



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

Y Pwyllgor Deisebau **The Petitions Committee**

Dydd Mawrth, 7 Chwefror 2012
Tuesday, 7 February 2012

Cynnwys **Contents**

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

Deisebau Newydd
New Petitions

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol
Updates to Previous Petitions

Y Gweinidog Llywodraeth Leol a Chymunedau—Sesiwn Dystiolaeth Lafar
The Minister for Local Government and Communities—Oral Evidence Session

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

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

Bethan Jenkins

Ceidwadwyr Cymreig
Welsh Conservatives
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

Debra Carter	Pennaeth yr Adran Gyllid Llywodraeth Leol a Pherfformiad Gwasanaethau Cyhoeddus, Llywodraeth Cymru Head of Local Government Finance and Public Service Performance Division, Welsh Government
Frank Cuthbert	Pennaeth y Tîm Craffu, Democratiaeth a Chyfranogi, Llywodraeth Cymru Head of Scrutiny, Democracy and Participation Team, Welsh Government
Carl Sargeant	Aelod Cynulliad, Llafur (y Gweinidog Llywodraeth 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

Sarita Marshall	Dirprwy Glerc Deputy Clerk
Abigail Phillips	Clerc Clerk
Helen Roberts	Cynghorydd Cyfreithiol Legal Adviser

Dechreuodd y cyfarfod am 9.29 a.m.
The meeting began at 9.29 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **William Powell:** Bore da i bawb, a **William Powell:** Good morning to you all
chroeso cynnes. and a warm welcome.

[2] I welcome everyone to this morning's meeting of the Petitions Committee. Participants can, as usual, speak in Welsh or English, as they wish and are able. The headsets are available for translation: channel 0 is for amplification only and channel 1 for translation. Please switch off mobile phones or any other electronic devices. As far as I am aware, no fire drill is planned for this morning, so if the alarm goes off, it is the real thing, and we will be in the hands of the ushers. We have no apologies this morning; we have a full complement.

9.30 a.m.

Deisebau Newydd
New Petitions

[3] **William Powell:** We will start with the first petition, P-04-362, on the ambulance service in Monmouth. The petition was submitted by Mathew Davies and has 42 signatures. It

begins:

[4] ‘We believe that Monmouth should be granted the appropriate ambulance provision. With its population set to rise, and the Minor Injuries Unit at Monnow Vale recently closed down, demand will increase for the ambulance service.’

[5] The petition goes on to make specific requests of the National Assembly for Wales, as you will see, urging the Welsh Government Minister for Health and Social Services to use her powers in this regard. Finally, there is a section urging the Welsh Ambulance Services NHS Trust to increase provision in the area. As yet, we have done nothing with this petition—we are right at the outset—but I hope that you have it in your diaries that, at 11.45 a.m. today, Mathew Davies is due to present the petition on the steps of the Senedd.

[6] I propose that, because of the specific requirements and sub-sections of the petition, we should begin by writing to the Minister for Health and Social Services. Are there any other issues that you think would be appropriate to kick off?

[7] **Joyce Watson:** We should also write to the ambulance trust.

[8] **William Powell:** Indeed, as it is specifically mentioned. Have you any other thoughts?

[9] **Russell George:** We could also write to the Chair of the Health and Social Care Committee.

[10] **William Powell:** That would be good. We would then have those three areas covered. It would also be useful to speak informally with Mathew Davies later on today, to get more of a feel for some of the issues. It would be great if you were able to do so.

[11] **Bethan Jenkins:** I do not want to add to the workload, but when I was a member of the Public Accounts Committee, there was an investigation into ambulance response times. It may be worth referring the petitioners to that particular document, so that they can track progress.

[12] **William Powell:** How far back does that go?

[13] **Bethan Jenkins:** It was before the election, so it would be before May. The committee was going to revisit the issue.

[14] **William Powell:** So, it would be useful for us to write to Darren Millar in order to go back into that work. We have a full set of actions on that, and I look forward to meeting Mathew Davies later on.

[15] We move now to petition P-04-364, on fibre optic for rural areas. This petition was submitted by Kai Childheart, and it currently has 17 signatories. It reads:

[16] ‘We call on the National Assembly for Wales to urge the Welsh Government to do more to support the roll-out of next generation/fibre optic broadband and to ensure that it is available to everyone in Wales by 2013, including Ecommerce, new communication businesses (IT Industry) and enhanced communication between current businesses while having the side effect of benefiting the local communities.’

[17] The petitioner offers some specific examples with regard to additional benefits and opportunities that would arise from this. We have yet to kick off with this, so I would welcome your thoughts as to how to take it forward.

[18] **Joyce Watson:** We know that the Welsh Government has a commitment to this. We know that the Minister has made announcements. It would be worth, in this case, writing to the Minister, asking for an update on the points raised here. That is the only way forward at this stage, unless anyone else has other ideas.

[19] **Bethan Jenkins:** I think that we should go to Ofcom as well, as its role has been mentioned, in order to flag up the specific points.

[20] **William Powell:** Ofcom as the regulator, and the Minister in light of recent announcements. She felt that we had a full and useful debate a few weeks ago in the Senedd. We will write to the Minister and to Ofcom, if we are agreed on that. Russell, are you happy with that?

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

9.35 a.m.

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[22] **William Powell:** We will start with P-04-354, which calls for a public statement of support for Bradley Manning. This petition was submitted in January 2012 by the Rev Christopher Trefor Davies, who has collected 90 signatures. It reads:

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

[24] You will recall the background to this particular issue. We have previously aired the possibility and appropriateness of a statement of opinion. Rather than regurgitating some of that, I will ask Bethan to give us a focus report on where we are with that.

