need to do that, as with the earlier cases of that kind. Are colleagues happy with that approach?

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

[63] **Russell George:** Yes.

[64] **William Powell:** Good.

09:23

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[65] **William Powell:** We move now to agenda item 3, updates to previous petitions. We start at agenda item 3.1, P-04-658, 'The Brimmon Oak'. This petition was submitted by Mervyn Lloyd Jones and Rob McBride. It was first considered on 8 December 2015, and has the support of 4,730 signatures. I believe, if I heard correctly this morning, that Mr McBride was taking to the airwaves on *Good Morning Wales* on this very topic, flagging up this meeting

and this matter earlier. I should also state that I have been on site with Mr Mervyn Lloyd Jones and Mr McBride in a previous capacity, as a regional Member of the Assembly, and visited the Brimmon oak and offered them, at a much earlier time, some procedural advice as to how to bring this matter forward.

[66] The text, we recall here, and the key points of this petition regarding the safeguarding of the Brimmon oak in the context of the delivery of the long-awaited Newtown bypass. We first considered this on 8 December 2015, and the committee agreed to write to the Minister to ask her to set out whether she supports the preservation of the tree and what action she intends to take to ensure its protection. We've got a response from the Minister, and in that letter, the Minister confirms that the carriageway will be adjusted from the tree and that only minimal work will be carried out within the 15m tree root protection zone, as recommended by arboricultural specialists and British Standards.

[67] We did request—as we normally do, of course—to have a response from the petitioners, and they have submitted some quite detailed additional responses. I think that the key issues for them appear to be around the potential for the necessary badger fencing to cause some sort of complication to the issue, and potentially to lead to some sort of encroachment. They also seem to wish to see some sort of additional alert to the 15m protection, so as to make sure that contractors are highly aware of the vulnerability of any—that would flow from any action within that 15m zone. But I'm conscious that colleagues may well have some views on this. Russell had indicated.

[68] **Russell George:** Thank you, Chair. I think the letter from the Minister is helpful, because a lot of people were concerned that the tree would have to be taken down, and the Minister clearly has stated that that's not the case and that the public inquiry and the inspector agreed with that position, and agreed that the tree should be protected. I think, clearly, that what we can see is the Minister has said that the tree is protected, which is welcome, but the petitioners, Mr Jones and Mr McBride—there are obviously other issues that have come up as a result, but the Minister wouldn't have yet seen their comments. I think that you mentioned a couple of points, but also in the response from the petitioner it's mentioned that the inspector had mentioned that the tree had no designations or protection. And then the petitioner points out that the tree was registered with the Woodland Trust in 2009. So, I think that we should raise some of these issues that have been

raised specifically by the petitioner and Mr McBride, and the points that you've made, and that, and I think we should write back to the Minister asking her to address those points. And also we should attach the correspondence from Mr McBride and Mr Jones as well, and ask her to comment on their proposals.

[69] **William Powell:** Absolutely. Joyce, any additional thoughts?

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

[71] **William Powell:** Absolutely. Well, I hope that this will emerge as a win—as a win for the tree and a win for the wider natural environment. It's interesting that one of the very first petitions of this Assembly—or one from the dying days of the previous Assembly—was in regard to the delivery of the bypass, and in this penultimate meeting maybe we've got something that safeguards the tree in the delivery of that. So, there's a certain sort of full circle that we see here. I'm very happy to write in the vein that we've agreed to try to bring this matter to a positive resolution. Good.

[72] Agenda item 3.2: P-04-565, 'Revive Disused Railway Lines for Leisure'. This petition was submitted by Albert Fox and was first considered on 17 June 2014, having collected 14 signatures. We recall the aspirations of Mr Fox with regard to the disused railway lines, and their relevance for leisure use. We agreed back in November of last year to write to the Minister to ask when she expects the Sustrans review into the Rhondda tunnel to be completed, and also to inform the petitioner that highways department owns railway tunnels in Wales, and that he may wish to contact them direct. We've got a response from the Minister. The petitioner hadn't given any response on the other matters. However, in previous correspondence he had indicated that he did accept the overall thrust of the Sustrans argument. And in the light of what the Minister's had to say, combined with the relative age of this petition and the situation with regard to the Sustrans perspective, I think probably it's time to consider closing this petition. I would propose that if colleagues are content with that approach.

