

Agenda – Y Pwyllgor Deisebau

Lleoliad: I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 1 – y Senedd Graeme Francis – Clerc y Pwyllgor
Dyddiad: Dydd Mawrth, 23 Mai 2017 Kath Thomas – Dipwrwy Glerc
Amser: 09.00 0300 200 6565
SeneddDeisebau@cynulliad.cymru

1 Cyflwyniad, ymddiheuriadau, dirprwyon a datganiadau o fuddiant (Tudalennau 1 – 33)

2 Deisebau newydd

2.1 P-05-749 Adfer Gwasanaeth Deintyddol Symudol Corwen
(Tudalennau 34 – 37)

2.2 P-05-753 Cryfhau'r Fframwaith Deddfwriaethol a Rheoleiddiol Ynghylch
Cyfleusterau Prosesu Pren Gwastraff
(Tudalennau 38 – 55)

2.3 P-05-755 Galw ar Lywodraeth Cymru i sicrhau bod yr A48 ger Trelales,
Broadlands a Merthyr Mawr yn ddiogel i holl ddefnyddwyr y ffyrdd ac i
gerddwyr
(Tudalennau 56 – 62)

2.4 P-05-756 Diogelu cerddoriaeth fyw yng Nghymru
(Tudalennau 63 – 71)

3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol

Iechyd

3.1 P-04-408 Gwasanaeth i Atal Anhwylder Bwyta ymysg Plant a Phobl Ifanc
(Tudalennau 72 – 79)

3.2 P-04-532 Gwella Gwasanaethau Niwrogyhyrol Arbenigol yng Nghymru
(Tudalennau 80 – 105)

3.3 P-05-718 Cyflogau GIG Cymru
(Tudalen 106)



3.4 P-05-736 Darparu Gwasanaethau Iechyd Meddwl Mwy Hygyrch
(Tudalennau 107 - 111)

Addysg

3.5 P-04-485 Camddefnyddio contractau dros dro yn y sector Addysg Bellach
(Tudalen 112)

3.6 P-04-522 Asbestos mewn Ysgolion
(Tudalennau 113 - 135)

3.7 P-04-606 Sicrhau bod ysgolion yn defnyddio eu pwerau statudol o dan reoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010
(Tudalennau 136 - 138)

Economi a'r Seilwaith

3.8 P-04-539 Achub Cyfnewidfa Glo
(Tudalennau 139 - 145)

3.9 P-05-690 Arwynebu Ffordd A40 Rhaglan-Y Fenni
(Tudalennau 146 - 151)

3.10 P-05-737 Achubwch ein bws
(Tudalennau 152 - 154)

Amgylchedd a Materion Gwledig

3.11 P-04-683 Coed mewn Trefi
(Tudalen 155)

3.12 P-04-687 Adolygiad o Bysgota Cregyn Bylchog ym Mae Ceredigion
(Tudalennau 156 - 157)

3.13 P-05-733- Dim gweithredu pellach ar Barthau Perygl Nitradau (NVZ) yng Nghymru o gwbl
(Tudalennau 158 - 162)

Gymunedau a Phlant

3.14 P-05-711 Sicrhau bod Anghenion Pobl Anabl am Addasiadau i Dai yn cael eu Diwallu'n Ddigonol
(Tudalennau 163 - 165)

4 Sesiwn dystiolaeth - P-04-628 Mynediad at Iaith Arwyddion

Prydain i bawb

(09:30 - 10:15) (Tudalennau 166 - 176)

Cathie Robins-Talbot

Helen Robins-Talbot

Luke Collins- Hayes

Zoe Pallenson

**5 Papur i'w nodi – Gohebiaeth gan Cadeirydd y Pwyllgor Materion
Allanol a Deddfwriaeth Ychwanegol**

(Tudalennau 177 – 179)

**6 Cynnig o dan Reol Sefydlog 17.42(ix) i benderfynu gwahardd y
cyhoedd o weddill y cyfarfod**

**7 Trafod y Dystiolaeth: P-05-710 Sicrhau y gall Pobl Anabl
Ddefnyddio Trafnidiaeth Gyhoeddus Pryd Bynnag y Bo'i Hangen
Arnynty**

Mae cyfyngiadau ar y ddogfen hon

Eitem 2.1

P-05-749 Adfer Gwasanaeth Deintyddol Symudol Corwen

Cyflwynwyd y ddeiseb hon gan Ysgol Caer Drewyn ar ôl casglu 157 llofnod – 152 ar bapur a 5 ar-lein.

Geiriad y ddeiseb

Rydym yn galw ar i Gynulliad Cenedlaethol Cymru sicrhau bod arian ar gael i adfer y gwasanaeth deintyddol symudol yn ardal Bala-Wreccsam ac iddo barhau fel gwasanaeth pwysig i iechyd plant yr ardal yn y dyfodol.

Gwybodaeth Ychwanegol

Rydym am ddechrau deiseb gan obeithio y cawn fan ddeintyddol newydd i ddod i'n hysgol i'n helpu ni i edrych ar ôl ein dannedd, fel o'r blaen. Rydym eisoes wedi colli ein bws ysgol ac rydym yn teimlo ein bod yn colli llawer o'r gymuned ac y bydd hyn yn cael effaith fawr ar ein dyfodol.

Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Clwyd
- Gogledd Cymru

Papur Briffio ar gyfer y Pwyllgor Deisebau

Rhif y ddeiseb: [P-05-0749](#)

Teitl y ddeiseb: **Adfer Gwasanaeth Deintyddol Symudol Corwen**

Testun y ddeiseb: Rydym yn galw ar i Gynulliad Cenedlaethol Cymru sicrhau bod arian ar gael i adfer y gwasanaeth deintyddol symudol yn ardal Bala-Wreccsam ac iddo barhau fel gwasanaeth pwysig i iechyd plant yr ardal yn y dyfodol.

Gwybodaeth ychwanegol: Rydym am ddechrau deiseb gan obeithio y cawn fan ddeintyddol newydd i ddod i'n hysgol i'n helpu ni i edrych ar ôl ein dannedd, fel o'r blaen. Rydym eisoes wedi colli ein bws ysgol ac rydym yn teimlo ein bod yn colli llawer o'r gymuned ac y bydd hyn yn cael effaith fawr ar ein dyfodol.

Y wybodaeth ddiweddaraf am y ddeiseb

Mae ar ddeall bod Bwrdd Iechyd Prifysgol Betsi Cadwaladr, sy'n gyfrifol am ddarparu gwasanaethau deintyddol yng ngogledd Cymru, bellach **wedi cytuno i adfer yr uned ddeintyddol symudol cyn gynted â phosibl**. Mewn [llythyr at Llyr Gruffydd AC](#) (a oedd wedi ymyrchu ar ran y deisebwyr), dywedodd Prif Weithredwr y Bwrdd Iechyd:

I was pleased to learn that the pupils of Ysgol Cae'r Drewyn, Corwen appreciate the service and I can understand their concern regarding the disruption to the service they normally receive. I hope the ongoing input from the Designed to Smile team, which will continue with its scheduled input in the area, will be welcomed.

We have now set out a specification for a replacement unit and will be commencing procurement imminently. The lead in time for the delivery of the new unit is not known at this point as the product is bespoke and this will therefore depend upon production timescales with the selected manufacturer. We will, however be emphasising the need to have the new unit in place at the earliest opportunity. We will finance the purchased of this unit from within the Board's capital programme for the year ahead.

Roedd ymateb Ysgrifennydd y Cabinet i'r Pwyllgor Deisebau yn nodi bod y Cynllun Gwên yn parhau i gael ei ddarparu i'r ysgol, ac y bydd y Bwrdd Iechyd nawr yn cael uned ddeintyddol symudol newydd. Tynnodd sylw at argaeledd gwasanaethau deintyddol cymunedol eraill yng Nghorwen a Dolgellau a bod y Bwrdd Iechyd yn bwriadu, yn yr hirdymor, agor dwy ddeintyddfa yng Nghanolfan Iechyd Corwen ar gyfer oedolion a phlant o'r ardal leol.

Cefndir

Gall gwasanaethau deintyddol cymunedol gael eu darparu gan unedau deintyddol symudol yn ogystal ag mewn clinigau sefydlog. Mae unedau symudol yn chwarae rôl allweddol o ran darparu gofal ataliol a thriniaeth i blant ysgol o dan y Cynllun Gwên.

[Yn ôl bob sôn](#), cafodd uned ddeintyddol symudol Corwen ei dirwyn i ben yn ystod haf 2016 gan fod y cerbyd yn anaddas i'w ddefnyddio. Yn y Cyfarfod Llawn ar [7 Chwefror 2017](#), dywedodd Prif Weinidog Cymru fod y Bwrdd Iechyd yn bwriadu ailgychwyn y gwasanaeth, a bod darpariaeth amgen ar waith yn y cyfamser. Cyfeiriodd at y Cynllun Gwên, a'i effaith ar wella iechyd y geg plant (roedd y llythyr gan Fwrdd Iechyd Prifysgol Betsi Cadwaladr hefyd yn tynnu sylw at rôl y Cynllun Gwên).

Y Cynllun Gwên

Rhaglen iechyd y geg sy'n canolbwyntio ar blant, wedi'i sefydlu gan Lywodraeth Cymru, yw'r [Cynllun Gwên](#). Fe'i lanswyd yn wreiddiol fel cynllun peilot tair blynedd mewn ardaloedd yng ngogledd a de Cymru ym mis Ionawr 2009; cafodd y rhaglen ei gwella a'i hehangu ym mis Hydref 2009 i gwmpasu Cymru gyfan. Nod y rhaglen yw lleihau anghydraddoldebau iechyd y geg, ac mae wedi'i thargedu at blant yng Nghymru sydd â'r angen iechyd y geg mwyaf. Mae dull ataliol y Cynllun Gwên yn targedu plant o enedigaeth drwy gyfnod yr ysgol gynradd ac mae'n cynnwys darparu cyngor iechyd y geg, brwsys dannedd a phast, brwsio dan oruchwyliaeth a rhaglenni farnais fflworid a selio tyllau (yn dibynnu ar oedran y plentyn).

Mae'r [arolwg deintyddol diweddaraf ar gyfer plant 5 oed](#) (ar gyfer 2014/15) yn dangos gostyngiad parhaus mewn pydredd dannedd ymhlith plant yng Nghymru, a bod iechyd deintyddol yn gwella ar draws yr holl grwpiau cymdeithasol.

Early data analyses suggest that dmft [average number of decayed, missing and filled teeth] in children attending Designed to Smile schools is improving. When five year olds survey results for 2015/16 are available the full impact of Designed to Smile should be emerging.

Rhagor o wybodaeth

Bwrdd Iechyd Prifysgol Betsi Cadwaladr, [Cynllun Lleol Iechyd y Geg 2013–2018](#)

Proffiliau iechyd y geg y Bwrdd Iechyd Lleol 2014: [Bwrdd Iechyd Lleol Prifysgol Betsi Cadwaladr](#)

Vaughan Gething AC/AM
Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon
Cabinet Secretary for Health, Well-being and Sport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: P-05-749
Ein cyf/Our ref: VG/00774/17

Mike Hedges AC
Cadeirydd, y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Tŷ Hywel
Bae Caerdydd
Caerdydd
CF99 1NA

SeneddDeisebau@Cynulliad.Cymru

10 Mai 2017

Annwyl Gadeirydd,

Diolch ichi am eich llythyr dyddiedig 21 Mawrth am ddeiseb gan Ysgol Caer Drewyn sy'n gofyn am ail-sefydlu gwasanaeth uned deintyddol symudol yn ardal y Bala-Wreccsam.