[25] **Bethan Jenkins:** I have sent a letter in a formal capacity as chair of the cross-party group on human rights, stating that a statement of opinion has been written. I hope that the campaign and the petitioners will urge AMs to sign the statement of opinion. We will also be drafting an open letter to the press, encouraging people to support Bradley Manning and his human rights, specifically, during the trial. We are yet to set a date for the next meeting of the cross-party group, but I have told those involved in the campaign that they will be the first to hear when the next meeting of the cross-party group is to happen, so that we can decide on more action points on how to get the Welsh Government to put out a statement as well.

[26] **William Powell:** Excellent. I am very grateful for that. Thanks for the letter. I am also happy to say that I will be one of the first to sign that statement of opinion, as I think that the cause is one that merits our support. I hope that colleagues will also do so, if they feel able. I also look forward to the meeting of the cross-party group on that, in which I am involved.

[27] **Russell George:** Would it be helpful to write to the cross-party group on faith as well? As well as asking its opinion, we could formally let it know what is going on, so that it is on its agenda. I think that it may be quite useful to highlight the issue with the group.

[28] **William Powell:** Can you remind me who chairs that group?

[29] **Bethan Jenkins:** Darren Millar. He is on the human rights group as well.

[30] **Russell George:** He is, but if we write to him, the matter will at least be on the agenda of that group's next meeting. I am not particularly asking that we seek the group's opinion; it is just so that it is on its radar. There may be people in that group who can also—

[31] **William Powell:** Yes. If there are issues of conscience, principle or whatever, there may be crossover there.

[32] **Russell George:** Yes, there may be crossover.

[33] **William Powell:** It is not clear to me what the faith dimension is, directly, but it could well be that there is one.

[34] **Russell George:** I just think that there will be people in that group who could usefully add some weight.

[35] **William Powell:** You could well be right. Joyce, I know that your home base is quite close to the area most associated with the Manning family.

[36] **Joyce Watson:** It is very close, yes. I am not going to express any views on this matter.

[37] **William Powell:** That is fair enough. We appreciate your right to abstain from this matter.

[38] The next update is on P-04-352, Save Roath Steam Laundry. You will recall that this was only submitted in January 2012 by Dave Green, who collected 145 signatures. It reads:

[39] '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.'

[40] The petitioners were seeking to see off a demolition threat. As you will have read in our papers, unfortunately, things have moved on, and not in the direction that the petitioners were hoping for. We have been informed by them that they wish to have the petition closed, because, unfortunately, demolition of this building has already started. We note that, and while I personally express regret for that, I think that we have to respect their wishes. There is nothing that we can usefully do in this matter. Do we, therefore, agree to close this petition? I see that we do.

[41] On P-04-340, Create an Enterprise Zone in Newport, you will recall that this petition was submitted back in November 2011 by Councillor David Williams of the relevant local authority. It attracted 10 signatures, and there was an associated petition that secured 40 additional signatures.

[42] 'We the undersigned wish the Welsh Government to create an Enterprise Zone in Newport and wish them to debate this in the Senedd.'

[43] Things have moved fairly rapidly recently on this issue. We considered this petition for the first time back in November. We have written to the Minister. Of course, since then, we have had last week's announcement. The direction of travel on this subject is pretty clear. The petitioners have seen the ministerial response. Given that Newport has not been included in the announcements that have been made, that appears to be it. I would greatly appreciate your views on this petition. Russell, you were somewhat associated with this petition; do you have any thoughts about what we should do? We have had a clear ministerial announcement on this.

[44] **Russell George:** I think that we should write to the petitioners to ask them whether they are happy for us to close the petition. That is my instinct, but others around the table may have different views.

[45] **Bethan Jenkins:** I do not see how we can keep the petition open, because the Minister has made her views quite clear.

[46] **William Powell:** I think that we should write to the petitioners and advise them of the situation; they are already aware of it.

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

[48] **Joyce Watson:** That is all we can do.

[49] **William Powell:** Yes.

[50] Moving to the local government and communities section of our agenda, the next petition is P-03-315 regarding a new Dyfi river crossing. This petition was submitted last March by the South Meirionnydd Older People's Forum, which has been pretty busy, because 3,204 signatures have been collected. The petition reads:

[51] 'We, the undersigned, are in favour of and support, any proposition to create a new crossing of the Dyfi River (or the re-routing of the A487) linking South Meirionnydd with Powys, Dyfed and Ceredigion, to accommodate and suite the demands of modern day traffic and urge prioritisation of funding and action. We call on the National Assembly for Wales to urge the Welsh Government to create this crossing as a matter of priority.'

[52] The previous committee, of which Bethan was a member, agreed to await the publication of the options development report. We now have that, along with the Minister's response, which details the intended actions in light of the report's findings. These can be found in the papers for today's meeting. The petitioners have commented on the Minister's response and have re-stated their view that the situation is an urgent one. I am keen to have your thoughts on the way forward. Russell, this is of direct concern to your constituents and in the region that Joyce and I represent.

[53] **Russell George:** Yes; quite a few people would be interested in this. We have not had clarity on the timetable. I would like to ask the Minister to indicate what the timetable will be for the work to be undertaken. We could write to him on that point.

[54] **William Powell:** That makes a lot of sense, so that people have an overall feeling as to how it is being prioritised and are not in the dark on the issue. I quite often get representations on this subject, and I am sure that Joyce does as well. We know the sensitivity of the old Dyfi bridge in relation to that important structure. So, we shall write to the Minister on that to seek a timeline. Joyce, do you have any further observations on this point?