[73] **Joyce Watson:** I agree.

[74] **William Powell:** Yes; agreed.

[75] **Russell George:** Agree, yes.

[76] **William Powell:** Good. Item 3.3, moving now to current railway lines, is P-04-416, 'North-South Rail Services'. This petition was submitted by Neil Taylor. We first considered it back on 2 October 2012, and at that time it had the support of 19 signatures. It was considered by us most recently on 14 July 2015, and it was agreed to await the petitioner's views on the response that we'd received from Mrs Edwina Hart.

09:30

[77] Following reminders, the petitioner has now responded, and his comments are in the public papers. Also in the public papers, as an aide-memoire, we've got the Minister's letter of 2 July of last year, which we considered when we last looked at it. I think it's unlikely that there will be any substantive progress on this matter, although I'm aware that the leader of Her Majesty's loyal opposition did make some comments on this at the Labour conference recently, about upgrading the services to north Wales. But that's probably for a future time, rather than immediately. So, I would suggest that we should move to close this also.

[78] **Joyce Watson:** I agree.

[79] **William Powell:** Colleagues are happy with that approach. Good.

[80] Agenda item 3.4: P-04-486, 'Act Now and Help Save the High Street Shops'. This petition was submitted by Keith Davies, in June of 2013, and had the support, at that time, of 12 signatures.

[81] 'We call on the National Assembly to urge the Welsh Government to provide support for independent traders in our towns by extending the small Business Relief Scheme to a greater number of businesses.'

[82] We last considered the petition back in 2013, on 10 December, and we were, at that stage, looking at a possible evidence session. Since then, we've had no contact from the petitioner, and the petition has been inactive, effectively. However, a recent reminder that we triggered from here, within our committee team, did lead the petitioner to respond, as we see. And, in the light of that response, perhaps we should write to the Minister for business, for an update on the latest position, with regard to this potential rate relief scheme. Joyce.

[83] **Joyce Watson:** There has been, of course, an announcement on the

extra help that there will be given to rate relief on small businesses. I'm quite happy to ask the Minister for that in writing, and then, probably, we need to move to close this petition, since it's been around since December 2013.

[84] **William Powell:** Yes. I'm happy to agree to that, and to support that proposal that you've made, that we write to the Minister, as well as closing the petition, to draw it to a conclusion, if colleagues are happy.

[85] **Joyce Watson:** Yes, absolutely.

[86] **William Powell.** Good.

[87] Agenda item 3.5: P-04-363, 'Town Centre Improvement Scheme for Fishguard'. This petition was submitted by Councillor Bob Kilmister, who was previously referred to, and was first considered on 28 February 2012, having collected 1,042 signatures. I make the same declaration as I made previously, although, obviously, this petition predates any of the other things that I then referred to. It was last considered by our committee on 14 July 2015, and it was agreed to await the petitioner's views on correspondence from the Minister. Following a recent reminder from committee staff, again, Councillor Kilmister has responded, and his response is in the pack. Also in that public pack is the Minister's letter, again, of 2 July, which is what we had before us for the 14 July meeting. I think it's probably time to close this petition. Joyce?

[88] **Joyce Watson:** It's definitely time to close this petition. That's it.

[89] **William Powell:** And I don't sense any opposition from the Member for Montgomeryshire either. So, I think that this has run its course. It's aired things usefully, but I don't think anything further can be gained at this stage of proceedings.