Ysgrifennodd fy swyddogion at Ysgol Caer Drewyn ar 13 Ionawr i egluro y bu'n rhaid peidio â chynnig y gwasanaeth deintyddol clinigol i'r ysgol am y tro gan fod yr uned symudol bellach yn mynd yn hen ac nad oedd yn addas at ei diben. Fodd bynnag, bydd y Gwasanaeth Deintyddol Cymunedol yn parhau i ddarparu rhaglen iechyd y geg Cynllun Gwên i'r ysgol.

Rwy'n deall bod gan Fwrdd Iechyd Prifysgol Betsi Cadwaladr yr adnoddau angenrheidiol a'i fod felly'n bwriadu ail-gyflwyno'r gwasanaeth yn 2017-18. Bydd y broses o gaffael uned deintyddol symudol arall yn dechrau cyn gynted â phosibl, ond gallai gymryd amser i'w chwblhau oherwydd natur arbenigol y cyfleuster.

Fel arall, mae'r Gwasanaeth Deintyddol Cymunedol yn darparu gofal deintyddol GIG yng Nghorwen a Dolgellau. Yn y tymor hirach, mae gan y Bwrdd Iechyd gynlluniau i greu dwy deintyddfa yng Nghanolfan Iechyd Corwen i wasanaethu oedolion a phlant sy'n byw yn yr ardal.

Yn gywir,

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon
Cabinet Secretary for Health, Well-being and Sport

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Vaughan.Gething@llyw.cymru
Correspondence.Vaughan.Gething@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 37

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Eitem 2.2

P-05-753 Cryfhau'r Fframwaith Deddfwriaethol a Rheoleiddiol Ynghylch Cyfleusterau Prosesu Pren Gwastraff

Cyflwynwyd y ddeiseb hon gan Ysgol Caer Drewyn ar ôl casglu 232 llofnod.

Geiriad y ddeiseb

Rydym ni, sydd wedi llofnodi isod, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i:

Cyfarwyddo Cyfoeth Naturiol Cymru, awdurdodau lleol a chyrrff cyhoeddus perthnasol eraill i weithio gyda'i gilydd i ddefnyddio eu pwerau a'u dyletswyddau presennol i gymryd camau gorfodi effeithiol ac effeithlon o fewn y diwydiant ailgylchu.

Cryfhau'r fframwaith deddfwriaethol a rheoleiddiol lle bo angen er mwyn galluogi chyrrff cyhoeddus perthnasol i gymryd camau gorfodi mwy effeithiol ac effeithlon (gan gynnwys monitro), a'u galluogi i erlyn a gosod cosbau ariannol cryfach ar gwmnïau a chyfarwyddwyr cwmnïau unigol sy'n torri eu rheolaethau gweithredol fel amodau cynllunio neu delerau eu trwyddedau gweithredol a thrwyddedau amgylcheddol;

Adolygu'r deddfwriaeth bresennol i ganiatáu i'r cyhoedd, Gwasanaethau Tân ac Achub a chyrrff cyhoeddus adennill y costau o ymdrin ag achosion, fel y tân diweddar yn South Wales Wood Recycling Ltd, os canfyddir yr achoswyd y tân o ganlyniad i esgeulustod y cwmni, gweithred droseddol neu achosion eraill o dorri rheoliadau, amodau neu ganiatadau gan y cwmni.

Adolygu'r rheolau diogelu'r amgylchedd a rhoi cyfarwyddyd i awdurdodau lleol i sicrhau nad oes unrhyw fath o gyfleusterau prosesu pren gwastraff yn cael eu lleoli'n agos at safleoedd preswyl, safleoedd o ddiddordeb gwyddonol arbennig na safleoedd o bwysigrwydd i gadwraeth natur.

Cynnal asesiad cynhwysfawr ar y goblygiadau iechyd tymor hir yn sgil mewnanadlu'r llwch pren a achosir gan brosesu pren gwastraff a chynnal asesiad parhaus o'r haenau llwch a geir mewn cyfleusterau prosesu pren.

Etholaeth a Rhanbarth y Cynulliad

- Ogwr

- Gorllewin De Cymru

Deiseb P-05-753: Cryfhau'r Fframwaith Deddfwriaethol a Rheoleiddiol o Amgylch Cyfleusterau Prosesu Pren Gwastraff

Y Pwyllgor Deisebau | 23 Mai 2017

Y Pwyllgor Deisebau - 23 May 2017

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: [P-05-753](#)

Teitl y ddeiseb: Cryfhau'r Fframwaith Deddfwriaethol a Rheoleiddiol o Amgylch Cyfleusterau Prosesu Pren Gwastraff

Testun y ddeiseb:

Rydym ni, sydd wedi llofnodi isod, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i:

Roi cyfarwyddyd i Cyfoeth Naturiol Cymru, awdurdodau lleol a chyrff cyhoeddus perthnasol eraill i weithio gyda'i gilydd i ddefnyddio eu pwerau a'u dyletswyddau presennol i gymryd camau gorfodi effeithiol ac effeithlon o fewn y diwydiant ailgylchu.

Cryfhau'r fframwaith deddfwriaethol a rheoleiddiol lle bo angen er mwyn galluogi cyrff cyhoeddus perthnasol i gymryd camau gorfodi mwy effeithlon ac effeithiol (gan gynnwys monitro), a'u galluogi i erlyn a rhoi cosbau ariannol cryfach ar gwmnïau a chyfarwyddwyr cwmni unigol sy'n torri eu rheoliadau gweithredol megis amodau cynllunio neu delerau eu trwyddedau gweithredol a thrwyddedau amgylcheddol.

Adolygu'r ddeddfwriaeth bresennol i ganiatáu i'r cyhoedd, y Gwasanaethau Tân ac Achub a chyrff cyhoeddus eraill i adennill costau delio â digwyddiadau, megis y tân diweddar yn South Wales Wood Recycling Ltd, os ceir bod achos y tân o ganlyniad i esgeulustod, gweithredu troseddol neu dorri rheoliadau, amodau neu ganiatâd arall gan y cwmni.

Adolygu rheolau diogelu'r amgylchedd a rhoi canllawiau i awdurdodau lleol i sicrhau nad yw'r holl gyfleusterau prosesu pren gwastraff yn cael eu lleoli yn agos at eiddo preswyl, Safleoedd o Ddiddordeb Gwyddonol Arbennig neu safleoedd o bwysigrwydd ar gyfer cadwraeth natur.

Cynnal asesiad cynhwysfawr ar oblygiadau iechyd tymor hir anadlu llwch pren a achosir gan brosesu pren gwastraff a gwneud asesiad parhaus o'r dyddodion llwch mewn cyfleusterau prosesu pren.

Y diwydiant ailgylchu pren

Dros y blynyddoedd diwethaf, mae swm y pren gwastraff sy'n cael ei ailgylchu wedi codi. Mae'r [Gymdeithas Ailgylchwyr Pren \(WRA\)](#) yn amcangyfrif bod y DU yn cynhyrchu tua 4.5 miliwn tonnall o bren gwastraff y flwyddyn. Yn 2011 cafodd 60% o hynny ei ailgylchu, cynnydd o lai na 25% yn 1996. Mae'r WRA yn disgwyl cynnydd pellach. Byddai pren gwastraff a ailgylchwyd yn cael ei ddefnyddio ar gyfer porthiant traddodiadol ar gyfer y diwydiant byrddau panel (sy'n cynrychioli'r rhan fwyaf o bren wedi'i ailgylchu), deunydd gwely i anifeiliaid, arwynebau marchogaeth a thirlunio, manau chwarae a gwelyau hidlo.

Mae'r papur briffio hwn yn rhoi cefndir i'r fframweithiau rheoleiddio ailgylchu pren gwastraff gyda lincs i'r ddeddfwriaeth berthnasol. Mae'n cynnwys gwybodaeth am ddeddfwriaeth yr UE, trwyddedu, gorfodi a chosbau Cyfoeth Naturiol Cymru (CNC), cynllunio, mesurau diogelwch tân, manylion digwyddiadau tân South Wales Wood Recycling Ltd, cod ymarfer a goblygiadau iechyd. Mae hefyd yn amlinellu camau gweithredu Cynulliad Cenedlaethol Cymru a Llywodraeth Cymru.

Deddfwriaeth yr UE

Mae [Cyfarwyddeb Fframwaith Gwastraff yr UE](#) yn darparu'r fframwaith deddfwriaethol ar gyfer casglu, cludo, adennill a gwaredu gwastraff. Mae'r Gyfarwyddeb yn ei gwneud yn ofynnol i bob aelod-wladwriaeth gymryd y camau angenrheidiol i sicrhau bod gwastraff yn cael ei adfer neu ei waredu heb beryglu iechyd pobl neu achosi niwed i'r amgylchedd ac mae'n cynnwys gofynion trwyddedu, cofrestru ac arolygu.

Trwyddedu

Er mwyn gweithredu cyfleuster ailgylchu gwastraff pren, bydd angen ar gwmni fel arfer [drwydded amgylcheddol](#) o dan [Reoliadau Trwyddedu Amgylcheddol \(Cymru a Lloegr\) 2010](#). Mae'n rhaid i'r gweithredwr ddilyn holl amodau'r drwydded a all fod naill ai'n safonol neu'n bwrpasol. Mae torri'r amodau hyn yn erbyn y gyfraith.

Prif amcan y drwydded yw atal niwed i iechyd pobl a'r amgylchedd. Er enghraifft, ni ddylai gweithgareddau dan drwydded, o dan [reolau safonol](#), gael eu cynnal o fewn 500 metr o safleoedd o bwysigrwydd cadwraethol ee Safle Ewropeaidd, safle Ramsar neu Safle o Ddiddordeb Gwyddonol Arbennig (SoDdGA) neu 200 metr o weithle neu annedd preswyl. Mae amodau'n cynnwys rheolaethau ar y mathau a'r symiau o wastraff y gellir eu trin, uchder a gofod rhwng pentyrrau a rhagofalon tân i leihau'r risg o dân.

Mae CNC wedi cynhyrchu [Nodiadau Cyfarwyddyd Rheoleiddio](#), [Canllawiau Llorweddol](#), y [Pecynnau Offer System Rheoli Amgylcheddol](#) a [chyfarwyddyd pellach](#) i gefnogi cydymffurfiaeth â thrwyddedau amgylcheddol.

Gorfodi a chosbau

Mae CNC yn cynnal asesiadau, arolygiadau ac yn mynychu digwyddiadau i asesu cydymffurfiaeth â thwyddedau.

Mae polisi [Gorfodi ac Erlyn CNC \(103KB DOC\)](#) yn amlinellu'r camau y gall CNC eu cymryd lle maent yn amau bod trosedd wedi digwydd neu ar fin digwydd. Mae'r gorfodi hwn yn amrywio o ddarparu cyngor ac arweiniad, i gyflwyno hysbysiadau, i erlyn. Mae gan CCC y gallu i amrywio neu ddirymu trwydded amgylcheddol. Mae gan Weinidogion Cymru y pŵer i gyfarwyddo'r rheoleiddiwr (CNC yn yr achos hwn) wrth arfer ei swyddogaethau, er enghraifft os yw'r mater o arwyddocâd rhanbarthol neu genedlaethol.

