



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

**Y Pwyllgor Deisebau
The Petitions Committee**

**Dydd Mercher, 25 Mehefin 2008
Wednesday, 25 June 2008**

Cynnwys
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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

Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Bethan Jenkins	Plaid Cymru The Party of Wales
Val Lloyd	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Kirsty Williams	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Michael German) Welsh Liberal Democrats (substitute for Michael German)

Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol
Assembly Parliamentary Service officials in attendance

Alun Davidson	Dirprwy Glerc Deputy Clerk
Joanest Jackson	Cynghorydd Cyfreithiol Legal Adviser
Stefan Sanchez	Clerc Clerk

Dechreuodd y cyfarfod am 9.04 a.m.
The meeting began at 9.04 a.m.

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau
Introduction, Apologies, Substitutions and Declarations of Interest

[1] **Val Lloyd:** Good morning, everyone, and welcome to today's meeting of the Petitions Committee. We are quorate, so we will start the meeting. I remind everyone to turn off their mobile devices because they interfere with the broadcasting equipment. In addition, the emergency exit is on your left. We do not have anyone in the public gallery or any visitors giving evidence, and I know that Members will be au fait with everything.

[2] We welcome Kirsty Williams to the meeting who is subbing for Mike German. It is nice to see you again, Kirsty. Are there any apologies or substitutions, apart from the one that I have mentioned? I see that there are not.

[3] Before I move onto the main agenda, I want a brief discussion with Members about conduct when it comes to supporting petitions. We have had several petitions recently that members of the committee have supported publicly, and it is quite understandable that Members would sign a petition. As Members, we represent our constituents, so it is quite right that we do that. However, it raises the question of how we proceed when we are asked to handle such circumstances in a more formal manner. I want us to agree this so that it is on the record, and is public knowledge.

[4] The clerk has provided a very helpful paper, which I will summarise for the purposes of the record. It is suggested that we adopt the following. The first point is that Petitions Committee members should declare an interest in the petition before the committee considers it. Secondly, the same courtesy should be extended to Petitions Committee members as that extended to Members who are not members of the committee. That is, they should be permitted to speak in support of the petition for five minutes, following a presentation by the petitioners, and should be involved in the committee's initial discussion to clarify evidence.

Thirdly, following that, Members should withdraw from any discussions leading to a decision being made about how to progress the petition. Fourthly, Members may choose to have a substitute sit on the committee for that item, with the prior agreement of the Chair. Therefore, that paper is up for discussion on how we want to take it forward, so I open it up to Members.

[5] **Andrew R.T. Davies:** I agree that we need a protocol. Various issues have come to light, as I am sure that you, Chair, and Kirsty have found in your capacity as constituency Members when local petitions arise. I am just a bit wary of where the line should be drawn. For example, we have a new petition on Morriston roundabout before us next, and I would have thought that that was quite a topical issue for you in that neck of the woods. As the constituency Member, Chair, you may well have received correspondence about it. Does entering into any correspondence indicate that you favour one side of the issue in some way? Under our system, that might come before this committee as a petition at a later stage. As a constituency Member, you have a broad level of engagement, but that might preclude you from fulfilling your role as an impartial member of the Petitions Committee.

[6] **Val Lloyd:** That is a fair point and a good example, and another example will arise later. From informal discussions with another Member, I understand that a similar issue is likely to come up soon. However, in my eyes, there is a distinction. In the normal course of our affairs as Members, we have access to lots of information, but signing a petition or declaring public support for a matter goes one step further. I would be interested in hearing Kirsty's views on that.

[7] **Kirsty Williams:** We have to develop a protocol, and I guess that now is the right time to look at practice, given that the system has been up and running for a year. My concern is that you want the very best Members to be on your Petitions Committee and, often, they will be those Members who are particularly active in their role as local Assembly Members. That could mean that they are involved in the petitions process in a variety of ways, from explaining to local people about the process, informing them of how to go about submitting a petition, to signing a petition. Signing a petition is very clear-cut. If you have signed it, it is probably wise for you to withdraw from making a decision on how the petition should be handled.

9.10 a.m.

[8] However, Members need some clarity on what constitutes public support. Does that include explaining to a particular group how to go about submitting a petition? Does it extend to a Member who has not signed a petition but who has met previously with the petitioners to discuss the issues that they are concerned about? Does attending a meeting count as 'public support'? Does that prejudice you from making a decision? You may not have declared support for a petition, but you may be on record as supporting the aims and objectives of a group. Does it count as 'public support' if you have been campaigning for a 40 mph speed limit in village X for the past three years, and now a group of residents has got around to submitting a petition calling for a 40 mph speed limit in village X because they feel that all other channels of questions, letters and meetings have come to no fruition? Does that preclude you from discussing that petition if, in previous years, you supported the objectives that are now placed before the committee?

[9] This does not affect me, because I will no longer be a Member of this committee next month, but I am mindful that the constituency interests of the three of you and my colleague, Mike German, should not be prejudiced by your membership of this committee. Otherwise, Members might say, 'I do not want to be on the Petitions Committee, because I feel that it adversely impacts on my ability to do my job as a constituency or regional Member'. That would be a real shame, because we want our best Members on this committee.

[10] **Val Lloyd:** I take your point, Kirsty—

[11] **Kirsty Williams:** This is difficult for you as Chair.

[12] **Val Lloyd:** In my mind, there is a distinction, but I do not think that Petitions Committee members should be hamstrung, as Kirsty said. However, I suspect that Petitions Committee members know where the boundary lies, and, in my mind, there is a boundary. It is inevitable that you are aware of issues in your constituency or region—and there is something wrong if you are not. However, we must have something on record. We might revisit it, but we need something that we can point to. It is the old adage that we have to be seen to be doing this. In addition, it is for Members. There is nothing wrong with a Member declaring that they know more about a petition or that they have spoken about it at one time. That sort of interest would not preclude the Member from sitting in on the whole thing.