[90] Agenda item 3.6: P-04-594, 'Cilmeri Community Council Appeal for the Prince Llywelyn Monument'. This petition was submitted by Cilmeri Community Council, and was first considered on 23 September 2014, having collected 205 signatures. You'll recall the main asks within this petition about according a higher status to the monument, delivery of improved locational signage and a number of other things that are deemed to be of value by the petitioners. I should restate a declaration of some interest in this matter, in that I, over the last four or five years, have attended the Cilmeri commemoration on the relevant Saturday in December, to commemorate the

historic events on this site. I also, at a much earlier stage, gave some informal procedural advice to members of the community council who were keen to bring forward this petition, which is of importance to their community. We last considered the petition on 22 September and it was agreed to await the views of the petitioners and also the outcome of the meeting that was, at that stage, in the offing between the petitioners and Welsh Government officials, and that had been specifically offered by the Minister. Following a recent reminder from our staff team, the petitioners have responded and that is in the public papers. I'm happy to take a steer from colleagues as to how best to proceed.

[91] **Joyce Watson:** We could ask the Minister to expedite the meeting between her staff and the petitioner.

[92] **William Powell:** Yes. I think it would be really timely for that to happen so that maybe some progress might be achieved by later on in the summer or certainly by this year's commemoration. That would be much appreciated by all concerned.

[93] **Joyce Watson:** Good.

[94] **William Powell:** If colleagues are happy with that approach, I think we've dealt with that adequately for now and we'll see what the Minister has to say in response.

[95] Moving now to agenda items 3.7 and 3.8. Previously, these petitions have been considered in a grouped fashion because they relate to closely related matters. Agenda item 3.7 is P-04-57, 'Allow Children in Wales to Have a Family Holiday in Term Time' and 3.8 is P-04-606, 'Ensure Schools Exercise their Statutory Powers Under Regulation 7 of the Education (Pupil Registration) (Wales) Regulations 2010 Without Interference or Bias'. We recall that the first of those two petitions was submitted by Bethany Walpole-Wroe and was first considered by us on 21 January 2014. It had the support of 1,008 signatures and the associated petition collected over 10,300 signatures.

[96] The second was submitted by Pembs Parents Want a Say/Rhieni Pembs Eisiau Cael Dweud and was first considered on 9 December 2014; it had the support of 812 signatures. I think the level of attention that these matters have gained since shows that there are a significant amount of additional families and parents outside those two petitioning bodies who also take

these matters as being matters of importance.

[97] We last considered the petitions on 19 January of this year, when we agreed to write to the Minister for education to thank him for the engagement thus far and also to ask to be kept up to date in respect of any responses, particularly from local authorities and regional consortia, following his correspondence of 18 December 2015—and immediately after Christmas he sent some further correspondence. We've got a response from the Minister and that's in the public papers. Letters have also been received from the petitioners since the last time that we considered the petitions in committee. However, these are not, as such, in response to the Minister's latest letter, but come separately, raising issues. The two key concerns that the petitioners still have are (a) that the action taken by the Minister will not have the desired effect and (b) that the possibility that fixed-penalty notices, or FPNs, were issued unlawfully has not been resolved. I think that the Minister has offered the view that that can only be properly tested in the courts. Clearly, he can't, sadly, facilitate such an action; that probably has to fall to individuals bringing forward, perhaps, a test case. But, Joyce, I can see you've indicated and I know you've engaged with this topic quite extensively.

[98] **Joyce Watson:** I have because I met the petitioners at their home some years back when they were thinking of bringing a petition. But, anyway, the point is that we've done everything that we can and I think it's certainly been a good outcome in as much as the petition has brought some clarity to the situation that didn't exist before. So, I thank the petitioners for doing that. But, as for the other matters that they've now talked about, we can't do anything about that, and also it wasn't within the first petition. We can only deal with what was in the original petition and we can't, as a committee, accept a widening and a deepening of any petition, whatever that petition might be. Also, these are civil matters and I think it's quite clear that the statement that the Minister has made, the work that we have done, and the petitioners, if they want to pursue the fixed-penalty notices further and whether they were legal or not, I think all that work will help them. But in terms of us doing anything further for these petitioners, we can't. We have dealt with the original petitioner's request and I think it's time to move to close.

[99] **William Powell:** Thank you, Joyce. Russell George has indicated.