Lle mae'r gyfraith yn caniatáu, bydd CNC yn ceisio adennill costau gweithdrefnau ymchwilio a gorfodi. Lle mae CNC yn mynd i gostau, er enghraifft drwy waith adfer, bydd yn ceisio adennill y costau llawn yr aethpwyd iddynt gan y rhai sy'n gyfrifol yn unol â'r 'egwyddor y llygrwr sy'n talu'.

O ran cosbau ariannol, mae'r prif dramgwyddau troseddol mewn perthynas â gweithrediadau gwastraff yn golygu dirwy ddiderfyn o dan [y Ddeddf Dedfrydu a Chosbi Troseddwr, Cymorth Cyfreithiol 2012](#) ac mae gan y llysoedd ddisgresiwn eang. [Diwygiwyd canllawiau gan y Cyngor Dedfrydu \(PDF 191.10KB\)](#) yn 2014 er mwyn helpu llysoedd troseddol wrth iddynt ddedfrydu troseddau amgylcheddol. Nid yw'r System Farnwrol wedi'i datganoli.

Pan mae CNC yn ystyried y camau gweithredu priodol i sicrhau cydymffurfiaeth mae'n dilyn Egwyddorion Cosb Macrory a nodir yn y [Cod Cydymffurfio Rheoleiddwr](#). Mae'r rhain yn datgan y dylai sancsiynau gorfodi:

- anelu at newid ymddygiad y troseddwr;
- anelu at ddileu unrhyw elw ariannol neu fudd o beidio â chydymffurfio;
- bod yn ymatebol ac ystyried yr hyn sy'n briodol ar gyfer y troseddwr penodol a'r mater rheoleiddio, a all gynnwys cosb a'r stigma cyhoeddus a ddylai fod yn gysylltiedig â cholffarn droseddol;
- yn gymesur â natur y drosedd a'r niwed a achoswyd;
- yn anelu at adfer y niwed a achosir gan ddiffyg cydymffurfio rheoleiddiol, lle y bo'n briodol; ac
- anelu at atal diffyg cydymffurfio yn y dyfodol.

Mae CNC wedi cynhyrchu [Canllawiau ar Orfodi a Chosbau \(611KB DOC\)](#) sy'n rhoi rhagor o wybodaeth.

Mae'r [ddeddf Gorfodi a Sancsiynau Rheoleiddiol 2008](#) yn anelu at wella gwaith rheoleiddwr trwy resymoli arolygu a gorfodi tra'n cynnal cydymffurfiad. Mae'n nodi ystod o sancsiynau sifil ar gyfer diffyg cydymffurfio â rheoleiddio i'w defnyddio fel dewis amgen i erlyniad troseddol. Mae'r sancsiynau sifil a gyflwynwyd o dan y Ddeddf yn cynnwys:

- Cosb Ariannol Sefydlog;
- Gofynion yn ôl disgrisiwn, gan gynnwys:
 - Cosb Ariannol Amrywiol;
 - Hysbysiad Cydymffurfio; a
 - Hysbysiad Adfer.
- Ymgymeriad Gorfodi; a
- Hysbysiad Atal.

Cynllunio

Efallai y bydd angen caniatâd cynllunio ar gwmni ailgylchu pren cyn gwneud datblygiadau o dan y [Ddeddf Cynllunio Gwlad a Thref \(1990\)](#). Gall yr awdurdod cynllunio lleol roi caniatâd gydag amodau, er enghraifft, trwy gyfyngu ar yr hyn y gellir ei wneud ar y safle.

Nid yw torri amodau cynllunio ynddo'i hun yn anghyfreithlon a bydd y cyngor yn aml yn caniatáu cais ôl-weithredol lle nad yw caniatâd cynllunio wedi'i geisio. Fodd bynnag, os bydd y toriad yn cynnwys datblygiad a wrthodwyd yn flaenorol (neu fod y cais ôl-weithredol yn methu) gall yr awdurdod lleol roi hysbysiad gorfodi.

Mae canllawiau i awdurdodau lleol wedi'u nodi yn [Nodyn Cyngor Technegol](#) (TAN) 21 a TAN 5. Maent yn nodi polisiau cynllunio cenedlaethol Cymru mewn perthynas â gwastraff a diogelu'r amgylchedd naturiol ac adeiledig.

Tanau mewn safleoedd ailgylchu pren

Mae diogelwch tân yn ystyriaeth o bwys o ran rheoleiddio gan fod nifer o danau wedi digwydd yn ddiweddar ar safleoedd sy'n ymwneud â storio, trin a thrafod pren a chynhyrchion pren wedi'u lleoli yng Nghymru.

Mae cylch gwaith CNC yn cynnwys risgiau amgylcheddol o danau mewn safleoedd rheoli gwastraff.

Yr Awdurdod Tân ac Achub Lleol (ATA) sy'n gyfrifol am orfodi diogelwch tân cyffredinol o dan y [Gorchymyn Diwygio Rheoleiddio \(Diogelwch Tân\) 2005](#).

Yr Awdurdod Gweithredol Iechyd a Diogelwch (HSE) sy'n gyfrifol am risgiau a deddfwriaeth benodol megis y [Rheoliadau Sylweddau Peryglus ac Atmosfferau Ffrwydro 2002](#).

Asesu a chynlluniau

Mae cyfarwyddyd wedi cael ei gynhyrchu, a'i ddiwygio'n ddiweddar (Ebrill 2017), gan Fforwm Iechyd a Diogelwch y Diwydiant Gwastraff (WISH) [Reducing fire risk at waste management sites \(PDF: 3.49MB\)](#) i helpu gweithredwyr a deiliaid dyletswydd eraill i reoli risgiau tân.

Rhaid i gwmnïau gynnal asesiad o'r risgiau tân ar bob safle, ac yn seiliedig ar yr asesiad hwn roi rheolaethau a mesurau priodol ar waith. Mae arweiniad cyffredinol ar asesiadau a chynlluniau risg tân ar gael ar wefan.gov.uk. Yn fras mae asesiad risg tân yn cynnwys:

- nodi lle ar safle mae deunyddiau hylosg a/neu fflamadwy;
- nodi lle ar safle mae yna ffynonellau tanio posibl; ac
- o'r wybodaeth uchod roi cynllun ar waith o reolaethau a mesurau sy'n anelu at leihau'r risg o dân yn digwydd a'r effaith pe byddai tân yn digwydd.

Argymhellir hefyd bod cynllun risg tân yn cynnwys trafodaeth gyda'r Gwasanaeth Tân ac Achub Lleol (FRS) ynghylch eu strategaeth diffodd tân debygol ar gyfer y safle.

Tanau South Wales Wood Recycling Ltd

Ym mis Tachwedd 2016 rhoddwyd dirwy i [South Wales Wood Recycling Ltd](#) o £20,000 yn dilyn dau dân mewn safleoedd ar wahân. Dechreuodd tân sglodion pren yn [Nociau Alexandra, Casnewydd, ym mis Tachwedd 2015](#), ac un arall ym [Maesteg, Pen-y-bont ym mis Mawrth 2016](#).

Cafodd South Wales Wood Recycling Ltd ddirwy am:

- fethiant i gydymffurfio â/mynd yn groes i ofynion amod trwydded amgylcheddol (Casnewydd). Roedd trwydded y cwmni yn pennu na ddylai'r pentyrrau fod yn fwy na 7,500 tonnell a dylid eu rhannu yn ddau bentwr o ddim mwy na 7 metr o uchder gyda rhwystr tân rhyngddynt. Cafwyd y cwmni yn euog o fynd y tu hwnt i'r terfynau hyn. Er enghraifft, roedd gan y cwmni tua 20,000 tonnell o wastraff sglodion pren ar y safle yn aros i'w gasglu; a
- chadw gwastraff wedi'i reoli, sef sglodion pren, mewn modd sy'n debygol o achosi llygredd neu niwed i iechyd dynol (Casnewydd a Maesteg).

Cyn y digwyddiadau, roedd CNC wedi cymryd camau gweithredu. Yn safle Casnewydd roedd CNC wedi cyflwyno hysbysiad gorfodi ym mis Tachwedd 2015 ar y gweithredwyr i fynd i'r afael â'r cyflenwad a lleihau'r perygl o dân.

Ym mis [Medi 2016](#), dechreuodd trydydd tân ar safle South Wales Wood Recycling Ltd yn Heol-y-Cyw, Pen-y-bont.

Ym mis Ionawr 2017 cyflwynodd CNC hysbysiad yn ei gwneud yn ofynnol i South Wales Wood Recycling Ltd i dynnu'r holl ddeunydd gwastraff a ddifrodwyd gan dân a osodwyd y tu allan i'r ardal drwyddedu yn safle Heol-y-Cyw. Rhaid cydymffurfio â'r hysbysiad hwn erbyn 30 Mawrth 2018.

Ym mis Chwefror 2017, gwnaeth CNC [wrthod](#) cais am drwydded amgylcheddol gan South Wales Wood Recycling Ltd ar gyfer cyfleuster storio a thrin gwastraff yn ne orllewin Cymru.

Goblygiadau iechyd anadlu llwch pren

Mae ailgylchu pren yn cynnwys llwytho pren gwastraff i mewn i beiriant asglodi gyda rhaw neu gydiwr wedyn trosglwyddo'r sglodion coed gyda rhaw neu gludwr. Mae hyn yn cynhyrchu llwch pren a gall lefelau amlygiad gweithwyr o bosibl fod yn uchel. Mae hon yn broblem arbennig yn ystod glanhau a chynnal a chadw peiriannau'n rheolaidd sy'n aml yn cynnwys aer cywasgedig.

Mae'r HSE wedi comisiynu [adroddiad \(PDF 781.37KB\)](#) i asesu graddau'r perygl i iechyd o'r amlygiad hwn i lwch pren. Mae'r HSE yn nodi er mwyn lleihau'r peryglon i iechyd gweithwyr o amlygiad i lwch pren, dylai cwmnïau ailgylchu:

- have a suitable COSHH assessment of their employees' exposure to wood dust;
- control dust at source by the use of water suppression and extraction;
- ensure plant and equipment is properly maintained to control dust leaks etc.;
- have high-level health surveillance in place; and
- ensure employees who clean and maintain machinery are not excessively exposed to wood dust by:
 - providing them with suitable respiratory protective equipment that they have been trained to use and face fitted for; and
 - providing industrial vacuums for cleaning plant and machinery, rather than using compressed air, when it is practicable to do so.

Mae Defra hefyd wedi cynhyrchu [canllawiau \(PDF: 487.28KB\)](#) ar gyfer gwaith pren a gweithgynhyrchu cynhyrchion o bren.

Cod ymarfer ailgylchu pren

O ganlyniad i'r twf yn y diwydiant, mae'r Gymdeithas Ailgylchwyr Pren (WRA) wedi datblygu [Cod Ymarfer Ailgylchu Pren \(PDF: 175.27KB\)](#) er mwyn hwyluso gweithrediadau ailgylchu pren cyfrifol. Mae cofrestru gyda'r cod yn wirfoddol yn hytrach nac yn ofyniad cyfreithiol, er bod rhai cyrff masnach yn gwneud cyfranogi yn y cod yn un o'u gofynion aelodaeth. Dywed bod y cod yn rhoi 'a system of certification for management systems for environmental, health, safety and quality issues at reasonable cost'.