[13] **Kirsty Williams:** I suggest that we adopt this as interim guidance, and ask the team to spend the summer months exploring the issues more fully with the intention of bringing back formal guidance to be agreed by all Members in the autumn.

[14] **Val Lloyd:** That is an excellent way forward. Are you content with that, Andrew?

[15] **Andrew R.T. Davies:** The committee has been going for 12 months and it is a case of finding our way. Ultimately, as a committee, we do not determine the outcomes of petitions; it is not like a local authority planning committee, where real money is riding on the decisions. Let us adopt this with the proviso that we revisit it.

[16] **Val Lloyd:** We will take that forward. It is a good way to approach it.

9.13 a.m.

Deisebau Newydd New Petitions

[17] **Val Lloyd:** We now move to our new petitions, and we have six before us today. The first is P-03-121, relating to Morryston roundabout, and I declare an interest as the constituency Member, and I also declare that my husband is a local councillor. I would like that put on the record. I have not been involved with the petitioners on this, and I am not certain what the petitioner means by ‘local inaction’ as I have had nothing to do with the petition directly.

[18] I open this up for discussion, and invoke the Chair’s privilege to make the first comment. I am a little concerned, because I am aware that a meeting was held in April with the local council members responsible for transport. They said publicly—and it is on record—that there was no money in the budget for 2008-09.

[19] **Andrew R.T. Davies:** The issue here is how far we go in dealing with what is, in essence, a local authority issue. As a committee, we have had numerous petitions on traffic-related issues, and a pattern seems to be emerging here. That is not to say that we should not take an overall view of what is going on. The petition talks about the serious accidents at the roundabout, and so I think that we should get a view from the Deputy First Minister on what his department is doing with the local authority to try to address the problem. Could the committee try to find out the accident rate of that site from the South Wales Police, and get its view?

[20] **Val Lloyd:** Before that meeting in April, there was a report from the South Wales

Police on the series of accidents there, or at least on one major accident there, before certain things were taken into account. Major roadworks were going on, as the site involves the A48, and local councillors ensured that preparatory trunking was undertaken so that if the spot needed lights, they would not have to dig up the road again at a cost to the public. So, action was taken.

[21] I think that that junction is a matter for the local authority, and I know that it is trying to look at next year's budget, but we could write to the Deputy First Minister on the underlying principle of this, although it is a local authority matter.

[22] **Andrew R.T. Davies:** We are cautious about how far down the road we go on local authorities. Is it possible for us to have sight of the report that the police provided, to give us some background? The petitioners have referred to serious accidents at the site, and that might help us to be better informed. If work has been done on it—

[23] **Val Lloyd:** Preparatory work has been done, for reasons of public interest, because the road was being upgraded and resurfaced and that was the ideal time to put in underground pipes so that cabling could be passed easily through it.

[24] **Kirsty Williams:** Writing to the Deputy First Minister might be a useful way forward. The Government has set targets for casualty reductions and it is incumbent on local authorities to assist with those targets in their road-building programmes. It would be interesting to see what guidance local authorities get from the Welsh Assembly Government on how they should prioritise any particular traffic schemes within their budget, and to see how reducing casualties or accident rates fit into that.

[25] **Val Lloyd:** You are right, because it is probably a question of prioritising. We could ask the Deputy First Minister whether there is any guidance.

[26] **Kirsty Williams:** I do not think that any local authority wilfully sits back and does not want to tackle difficult areas of its road network. It is often the case of deciding which one to do first as and when money becomes available. It would be interesting to know the Welsh Assembly Government's plans to make moneys available to local authorities and the guidance that they give to local authorities on how they should prioritise their budgets.

[27] **Val Lloyd:** Is everyone happy to take it forward accordingly? I see that you are.

[28] The next petition, P-03-134, is on a Welsh honours system, and it is from Richard Owen of Cardiff who sent us an e-petition.

[29] 'We the undersigned call upon the National Assembly for Wales to introduce a Welsh honours system and having instituted such a system to honour the writer, Jan Morris.'

[30] I open that up for discussion.

[31] **Andrew R.T. Davies:** This is a topic that has been talked about extensively. To a point, it has merit, but, speaking as a staunch unionist, I happen to believe that we already have an honours system in Wales, namely the current UK honours system. It is open to the public to recommend people considered to be worthy of recognition. However, there is merit in looking at something that runs in parallel. I would not want to dismiss the petition outright. It might be worth asking the Welsh Assembly Government for its views on it, because it is the Government of the day. It would be interesting to undertake some research to see, on a pro rata basis, how many Welsh people receive honours under the current system, if that was possible, just to give us a percentage, to see how many honours are currently coming to Wales under the system, and whether we are well represented in that honours system.

9.20 a.m.

[32] **Val Lloyd:** That is a good idea; we could ask the Members' research service to do that, and we could write to the Welsh Assembly Government to ask whether it has considered a Welsh honours system.

[33] **Mr Sanchez:** May I suggest that it might be better to ask the Welsh Assembly Government for those figures, although MRS could probably find them out.

[34] **Val Lloyd:** Okay—whatever you believe is the optimum way of doing it.

[35] **Mr Sanchez:** We can discuss it later.

[36] **Val Lloyd:** I would not want to cause MRS too much work, especially with the holiday coming up.

[37] **Kirsty Williams:** I will sound a note of caution, if I may. In terms of looking at the figures, the global sum alone will not tell you much. My understanding of the honours system is that it is based on nominations. Therefore, we need to look at how many Welsh nominations are put forward and granted, rather than just the global sum of the number of Welsh people who receive honours. Furthermore, whom do you class as 'Welsh people'? Are they people who are resident in Wales? Many eminent people of Welsh origin have been honoured, but are no longer living here. How do you class that?