[100] **Russell George:** I largely agree with what Joyce has said, Chair. I think some of the issues have gone beyond the original petition's request. It's not

right for us to get involved in some of the issues. As the Minister has stated, it's a legal matter. All said, I'm just not satisfied that this has seen its course yet. I think that, although we can't get involved in some of these extra matters, I almost want to have a watching brief on this. I appreciate that we're nearing the end of this Assembly and it'll be a future committee that looks at this, but I'd rather just engage and keep in contact with the petitioners to see what the outcomes are of some of these issues.

[101] **William Powell:** I think it's fair to say that particularly the second petition does engage, and it's quite a lengthy and detailed text to that second petition. It was very much focusing around the legality and appropriateness of the Education (Penalty Notices) (Wales) Regulations 2013. In fact, that's embedded in paragraphs 2, 3 and 4 of that second petition. I don't know whether that was one where, Joyce, you gave some procedural advice and encouragement to the petitioners, or whether it was the other. But it wouldn't be true to say that there wasn't reference to that because it was very much there.

[102] Having said that, I understand Joyce's position and think that it isn't possible for us to promote a case to challenge. But, on the other hand, I also feel that this matter hasn't been fully resolved. In fact, I should declare that I'm a governor of two schools, a secondary school and a primary school, and at the relevant meeting in January of each governing body, correspondence from the Minister and from the local education authority was brought forward as an agenda item. So, I think it's a rarity for a petition brought to our committee to actually invade school governing bodies and to promote discussion across the length and breadth of this country. So, the petitioners have certainly achieved something really significant in what they've already done.

[103] I think there should probably be a way that this could be brought to the attention of the future committee. Whether that is in the form of putting it to one side and leaving it as an issue they may wish to take up or not is a moot point.

[104] **Russell George:** If it's helpful Chair, I just think there are two petitions here as well, and they're both slightly different. I wouldn't want to close one on the basis of another.

[105] **William Powell:** No, absolutely, I wasn't advocating—

[106] **Russell George:** I know you weren't at all; I appreciate that. I just think that there is still a degree of un-clarity. I think the Minister's been helpful. He's provided evidence to us—

[107] **William Powell:** Absolutely. He's been very proactive in this matter, to be fair.

[108] **Russell George:** He has indeed, and I'm very grateful for that, but I still think there are wider issues and there is a huge public interest in this. So, I just think we should put this aside for the future committee to pick this up and for them to decide how they take it forward.

[109] **William Powell:** On balance, I share that view, but I do agree with Joyce with regard to that we can't promote legal action, clearly. But there are, I'm sure, legal specialists out there who may be prepared to assist parents if they're able to bring forward a test case and that may be what will happen. But it's not for us, actively, to promote that. It would be beyond our remit. So, thank you very much, colleagues. I think we have an outcome there, without going to a formal vote, which we've managed to avoid up to this point, so I don't see why we should change that practice now.

[110] **Joyce Watson:** You haven't asked me whether I wanted to vote or not. *[Laughter.]*

[111] **William Powell:** Okay. Joyce, are we going to have a recorded vote?

[112] **Joyce Watson:** I'm not normally one that allows other people to speak on my behalf—

[113] **William Powell:** No, absolutely.

[114] **Joyce Watson:** So, I don't intend to change that now. But the point is that, you know, I'll go with the will of the committee. That's what I want to say. But I do think that we have done all we can and, yes, there is massive interest in this, and quite rightly so. I understand that, but I will go with the will of the committee. It's not my view.

09:45

[115] **William Powell:** Absolutely, but there's no break of consensus. Okay.

[116] Agenda item 3.9: P-04-522, 'Asbestos in Schools'. This petition was submitted by Cenric Clement-Evans and was first considered on 10 December 2013, having collected 448 signatures. You'll recall the key priorities of Mr Clement-Evans in bringing this forward. It was last considered by our committee on 8 December 2015 when we agreed to defer consideration of the petition until further information had been received from the Minister, following the evidence session that he and Joanne Lerner, the senior official, gave on 24 November. The Minister has now responded, and that letter and attachment are in the public papers. We've also had contact from the petitioner. However, in the context of time pressures and the need to make a substantive response, Mr Clement-Evans has requested additional time. I think that, in the context of that request, we should probably give him that opportunity, and it will, I would hope, be on the agenda for the next meeting, if colleagues are happy with that approach.