[55] **Joyce Watson:** Yes. I have travelled across this bridge frequently throughout my life, because I have family who live in Aberdyfi.

[56] **Russell George:** When it is not flooded.

[57] **Joyce Watson:** Yes, when it is not flooded. There is a table at the back that outlines the number of times that it has flooded. The issue here is not just the fact that this bridge floods and shuts the road off to traffic, but the detour that has to be made and the unsuitability of the roads along that route, which I have also taken.

[58] **William Powell:** Yes, they are substandard roads.

[59] **Joyce Watson:** It is absolutely vital that we get information regarding the timeframe, and I absolutely support that. There are three people here who cover this area and representations have been made to each of us about this and we probably all feel the same—we would all welcome a statement that at least allays some of the fears and addresses some of the points. I would certainly support that.

9.45 a.m.

[60] The Minister has said that he is going to use the Welsh transport planning and appraisal guidance, but we need an update. It is complicated, is it not? It is an ancient monument and it is listed, so it makes it a little more difficult to reach solutions.

[61] **William Powell:** There are other factors at play.

[62] **Joyce Watson:** It is a fabulous bridge; there is no question about that. It is complicated, but we need to push the Minister for some answers.

[63] **William Powell:** In one of the Minister's first question sessions on his enhanced brief, which now includes transport, I raised the issue of the Dyfi bridge and the proposals for it. The Minister, at that stage, indicated a readiness to have a look for himself. That may be something that would play a part, if he can apprise himself of the situation. It is an ongoing issue with a lot of background. Clearly, many communities and individuals are concerned about it. Maybe we can arrange a site visit at some point.

[64] **Joyce Watson:** The truth is that, if you were building a bridge across that river now, given today's traffic, it probably would not be where it is.

[65] **William Powell:** We should write to the Minister along those lines, to see whether we can get him to firm up on the commitment to have a look at the situation for himself, which is always beneficial.

[66] We now move to the health and social services section of our agenda. Here we have a petition that goes back well into the third Assembly—P-03-085, on surgeries in Flintshire. This was submitted by Gillian Robinson back in February 2008 and collected 412 signatures. It reads:

[67] 'We, the doctors at the Laurels Surgery, Eytan Place Surgery and Allt Goch Medical Centre are frustrated (as we are sure you are) by our difficulties in offering enough appointments for our patients.'

[68] It goes on to give some specific concerns and there is also a reference to the constituency Assembly Member, Sandy Mewies, our colleague, in terms of her awareness of this problem. As I said, it has been around for some time; in fact, it is one of the oldest petitions still being considered. There is something of a stalemate situation here. The petitioners have been invited to comment on the most recent correspondence, but have not done so to date. I would welcome your thoughts on how we should progress or get some clarity as to where we stand.

[69] **Bethan Jenkins:** There seems to be a stalemate here. The last paragraph but one states that there does not seem to be a response, as yet, from Betsi Cadwaladr University Local Health Board. Could we write to the board urging it to respond? It has been years since we received this petition.

- [70] **William Powell:** It would have been early in your time on the committee, I imagine.
- [71] **Bethan Jenkins:** Yes. We really need to make some progress here.
- [72] **William Powell:** We can write to the chief executive of Betsi Cadwaladr on this matter. We cannot be far from closing the petition, particularly if the petitioners themselves have not commented in recent times on the latest correspondence.
- [73] **Joyce Watson:** It seems that it is not just one way traffic here—you are saying that both the petitioners and the health board have not responded. Are we going to keep going around in circles forever?
- [74] **William Powell:** No; I think that we need clarity. If we write to the chief executive of Betsi Cadwaladr, we have one more opportunity to get some clarity.
- [75] The next petition is P-03-280, on the Cardiff Royal Infirmary. This petition was submitted by Mrs Breen back in March 2010 and collected 4,071 signatures. It reads:
- [76] ‘We the undersigned object in the strongest possible terms to the closure of the Cardiff Royal Infirmary. We call upon the National Assembly for Wales to urge the Welsh Government to ensure that the commitment to redevelop the hospital is carried out using public money, and that the redevelopment will lead to the refurbishment and re-opening of the Cardiff Royal Infirmary as a fully working hospital, including an Accident and Emergency Unit and an Intensive Care Unit for the ever increasing population of Cardiff and the surrounding area.’
- [77] Again, we have a situation where a question needs to be asked, because the petitioners have not responded to our requests for an update since the last time that we considered this, in July 2011. We need to give some serious thought to how we take this forward.
- [78] **Bethan Jenkins:** They have not responded since July—is that the case?
- [79] **William Powell:** Yes.
- [80] **Bethan Jenkins:** If they have not responded since July, we should close the petition.
- [81] **Joyce Watson:** I agree.
- [82] **William Powell:** That is the best way forward.
- [83] **Bethan Jenkins:** As Joyce said, people need to engage with us, and if they have not done so since July, we cannot be responsible—
- [84] **William Powell:** No; that is the correct way forward.
- [85] **Bethan Jenkins:** I am sure that I will get an e-mail about this now.
- [86] **William Powell:** Feedback is always welcome. Russell, do you have any thoughts on this?
- [87] **Russell George:** Only to say that, if we close it and someone then writes to us, we can reopen it at that time, can we not?

[88] **William Powell:** If there is new information.

[89] **Russell George:** We should close it and, if someone then writes back, we can reconsider it.

[90] **Joyce Watson:** I am not sure that we can close and then reopen a petition. Can we have some legal advice on that?