[38] **Val Lloyd:** I do not know. There is a vetting system at the old county level—it is not automatic. If you or I chose to put in a recommendation or support a recommendation for someone, it would not necessarily go forward.

[39] **Kirsty Williams:** No, that is right.

[40] **Andrew R.T. Davies:** In essence, what we are going to ask for is as much detail as possible. It is the right of the recipient to refuse the honour and that might be pertinent—who has refused is never disclosed unless an individual says that he or she has refused it; for example, someone in the public eye might refuse it for political reasons. Therefore, it might be worth looking at how many are given to Wales, how many are refused, and, perhaps, the category that they come into as well. There is a piece of work to be done there, which will hopefully shed some light on this system, and on whether Wales is being well represented under the present system.

[41] **Val Lloyd:** Okay; it would be interesting to get a run down. We will also write to the Welsh Assembly Government. You can direct the statistical query wherever you think best, Stefan.

[42] The third new petition this morning is on St Illtyd's car park:

[43] 'We ask that the National Assembly for Wales urges the Welsh Assembly Government to investigate the safety of the car park outside St Illtyd Primary School, Llantwit Major, and to work with the Vale of Glamorgan Council to make it safe.'

[44] There is a good suggestion that we write to the Vale of Glamorgan Council to ask it to provide the committee with details of the car park's ownership, and whether this matter falls within its competence. I have no idea of the geography—I do not know whether you do, Andrew.

[45] **Andrew R.T. Davies:** I have a vague idea of it. I have not been made aware of this petition to date, even though it falls within my region. However, knowing the area vaguely, a degree of clarity is needed as to exactly what we are talking about here, because it is a multi-use site. We also need to find out what the Vale of Glamorgan Council has been doing, and proposes to do, to try to resolve the issue in the first instance. That would be a sensible way of moving this forward.

[46] **Val Lloyd:** I agree. Could we also try to get a map to inform our deliberations next time? I always find it more helpful if I have a map—I do not know about you.

[47] **Andrew R.T. Davies:** The case up in Caerphilly was more about the road outside the school, but there seems to be a strand coming through in that there have been several petitions about road safety and the proximity of roads to schools. I believe that this is the third or fourth one now.

[48] **Val Lloyd:** Of course, many schools were built before the roads were quite as busy. They reflect the geography of an area and the distribution of houses and, as time goes on, that changes, and roads become busier, so we are likely to have more. Therefore, we will take that twofold approach: we will get a map that shows the car park in relation to the school, and we will write to the Vale of Glamorgan Council to ask about ownership details and about how it has dealt with it to date.

[49] The fourth one is P-03-139 on Wyeside Arts Centre. We are asked to,

[50] ‘request that the Minister for Heritage... does everything in his power to ensure the survival of this much-praised, highly valued, rural arts centre.’.

[51] **Kirsty Williams:** I declare an interest, as Wyeside is in the constituency of Brecon and Radnorshire. I have met the trustees at Wyeside to give them information and advice on the Petitions Committee’s procedures. I would like that to be put on the record.

[52] **Val Lloyd:** Thank you.

[53] We could write to the Minister, could we not? Or we could—

[54] **Andrew R.T. Davies:** As we are going to the Royal Welsh Show, it makes sense to take evidence about this petition there, given the local nature of it.

[55] **Val Lloyd:** That would be convenient for the petitioners. How many petitions have we so far for the Royal Welsh? How many are we intending to deal with?

[56] **Mr Sanchez:** Do you mean in terms of evidence sessions?

[57] **Val Lloyd:** Yes.

[58] **Mr Sanchez:** We are intending to deal with two.

[59] **Val Lloyd:** We already have two, so this would be the third.

[60] **Mr Sanchez:** Sorry, this would be the second.

[61] **Val Lloyd:** That is fine. I believe that we are planning to take no more than three.

[62] **Andrew R.T. Davies:** I propose that we take this one at the showground then, because there will be local interest.

[63] **Val Lloyd:** Yes, it will attract a lot of interest.

[64] **Kirsty Williams:** I draw Members' attention to paragraph 5 of the supporting paper, where the trustees extend an invitation to visit Wyeside centre. Given that it is only 400 yd from the showground, Members might like a brief tour of the facilities that are on offer there. I am sure that they would be very pleased to see you there.

[65] **Val Lloyd:** That is a sensible idea. Thank you, Kirsty.

[66] **Andrew R.T. Davies:** What time is our meeting?

[67] **Val Lloyd:** It is in the afternoon.

[68] **Andrew R.T. Davies:** Is it 2 p.m.? Perhaps we could tour it before the meeting.

[69] **Val Lloyd:** I think that that is the idea, really. We will not be able to do it during the meeting, will we?

[70] **Kirsty Williams:** It is in walking distance from the showground, so once you have parked, it is only a matter of walking up to 500 yd.

[71] **Andrew R.T. Davies:** I suggest that we have an informal tour at, say, midday.

[72] **Val Lloyd:** I was going to suggest 11.30 a.m., but there is no point in splitting hairs.

[73] **Andrew R.T. Davies:** How long would it take to go around it—about an hour?

[74] **Kirsty Williams:** I would not have thought that it would be more than an hour.

[75] **Andrew R.T. Davies:** And then we can go back up for a bit of lunch and then go on to the committee.

[76] **Val Lloyd:** I was thinking of lunch, which is why I suggested 11.30 a.m..

[77] **Mr Sanchez:** So, we will ask the centre to arrange the visit for 11.30 a.m..

[78] **Val Lloyd:** Thank you. Right, that is Wyeside dealt with, and the Welsh language daily newspaper petitioners are coming in.