[117] **Joyce Watson:** Okay.

[118] **Russell George:** Agreed.

[119] **William Powell:** Good. Agenda item 3.10: P-04-603, 'Helping Babies Born at 22 Weeks to Survive'. This petition was submitted by Emma Jones and was first considered on 25 November 2014. It has the support of 2,759 signatures—the balance was 2,543 in electronic form and 216 in paper form. We last considered the petition on 20 October 2015 and we agreed, as a committee, to seek comments from the petitioner drawing her attention in particular to the offer that had been made to share with her the content of the final draft of the joint maternity and neonatal document providing guidance to health professionals prior to it going to the neonatal steering group, which was to take place in November, and, secondly, for assurances from the chief medical officer that the petitioner will be able to have an input into that draft. Following a query from the petitioner about progress in arranging a meeting, a letter has now been received from the chief medical officer, which is in the public papers today.

[120] I would very much welcome a steer from colleagues on how to proceed here. We can see that, in her comments, Ruth Hussey makes it abundantly clear that the petitioner is having the opportunity to input into policy formulation in this difficult area, which I think is a real positive. I would appreciate colleagues' steer us to how best to approach the wider petition. Russell George.

[121] **Russell George:** I think, Chair, that we've done what we can in this committee. We've got the petitioner at the decision-making table. I think that's our job successfully done. I hope there's a successful outcome for the petitioner, but, clearly, I think that's our job done as a committee.

[122] **William Powell:** That is my sense, also, but, Joyce, what is your—?

[123] **Joyce Watson:** I agree.

[124] **William Powell:** Excellent. We've got a consensus, therefore. I think we should write to Emma Jones to thank her for bringing this forward, and it was clearly far from easy for her to do that. I think we should write to her and thank her for the way in which she has brought it forward and the way in which she has drawn attention across Wales and beyond to these issues, and the way in which she is, in an ongoing way, having the chance to help to shape policy in the time to come.

[125] Agenda item 3.11: P-04-456, 'Dementia—This Could Happen to you'. This petition was submitted by Helen Jones. It was first considered by the committee back on 19 February 2013 and it has the support of 1,413 signatures. The committee last considered this petition back on 1 July 2014, and we agreed to maintain a watching brief on the matter. Given the relatively long time since the petition was last considered, our committee team was in touch with Helen Jones to seek her view as to the best way forward. We've got a response from Helen. Clearly, her wish is that it should remain open, but we don't necessarily have a particularly clear route map as to how we should proceed with it. We've got the petitioner's wish there, and Helen's been a very assiduous and keen petitioner and, in earlier times, was a frequent attender in the public gallery during our proceedings. We had an excellent evidence session involving her and legal expertise as well, which I'm sure colleagues will also remember. How do we proceed at this point? Colleagues, any thoughts at all?

[126] **Joyce Watson:** I don't know—

[127] **Russell George:** Nor me.

[128] **Joyce Watson:** —that we can do any more with this petition, and that's really the test, isn't it, of any petition? If we think its run its course, as Russell said quite rightly with the previous one—. If it's run its course, we've done all we can. I'm inclined to agree that it's the case here that we have

done all we can and the petition's run its course. We have no other option, as far as I'm concerned, except for closing it.

[129] **Russell George:** And I think that, given the fact that we are the end of this Assembly term, this is a neat time to potentially bring this petition to a close.

[130] **William Powell:** I can write to Helen Jones, thanking her very much for bringing this forward as a petition again in a different way. It's a very emotive and relevant petition for individuals and families across the whole of Wales. I can write in those terms, and I can also flag up the opportunity to bring forward, if she wishes, a future petition if the situation develops. But that's probably more meaningful than just parking something in some sort of inanimate sort of way waiting for developments. I think that would probably be the best way forward.

[131] **Joyce Watson:** I agree.

[132] **William Powell:** So, I'll write in that vein to Helen Jones, thanking her for taking the trouble to bring this to our committee's attention.