Camau Gweithredu Cynulliad Cenedlaethol Cymru

Cynhaliodd Cynulliad Cenedlaethol Cymru ddadl fer ar 5 Hydref 2016 ar [Ddiogelwch, storio a gwaredu biomas a chynnyrch pren halogedig gan gwmni South Wales Wood Recycling](#). Gwnaeth Huw Irranca Davies AC saith awgrym penodol:

Yn gyntaf, gadewch i ni sefydlu grŵp gorchwyl a gorffen bach, am gyfnod penodol i adolygu'r fframwaith deddfwriaethol a rheoleiddiol ar gyfer rheolaethau trwyddedu a chynllunio gweithrediadau

gwastraff ac ailgylchu, ac edrych ar y posibiladau ar gyfer ymestyn fframwaith cyfraith droseddol yn y maes hwn.

Yn ail: ceisio cryfhau yn sylweddol y cosbau ariannol am dorri amodau trwyddedau cynllunio a thrwyddedau amgylcheddol, sydd mor ddi-nod ar hyn o bryd nes eu bod yn aml yn cael eu hystyried yn bitw a dibwys gan y troseddwr a dweud y gwir. Dylai pen uchaf y cosbau i'r rhai sy'n mynd ati'n fwriadol i dramgwyddo neu'n tramgwyddo dro ar ôl tro achosi embaras ariannol a phersonol eithafol i gyfarwyddwyr cwmni unigol yn ogystal â pherchnogion neu gyfranddeiliaid.

Yn drydydd: archwilio ffyrdd o osod cosbau'n uniongyrchol yn erbyn cyfarwyddwyr a enwyd a pherchnogion cwmniâu, gan gynnwys y posibilrwydd o atal neu wahardd unigolion sy'n euog o droseddau a ailadroddir neu droseddau difrifol rhag cael swyddi mewn sectorau cysylltiedig o'r diwydiant—enwi a chywilyddio am drosedd gyntaf neu drosedd lai, ond eu rhwystro rhag cael swyddi o'r fath am droseddau difrifol neu droseddau a ailadroddir.

Yn bedwerydd: cyflwyno cynigion i symleiddio a gwella'r broses o gydlynu ymchwiliadau rhwng sefydliadau megis asiantaethau gorfodi ac awdurdodau cynllunio. Bydd gwella'r broses o rannu data gwybodaeth ac arbenigedd cyfreithiol yn helpu i gydbwysu cyfiawnder.

Pump: datblygu ffyrdd newydd o gael gwared yn gyfan gwbl ar rannau o'r broses hon o achosion cyfreithiol a barnwrol, sy'n gostus i'r trethdalwr ac yn llyncu amser asiantaethau gorfodi, yn rhwystredig i drigolion ac eraill yr effeithir arnynt gan broblemau parhaus.

Chwech: ymestyn hysbysiadau atal a phwerau gorfodi eraill i gwmpasu caniatadau sy'n bodoli eisoes, nid troseddau newydd a datblygiadau newydd yn unig, fel bod modd gorfodi hysbysiadau atal a chosbau eraill ar weithrediadau presennol lle maent yn groes i amodau trwyddedu neu gynllunio.

A saith: archwilio'r posibilrwydd o ymestyn cyfraith droseddol i gwmpasu meysydd newydd a gwmpesir ar hyn o bryd gan gyfraith gynllunio a chyfraith amgylcheddol, megis risg ddifrifol i amwynder, a chaniatáu i awdurdodau lleol bennu'r hyn yw'r risg ddifrifol honno. Byddai hyn yn caniatáu i'r Ddeddf Elw Troseddau 2002 gael ei chymhwyso i achosion o dorri, fel y gallai elw a wneir gan ymddygiad troseddol gael ei atafaelu i'r cyhoedd.

Cefnogodd Caroline Jones AC a Suzy Davies AC y datganiad hwn.

Camau Gweithredu Llywodraeth Cymru

Ysgrifennodd y Pwyllgor Deisebau at Lesley Griffiths, Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig, ynghylch y ddeiseb. [Mae ei hymateb](#) yn cynnwys y wybodaeth ddiweddaraf am gamau gweithredu'r Llywodraeth a CNC yn y maes hwn sy'n cynnwys y canlynol:

- Ni fydd CNC fel y corff gwneud penderfyniadau statudol yn cael ei gyfarwyddo gan Weinidogion Cymru mewn unrhyw benderfyniad i ddirymu trwydded o South Wales Wood Recycling Ltd gan fod Llywodraeth Cymru yn edrych ar y mater fel un lleol yn hytrach na'i fod o arwyddocâd rhanbarthol neu genedlaethol;

- Mae CNC yn parhau i asesu a wnaeth rheolaeth safle South Wales Wood Recycling Ltd yn Heol-y-Cyw gyfrannu at y tân ac yn ymchwilio i unrhyw achos posibl o dorri'r drwydded. Maent yn adolygu'r dystiolaeth ac yn ystyried a yw camau pellach yn briodol;
- Cyflwynwyd [*Rheoliadau Trwyddedu Amgylcheddol \(Cymru a Lloegr\) \(Diwygio\) \(Rhif 3\) 2015*](#) i gryfhau pwerau CNC o dan y gyfundrefn trwyddedu amgylcheddol fel rhan o ymdrechion Llywodraeth Cymru i [fynd i'r afael â throeddau gwastraff](#). Mae hyn yn cynnwys ei gwneud yn haws i CNC atal trwyddedau, cael gwared ar y perygl o lygredd a chael gwaharddeb i orfodi cydymffurfio â hysbysiadau gorfodi;
- Mae Llywodraeth Cymru yn bwriadu cyflwyno pwerau pellach eleni a fydd yn galluogi CNC i wahardd mynediad i safle er mwyn atal rhagor o wastraff rhag dod i mewn, ac i wneud y rhai sy'n cadw gwastraff yn anghyfreithlon ar eu tir, neu yn caniatáu cadw o'r fath, yn gyfrifol am ei symud;
- Mae Llywodraeth Cymru yn bwriadu ymgynghori yn ystod yr haf ar gynigion ar gyfer cryfhau gofynion cymhwysedd gweithredwr y bydd yn ofynnol i weithredwyr eu dangos cyn i drwydded gael ei rhoi ac yn ystod eu gweithrediadau;
- bydd cynnig pellach yn edrych ar gam-drin y gyfundrefn eithriadau gwastraff sy'n caniatáu gweithgareddau adfer i weithredu heb yr angen am drwydded;
- mae cynigion ym [Mil Treth Gwarediadau Tirlenwi](#) Llywodraeth Cymru yn ei gwneud yn ofynnol i'r rhai a erlynir am waredu gwastraff yn anghyfreithlon i dalu treth ar y gwastraff;
- mewn ymateb i gynnig y ddeiseb i gyrff cyhoeddus adennill y costau os ceir bod y tân o ganlyniad i esgeulustod, mae Llywodraeth Cymru yn nodi bod defnyddio pwerau presennol yn ddull gwell na chodi tâl, gan ddweud pe byddai tâl yn cael ei godi ar fusnesau, ni fyddai unrhyw reswm dros beidio â chodi tâl ar breswylwyr;
- mae Llywodraeth Cymru wedi gofyn i Gymdeithas Swyddogion Cynllunio Cymru a CNC i weithio gyda'i gilydd i baratoi canllawiau arfer gorau ar y rhyngwyneb rhwng cyfundrefnau cynllunio a thrwyddedu amgylcheddol;
- yn nhermau effeithiau iechyd, mae Ysgrifennydd y Cabinet yn tynnu sylw at y trwyddedau amgylcheddol sy'n ofynnol ar gyfer rhai gweithgareddau prosesu pren i reoli allyriadau ac effeithiau ar iechyd y cyhoedd. Dywed y dylai rheoleiddio a gorfodi mesurau rheoli i atal effeithiau oddi ar y safle a chydymffurfio â thrwyddedau gweithredu fod yn fesur diogelu iechyd digonol. Mae hi hefyd yn nodi bod amodau cynllunio yn cynorthwyo i reoli allyriadau ac effeithiau ar amwynderau lleol, a bod y prosesau sy'n gweithredu islaw trothwyon trwyddedu yn dal yn ddarostyngedig i ddeddfwriaeth niwsans statudol.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol, fodd bynnag, nad yw'r papurau briffio hyn yn cael eu diweddarau na'u diwygio fel arall o reidrwydd i adlewyrchu newidiadau dilynol.



Eich cyf/Your ref P-05-753
Ein cyf/Our ref LG/00641/17

Mike Hedges AC
Cadeirydd – Y Pwyllgor Deisebau

government.committee.business@wales.gsi.gov.uk

Ebrill 2017

Annwyl Mike

Diolch am eich llythyr dyddiedig 27 Mawrth ynghylch y ddeiseb a gafwyd gan Alexander Williams ynghylch cryfhau y fframwaith deddfwriaethol a rheoleiddiol sy'n gysylltiedig â chyfleusterau prosesu pren gwastraff.

Byddaf yn ymateb i bob un o'r pwyntiau a wnaethpwyd yn y ddeiseb isod:-

- 1) *Rhoi cyfarwyddyd i Cyfoeth Naturiol Cymru ddirymu ar unwaith drwydded amgylcheddol South Wales Wood Recycling Ltd yn dilyn tân ar eu safle yn Heol-y-Cyw, tan cwblhau'r archwiliad i achos y tân, i sicrhau bod y safle'n cydymffurfio'n llawn â'i reolau gweithredu cyn cael yr hawl i ail-ddechrau gweithio.*

Mae archwiliad y Gwasanaeth Tân ac Achub i achos y tân yn Heol-y-Cyw wedi ei gwblhau, ni ddaethpwyd i unrhyw gasgliad felly nid oedd modd dod o hyd i achos y tân. O ran dirymu'r drwydded, golygai hyn y byddai'r drwydded yn dod i ben ac na fyddai modd ail-ddechrau gweithio ar y safle. Byddai'n rhaid i'r cwmni wneud cais am drwydded newydd os oeddent yn dymuno ail-ddechrau gweithio.

Cyfoeth Naturiol Cymru yw'r corff sy'n gwneud y penderfyniadau rheoleiddiol ar safleoedd gwastraff a hwy sydd yn y sefyllfa orau i benderfynu ar y camau rheoleiddiol priodol ar y safle. Mae Cyfoeth Naturiol Cymru yn ystyried camau rheoleiddiol yn unol â'u Polisi Gorfodi ac Eryl a'r Cod Rheoleiddwyr. Mae angen ystyried yr holl ffeithiau a'r goblygiadau cyn dirymu eu trwydded gan gynnwys canlyniadau unrhyw gamau ar allu cwmni i weithredu, ac a allai dirymu trwydded arwain at ganlyniad gwaeth megis y cwmni yn cael ei ddiddymu a'r safle a'r gwastraff yn cael ei adael. Wrth benderfynu ar pa gamau i'w cymeryd bydd y rheoleiddiwr yn asesu'r risg ar y safle ac efallai yn gweithio gyda'r cwmni i sicrhau eu bod yn cydymffurfio â'r rheolau gan adael iddynt barhau i weithredu.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 49

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Mae gan Weinidogion Cymru yr hawl i roi cyfarwyddyd i'r rheoleiddiwr ar gynnal ei swyddogaethau. Pwrpas yr hawl hwn i lunio cyfarwyddyd yw galluogi Gweinidogion Cymru i gymeryd camau penodol ble y mae Gweinidogion Cymru yn ystyried ei fod yn briodol, o dan yr amgylchiadau, i beidio â gadael y penderfyniad i Cyfoeth Naturiol Cymru. Mae'r problemau a gododd yn South Wales Wood Recycling Ltd (SWWR) yn benderfyniadau rheoleiddiol/gweithredol. Maent o bwysigrwydd lleol yn hytrach na rhanbarthol neu genedlaethol ac rwy'n hyderus y bydd Cyfoeth Naturiol Cymru, fel y rheoleiddiwr, yn cymeryd y camau angenrheidiol i ddiogelu'r amgylchedd a chymunedau lleol. Nid wyf felly'n ei ystyried yn angenrheidiol i roi cyfarwyddyd i Cyfoeth Naturiol Cymru ddirymu'r drwydded.