[79] P-03-144 on guide dogs for the blind is next. The petitioners,

[80] 'petition the National Assembly for Wales to lay specific responsibility on local authorities to be aware of their duties under the Disability Discrimination Act and Disability Equality Duty, and comply with them by not creating town centres, high streets and residential streets with shared surfaces that discriminate against blind and partially sighted and other disabled people, effectively excluding them from the street environment.'

[81] We ought to write to the Welsh Assembly Government to ask for its policy on this issue. What about commissioning a briefing paper from MRS on this subject?

[82] **Andrew R.T. Davies:** I would go along that, Chair, because we had many discussions about Sustrans's petition. Guide Dogs for the Blind approached me and other Members in connection with that petition. The feeling was that more information may be beneficial. Now we have this petition, I think that we have the right to more information about the subject.

9.30 a.m.

[83] **Val Lloyd:** We also recently received a petition on the psychological street scene, and we have asked for a further explanation of that, but we thought that it might involve the way in which the road meshed and curved and everyone was put together. In view of that, it is very important that we fully understand this petition. So, we will take a two-pronged approach: we will ask for a briefing paper from the Members research service on the subject and ask the Welsh Assembly Government to let us know its policy position.

[84] The last new petition today is on fuel prices, and it is regarding fuel and road haulage in Wales. It calls upon the National Assembly,

[85] ‘to recognise the crippling financial impact of rising fuel prices on Welsh haulage businesses... and to instigate a review/inquiry into the competitiveness and future sustainability of the... industry. The outcome from any inquiry should then be used to shape supportive measures for the... industry here in Wales and to lobby the national UK Government where any measures fall outside the National Assembly for Wales’ remit.’

[86] It is quite a big ask, is it not? [*Laughter.*]

[87] **Andrew R.T. Davies:** I declare an interest here, Chair. I have signed that petition, and I also received it in Cardiff West services about a month ago. I also know the petitioner through business contacts, because he delivers farm goods.

[88] **Val Lloyd:** Thank you very much; that will be on the record. In view of the protocol that we agreed earlier, that excludes you from making a decision.

[89] **Kirsty Williams:** I regard this as a hugely significant issue that is also current. While in the first instance it may be useful to write to the Deputy First Minister to ask him what he is doing at the moment, the petition calls for a review/inquiry. I understand that this committee has the right to ask another committee to look at the specific issue, so could the Enterprise and Learning Committee be asked to carry out a very short inquiry into this subject? Some very interesting policy issues could arise out of this—there is the issue about programmes that have been instituted in England but not in Wales.

[90] My understanding is that there is also a European directive that allows national Governments to ask for a derogation with regards to fuel duty in rural areas. That is the case in some parts of the continents. There are different levels of fuel duty to compensate rural communities for the high cost of fuel and public transport issues. That derogation exists under current EU legislation, and the national Government has never pursued it on behalf of rural parts. Some interesting things could come out of an inquiry and could move some of these issues forward. So, I think that we should write to the Minister, but I would be interested in referring this to the Enterprise and Learning Committee to carry out a review.

[91] **Val Lloyd:** In principle, I totally accept that, but I think that the Enterprise and Learning Committee is overburdened at the moment. What if we did a little bit for that committee, and perhaps asked the Members’ research service to do some work? On the issues that you have raised about derogation, perhaps we could get a view from the Members’ research service first of all—

[92] **Kirsty Williams:** We do not need a view from the Members research service; I can do it myself.

[93] **Val Lloyd:** I am sure that I could too if time permitted.

[94] **Kirsty Williams:** I could get you the information by the end of the afternoon.
[*Laughter.*]

[95] The Enterprise and Learning Committee has been good in the past at setting up small working groups, like rapporteur groups, that undertake work above and beyond the working of the committee as a whole. That has worked very well with the dyslexia rapporteur group. It overcomes some of the issues with people's agendas being very busy and difficult. The group on dyslexia has just come to an end, so, potentially, we could ask the Enterprise and Learning Committee to set up a rapporteur group that would report back to the formal committee. That group would work alongside the committee but would not take up formal slots.

[96] **Val Lloyd:** We cannot dictate to the committee, so we would have to ask it.

[97] **Bethan Jenkins:** First, I apologise for being late. When we visited Scotland to see how its petitions committee worked, we noted that it carries out its own investigations. Perhaps we could do that more often, because, as you said, there is more pressure on other committees. Could we do that? Rather than relying on the Members' research service and putting the burden on others, perhaps we could undertake our own investigations.

[98] **Val Lloyd:** We are equally strapped for time in many ways, and we all sit on other committees. We are not precluded from doing so by Standing Orders; they do not state specifically that we can do so, but they do not in any way preclude us from doing so. I think that I would rather give this one to the Enterprise and Learning Committee.

[99] **Kirsty Williams:** We could ask the Enterprise and Learning Committee to look at it. It is a focused subject; it is not a wide-ranging policy review. Therefore, it could be handled by a rapporteur group over a relatively short period of time. It is topical, so the group would not want to spend a lot of time on it, because, to have an impact, it would have to report now while the issues exist. Why do you not bat it to it and see what it says?

[100] **Val Lloyd:** We could write to ask the committee if it would consider taking it forward. I still think that we could write to the Minister.

[101] **Kirsty Williams:** I agree.

[102] **Val Lloyd:** Perhaps we could also pass it to the Enterprise and Learning Committee, in view of the topicality of the subject. Do you foresee a problem, Stefan?

[103] **Mr Sanchez:** No, I just want to make it clear for the record that this is not a formal referral of the petition to the Enterprise and Learning Committee; we are simply asking it to look at it for us, and it can choose not to do so. There has been a recent discussion about that, so I wanted to make it clear.

[104] **Val Lloyd:** Thank you.

9.37 a.m.