[133] Agenda item 3.12: P-04-452, 'Equal Rights for Tube-fed Youngsters'. This petition was submitted by Dr Tymandra Blewett-Silcock and was first considered on 29 January 2013. It had collected 142 signatures. We recall a very memorable evidence session on this topic also, which helped to inform our consideration. We last looked at the petition on 7 October 2014. Again, given the time lag in terms of that last consideration, the team were in touch with the petitioner, a response has been received and is in the public papers today. It's a similar judgment call, really, as we've just made in the case of the previous petition. What do colleagues think here with regard to leaving it open as a legacy for the incoming committee or drawing it to a close, as we have done with, now, two previous petitions with some parallels?

[134] **Joyce Watson:** Chair, I found this really interesting, this whole subject area, because, until this petition was brought here, I certainly didn't understand the issues surrounding this petition. I do understand them better now, thanks to the petitioner. Having said that, I think we've done, again, all we can, and that's the ultimate test for us: have we done all that we can? I think we have. I would like to thank the petitioner for the way that she has handled the information and fed information to us—

[135] **William Powell:** It's certainly been a major profile raiser of the issue.

[136] **Joyce Watson:** —indeed it has—and close it.

[137] **Russell George:** I'm content with that, Chair.

[138] **William Powell:** Okay. I think we've got an agreement there between the three of us that that's the correct way forward, and I'll happily undertake to write to Dr Silcock along the lines that Joyce has outlined.

[139] Agenda item 3.13: P-04-424, 'Retain Services at Neath Port Talbot Hospital'. This petition was submitted by Carolyn Edwards back in October 2012 and it had 193 signatures. Associated petitions had collected in excess of 5,000 signatures on this topic. We last considered this petition back on 30 April 2013, and we agreed to await the launch of the consultation into healthcare services in south Wales and to revisit the petition in the light of that. Given the extended time that elapsed between that initial presentation of the petition and where we are now, the team were in touch, as was the case with the previous petitions, and we've got a response from the petitioner. Again, we need to make this judgment call as to how to proceed, and my sense is that we probably are heading in one direction on this.

[140] **Joyce Watson:** Well, I think I've said everything—and Russell has—about the three previous ones. I think exactly the same applies: thank the petitioners for bringing it to our attention, but we've done everything we can.

[141] **William Powell:** Yes. I think even more so in this case—

[142] **Joyce Watson:** I agree.

[143] **William Powell:** —because it was obviously part of that wider reorganisation project, which has now sort of run its course, and it's moved towards implementation. So, I think we've got an outcome there as well, and I should write to Carolyn Edwards thanking her for engaging with this committee on these matters.

[144] Agenda item 3.14, P-04-624, 'That Foster Carers be Permitted to be Registered with More Than One Local Authority': the petition was submitted by John Watkins, and first considered on 16 June 2015. It had the support of 159 signatures at that time. It was considered by us back on 16 June 2015, when we as a committee agreed to await the petitioner's views on the

ministerial correspondence, with a view to asking the Minister when he intends to take advice from the Care and Social Services Inspectorate Wales and to let the committee know the outcome of whatever advice was forthcoming. Given that there had been no contact from the petitioner since our earlier consideration, we were in touch again, in the same vein as with previous petitions, and response has now been received. Again, we face the decision as to whether or not we should keep the petition open or close it. If we do agree to close, which is possible, it may also be that we write to ask the Minister when he intends to take advice from CSSIW on the matter, or indeed whether that's already happened, because it was referred to in earlier correspondence, and then to advise us as a committee of that outcome before the end of this Assembly. So, which way do colleagues want to go on this one? I can almost read it, but I'm not sure.

[145] **Joyce Watson:** I think the latter. I think that we can close it. We can ask for an update on that advice. There is going to be movement within local authorities that, in some ways, might resolve this in any case.

[146] **William Powell:** Yes, but I think we're all agreed that, given the lack of foster carers and parents that are out there, any unnecessary obstacles that are put in the way should be removed.

[147] **Russell George:** I'm pleased that the petition was brought forward, and I think that, in closing it, we can still ask the Minister to keep us updated for that final stage.