[91] **Mrs Phillips:** The committee has not done that before. An alternative might be to write to the petitioners, as we have done with others, and tell them that it is the committee's intention to close the petition unless we hear otherwise.

[92] **William Powell:** That is probably the right tone. So, we will write to them and set a mid-March meeting as a deadline, because they might need to gather their thoughts or make contact with us. That would be fine.

[93] The next petition is P-03-295—Kyle Beere paediatric neuro rehabilitation services. This petition was submitted by Kyle's Goal in June 2010 and it collected in excess of 9,000 signatures. It reads:

[94] 'We, the undersigned, call upon the National Assembly for Wales to urge the Welsh Government to recognise and deliver services for the rehabilitation of brain injured children. There is currently no facility in Wales to provide this vital service. Despite there being a purpose built children's hospital being built in Cardiff, there is still no provision included in its design.'

[95] There appears to be some discrepancy in the figures that we have received on this. Eight children were admitted to Tadworth, but the petitioners' information is that more than 874 children have been admitted to hospital for the treatment of acquired brain injuries. That is a pretty major discrepancy. The earlier correspondence that we received from the Welsh Health Specialised Services Committee states that, although no provision was made for paediatric neuro rehabilitation in its 2011-12 plans, the issue will be considered again in the next annual plan for 2012-13.

[96] I would appreciate your guidance on this. You have been involved with a different charity associated with these issues, Bethan.

[97] **Bethan Jenkins:** Yes, with Headway. I proposed that Headway came back. What is raised is pertinent, given that some of the non-serious or moderate or undiagnosed brain injuries that can be seen as behavioural problems in children are not being calculated in any sense. We should look into that. As you said, there is also that stark difference in the numbers. I think that that is what Kyle's Goal asks—are people being referred as they would deem necessary—

[98] **William Powell:** We may have questions of definition.

[99] **Bethan Jenkins:** It would do no harm to have a short evidence-taking session.

[100] **William Powell:** That would be useful. It has not been around very long, and an enormous number of people back it—we must be aware of that, too.

[101] **Joyce Watson:** An evidence session is a good idea, and I support that.

[102] **Bethan Jenkins:** We can always flag it up with the Health and Social Care Committee.

[103] **William Powell:** That makes a lot of sense. We could write to the Minister, and something could possibly flow from that evidence session, because we would have the specific points. It would be good if we could try to schedule that for between now and Easter.

[104] We now come to P-04-334, calling for a new renal unit at Prince Charles Hospital. Bethan and I and the team visited Prince Charles Hospital a few weeks ago. That was an important opportunity for us to get an understanding of the issues. I remind colleagues that this petition was submitted by Robert Kendrick, whom we met on that occasion. It was submitted in November 2011 with the support of 56 signatories. A good number of those 56 were in the hospital on the day that we visited, receiving their dialysis. The petition reads:

[105] ‘We call upon the National Assembly to urge the Welsh Government to build a new Renal Unit at Prince Charles Hospital, Merthyr Tydfil.’

[106] As we observed on that day,

[107] ‘the current unit was built in 1989 to treat up to 16 patients per week but that number has now grown to 52. With the number of renal patients rising annually we feel it is very important that a new unit is built now to cater for the increase. Also with a new upgraded unit it would mean that renal patients requiring minor surgical procedures could be dealt within the unit rather being transferred to other hospitals and taking up much needed bed space.’

[108] As you can see, a number of the shortcomings are flagged up in a list on the petition.

[109] It struck me that the quality of care available there is second to none, in terms of the professionals that we met that day, but they are working in desperately difficult circumstances. Bethan, would you like to give a flavour of our visit?

[110] **Bethan Jenkins:** Yes. It is important for us to mention how passionate the petitioners are, as patients—because they are patients—about the services. They have been waiting for years for a new service. The unit is in a portakabin, basically. People are squashed into tiny areas. The air conditioning is questionable and there is no privacy. If anyone gets ill—

[111] **William Powell:** The toilet facilities are short of being adequate.

[112] **Bethan Jenkins:** Yes. I was heartened that the chief executive of the health board said that she would meet petitioners to discuss the options for the future—that had not happened since last October. They do not think that they can fund a new unit on the Prince Charles Hospital site.

[113] **William Powell:** There was also the issue of scheduling, because there is so much building work going on until 2017 or 2018. There was an issue of there being no opportunity to factor this in to development plans until then. The unit will not be able to function for another four, five or six years: it is creaking now, as we saw.

[114] **Bethan Jenkins:** That is why they were saying that they would develop it on the new health park development in Merthyr. That is why we suggest in the report that we visit the similar development in Pentwyn in Cardiff, to see the benefits or otherwise of patients having to travel a few miles for their treatment, as opposed to having treatment on site.

[115] **William Powell:** That would be useful. Hopefully, we will be able to schedule a visit with the full committee, alerting the local Member and the relevant regional Members, to keep them in the loop. That would be sensible. It was a good visit. We are grateful to Robert Kendrick.

[116] **Bethan Jenkins:** I think that the petitioners have been to Pentwyn. However, we could ask those who have not seen that provision to come with us, if they so wish, to see what would be most beneficial for them. Seeing that provision might give them a firmer view of the treatment that they have at the moment.

[117] **William Powell:** That is a good idea. We could liaise with Mr Kendrick, as lead petitioner.

[118] **Joyce Watson:** I support that, but they are patients, and they are ill patients. It would be down to their availability.

[119] **Bethan Jenkins:** Of course, but we can ask them.

10.00 a.m.