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates on Previous Petitions

[105] **Val Lloyd:** The first petition is that of Ysgol Hen Felin. If you remember, we considered the petition in February. Pupils from Ysgol Hen Felin came to talk with us. We have now received a letter from the Minister, which you have before you.

[106] **Bethan Jenkins:** I do not want to add anything, but until we know that the Minister is going to—I do not doubt that she will—invest more money in facilities for disabled children, perhaps we should keep it open so that we are the contact for the young people concerned.

[107] **Val Lloyd:** Are you referring to her penultimate paragraph, where she says that:

[108] ‘We were able to make £1 million available to support more play opportunities’.

[109] **Bethan Jenkins:** The Minister says that she will raise it with the Cabinet committee for children and young people.

[110] **Val Lloyd:** Could we write to ask her when she expects an outcome on that? You are right to say that we need to see that it is done. So, we could write to the Minister, thank her for her letter, and ask whether she can give us an indication of when that money will be available. We can then be sure that it is in the pot. Is everyone happy with that? I see that you are.

[111] The next petition relates to rural bus services. Again, we have a letter from the relevant Minister. He has referred us to the fact that the organisation of local bus services is a matter for the local authority and private operators. That is a summary of the letter.

[112] **Andrew R.T. Davies:** It is a question of how much further we can take it. There is an enormous amount of sympathy for the petitioners. I live in a rural area—it might not be as rural as other areas, because Cardiff is on our doorstep and Bridgend is on the other side—and the infrequent nature of bus services precludes many from being able to use them. However, it is a question of how much you can do. The Minister has outlined what is being done at the moment. Ultimately, it boils down to a political decision regarding how much resource you put into it and how much you are prepared to push it forward.

[113] **Val Lloyd:** It is also a matter of the way in which the local council distributes its money. In parts of my constituency—which is certainly not rural, it is highly urban—there are some areas that get a very poor bus service, particularly in the evening, which precludes people from going into the city to utilise the facilities. However, it is a question of how local authorities spend their money.

9.40 a.m.

[114] **Kirsty Williams:** It does help if the local authority gets the money, but there we are; we will talk about that later this afternoon.

[115] **Bethan Jenkins:** Are there any transport fora that we could refer people to if they have concerns, so that they can become involved?

[116] **Val Lloyd:** There are transport fora in different areas.

[117] **Bethan Jenkins:** Perhaps we could refer them to one in their area so that they will feel that they have a way of expressing any future concerns regarding very local transport issues like this one. That could be a port of call for them, as opposed to them having nowhere to go.

[118] **Val Lloyd:** Do you think that they would have contacted the forum before writing to us?

[119] **Bethan Jenkins:** I do not know. I am just thinking about how we can help them.

[120] **Kirsty Williams:** Exactly. With all due respect, they could have written to the Minister and the Minister could have said this to them, so we must consider what else we can do to try to move the agenda forward to help these people to achieve their goals.

[121] **Andrew R.T. Davies:** Many petitioners come to us asking for X, Y or Z from the Government and when we have people in to give evidence it is always beneficial to be able to ask them what they would do if they were in our shoes—how they would get around this and what other initiatives could be brought into play. That is especially true when people come from the communities that are petitioning for help. I do not recall, but were the petitioners open to coming in to give evidence?

[122] **Val Lloyd:** I do not recall whether they suggested that.

[123] **Andrew R.T. Davies:** I cannot recall that either, to be honest with you.

[124] **Val Lloyd:** I think that it would be bordering on cruel—no; that is not the word that I want. It would not be quite open if we were to invite them in, because we know that there is nothing further that we can do. It would be wrong to give the petitioners the idea that we could offer them any more assistance than there is in this letter.

[125] **Bethan Jenkins:** I think that my issue is different.

[126] **Val Lloyd:** I was going to say that your issue is different, because you are trying to put them in touch with a local group that may be beneficial. What could we achieve? I am trying to be helpful, because I understand how difficult it must be when you do not have an adequate bus service, so I am not trying to sweep the issue away. However, we have written to the Minister, and we know that it is a local authority issue and that there is no way that we can influence it. The only crumb of hope, if you like, is that the Minister has said that there are relevant proposals in the emerging Local Transport Bill and he has described his keenness to extend the role of community transport and taxis. Do the petitioners get a copy of the Minister's reply?

[127] **Mr Sanchez:** Yes.

[128] **Val Lloyd:** We could urge them to keep up the local pressure and to look for any local groups.

[129] **Andrew R.T. Davies:** I concur with what you are saying, Chair. We have had the Minister's response and, in light of that response, I agree that we should not offer false hope to anyone. Having been on the committee now for some 14 months, the one thing that I am very conscious of is the limit of what we can actually do. I hope that that is understood by all committee members. However, in light of what the Minister has included in his bullet points, we could go back to the petitioners to see whether they have anything more that they would like to bring to the table. Equally, if we just rely on sending them the Minister's letter, that would be sending out a message to petitioners that they may as well just write to the Minister and get any information directly, rather than use the petitions system. I hope that the petitions system offers a degree of bringing something to the table, albeit in the context of what we, as the Petitions Committee, can achieve. There is no incumbency on them to come to give evidence and I do not think that we should take evidence for the sake of it—do not get me wrong—but there are some specific proposals in the letter that the Minister has put into play and, especially if the petitioners were not aware of the various issues, they might now wish to have the opportunity to offer evidence or insight into how they see that they could adapt to that evidence.

[130] **Val Lloyd:** Could I suggest a halfway house? We could write to the petitioners, asking

them for their comments on the Minister's letter and asking whether they have approached any local groups or fora in their area. I think that we could then possibly get the best of both worlds. I agree with you, because that is what I was aiming at; I think that false hope could be—

[131] **Kirsty Williams:** It might be useful to put them in touch with officials from Trafnidiaeth Canolbarth Cymru, because it is developing the transport plan, and it might not be aware of this community's concerns. If we put the petitioners in touch with officials from TraCC, they might have an impact on TraCC's thinking.