[148] **William Powell:** Yes. Absolutely. I'm happy to do that, and to thank Mr Watkins for bringing this important matter forward.

[149] Agenda item 3.15, P-04-605, 'Save the Cwmcarn Forest Drive from Indefinite or Permanent Closure': this petition was submitted by Robert Jeffrey Southall, and was first considered on 25 November 2014 and collected 2,994 signatures, of which the majority, 2,392, were electronic and 602 in paper form. We recall the immense concern in the Gwent valley communities and further afield caused by this closure due to the felling of the diseased larch within the wider forestry estate. We last considered the petition on 16 June 2015, and we agreed to keep a watching brief, as had been requested by Rob Southall, and to revisit the petition at a future meeting. As some time has since passed, our staff were in touch to seek the petitioner's views, and that response has been received. I think it's really worth paying a little additional attention to that correspondence from the

petitioner in that he states that everything that he had sought to achieve in the petition has been achieved, and he's very appreciative of the efforts of the committee. Certainly, we don't want to break out into self-congratulation, but I think we've got something there that is worth celebrating. I know, from my reading of the *South Wales Argus* correspondence columns, that these matters are of great importance to the community there—

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

[151] **William Powell:** —and this has been raised in Plenary by other colleagues and, hopefully, brought forward a bit by our own work. So, it's good news for Rob Southall and his community; and I'm sure that maybe the Minister for National Resources will clear his diary and go for that walk with our colleague, Jocelyn Davies, as she offered him a walk to familiarise him with the attractions of the Cwmcarn forest drive in the light of this petition being successful. So, a good-news story on a number of fronts, and I think, if colleagues are happy with that approach, acceding to the request of the petitioner, I'd be happy to write.

10:00

[152] **Joyce Watson:** We will close.

[153] **William Powell:** Excellent. Agenda item 3.16, P-04-343, 'Prevent the destruction of amenities on common land—Anglesey': this petition has certainly been around for a significant period of time and it was submitted by J.E. Futter in November 2011 and collected 156 signatures. It called upon

[154] 'the Welsh Government to examine ways to prevent the destruction of amenities on common land, including for example the Marian Common in Llangoed, Ynys Môn.'

[155] Clearly, we last considered this petition way back on 26 November 2013, which was just after our north Wales outreach visit. At that time, we wrote to the police commissioner for north Wales, Winston Roddick, and the chief constable of North Wales Police seeking their views on the apparent illegal activity. We also wrote to the National Farmers' Union and the Farmers' Union of Wales for their views on the issues raised and to ask the Environment and Sustainability Committee, at that time chaired by Lord Dafydd Elis-Thomas, to consider the implications of the petition when

considering further legislation. This matter was noted in a letter from the Chair of the Environment and Sustainability Committee of January 2014. We've also received correspondence from the FUW and this has been shared with the petitioner.

[156] Our team were in touch with the petitioner to seek views as to the way forward, and, as you can see, the petitioner has requested that this be kept open, but, again, without any clear steer as to what we would achieve by doing that. I'd very much welcome colleagues' thoughts on how we should approach this topic. Joyce.

[157] **Joyce Watson:** I move to close the petition. I think all the areas that the petitioner has asked us to look at, to find information on and to seek advice on his behalf have been carried out and I don't think that keeping it open will further the aims of the petition—to me, that's always the test. And, that being the case, I would suggest closure.

[158] **Russell George:** I agree with Joyce, Chair. I think sometimes the petitioner believes that keeping it open could actually change the outcome, but I think we've exhausted it, as a committee, as much as we can. But, again, the petitioner can bring forward a new petition—

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

[160] **Russell George:** —if there's new information.

[161] **William Powell:** Yes, agreed.

[162] **Russell George:** And that would be something that'd be welcome, wouldn't it?

[163] **William Powell:** Absolutely. I'm very happy to write out to the petitioner in that vein. Since enforcement and prioritisation of police resources are obviously going to be key to meeting the petitioner's objectives, then maybe the petitioner and his colleagues could turn their attention to the forthcoming police and crime commissioner elections, where this matter could be thrown in the mix of issues for discussion, but I don't think there's any more work for us to usefully do on this petition. So, I'll write in that vein, with colleagues' support.