[120] **Joyce Watson:** However, it is absolutely a good idea. I noticed that it said that some of the patients were coming in from Llandrindod Wells. I would have thought that that might have changed, through choice, because there is a new unit in Welshpool, which would make more sense, knowing the area and the travel line. So, there might have been some easing because of that. I was sorry that I could not make the site visit, but that is life. I absolutely support going to Pentwyn to have a look and taking it from there.

[121] **William Powell:** I have heard good reports about the situation in Welshpool, but, on the other hand, there has been some concern about the future of the renal facilities in Hereford, and some people from Radnorshire and east Powys are suffering now. There are quite a lot of patients coming down from Crickhowell, Talgarth, Hay on Wye and that area to the facility in Merthyr. There is an incredible footprint in terms of where people are coming from. I thought that the chief executive of the health board was very open and upfront in the way that she handled our questions. That gave a positive impression. We were grateful for the hospitality and all the practical arrangements that day from the clinicians and all others involved.

[122] **Joyce Watson:** Chair, we have a letter here from the Minister saying that she was waiting for a new business case. That should be ready about now, because the letter was written last year and said that it would be ready around the end of the year. So, I wonder where we are with that business case, because everything rests on that in investment terms.

[123] **William Powell:** Potentially, it would be useful, as well as preparing the Pentwyn visit, to write to the Minister to get clarity on how that has developed. Is that what you are proposing, Joyce?

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

[125] **William Powell:** We will write to the Minister as well. That makes good sense.

[126] The next petition is P-04-348, on recycling targets for health boards. This petition was submitted by Councillor Arfon Jones in November 2011 with the backing of 29 signatories. It reads:

[127] ‘We call on the National Assembly for Wales to recommend to the Minister for Health that she introduce legally binding recycling targets for Health Boards in Wales at a similar level to that imposed on Local Authorities.’

[128] We have correspondence from the Minister and the health boards suggesting that

such recycling targets are in place. However, having had the chance to comment, the petitioner feels that they do not go far enough. I think that we probably have a difference of emphasis here. I would very much appreciate your input on this.

[129] **Bethan Jenkins:** The Minister's letter stated that sector plans are due to be put in place with regard to implementing the zero waste policy. I think that we should get a timeline for that—

[130] **William Powell:** For implementation, yes.

[131] **Bethan Jenkins:** The e-mail from the petitioner stated that he had not had clarification of what proportion of the total going into landfill is hazardous waste. I saw from the information that we got back from Betsi Cadwaladr that 55% of the waste goes to landfill, but it did not specify what that waste was. That is where the petitioner wanted more information. Those are my thoughts on the matter.

[132] **William Powell:** We need to drill down a bit more to see what the totals are. Perhaps then we will be in a better place to form a view because, at the moment, the petitioner has a different stance on this.

[133] **Bethan Jenkins:** Is it not the case that we have not had a response from one health board. Is it Hywel Dda Local Health Board that has still not responded?

[134] **William Powell:** There is quite a lot of activity over in Hywel Dda on other fronts. We will look for that. Actually, we did have a response from the Hywel Dda board. It is dated 30 January and it came in a little after that. Have you had an opportunity to study that?

[135] **Bethan Jenkins:** No.

[136] **William Powell:** We have had a letter from Trevor Purt regarding the situation in Hywel Dda LHB, so it is probably better for us to take time to study that in detail and to come back to it, to consider how best to take it forward. We now have a full picture from all the health boards. Russell, have you any thoughts on that?

[137] **Russell George:** I was going to suggest that we could do some research ourselves, as a committee, and ask the research service to undertake some research for us.

[138] **William Powell:** That would probably be a useful component, because we would then have some objective data as well.

[139] **Russell George:** I think that that is what is needed.

[140] **William Powell:** We will commission a short piece of research on that from our own resources, and then we will come back to view things in the round.

[141] **Bethan Jenkins:** We definitely need to write to the Minister about the sector. Would that be the Minister for Environment and Sustainable Development?

[142] **William Powell:** We should certainly copy in the Minister for Environment and Sustainable Development.

[143] **Bethan Jenkins:** The Minister for Health and Social Services says in her letter that she understands that, in the 'Towards Zero Waste' strategy, there is a commitment to producing more detailed sector plans. Therefore, I would presume that it would involve the Minister for environment.

[144] **William Powell:** It is cross-departmental work.

[145] **Russell George:** We may need to write two slightly different letters.

[146] **Bethan Jenkins:** We will let the clerk deal with that.

[147] **William Powell:** We will resolve that in the detail; that is the best way forward.

[148] The next petition is P-03-143, on Ysgol Penmaes. The petition was submitted by Catherine Lewis in July 2007—this is certainly an early petition—and it has the backing of 15 signatures. It reads:

[149] ‘We the undersigned request that the National Assembly for Wales urge the Welsh Assembly Government to invest in better transport links in rural areas like Powys.’

[150] When we last considered this, we decided to ask the petitioners whether they were content with the actions reflected in the national transport plan, but we have not had a response. Our team was last on the case, chasing it up, in November of last year. Therefore, in light of the non-response, it would wise for us to close the petition, because the message is clear. Do you agree? I see that you do, so we will do that.

[151] We will now have a brief break, because the Minister for Local Government and Communities is still in Cabinet. We have made better progress than we had anticipated, so I suggest that we break for a quarter of an hour and resume at 10.30 a.m., when the Minister will join us for the important evidence session on two petitions—filming and recording of council meetings and details of local authority spending over £500.