[132] **Bethan Jenkins:** I think that that is the key.

[133] **Val Lloyd:** Yes, that is the key—that is the local forum.

[134] **Bethan Jenkins:** We could provide petitioners with those kinds of links, because sometimes, although we may understand the jargon in these documents, it may not be clear to everyone. If petitioners are just sent a letter, they may not look any further than that—either because they are not inclined to do so, or because they do not understand the next stage of the process.

[135] **Val Lloyd:** As you say, the style of the letters can be very off-putting, and perhaps we take it for granted that they are understood. I think that Kirsty's idea of putting these petitioners in touch with TraCC is an excellent one.

[136] **Kirsty Williams:** Yes, we could put them in touch with TraCC so that they are aware of its role on this.

[137] **Val Lloyd:** Thank you. We will take it forward that way.

[138] Next we deal with the Dyfnant forest windfarm. It is a petition to rescind the decision to select Dyfnant forest for lease options for wind turbine development. It is very emotive, is it not? We have had a response from the Minister. Basically, the letter goes through the detail and says that:

[139] 'Apart from the policy reasons described above, there is a binding contractual commitment between the Welsh Assembly Government and the developer'.

[140] There is silence all around.

[141] **Andrew R.T. Davies:** Where can you go with this?

[142] **Val Lloyd:** I do not know; that is why I focused on that quote. It may not be possible to do anything. I left out the final part of the sentence, as well.

[143] **Bethan Jenkins:** I guess that there is a general point that we can make about windfarms, in terms of the policy rather than this particular case. We can direct the petitioners as to the agenda behind this development, and the sustainable development agenda of the Government. That is all that we can do, I think, in this context.

[144] **Andrew R.T. Davies:** I am aware from the papers that any application would involve a fully scrutinised consultation—this is not like the Rhyl flats situation, which is a different operation altogether. I would suggest that, whether you agree or disagree with the way in which renewables are delivered, there is an opportunity in the initial consultation process to raise any objections. That is reflected in the Minister's response, and the line that he has taken. As a Petitions Committee, I am not sure how much further we can move this on, and I

would suggest that there is little that we can achieve in keeping this petition open.

[145] **Val Lloyd:** We could point out to the petitioners the issues that we have just raised—that although we cannot rescind the decision, there will be full consultation at the next stage. So, we will write in that way, and then close it.

[146] **Mr Sanchez:** Sorry—are we writing to the petitioners?

[147] **Val Lloyd:** Yes, we will write to the petitioners and point out the Minister's comment in the penultimate paragraph that there will be a planning application and that they will have an opportunity to raise concerns and influence it, to some extent, so that conditions may be imposed on any planning consent that is granted. They may not be able to overturn it, but they will certainly have a strong input into the planning process.

[148] **Mr Sanchez:** I suspect that the petitioners are watching us make this decision anyway.

9.50 a.m.

[149] **Val Lloyd:** We move on to the Welsh Canoe Association. We have had a letter from the Minister on this. It is a difficult issue. To put on a different hat, I chair the all-party group on waterways and canals, and it is something that comes up time and again. The Minister has mentioned a pilot project on the Wye and Usk and, coincidentally, we had a meeting of that group last week, and that pilot project was discussed—it was one of the points of interest—and we had a 20-minute presentation on it. The interesting thing was that quite a lot of money had been spent to achieve that project. It was a model project, but it had taken three or four years to set up. It was very innovative. It meant that the river was shared at different times of the year and in different ways between canoeists and fishermen, but it had taken lots of hard work with the landowners and hoteliers. So, a solution is possible, but it is a long-time coming. It mentions 'legal complexity'. You know what is coming next, Joaneest. Would it be worth our having a paper from the legal team on this?

[150] **Andrew R.T. Davies:** I think that anything that has the Land Reform (Scotland) Act 2003 in it requires detailed understanding—

[151] **Val Lloyd:** I probably will not understand it even when Joaneest has done the paper.

[152] **Bethan Jenkins:** I do not think that it is enough for us to say that it is complex; we should look at it further to justify the petitioners putting it in the first place.

[153] **Val Lloyd:** I agree.

[154] **Kirsty Williams:** I support that. Perhaps once the committee has more of the background information, there will be an opportunity to invite the petitioners in to talk about their goals and aspirations, how they view the legal position and what would be required.

[155] **Val Lloyd:** I think that that is eminently sensible. After we have had some time to digest the legal issues, I think that we should proceed that way. I am glad that we have agreement.

[156] Next is a petition from Rhondda Against Nantygwyddon Tip. We have also had further comment on the Minister's letter from RANT. I was told at the start of the meeting that more communication has come in, and I would like to circulate it you. I think that it would be foolish of us to consider this without considering an e-mail that arrived overnight.

[157] **Bethan Jenkins:** In the last paragraph of the Minister's letter, she mentions that there

has not been significant community interest in this issue, but the fact that the campaign group involved has spent time on this and has thought about putting this petition forward is contrary to that position. In that respect, we have to do more work on this. I was not an Assembly Member at the time of the Purchon report, but perhaps we can have an update on this issue and invite the petitioners in to ask them why they believe the monitoring should continue and why they believe that the tip is still a threat to their health. We can then discuss the messages that we have had today. Given what we have received, I think that there are grounds to probe this further.

[158] **Val Lloyd:** I am not certain that that would be the best approach, but we will obviously consider it. This was hugely investigated. I was on the committee at the time. It was an in-depth, independent investigation, and the recommendations made have been carried out. I do not want to dismiss this, so perhaps we could write to the petitioners to ask what has prompted their letter to us, to see whether anything specific has prompted it after all this time.