10:03

Deisebau y Cynigir y Dylid eu Cau Petitions Proposed for Closure

[164] **William Powell:** We now move to agenda item 4 to consider petitions proposed for closure. We've got a note here provided kindly by the clerk and I'd ask the clerk to very briefly speak to his note with regard to these petitions proposed for closure.

[165] **Mr George:** This is in line with what the committee agreed at its last meeting. We've been in touch with all of these petitioners and asked them if they wish to keep the petition open. In all the cases, apart from where specifically noted, we haven't had a response. There is one update that I ought to draw to your attention, which is on P-04-617, which is on page 5 of the paper, 'Stop the Wholesale Hiving off of Public Libraries to the Voluntary Sector'. We have had something from the petitioner within the last couple of days, so what I suggest is that we remove that from this paper and—

[166] **William Powell:** Can that go on to the next agenda, the final agenda?

[167] **Mr George:** The agenda for the next meeting.

[168] **William Powell:** Okay. We're very grateful to the clerk and the wider team for preparing this and engaging, because it's a fairly labour-intensive process to engage individually with all the petitioners, but it's a necessary process. So, I think with that one amendment to the proposed list, we go forward and agree the closure of those as suggested.

[169] **Joyce Watson:** Unless, of course, in the next day or two somebody responds, but I think that's reasonable. People have had a very, very long time, they've had many, many prompts and it's clear that events move—

[170] **Russell George:** Well, I suggest—I agree with you, Joyce—if someone does respond in the next week—

[171] **William Powell:** Shall we go to the close of play this Friday?

[172] **Russell George:** Yes.

[173] **William Powell:** 5 o'clock Friday; is that sensible?

[174] **Russell George:** Then it should be removed from the list and go to the next committee.

[175] **William Powell:** Yes. Agreed. Okay.

[176] **Mr George:** To be frank, it's going to take us—because we have to write to each of these petitioners anyway to say that it's being closed, it's going to take some time to produce those letters. If in any of that intervening period we get something from the petitioners giving us reasons to keep it open, then we would bring that forward either to this committee's next meeting or even to the one after.

[177] **Russell George:** I've misunderstood; so, they haven't all been written to yet.

[178] **Mr George:** They've all been written to; it's just that, you know, there is a time lag. I'm just saying that we're going to be writing to all of them to say that we're closing them. It probably is going to take a good couple of weeks for us to get all those letters done and drafted—

[179] **William Powell:** So, realistically, that wouldn't trigger inclusion in the next agenda because the times wouldn't allow that.

[180] **Joyce Watson:** Okay, that's fine.

[181] **William Powell:** Understood. Excellent.

[182] **Mr George:** That's not a problem doing what you've said.

[183] **William Powell:** Okay. Thank you, Members. Just a couple of brief updates. For a start, there will be a petitions handover on 1 March at 1 o'clock, entitled 'Routine Screening for Type 1 Diabetes in Children and Young People', and I'd very much welcome your attendance at that petition presentation. There is also scheduled a Plenary debate on 2 March, which is Wednesday of next week, on the committee's report on the review of petitions, which is effectively our legacy report to the fifth Assembly. And any other matters will be drawn to Members' attention. So, I thank you very much for your attendance, and I'd ask the clerk to make some brief remarks.

[184] **Mr George:** Sorry, just on the debate, the Presiding Officer has written

to the Chair about the review of petitions. It arrived too late to put on the agenda for this meeting. We'll put it on the agenda for the next meeting as a paper to note.

[185] **William Powell:** But we'll share it in the meantime.

[186] **Mr George:** But we'll share it in the meanwhile so that Members will have had it available before the debate next week.

[187] **William Powell:** Excellent. Well, thank you very much for your attendance and full contributions, and I look forward to seeing you later on in the week. Diolch yn fawr.

Daeth y cyfarfod i ben am 10:07.

The meeting ended at 10:07.