- 2) Cyfarwyddo Cyfoeth Naturiol Cymru, awdurdodau lleol a chyrrff cyhoeddus perthnasol eraill i weithio gyda'i gilydd i ddefnyddio eu pwerau a'u dyletswyddau presennol i gymryd camau gorfodi effeithiol ac effeithlon o fewn y diwydiant ailgylchu.

Mae nifer o gamau wedi'u cymeryd ers y tân yn SWWR yn Heol-y-Cyw y llynedd. Ym mis Ionawr 2017 cafwyd hysbysiad gan Cyfoeth Naturiol Cymru i SWWR symud pob deunydd gwastraff oedd wedi'i ddifrodi yn y tân oedd wedi ei adael y tu allan i'r ardal a ganiateir ar y safle. Mae'n rhaid cydymffurfio â'r hysbysiad hwn erbyn 30 Mawrth 2018. Mae Cyfoeth Naturiol Cymru yn parhau i asesu a oedd y dull o reoli ar y safle wedi cyfrannu at y tân ac mae'n edrych ar unrhyw achosion o dorri amodau'r drwydded. Maent yn edrych eto ar y dystiolaeth ac yn ystyried a yw'n briodol i gymeryd camau pellach.

- 2) *Cryfhau'r fframwaith deddfwriaethol a rheoleiddiol lle bo angen er mwyn galluogi cyrrff cyhoeddus perthnasol i gymryd camau gorfodi mwy effeithiol ac effeithlon (gan gynnwys monitro), a'u galluogi i erlyn a gosod cosbau ariannol cryfach ar gwmnïau a chyfarwyddwyr cwmnïau unigol sy'n torri eu rheolaethau gweithredol fel amodau cynllunio neu delerau eu trwyddedau gweithredol a thrwyddedau amgylcheddol;*

Yn fy ymateb i'r drafodaeth fer ar 5 Hydref 2016 ar y tân yn SWWR, ryw'n pennu nifer o gamau gweithredu yr wyf am eu cymeryd i gryfhau pwerau Cyfoeth Naturiol Cymru i gymeryd camau mwy effeithiol ar droseddau'n ymwneud â gwastraff. Ym mis Hydref 2015, cyflwynwyd pwerau gennym i'w wneud yn haws i Cyfoeth Naturiol Cymru atal trwyddedau, dileu y perygl o lygredd ac i drefnu gwaharddeb i orfodi cwmnïau i gydymffurfio â hysbysiadau gorfodi.

Rwy'n bwriadu cyflwyno rhagor o bwerau newydd eleni fydd yn galluogi Cyfoeth Naturiol Cymru, ble y bo'n briodol, i rwystro mynediad i safle i osgoi rhagor o wastraff rhag dod i mewn ac i wneud y rhai sy'n cadw neu yn caniatáu i wastraff gael ei gadw yn anghyfreithlon ar eu tir yn gyfrifol am ei symud. Byddaf hefyd yn ymgynghori yn ystod yr Haf ar y cynigion i gryfhau y gofynion sydd ar gwmni er mwyn bod yn gymwys i gael trwydded ac wrth iddynt gynnal eu gwaith. Bydd hyn yn rhoi mwy o hawl i Cyfoeth Naturiol Cymru wrthod ceisiadau am drwyddedau os bydd cwmni yn methu â dangos eu bod yn gymwys yn ariannol ac yn dechnegol. Bydd yr ail gynnig yn edrych ar gam-ddefnyddio'r drefn o eithrio gwastraff sy'n caniatáu cynnal gweithgareddau adfer heb fod angen trwydded. Mae'r cynigion ym Mil Gwarediadau Tirlenwi Llywodraeth Cymru yn ei wneud yn ofynnol i'r rhai hynny sy'n cael eu herlyn am waredu gwastraff yn anghyfreithlon dalu treth ar y gwastraff fydd hefyd yn atal rhagor o bobl rhag gadael gwastraff yn anghyfreithlon.

O ran yr awgrym i godi cosbau ariannol uwch, mae'r prif droseddau sy'n gysylltiedig â chwmnïau gwastraff eisoes yn arwain at ddirwy heb uchafswm. Nid yw'n bosib felly i gynyddu'r cosbau ariannol hyn. Hefyd, er tegwch mae gan y Llysoedd yr hawl i wneud eu penderfyniad eu hunain o ran dedfrydu am droseddau. Cafodd canllawiau y Cyngor Dedfrydu eu diwygio yn 2014 i helpu y llysoedd troseddol wrth ddedfrydu am droseddau amgylcheddol. Gan nad yw'r System Farnwrol wedi ei datganoli mae rhwystrau cyfansoddiadol, cyfreithiol ac ymarferol sylweddol i gyfyngu ar yr hawl hwn.

- 4) Adolygu'r ddeddfwriaeth bresennol i ganiatáu i'r cyhoedd, Gwasanaethau Tân ac Achub a chyrff cyhoeddus adennill y costau o ymdrin ag achosion, fel y tân diweddar yn South Wales Wood Recycling Ltd, os canfyddir yr achoswyd y tân o ganlyniad i esgeulustod y cwmni, gweithred droseddol neu achosion eraill o dorri rheoliadau, amodau neu ganiatadau gan y cwmni..

Mae gan y gwasanaeth tân bwerau eisoes o dan Orchymyn Diogelwch Tân 2005 i ddelio â busnesau sy'n esgeulus o'u cyfrifoldebau diogelwch tân. Gallai'r rhain gynnwys erlyn yr achosion mwyaf difrifol. Mae Deddf Gwasanaethau Tân ac Achub 2004 hefyd yn caniatáu i'r Awdurdodau Tân ac Achub godi tâl am rai gwasanaethau, fodd bynnag mae'r Ddeddf yn atal awdurdodau rhag codi tâl am ymladd tân (ar wahân i amgylchiadau penodol megis ymladd tanau ar fwrdd llong ar y môr neu osodiadau ar y glannau). Byddai cyflwyno tâl pan fo achos y tân o ganlyniad i esgeulustod yn newid mawr, mae nifer o danau'n dechrau o ganlyniad i esgeulustod, er enghraifft, gadael offer coginio heb oruchwyliaeth, gor-lwytho cylchoedd trydanol neu ysmygu yn y gwely. Pe byddai cwmnïau'n gorfod talu, ni fyddai rheswm i beidio â chodi tâl ar ddeiliaid tai hefyd a allai godi cwestiynau ynghylch y diffiniad o'r gwasanaeth tân. Mae defnyddio'r pwerau presennol yn well na chodi tâl am ymladd tanau ac nid yw'n golygu bod yn rhaid i dân ddigwydd.

- 5) Adolygu'r rheolau diogelu'r amgylchedd a rhoi cyfarwyddyd i awdurdodau lleol i sicrhau nad oes unrhyw fath o gyfleusterau prosesu pren gwastraff yn cael eu lleoli'n agos at safleoedd preswyl, safleoedd o ddiddordeb gwyddonol arbennig na safleoedd o bwysigrwydd i gadwraeth natur

Mae'r canllawiau i awdurdodau lleol wedi eu pennu yn Nodyn Cyngor Technegol Polisi Cynllunio Cymru (TAN21) ac yn Nodyn Technegol 5. Mae'r dogfennau hyn yn pennu polisiau cynllunio cenedlaethol Cymru yn gysylltiedig â gwastraff a diogelu yr amgylchedd naturiol ac adeiledig, sydd, gyda'r canllaw technegol ar wastraff wedi eu paratoi i sicrhau bod cynllunwyr yn deall mwy am dechnolegau gwastraff.

Mae'r polisi cynllunio cenedlaethol yn glir ynghylch swyddogaeth bwysig system cynllunio y defnydd o dir er mwyn hwyluso'r broses o reoli gwastraff yn gynaliadwy. Mae'r polisi yn rhoi fframwaith ar gyfer gwneud penderfyniadau, a chydabod manteision cymdeithasol ac economaidd rheoli gwastraff fel adnodd i fodloni anghenion y gymdeithas a busnesau, ac ar yr un pryd leihau effeithiau amgylcheddol niweidiol, gan osgoi y risg i iechyd dynol a diogelu amwynderau preswylwyr.

Mae'n rhaid i'r polisi hefyd ddatgan effaith y cynigion ar gyfer cyfleusterau rheoli gwastraff ar amwynderau pobl leol a'r amgylchedd, gan gynnwys safleoedd dynodedig megis SoDdGAau a threftadaeth adeiledig, ac mae'n rhaid eu hasesu'n addas i benderfynu a yw cais cynllunio yn dderbyniol, ac, os nad oes modd lliniaru yr effaith niweidiol ar amwynderau neu'r amgylchedd, y dylid gwrthod hawl cynllunio.

Rwyf wedi gofyn i Gymdeithas Swyddogion Cynllunio Cymru a Chyfoeth Naturiol Cymru i gydweithio i baratoi canllawiau arfer da ar y rhyngweithio rhwng y drefn o roi caniatadau cynllunio ac amgylcheddol. Bydd y canllaw hwn yn rhoi mwy o egluder ynghylch cyfrifoldebau yr awdurdodau lleol a Cyfoeth Naturiol Cymru i fonitro a chymeryd camau i ddelio â gwaith gwastraff.

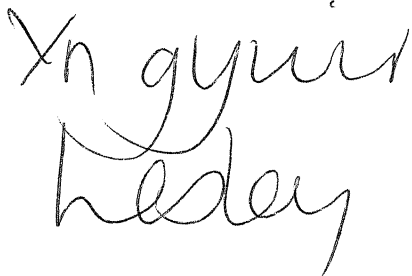
6) Cynnal asesiad cynhwysfawr ar y goblygiadau iechyd tymor hir yn sgil mewnanadlu'r llwch pren a achosir gan brosesu pren gwastraff a chynnal asesiad parhaus o'r haenau llwch a geir mewn cyfleusterau prosesu pren.

Mae'r Weithrediaeth Iechyd a Diogelwch wedi cynnal gwaith ymchwil ar effeithiau iechyd llwch pren a lefel y gronynnau, ac mae cyngor ar weithio gyda pren ar gael ar wefan y Weithrediaeth Iechyd a Diogelwch

<http://www.hse.gov.uk/coshh/industry/woodworking.htm> Lluniwyd canllaw hefyd gan Defra ar weithio gyda pren a chreu cynnyrch pren

<http://webarchive.nationalarchives.gov.uk/20141106091809/http://www.defra.gov.uk/industrial-emissions/files/06092012-pgn-602.pdf>

Mae'n rhaid cael trwydded amgylcheddol ar rai gweithgareddau prosesu pren i reoli allyriadau a'r effaith ar iechyd y cyhoedd. Dylai'r rheoliadau a gorfodi y mesurau rheoli i osgoi yr effaith oddi ar y safle ac i gydymffurfio â thrwyddedau gweithredu fod yn ddigon o gamau i ddiogelu iechyd. Mae amodau cynllunio hefyd yn helpu i reoli allyriadau a'r effaith ar amwynderau lleol. Mae'r prosesau hynny sy'n gweithredu o dn y trothwyon a ganiateir hefyd yn destun deddfwriaeth niwsans statudol (i archwilio a lliniaru unrhyw effaith oddi ar y safle) sy'n cael eu gorfodi gan Adrannau Iechyd yr Amgylchedd yr Awdurdod Lleol. Pan fo unigolion yn teimlo bod safle yn cael effaith ar eu hiechyd, dylent godi hyn gydag adran iechyd yr amgylchedd yr awdurdod lleol i'w archwilio.



Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig
Cabinet Secretary for Environment and Rural Affairs

**P-05-753 Strengthening the Legislative and Regulatory Framework
Surrounding Waste Wood Processing Facilities – Correspondence from the
Petitioner to the Committee, 16.05.17**

Dear Kayleigh,

Many thanks for your email. I would be grateful if you could make the committee aware of the following observations following the Minister's letter.

Best wishes

Alex

Point 1 – whether the Fire and Rescue Service found that the company were responsible for the fire or not, the fact remains that had the site been managed in accordance with their planning permission and the requirements of their Environmental Permit, the fire could have been dealt with quickly and at far less cost to the public purse, and of course the probability of a fire occurring in the first place would have been much reduced.

Secondly, the second paragraph relating to NRW raises an interesting issue. The Minister states that "all the facts and implications need to be considered" and she goes on to imply that these implications include things like company liquidation, or a company's ability to operate. However, I contend that environmental legislation and guidance is there for a purpose, because these sorts of activities can be damaging to the environment. Sustainability is important, but surely NRW has the responsibility to put the environment first rather than ensuring that they are seen as a friend to business, a conflict of interests which could compromise their ability to be an effective regulator.

For example, what did NRW do when they found out that the site was in contravention of their permit by having a throughput figure far in excess of the total stipulated in their permit? NRW amended the permit to incorporate the actual level of throughput. Whilst I know that NRW have been pursuing action against the company for the breach, the message this gives the company is that it is OK to breach their permit as NRW will just fall in line with them.

Thirdly, the Minister classes this as a local issue and so well within the purview of NRW. However, three fires have occurred in a short period of time over a wide area of South Wales, and this should at least be considered as a regional issue. Coupled with the other similar fires at Llandow in recent years then surely this tells us that

there is a wider problem within the industry and thus that we have a national problem here.

Point 2 – NRW and BCBC may indeed have taken action since the fire, but they were not using their powers effectively before the incident. At the public meeting which was held in Heol-y-Cyw after the fire, NRW said it wasn't their responsibility to monitor the stack height and that this was something for the Council to action. This was the case only because between them they had decided this was the way forward. NRW had much better powers to manage the situation but did not use them. For instance they could have threatened to suspend their licence to operate until the site was brought into compliance, but this didn't happen. Instead the Council, with their one enforcement officer for the whole of the Borough were left to deal with the problem. Given the level of fines that result from enforcement action it simply wasn't cost effective for the Council to take action.

Point 3 – The Minister says that she is working to strengthen NRW's powers, but what is happening to review the low level of fines imposed for enforcement action and the updating of planning legislation and guidance?

I welcome the increased powers for NRW to prohibit access to a site to prevent more waste coming in. However, to be effective, NRW need to be given the freedom to undertake their essential role of regulator.

Point 4 – Until the level of fines and costs levied by bodies such as NRW and LAs actually reflects the costs of taking the action nothing will change.

Point 5 – The Minister's reference to Planning Policy Wales and the Technical Advice Notes only relates to new applications and does not allow for existing sites. The Minister talks about a sustainable waste management system, and this perhaps hits on the crux of the problem that has created this situation. Local Authorities incur significant financial penalties if they do not hit their recycling targets. The recycling system in Wales is heavily target driven, and this has been a very effective way to ensure that Wales has one of the best recycling rates in Europe, of which we should be very proud. However, this does also cause problems. NRW have said that they are reluctant to shut down recycling sites even just temporarily as they will be lobbied by LAs complaining that they will be unable to meet their recycling targets and will be financially penalised.

Furthermore, for sites like South Wales Wood Recycling, much of the product sent there for recycling is of such poor quality that there is actually no use for the resulting end product, and as a result, the waste stacks build and build.

Point 6 – HSE advice only relates to workers and employers, and the conditions that should be adhered to in working environments. They do not apply to local residents. The very fact that the HSE consider it necessary to have guidance and advice highlights that dust particles can be harmful to health. We are also well aware of the need for environmental permits for the operation of such sites, but as we have seen, these permits are not always most effectively and efficiently implemented, monitored and managed. Conditions, when imposed are not complied with, and enforcement action results in such paltry fines that companies such as SWWR would be excused to thinking that they could just factor these into their operating costs rather than actually spending the sums required to operate their sites correctly.

Eitem 2.3

P-05-755 Galw ar Lywodraeth Cymru i sicrhau bod yr A48 ger Trelales, Broadlands a Merthyr Mawr yn ddiogel i holl ddefnyddwyr y ffyrdd ac i gerddwyr

Cyflwynwyd y ddeiseb hon gan Ian Spiller ar ôl casglu 997 llofnod.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod yr A48 ger Cylchfan Ewenni, Merthyr Mawr, Broadlands a Threlales yn ddiogel i holl ddefnyddwyr y ffyrdd ac i gerddwyr.

Mae llawer o ddamweiniau yn digwydd ar yr A48 ym Mhen-y-bont ar Ogwr. Lladdwyd dau berson dros y flwyddyn ddiwethaf, ac mae gormod o fân ddamweiniau yn digwydd i geir, cerddwyr a beicwyr sy'n defnyddio'r ffordd hon, yn ogystal â damweiniau a fu bron â digwydd.

Er hyn, mae'r A48 o Island Farm yn parhau i fod yn ffordd lle gellir teithio ar gyflymder o 60 mya, ac mae llwybr beicio Broadlands yn gorffen yn Newbridge Fields.

Rydym yn galw am:

- ostwng y terfyn cyflymder o 60 mya i 40 mya ar unwaith
- man croesi diogel ar yr A48 o warchodfa natur Newbridge Fields/Craig-y-Parcau ar lwybr Merthyr Mawr
- llwybr cerdded/beicio estynedig i alluogi ein plant i gerdded i'r ysgol yn ddiogel
- gwaith ymchwil i opsiynau i atal pobl rhag anwybyddu'r cyfarwyddyd i beidio â throï i'r dde ar gyffyrdd Merthyr Mawr, er enghraifft ynys ganolog.

Rhaid sicrhau bod arian ar gael ar unwaith i atal rhagor o drychinebau.

Ymunwch â'r ymgyrch heddiw. Faint o deuluoedd eraill fydd yn gorfod gweld eu bywydau'n cael eu dinistrio cyn y bydd camau'n cael eu cymryd?

Gwybodaeth Ychwanegol

Nid oes unrhyw fannau croesi diogel o'r llwybrau cerdded cyhoeddus sy'n cysylltu gwarchodfa natur Newbridge Fields/Craig-y-Parcau â chefn Broadlands ac ymlaen i lwybr dynodedig Merthyr Mawr.

Disgwylir i blant Broadlands gerdded ar ffordd lle gellir teithio ar gyflymder o 60 milltir yr awr er mwyn cyrraedd Ysgol Brynteg, neu groesi'r ffordd honno, gan beryglu eu bywydau bob dydd.

Nid yw rhai gyrwyr yn talu sylw i'r arwyddion sy'n eu gorchymyn i beidio â throï i'r dde yng nghyffyrdd Merthyr Mawr, ac mae hyn yn creu peryglon ychwanegol i ddefnyddwyr eraill.

Mae Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr wedi cysylltu'r broses o gyflwyno gwelliannau â'r datblygiad hir-ddisgwyliedig yn Island Farm.

Etholaeth a Rhanbarth y Cynulliad

- Pen-y-bont ar Ogwr
- Gorllewin De Cymru

Deiseb P-05-755: Sicrhau bod yr A48 ger Trelales, Broadlands a Merthyr Mawr yn ddiogel i holl ddefnyddwyr y ffyrdd ac i gerddwyr

Y Pwyllgor Deisebau | 23 Mai 2017
Petitions Committee | 23 May 2017

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-755

Teitl y ddeiseb: Galw ar Lywodraeth Cymru i sicrhau bod yr A48 ger Trelales, Broadlands a Merthyr Mawr yn ddiogel i holl ddefnyddwyr y ffyrdd ac i gerddwyr.

Testun y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod yr A48 ger Cylchfan Ewenni, Merthyr Mawr, Broadlands a Threlales yn ddiogel i holl ddefnyddwyr y ffyrdd ac i gerddwyr.

Mae llawer o ddamweiniau yn digwydd ar yr A48 ym Mhen-y-bont ar Ogwr. Lladdwyd dau berson dros y flwyddyn ddiwethaf, ac mae gormod o fân ddamweiniau yn digwydd i geir, cerddwyr a beicwyr sy'n defnyddio'r ffordd hon, yn ogystal â damweiniau a fu bron â digwydd.

Er hyn, mae'r A48 o Island Farm yn parhau i fod yn ffordd lle gellir teithio ar gyflymder o 60 mya, ac mae llwybr beicio Broadlands yn gorffen yn Newbridge Fields.

Rydym yn galw am:

- ostwng y terfyn cyflymder o 60 mya i 40 mya ar unwaith;
- man croesi diogel ar yr A48 o warchodfa natur Newbridge Fields/Craig-y-Parcau ar lwybr Merthyr Mawr;
- llwybr cerdded/beicio estynedig i alluogi ein plant i gerdded i'r ysgol yn ddiogel;

- gwaith ymchwil i opsiynau i atal pobl rhag anwybyddu'r cyfarwyddyd i beidio â throï i'r dde ar gyffyrdd Merthyr Mawr, er enghraifft ynys ganolog neu ddarparu cylchfan er mwyn galluogi cerbydau i droi yn ddiogel.

- Rhaid sicrhau bod arian ar gael ar unwaith i atal rhagor o drychinebau.