*Gohiriwyd y cyfarfod rhwng 10.08 a.m. a 10.30 a.m.
The meeting adjourned between 10.08 a.m. and 10.30 a.m.*

Y Gweinidog Llywodraeth Leol a Chymunedau—Sesiwn Dystiolaeth Lafar The Minister for Local Government and Communities—Oral Evidence Session

[152] **William Powell:** Good morning, Minister. We are very grateful to you for sparing the time to join us this morning to consider the two petitions before us. I ask you to introduce your team, and then we will start the evidence session.

[153] **The Minister for Local Government and Communities (Carl Sargeant):** Good morning, Chair and committee. It is good to be back, although it is not that long since I was here last. I will ask my team to give their full names and titles, if that is helpful.

[154] **Ms Carter:** I am Debra Carter, head of local government finance and public service performance.

[155] **Mr Cuthbert:** I am Frank Cuthbert from the Welsh Government scrutiny, democracy and participation team.

[156] **William Powell:** A warm welcome to you all. We are here to consider two petitions this morning—P-04-331 on the filming and recording of council meetings, and P-04-332 on local authority spending details over £500. On the filming and recording of council meetings, we previously issued a consultation and received a number of responses. We would like to go straight to questions, and Bethan has indicated that she would like to ask the first question.

[157] **Bethan Jenkins:** Beth yw barn Llywodraeth Cymru ar ei gwneud yn angenrheidiol yn statudol i gyhoeddi manylion gwariant dros £500 neu £1,000, er enghraifft?

Bethan Jenkins: What is the Welsh Government's view on introducing a statutory obligation to publish details of expenditure over £500 or £1,000, for example?

[158] **Carl Sargeant:** I thank the Member for her question. I have made it very clear in Plenary that my view is that local authorities should determine this approach themselves; it is for them to decide locally whether they should do that. I have no current intention to make that statutory.

[159] **Bethan Jenkins:** Diolch am yr esboniad hwnnw. Pe bai llywodraeth leol yn penderfynu gwneud hyn, a fyddai hynny'n gwneud eu gweithredoedd yn fwy agored a thryloyw, gan ganiatáu i'r cyhoedd allu gweld yn iawn lle mae arian prin cynghorau yn cael ei wario?

Bethan Jenkins: Thank you for that explanation. If local government decided to do this, would it make their actions more open and transparent, allowing the public to see exactly where scarce council money is being spent?

[160] **Carl Sargeant:** That is an interesting debate. I am all for transparent councils and transparent government—that is absolutely the right thing to do—but there is a real question of balance here, given the onerous task of publishing all expenditure above £500. I am aware that some councils are already doing that, but the jury is out, if you like, on its effectiveness. Whether it has reduced the number of freedom of information requests is still unknown. Is the task of doing this financially and physically onerous, compared with the information that the general public might want to access through the FOI system that is already in place? It is a question of balance between publishing everything or not publishing everything and the cost involved in doing that.

[161] **William Powell:** Minister, you have anticipated part of my next question. Has the Welsh Government had any contact with Monmouthshire County Council and Newport City Council regarding the implementation of their publication scheme?

[162] **Carl Sargeant:** My team constantly monitors what is happening in local government across the board. As I said earlier, it is early days yet as to whether the effectiveness of publication has had a direct impact on publication versus freedom of information requests. I will seek more detail on that, and when I have it, I will be more than happy to share it with committee. However, as I said, it is a matter for the local authority to explain to local people why it spends as it does, and whether it believes that it is right to publish details of spending over £500, as some councils are doing. At the moment, I have not seen the benefits of doing that.

[163] **William Powell:** In addition, has there been any contact as yet between the Welsh Government and Eric Pickles, or any of his officials in England, given the recent developments with regard to the recommendation that authorities on the English side of the border should publish in this fashion?

[164] **Carl Sargeant:** I have regular correspondence with Mr Pickles. Of course, there is a different policy agenda at the other end of the M4, but I respect the right of another Government to make a judgment about making direction or providing authorities with statutory guidance. I would hope that that would be replicated in that Government's attitude towards this one.

[165] **Russell George:** You have addressed the question that I was going to ask, but have you done any work on the increase in the number of FOI requests that councils have received

since freedom of information legislation was introduced?

[166] **Carl Sargeant:** No. Again, I have asked my team to start looking at these questions. What is the main thrust of FOI requests? Is it financial, or policy related, or about the decision-making process? I do not have any data to share with you on that at the moment. As I said, some councils have started publishing financial details, but it is too early to tell whether there will be a drop in FOI requests because of the transparency of publication. It is something that I would be keen to understand better, when those data are available. It may prove to be a cost benefit, if the information is useful, but if you look at it in another way, there must be quite a few transactions over £500, and some of the more important things that people would wish to home in on could get lost in the data. You would have to go through all those data to find a specific element that an FOI request might turn up now. You might want to know the exact amount of money spent on the number 5 bus service, or whatever.

[167] There are two ways of looking at this. Is publication of transactions over £500 cost-beneficial and transparent, making this a better system than FOI, through which data can be obtained now? The jury is out on that, and I am not convinced. It is, therefore, to be determined locally whether there is value for money. If there is proved to be value for money, that is something I would have to think about in the future in considering how we share that best practice across local authorities.

[168] **Russell George:** Analysing those data is crucial in taking this forward, so I agree with you, Minister.

[169] **William Powell:** Joyce, you indicated that you want to ask a question.

[170] **Joyce Watson:** Minister, taking this from the other side, concern has been expressed that small and medium-sized enterprises could avoid undertaking local authority work if publishing spend information meant that competitors had a greater opportunity to obtain knowledge of payments made. Have you looked at or thought about that aspect?