[159] **Andrew R.T. Davies:** I concur with that. The ball keeps going back and forth over the net, and someone in the middle has to say, 'Enough is enough'. The petitioners have a clear view that is opposed to what is said in the Minister's letter. As a Petitions Committee, we need to have that side of the argument too in order to make an informed decision about where the petition goes from here. So, I would welcome the opportunity to, if you like, beef-up the e-mail that we have had that has taken issue with the paper that the petitioners have seen.

[160] **Val Lloyd:** The second e-mail that we had this morning says that it appears that the civil service has repeated the Wales Centre for Health and the local health board view and not judged the issue independently, but the issue would be judged on the evidence received from the technical bodies. That is how all of us would have to do it, because we are not experts in all fields. So, I think that that is rather biased, now that I come to look at it. We should follow this up and write to the secretary, June Bacon, and ask her what evidence they have and what are the reasons for disputing it.

[161] **Bethan Jenkins:** I concur with that, but in the independent American report, there was also recognition that the authorities had not received local residents' concerns fully, and that is in the public domain. So, I think that we should write to the petitioners and seek their views on that, because that does not concur completely with the Minister's position.

[162] **Val Lloyd:** At the time, they were saying that they were right because they were totally ignored, but they were not ignored in the Purchon report. It was acted upon by the council immediately; it has been capped, and it has moved on and it has been monitored. However, we should ask the petitioners to give us this in writing.

[163] **Kirsty Williams:** I concur with that. As the e-mail states, the secretary has not had a great deal of time to consider the information; it says that they are hoping to follow up with a more considered response. So, I do not think that we should take any action that would preclude the petitioners from giving us a more considered response, after which the committee would be in a much better position to judge a way forward. We should not take any action that would preclude the petitioners from taking the time to give us the information that they would like to share.

[164] **Val Lloyd:** That is a good way forward, because we can consider what they have to say.

[165] **Kirsty Williams:** We should hold any action in abeyance until we have allowed the secretary to follow up this initial e-mail.

[166] **Val Lloyd:** We will write to the petitioners along those lines.

[167] The next petition is on unadopted roads.

[168] **Bethan Jenkins:** On a point of clarification, the last paragraph in the letter says that:

[169] ‘There is no policy to provide hypothecated grants for the adoption of unadopted roads’.

[170] Has the Government decided that it will not provide hypothecated grants?

[171] **Val Lloyd:** No, it is something that local authorities do not want. As a general principle, local authorities do not want hypothecated grants.

[172] **Bethan Jenkins:** So, when he says that there is no policy, that comes from local authorities.

[173] **Val Lloyd:** Yes and no; it is a discussion between local authorities and the Welsh Assembly Government. However, in general terms—this is not my version of it—local authorities do not like hypothecated grants; they say that they should be able to spend their money in the way that will best meet the needs of their residents and council tax payers. That is true of all authorities.

[174] **Kirsty Williams:** I take the Minister’s answer, namely that there is no national policy and that that is supported at a local level, and forgive me if I am missing something that was raised when you originally looked at this, but the petition says,

[175] ‘We, the undersigned, call upon the Welsh Assembly Government to make it easier for unitary authorities to take over unadopted roads while minimising the burden on frontagers’.

[176] Setting money aside, does that mean that there are bureaucratic difficulties in the process, so that, even if the money were there, it would be difficult for local authorities to tackle this? I do not know; it says ‘to make it easier’. Whenever I have dealt with this matter, the council says that it is because of money rather than anything else—

[177] **Andrew R.T. Davies:** It is a get-out clause.

[178] **Kirsty Williams:** Yes, but it has never explained to me what technical issues make it difficult to do so.

[179] **Val Lloyd:** My previous experience as a councillor and as an Assembly Member is that all councils have the problem of unadopted roads, and councils, in general, have a policy of working through them. My council follows certain criteria and a date order and it is a very slow process. It allocates a certain amount of money in each budget, and works its way through it, but, on that basis, there is something like a 200-year wait. However, councils ask frontagers to contribute in some areas and put something towards the cost.

[180] **Kirsty Williams:** That has been my experience. The council will adopt a road if it has been brought up to a certain standard in the first place by the frontagers.

10.00 a.m.

[181] **Val Lloyd:** They put some money into it, but it has to be a partnership and you have to get all frontagers to agree—some do not agree and some cannot agree. Again, it is a question of the local authority’s budget.

[182] **Andrew R.T. Davies:** It is about where you take it. Almost all of us, at some point, will have dealt with this—I did before becoming an Assembly Member. Councils are always loathe to take these on, and prefer residents to maintain such roads. Ultimately, it boils down to money, because it puts more liability on them. I am uneasy about recommending the closure of this petition, because I do not think that we have achieved a great deal for the petitioners, but I am also unaware of how we can advance it. If someone else has a better idea, I will gladly listen to it.

[183] **Val Lloyd:** I am in sympathy, but I was also going to ask what we can do. There is no point asking the petitioners to come in, because the principle is well understood to the four of us and to any other Member who would happen to be sitting on the committee, I suspect. I think that we have to close it. Unless someone comes up with a brainwave, we cannot proceed with this. We have aired the issue and sought the Minister's advice. Basically, the local authority can tackle it, but it is up to it how it allocates its budget. It is a difficult issue for all local authorities.

[184] **Bethan Jenkins:** Are there any community grants available for these types of things?

[185] **Kirsty Williams:** It is a notoriously difficult problem.

[186] **Andrew R.T. Davies:** Unadopted roads are such a liability for councils to take on. Many developments were built on the presumption that the owners would take responsibility for the access roads and so on; it is a bit galling for the local authority to have to take over responsibility for those roads.