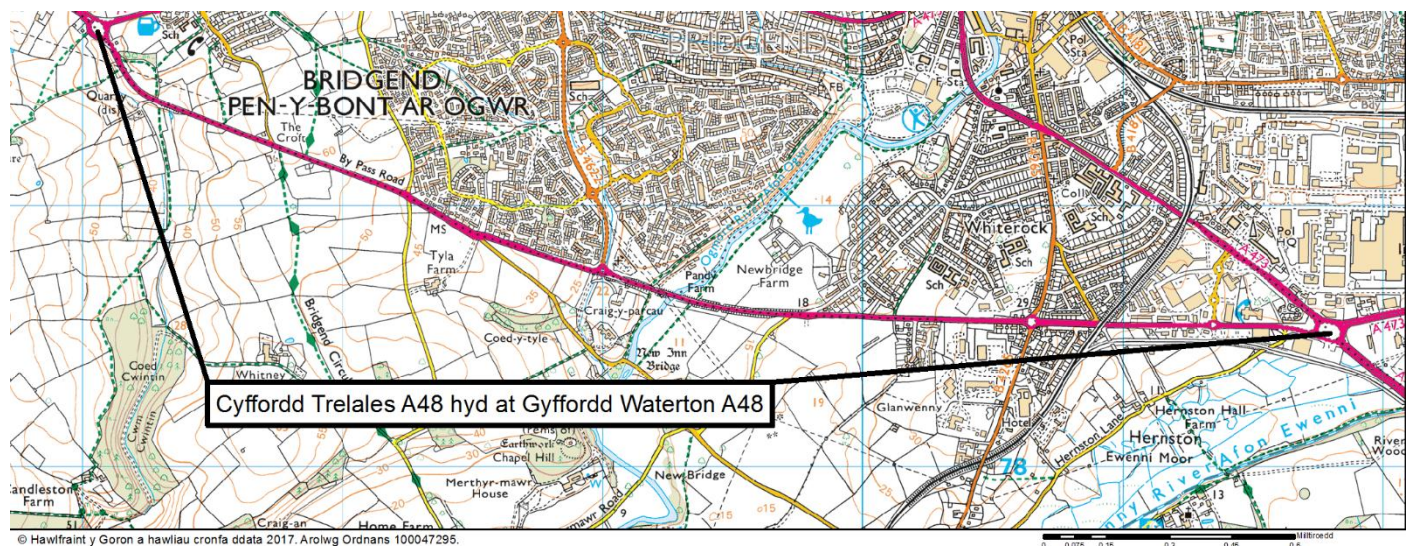
Ymunwch â'r ymgyrch heddiw. Faint o deuluoedd eraill fydd yn gorfod gweld eu bywydau'n cael eu dinistrio cyn y bydd camau'n cael eu cymryd? Nid oes unrhyw fannau croesi diogel o'r llwybrau cerdded cyhoeddus sy'n cysylltu gwarchodfa natur Newbridge Fields/Craig-y-Parcau â chefn Broadlands ac ymlaen i lwybr dynodedig Merthyr Mawr. Disgwylir i blant Broadlands gerdded ar ffordd lle gellir teithio ar gyflymder o 60 milltir yr awr er mwyn cyrraedd Ysgol Brynteg, neu groesi'r ffordd honno, gan beryglu eu bywydau bob dydd. Nid yw rhai gyrwyr yn talu sylw i'r arwyddion sy'n eu gorchymyn i beidio â throï i'r dde yng nghyffyrdd Merthyr Mawr, ac mae hyn yn creu peryglon ychwanegol i ddefnyddwyr eraill. Mae Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr wedi cysylltu'r broses o gyflwyno gwelliannau â'r datblygiad hir-ddisgwyliedig yn Island Farm.

Y cefndir

Llywodraeth Cymru yw'r Awdurdod Priffyrdd ar gyfer rhwydwaith cefnffyrdd Cymru, a'r awdurdodau lleol sy'n gyfrifol am rwydweithiau ffyrdd lleol. Ffordd leol yw'r rhan o'r A48 y cyfeirir ati yn y ddeiseb hon, rhwng Trelales a Waterton (gweler Ffigur 1). Cyngor Bwrdeistref Sirol Pen-y-bont yw'r awdurdod priffyrdd perthnasol.

Ffigur 1: A48 Pen-y-bont ar Ogwr (Trelales i Waterton)

(Ffynhonnell: Arolwg Ordnans / y Gwasanaeth Ymchwil)



Comisiynodd Cyngor Pen-y-bont ar Ogwr ymgyngorydd i gynnal Astudiaeth Llwybr gyfer y rhan hon o'r A48 ym mis Awst 2016 yn dilyn gwrthdrawiad angheuol a ddigwyddodd ar 12 Gorffennaf 2016 yng nghyffordd yr A48 â Ffordd Merthyr Mawr. Roedd yr ymchwiliad yn

cynnwys dadansoddiad o wrthdrawiadau ag anafiadau personol a gofnodwyd dros gyfnod o bum mlynedd rhwng 1 Hydref 2011 a 30 Medi 2016. Yn ystod y cyfnod hwn, cofnodwyd cyfanswm o 32 o wrthdrawiadau ar y rhan hon o'r A48. Achosodd y rhain i gyfanswm o 56 o bobl gael eu hanafu neu eu lladd (3 marwolaeth, 7 o anafiadau difrifol a 22 o fân anafiadau).

Yn dilyn yr astudiaeth, cyflwynodd Cyngor Pen-y-bont ar Ogwr gais am Grant Diogelwch Ffyrdd gan Lywodraeth Cymru yng nghylch cyllido 2017-18. Mae'r ffurflen gais am grant, nad yw wedi'i chyhoeddi, yn amlygu y bu ymgyrch gan drigolion lleol, y wasg, cynghorwyr lleol ac Aelodau Cynulliad i wella diogelwch ar y ffyrdd yn y fan hon. Mae'n dweud bod y mesurau arfaethedig yn cynnwys adolygu'r terfyn cyflymder presennol a gwella cyfleusterau croesi i gerddwyr. Roedd y cynnig yn cynnwys creu llochesau canolog a newid y marciau ffordd i gyfyngu ar led y ffordd sydd ar gael ar gyfer goddiweddyd. Amcangyfrifwyd mai cost y cynllun fyddai £390,000. Roedd y cais yn aflwyddiannus.

Camau gweithredu Llywodraeth Cymru

Mae dogfen Llywodraeth Cymru, [Fframwaith Diogelwch Ffyrdd ar gyfer Cymru](#), yn gosod targedau ar gyfer lleihau nifer y bobl sy'n cael eu lladd neu eu hanafu'n ddifrifol ar ffyrdd Cymru erbyn 2020, o'i gymharu â llinell sylfaen 2004-08. Y targedau hyn yw cyflawni:

- Gostyngiad o 40 y cant yn nifer y bobl sy'n cael eu lladd neu eu hanafu'n ddifrifol;
- Gostyngiad o 25 y cant yn nifer y beicwyr modur sy'n cael eu lladd a'u hanafu'n ddifrifol; a
- Gostyngiad o 40 y cant yn nifer y bobl ifanc (16-24 oed) sy'n cael eu lladd a'u hanafu'n ddifrifol.

Dywed [gwefan Grant Diogelwch Ffyrdd Llywodraeth Cymru](#) fod y Grant yn darparu cyllid cyfalaf a refeniw ar gyfer amrywiaeth o brosiectau, â'r nod o leihau nifer y bobl sy'n cael eu lladd neu eu hanafu ar ffyrdd Cymru. Mae'r grant cyfalaf yn cynnwys arian ar gyfer "prosiectau peirianyddol sy'n targedu safleoedd, llwybrau ac ardaloedd lle mae pobl wedi cael eu lladd neu eu hanafu'n ddifrifol". Mae'r wefan [yn cynnwys rhestr o brosiectau](#) a ariannwyd trwy'r Grant Diogelwch Ffyrdd yn 2017-18, ynghyd â phrosiectau llwyddiannus y Gronfa Trafnidiaeth Leol a'r Grant Llwybrau Diogel mewn Cymunedau.

Mae'r ddeiseb yn cyfeirio at yr angen i wella seilwaith cerdded a beicio ar y rhan hon o'r A48. Mae [Deddf Teithio Llesol \(Cymru\) 2013](#) yn ei gwneud yn ofynnol i awdurdodau lleol Cymru fapio a chynllunio ar gyfer llwybrau sy'n addas ar gyfer teithio llesol, ac adeiladu seilwaith ar gyfer cerdded a beicio a'i wella bob blwyddyn. Rhaid i awdurdodau lleol baratoi mapiau o lwybrau teithio llesol sy'n bodoli eisoes, a "Mapiau Rhwydwaith Integredig" sy'n nodi'r llwybrau a'r cyfleusterau sydd eu hangen i greu rhwydwaith integredig o lwybrau teithio llesol. Bydd Llywodraeth Cymru yn cyfrannu at ariannu gwelliannau drwy'r Gronfa Trafnidiaeth Leol, y Grant Llwybrau Diogel mewn Cymunedau a'r Grant Diogelwch Ffyrdd. Mae [gwefan Cyngor Pen-y-bont ar Ogwr](#) yn cynnwys y "Mapiau Llwybrau Presennol", a gymeradwywyd gan Lywodraeth

Cymru ym mis Awst 2016, ac yn nodi y bydd y Mapiau Rhwydwaith Integredig yn cael eu cyflwyno i Lywodraeth Cymru i'w cymeradwyo yn ystod yr hydref 2017.

Dywed y llythyr oddi wrth Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith ynghylch y ddeiseb hon:

Bridgend County Council submitted an application to the Road Safety Capital Grant for this scheme, but unfortunately the scheme did not score highly enough to receive funding. The scheme is first on the reserve list and will be considered should funding become available.

Camau gweithredu Cynulliad Cenedlaethol Cymru

Ni all y Gwasanaeth Ymchwil ddod o hyd i unrhyw gofnod o'r Cynulliad yn ystyried diogelwch ar y ffyrdd ar y rhan hon o'r A48, na'r cais am Grant Diogelwch Ffyrdd.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol, fodd bynnag, nad yw'r papurau briffio hyn yn cael eu diweddarau na'u diwygio fel arall o reidrwydd i adlewyrchu newidiadau dilynol.

Ken Skates AC/AM
Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith
Cabinet Secretary for Economy and Infrastructure



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref KS/01195/17

Mike Hedges AM
Chair - Petitions Committee

government.committee.business@wales.gsi.gov.uk

10 April 2017

Dear *Mike,*

Thank you for your letter of 27 March regarding Petition P-05-755 Call on Welsh Government to make the A48 safe for all road users and pedestrians at Laleston, Broadlands and Merthyr Mawr.

Whilst we have responsibility for the motorway and trunk road network in Wales, local authorities are responsible for local roads. In this instance, Bridgend County Borough Council has responsibility for the A48 between Laleston, Broadlands and Merthyr Mawr.

Bridgend County Borough Council submitted an application to the Road Safety Capital Grant for this scheme, but unfortunately the scheme did not score highly enough to receive funding. The scheme is first on the reserve list and will be considered should funding become available during 2017-18.

Yours ever,

Ken

Ken Skates AC/AM
Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith
Cabinet Secretary for Economy and Infrastructure

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Ken.Skates@llyw.cymru
Correspondence.Ken.Skates@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 62

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

P-05-756 Diogelu cerddoriaeth fyw yng Nghymru

Cyflwynwyd y ddeiseb hon gan Richard Vaughan ar ôl casglu 5,383 llofnod.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i gymryd camau i ddiogelu lleoliadau cerddoriaeth fyw yng Nghymru. Rydym yn gofyn yn benodol i'r Cynulliad gyflwyno'r egwyddor o 'asiant dros newid' sy'n sicrhau mai'r rhai sy'n datblygu unrhyw eiddo newydd sy'n gyfrifol am ddatrys problemau'n ymwneud â sŵn o fusnesau gerllaw sydd wedi'u sefydlu'n barod. Rydym yn galw ymhellach ar y Cynulliad Cenedlaethol i ddeddfu i ganiatáu i awdurdodau lleol gydnabod ardal o 'arwyddocâd diwylliannol cerddorol' fel rhan o'r fframwaith cynllunio.