[171] **Carl Sargeant:** I expect that there are pros and cons to that. The ease of obtaining figures on local authority spending on a certain service might be beneficial for businesses in some ways. However, I do not intend to interfere with the business protocols of local authorities. This is about a market-driven force, in terms of delivery of services, and none of these data are unobtainable. If it is onerous to publish all of these figures, then we must measure the value for money aspect of this. Businesses can already obtain these figures through the FOI system. I do not yet know whether there are any benefits from publicising this upfront.

[172] **William Powell:** We now move to consider P-04-331, which is perhaps the higher profile of the two petitions submitted by Jacqui Thompson and her supporters. This petition is on the filming and recording of council meetings, which is an issue that has been raised independently in Plenary over recent months. A number of us have some background on this issue, given our local government experience. Joyce, I believe that you want to kick off on this petition.

[173] **Joyce Watson:** Minister, you said in your letter to this committee that you would encourage local authorities to allow members of the public to film their proceedings. What specific steps are you taking to encourage councils to do that?

[174] **Carl Sargeant:** I am doing that by not standing in their way if they wish to do that. My encouragement has been made public to councils in order for them to adopt a policy that, again, goes back to our last discussion about openness and transparency. I am comfortable with councils filming their meetings—I have made that statement in the past—but it is for

them to make that decision.

[175] **Joyce Watson:** In the evidence that we have received, Pembrokeshire County Council thought that not making verbatim recordings of proceedings might place councils in a disadvantageous position in relation to legal proceedings, should an edited version of a council debate be used to support a claim or complaint. Do you have any views on that?

[176] **Carl Sargeant:** The fact that some things are taken out of context goes with the world of politics and the broader media environment. You must look at the whole story, or the whole statement that has been made; people will often be familiar with just taking part of a sentence, which a Minister or a political opponent may or may not have said. Interestingly, Pembrokeshire has just announced that it is to show its council meetings on the internet, so, while it had a concern, it may have reviewed that concern and now feels more comfortable in taking forward the proposal to broadcast meetings on the internet, which I support.

[177] **Joyce Watson:** That is good.

[178] **William Powell:** Minister, thank you for flagging that up; I also become aware of that in the last 24 hours. The fact that Pembrokeshire has taken that step has been quite well-received by many interested commentators. What work has your department undertaken with Welsh councils, and possibly the Welsh Local Government Association, in exploring the benefits of the broadcasting of council meetings, particularly with regard to the assessment of the cost benefit?

[179] **Carl Sargeant:** I am not in charge of broadcasting, nor are local authorities. However, as I said, I am sympathetic to a structured process for local authorities to be able to stream their meetings. Their meetings should be transparent and open to the public, as I said earlier, but councils should also be aware that filming is being taking place. Covert filming is not appropriate; it should be about everyone being transparent and knowing exactly what is happening at the appropriate time.

[180] Notwithstanding what I have just said, you will be aware that, in terms of the Local Government (Wales) Measure 2011 that we introduced, we are exploring with authorities the opportunity for remote attendance. I expect that remote attendance would probably only be achieved by a video link of some sort.

10.45 a.m.

[181] Therefore, to enable a council to do that, there will have to be some sort of video system. I am not a techie, Chair, but I believe that, if a video system was streamed into the council and out of the council, it would not be that difficult to upload that to a YouTube-type website. I am sure that the other Members must have a view on how that is done; it is certainly not for me as a non-technical person to offer a response on that.

[182] **William Powell:** What assessment would you make of the potential environmental gains that could be made by minimising travel by staff and members of the general public? You may be aware of recent large-scale meetings that have happened in Powys on particular issues that are contentious there, where there has been webcasting, which seems to have been well received and extended the proceedings of the council to a much wider group of people than otherwise would have had access to them.

[183] **Carl Sargeant:** There are two elements there. The first is the openness of an authority to transfer the knowledge of a meeting beyond a building, so that people in the north or the south of Powys, wherever the meeting may have been, could access it, subject to the internet or whichever medium was used to share that information, which is important.

[184] Secondly, and part of that is where the local government Measure came in, is opening the world of politics and governance to a broader intake of people. Generally, only people who live in the locality of the council offices or meeting rooms could attend meetings, because of work or other commitments, such as family commitments. Through remote attendance, we tried to give other people the opportunity to be engaged in this process. We know, and I have given evidence to other committees about this, that the profile of the average councillor is over the age of 65, white and male. That is true in most councils. We are hoping that, by remote attendance, we might be able to open up that activity to mums at home, who may be looking after their children during the day, or fathers who are looking after their children during the day. Rather than making the journey to a council office somewhere that is way away, they could access meetings by remote attendance. It all fits in quite nicely. The element of remote attendance might lend itself to the publication of meetings on the internet. The digital age has come in, and we should embrace it and use it as best as possible. However, I do not intend to instruct local authorities to do that.

[185] **William Powell:** One final area that is worth our being aware of is the possibility of streamlining council business and increasing productivity. For example, I and other colleagues will have been present at planning meetings of principal local authorities and national parks, which I know are beyond your immediate remit, where officers will have been sitting around for hours waiting for their agenda item to come up, whereas this could lead more seamlessly to people coming when the relevant point has been reached and, therefore, sparing a lot of duplication of process.

[186] **Bethan Jenkins:** O ran opsiynau eraill, os ydych yn dweud nad ydych yn barod i'w gwneud yn ofynnol i gynghorau ddarlledu cyfarfodydd yn fyw, a fyddech yn ystyried, er nad ydych yn arbenigwr yn y maes, ei wneud drwy ffyrdd eraill, er enghraifft gwe-gamera neu drawsgrifiad llawn o'r hyn sy'n digwydd? A wnewch edrych ar ddulliau technolegol eraill o gynnal y gwasanaeth penodol hwn?