[187] **Val Lloyd:** Fortunately, these conditions are now written into new developments, but we are faced with the legacy of roads that date back hundreds of years, in some instances. It is not a recurring problem, because with new developments, and even with infill developments, this issue is covered as a condition of planning.

[188] **Andrew R.T. Davies:** Could we ask for local authorities' view on this? They must have a view. Chair, you have said that there is a 200-year wait in some instances—I know that that was a throwaway comment—so it must be a great burden on them. Surely they are in a position where they would like to see some sort of resolution.

[189] **Kirsty Williams:** Could we write to the Welsh Local Government Association?

[190] **Val Lloyd:** Yes. That is the only avenue left to us. We could write to the WLGA to ask for its policy on behalf of its members, but I suspect that the reply will be, 'We would love to take them on; please can the Welsh Assembly Government give us some more money?'

[191] **Kirsty Williams:** Could we specifically ask in the letter whether there are any legal or technical issues that make this a difficult process, apart from the issue of more money? We appreciate that it is probably a matter of resources.

[192] **Val Lloyd:** We could do that.

[193] **Kirsty Williams:** We are not stupid; we realise that it will probably come down to money. However, they may be aware of some difficulties.

[194] **Val Lloyd:** Then, we would have exhausted all avenues, which the petitioners would understand.

[195] The final update petition is on broadband in St Brides Wentlooge and Lighthouse Park regions of Newport. We have received a reply from the Minister.

[196] **Bethan Jenkins:** [*Inaudible.*]—to keep it open until they think that their area had been considered and potentially taken out of the not-spot area.

[197] **Val Lloyd:** The petitioners will have received this letter, so I hope that they will have registered. It says that, in this area, there have been 17 registrations from the residents on the Assembly's database. Perhaps we could write to the petitioners to ask them to follow that up in light of the Deputy First Minister's letter, so that they can register.

[198] **Kirsty Williams:** They need to campaign within their community to make sure that as many people as possible are registered.

[199] **Andrew R.T. Davies:** There was an interesting piece on *Wales Today* on Monday regarding a community in Montgomeryshire, I think, which was in a not spot. It had looked into the options and is bringing broadband into the community through the wireless system. The cost was a fraction of that involved in bringing in broadband by other means. The cost was around £1,000 per household to bring it in through the conventional model, but the cost was reduced to around £200 per household using the wireless model. The monthly cost was also reduced to £5 as opposed to a hell of a big figure for the monthly subscription under the conventional broadband model that we would understand. So, there are many alternatives available for communities. The community was featured in the February edition, which was about not spots in Wales that cannot access broadband. It might be worth trying to get more of an understanding on that.

[200] **Val Lloyd:** I wonder whether it would be possible to get a copy of that, so that we could send it to the petitioners.

[201] **Kirsty Williams:** Who is responsible for providing impartial advice on the other options? Would it be Ofcom? Who could we put the petitioners in touch with that could explain impartially other options and support them in looking at their options?

[202] **Andrew R.T. Davies:** This community in Montgomeryshire did it off its own bat and found the alternative, which is used extensively in Australia.

[203] **Val Lloyd:** It sounds wonderful, and like a much better option. I think that Kirsty is right; we need to refer the petitioners to an independent adviser. There could be even better solutions.

[204] **Kirsty Williams:** We need to find an organisation that can provide the petitioners with independent advice on the alternative options. I do not know whether that is Ofcom's job.

[205] **Mr Sanchez:** I suggest that the secretariat finds out who that body is and writes a letter along the lines that you have suggested. It may be Ofcom or someone else.

[206] **Kirsty Williams:** I do not know, off the top of my head, who would be able to provide them with independent advice on the range of options available and who could support them.

[207] **Val Lloyd:** I am sure that the secretariat would update us on its progress.

[208] **Kirsty Williams:** For some of these communities, satellite will be the only option available. We will never be able to run cable everywhere. Even if you run cable, it can be unreliable. I have a business that is setting up in Llanbadarn Fynydd via a satellite system, because it cannot do it in any other way.

[209] **Val Lloyd:** So, we will take a two-pronged approach to that. We will find an

independent body and give its address to the petitioners. We will also urge them to sign up to the database. Do we want it to come back to us?

[210] **Bethan Jenkins:** I think so, yes.

[211] **Andrew R.T. Davies:** It would be good to keep an eye on it—out of interest, more than anything.

[212] **Val Lloyd:** Okay. All that remains for us to discuss is the update. Have you brought any of these petitions to the attention of the secretariat previously? Do you want to raise anything here? I will not go through it page by page, because the list gets longer each meeting.

[213] **Andrew R.T. Davies:** I want to raise a point about the Aberthaw petition.

[214] **Val Lloyd:** It is on the second page.

[215] **Andrew R.T. Davies:** The Environment Agency was unable to correspond with us due to some appeal, if I remember correctly.

[216] **Val Lloyd:** It had a July date.

[217] **Mr Sanchez:** It was on 21 June.

[218] **Val Lloyd:** I beg your pardon.

[219] **Andrew R.T. Davies:** Have we received that correspondence, or could we perhaps give it a nudge?

[220] **Mr Sanchez:** We have written, asking it to reply along the lines that we agreed at the last meeting. We have said that we do not expect it to do so before 21 June. It is only 25 June, and we have not yet received a response. However, I understand that it will be replying.

10.10 a.m.

[221] **Andrew R.T. Davies:** These are all the e-petitions that we have had, by the look of it, are they?

[222] **Val Lloyd:** They are the new ones. I have not looked at those yet.

[223] **Mr Sanchez:** There are quite a few.

[224] **Val Lloyd:** Well, thank you all very much. I will declare the meeting closed. Once the public gallery is cleared, we will have an informal meeting.

*Daeth y cyfarfod i ben am 10.11 a.m.
The meeting ended at 10.11 a.m.*