Bethan Jenkins: On other options, if you say that you are unwilling to require councils to broadcast meetings live, would you consider, although you are not an expert in the field, doing that through other methods, such as by web cam or a full transcript of proceedings? Will you look at other technical means of providing this specific service?

[187] **Carl Sargeant:** As I said, I am not opposed to authorities doing this. I think that Torfaen County Borough Council is very high-tech in terms of digital media; I am not sure whether it streams its meetings, but I know that it is very good in terms of its use of information and communications technology. It is a policy decision for councils whether they do this or not. I would support a council in streaming its meetings; it is good for openness and transparency for the broader public. However, as I said earlier, I am perhaps not the one to suggest the process by which that would happen. I am, nonetheless, quite sure that there are systems in place that can do that. We have seen this in Pembrokeshire this week, in the way that it is adopting this system at a relatively small cost in relation to the outcome that it may achieve.

[188] **Russell George:** I should say that the Chair and I are both members of Powys County Council and we are both under 60, are we not, Chair? *[Laughter.]* We are white males, however. I just wanted to point out that Powys County Council had a very good meeting a fortnight ago, which over 1,000 people attended—it was also broadcast on the web. It was very well received in the community. I was interested in your views on councillors attending meetings remotely. How would that work with voting, as that would have to take place remotely as well? There are issues with that, I suppose.

[189] The one issue that I wanted to ask you about is this: in providing evidence, one

council talked about the cost of Welsh and English translation and the need for palantypists for meetings that are broadcast. Do you believe that such issues should be used by councils as a reason for not broadcasting meetings?

[190] **Carl Sargeant:** If you wish me to expand on that, I cannot see how uploading a meeting to YouTube or whatever should make any difference to the operation and function of a council that is happening with or without a camera. So, if an authority believes that it is compliant in its function of holding a meeting, I do not see that putting a camera in front of it is a bigger issue.

[191] **Russell George:** You have expressed your view that this is a matter for each individual local authority. Opening it up a bit further, however, this technology is relatively inexpensive, especially when it comes perhaps to just streaming audio. What are your views on town and community councils doing this, so long as costs were low? Do you have views on that as well?

[192] **Carl Sargeant:** Some of the larger town and community councils might have the financial capacity and the knowledge base to deliver that. There is much innovative thinking going on in town, parish and community councils, and if they wished to adopt that process, I would certainly not stand in the way of it. I would encourage them to do that. There is a cost involved, but it is a matter for local authorities and the local town and community councils to decide whether they think it appropriate or not.

[193] **Bethan Jenkins:** I acknowledge that you say it is for the councils to decide, but is there any way that you could provide some sort of guidance? We have heard of instances in which people have been reprimanded or judged for filming during council meetings without permission. Is there anything that you could do? You have given us your view that you would be happy for things to be put online and so on, but could you express it to local authorities, so that those local authorities that are not so high-tech or up with the latest technology might have a different opinion?

[194] **Carl Sargeant:** I am certainly more than happy to talk with the WLGA and One Voice Wales, in terms of town and community councils, to express my view on the matter. It would be for the umbrella organisations to share that information with local authorities or town and community councils.

[195] I have made it quite clear. There has been quite a high profile case relating to this issue, and I understand why the petition has been raised. I am often accused by Members of micromanaging local authorities, but I have made it clear that, where this is a decision by a local authority or a local agency, I am loath to interfere in the process. However, if you are suggesting that sharing my views more widely may help to clarify the situation, I would certainly not be opposed to that.

[196] **Russell George:** This question follows on slightly from Bethan's. Clearly, there is an obligation on local authorities to open up their meetings to the public so that the media and reporters can go in and report, but there are issues with reporters going in with cameras and being asked to leave. That is perhaps where the Welsh Government could come in and have a view, take an opinion or provide guidance.

[197] **Carl Sargeant:** I believe that a process is already in place for private meetings in local authorities, and that is well established. Forgive me if I have misinterpreted this, but I think that the issue is about the general approach to filming council meetings more broadly. My view has been very clear: if filming or recording of a council meeting is to take place, either by a third party or by a council official, everybody should be made aware of that. The issue for me is about being open and transparent, so that all parties fully understand what the

ground rules are in this regard. I think that that is fair and reasonable. I would not like to see covert camera or recording operations in local democracy.

[198] It also comes back to the point that you made about the potential for being selective with the elements that are published, such as single lines or a paragraph that a member may or may not have said. It is about taking a reasonable approach in taking this forward. I would, nevertheless, encourage local authorities and the various agencies involved in local democracy to give serious consideration to the opportunities open to them in terms of the transparency of their organisations in the broader public light.

[199] **William Powell:** Minister, thank you for your openness in dealing with these questions. You seem very much to be at the epicentre of this drive for transparency in local government. I would ask you to share some of your experiences with Cabinet colleagues, because, increasingly, there seems to be pressure on other services and areas of government, such as health boards and so on. I have previously raised with you the possibility of webcasting police authority meetings, which is another area that does not always seem to be as open to scrutiny and public awareness as others. So, if you could share this with Cabinet colleagues, it would be really helpful.

[200] We are very grateful to you for coming with your team to address our issues today. Given the shortage of time, and because we want to consider your responses properly, I propose that we consider the petition in the light of your responses at our next meeting, which will be on 13 March. Thank you—diolch yn fawr.

*Daeth y cyfarfod i ben am 10.58 a.m.
The meeting ended at 10.58 a.m.*