Gwybodaeth ychwanegol:

Mae'r egwyddor o 'asiant dros newid' wedi'i mabwysiadu yn Lloegr ac mae'n diogelu lleoliadau cerddoriaeth fyw sydd wedi'u sefydlu eisoes drwy sicrhau mai'r person neu'r busnes sy'n gyfrifol am unrhyw newid sydd hefyd yn gyfrifol am reoli effaith y newid hwnnw. Felly, os caiff tai neu westy eu codi'r drws nesaf i leoliad cerddoriaeth fyw, cyfrifoldeb y datblygwr, yn hytrach na'r lleoliad cerddoriaeth fyw, yw lleihau effaith y sŵn. Os na chaiff yr egwyddor o 'asiant dros newid' ei mabwysiadu yng Nghymru, bydd datblygiadau newydd yn bygwth lleoliadau cerddoriaeth fyw. Dyma sy'n digwydd ar Stryd Womanby yng Nghaerdydd, lle bwriedir adeiladu gwesty newydd. Yn ogystal â hyn, ar hyn o bryd mae Maer Llundain yn cynnig cydnabod rhannau o Lundain fel 'ardal o arwyddocâd diwylliannol cerddorol'. Rydym yn credu y dylai awdurdodau lleol Cymru fedru dewis gwneud hyn hefyd, yn enwedig yn achos lleoedd fel Stryd Womanby, lle dechreuodd gyrfa cynifer o gerddorion Cymru.

Etholaeth a Rhanbarth y Cynulliad

- De Caerdydd a Phenarth
- Canol De Cymru

Deiseb: P-05-756 Diogelu Cerddoriaeth Fyw yng Nghymru

Y Pwyllgor Deisebau | 23 Mai 2017
Petitions Committee | 23 May 2017

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-756

Teitl y ddeiseb: **Diogelu Cerddoriaeth Fyw yng Nghymru**

Testun y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i gymryd camau i ddiogelu lleoliadau cerddoriaeth fyw yng Nghymru. Rydym yn gofyn yn benodol i'r Cynulliad gyflwyno'r egwyddor o 'asiant dros newid' sy'n sicrhau mai'r rhai sy'n datblygu unrhyw eiddo newydd sy'n gyfrifol am ddatrys problemau'n ymwneud â sŵn o fusnesau gerllaw sydd wedi'u sefydlu'n barod. Rydym yn galw ymhellach ar y Cynulliad Cenedlaethol i ddeddfu i ganiatáu i awdurdodau lleol gydnabod ardal o 'arwyddocâd diwylliannol cerddorol' fel rhan o'r fframwaith cynllunio.

Mae'r egwyddor o 'asiant dros newid' wedi'i mabwysiadu yn Lloegr ac mae'n diogelu lleoliadau cerddoriaeth fyw sydd wedi'u sefydlu eisoes drwy sicrhau mai'r person neu'r busnes sy'n gyfrifol am unrhyw newid sydd hefyd yn gyfrifol am reoli effaith y newid hwnnw. Felly, os caiff tai neu westy eu codi'r drws nesaf i leoliad cerddoriaeth fyw, cyfrifoldeb y datblygwr, yn hytrach na'r lleoliad cerddoriaeth fyw, yw lleihau effaith y sŵn. Os na chaiff yr egwyddor o 'asiant dros newid' ei mabwysiadu yng Nghymru, bydd datblygiadau newydd yn bygwth lleoliadau cerddoriaeth fyw. Dyma sy'n digwydd ar Stryd Womanby yng Nghaerdydd, lle bwriedir adeiladu gwesty newydd. Yn ogystal â hyn, ar hyn o bryd mae Maer Llundain yn cynnig cydnabod rhannau o Lundain fel 'ardal o arwyddocâd diwylliannol cerddorol'. Rydym yn credu y dylai awdurdodau lleol Cymru fedru dewis gwneud hyn hefyd, yn enwedig yn achos lleoedd fel Stryd Womanby, lle dechreuodd gyrfa cynifer o gerddorion Cymru.

Casglodd y ddeiseb 5,383 o lofnodion.

Cefndir

Egwyddor yr asiant dros newid

Mae '[Asiant dros newid](#)' yn egwyddor sy'n cael ei hyrwyddo gan y diwydiant cerddoriaeth byw fel modd o ddiogelu lleoliadau cerddoriaeth presennol rhag cau.

Dadleuir bod awdurdodau lleol yn tueddu i gefnogi cwynion gan drigolion mewn datblygiadau newydd am lefelau sŵn o leoliadau cerddoriaeth sefydliedig yn y cyffiniau. Mae hyn wedi cael ei nodi fel ffactor o bwys wrth i nifer o leoliadau gau ar draws y DU yn y blynyddoedd diwethaf.

Mae egwyddor yr asiant dros newid yn ei gwneud yn ofynnol bod yn rhaid i'r person neu'r busnes sy'n gyfrifol am y newid hefyd fod yn gyfrifol am reoli effaith y newid. Byddai hyn yn golygu, yn achos cerddoriaeth fyw, y byddai angen i ddatblygwr adeilad preswyl newydd ger lleoliad cerddoriaeth presennol gynnwys dulliau gwanhau sŵn priodol.

Mewn amgylchiadau croes i hynny, lle y mae lleoliad cerddoriaeth newydd arfaethedig ger adeilad preswyl presennol, yna yr asiant dros newid, sef y lleoliad cerddoriaeth, y byddai angen iddo sicrhau ei fod yn cynnwys mesurau priodol i leihau sŵn.

Mae cynigwyr o ran asiant dros newid yn datgan bod hyn yn wahanol i'r sefyllfa bresennol, sy'n nodi mai pwy bynnag yr adroddir yn ei gylch ei fod yn achosi niwsans sy'n gyfrifol am y niwsans hwnnw bob amser. Caiff y safbwynt hwn ei gynnal heb ystyried pa mor hir y mae'r sŵn yr ystyrir ei fod yn 'niwsans', wedi bodoli, enghreifftiau hanesyddol o'r un sŵn yn creu niwsans, neu a yw rhywun wedi symud i ardal y sŵn a hwythau'n gwybod yn iawn am fodolaeth y sŵn.

Mae'r [Music Venue Trust](#) yn datgan bod y dull asiant dros newid wedi'i dreialu'n llwyddiannus yn Awstralia, ac wedi arwain at ganlyniadau cynllunio gwell, a gwell lleoliadau cerddoriaeth, ac at y ffaith bod pobl yn rhoi mwy o ystyriaeth i'w cymdogion.

Polisi Cynllunio Cymru

Nid yw polisi cynllunio cenedlaethol Cymru yn cyfeirio'n benodol at yr egwyddor o asiant dros newid nac at arwyddocâd diwylliannol lleoliadau cerddoriaeth fyw. Mae'n datgan, fodd bynnag, bod sŵn yn ystyriaeth berthnasol ar gyfer penderfynu ar geisiadau am ganiatâd cynllunio, gan gynnwys ar gyfer cynigion i ddefnyddio neu ddatblygu tir ger ffynhonnell sŵn bresennol.

Mae [Polisi Cynllunio Cymru – Rhifyn 9, Tachwedd 2016](#) yn datgan (polisi cynllunio cenedlaethol Llywodraeth Cymru):

13.15.1 Gall sŵn fod yn ystyriaeth gynllunio berthnasol, er enghraifft mewn cynigion i ddefnyddio neu ddatblygu tir ger ffynhonnell sŵn sydd eisoes yn bodoli, neu lle y bydd datblygiad newydd arfaethedig yn debygol o greu sŵn. Dylai awdurdodau cynllunio lleol gynnal asesiad gofalus o'r

lefelau tebygol o sŵn, ac ystyried unrhyw Gynllun Gweithredu ynghylch Sŵn sy'n berthnasol, cyn penderfynu ar geisiadau cynllunio o'r fath, ac mewn rhai amgylchiadau bydd angen i'r datblygwyr ddarparu asesiad technegol o sŵn

Mae [Nodyn Cyngor Technegol 11: Sŵn \(1997\)](#) yn rhoi cyngor pellach:

Datblygiad sy'n sensitif i sŵn

10. Dylai'r awdurdodau cynllunio lleol ystyried a fyddai cynigion ar gyfer datblygu sy'n sensitif i sŵn yn anghydnaws â gweithgareddau sy'n bodoli eisoes, gan gymryd i ystyriaeth lefel y datguddiad i sŵn adeg y cais ac unrhyw gynnydd y byddai'n rhesymol ei ddisgwyl yn y dyfodol hyd y gellir rhag-weld. Ni ddylai datblygu o'r fath fel rheol gael ei ganiatáu mewn ardaloedd sydd, neu y disgwylir iddynt ddod, yn destun lefelau sŵn annerbyniol o uchel ac ni ddylid eu caniatáu fel rheol lle bydd lefelau sŵn uchel yn parhau drwy'r nos.

Ysgrifennodd Ken Skates AC, Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith at y Pwyllgor Deisebau ar 23 Ebrill 2017. Roedd ei lythyr yn datgan:

Existing policy in Planning Policy Wales already has a similar approach to the agent of change principle, in saying that new uses should not be introduced into an area without consideration of the existing uses. Ensuring effective noise mitigation is implemented as part of a new development, where appropriate, is also part of this approach. It is also already open to local planning authorities to consider compatibility of uses in areas and afford appropriate protection where they consider it necessary, as part of their Local Development Plans.

Mae [Cynllun Datblygu Lleol Caerdydd](#) yn datgan:

5.181 Gall sŵn gael effaith niweidiol ar iechyd ac ansawdd bywyd pobl. Gall datblygiadau megis tai, ysgolion ac ysbytai fod yn arbennig o sensitif i sŵn, yn debyg i ardaloedd o dirlun, natur neu bwysigrwydd treftadaeth adeiledig. Lle bo'n bosibl, dylid lleoli datblygiadau newydd sy'n arbennig o sensitif i sŵn i ffwrdd oddi wrth ffynonellau cyfredol neu debygol o sŵn sylweddol. Gellir hysbysu'r asesiad yma gan fanylion cwynion am sŵn sy'n cael eu casglu gan y Cyngor yn rhan o fenter barhaus i ostwng niwsans sŵn.

Y Polisi Cynllunio yn Lloegr

Fel sy'n wir yng Nghymru, nid yw polisi cynllunio cenedlaethol Lloegr yn cyfeirio'n benodol at yr egwyddor o asiant dros newid neu arwyddocâd diwylliannol lleoliadau cerddoriaeth fyw. Fodd bynnag, mae'n cynghori y dylai polisiau a phenderfyniadau cynllunio gydnabod na ddylai cyfyngiadau afresymol gael eu rhoi ar fusnesau presennol oherwydd newidiadau o ran defnydd y tir cyfagos iddynt.

Mae'r [Fframwaith Polisi Cynllunio Cenedlaethol \(NPPF\)](#) (Saesneg yn unig) (Polisi cynllunio cenedlaethol Llywodraeth y DU ar gyfer Lloegr) yn nodi:

123. Planning policies and decisions should aim to: ...

- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; ...

Mae'r [canllawiau arferion cynllunio cysylltiedig ar sŵn](#) yn datgan:

The potential effect of a new residential development being located close to an existing business that gives rise to noise should be carefully considered. This is because existing noise levels from the business even if intermittent (for example, a live music venue) may be regarded as unacceptable by the new residents and subject to enforcement action. To help avoid such instances, appropriate mitigation should be considered, including optimising the sound insulation provided by the new development's building envelope. In the case of an established business, the policy set out in the third bullet of paragraph 123 of the Framework should be followed [i.e. that quoted above].

Mae'r canllawiau o ran arferion hefyd yn datgan:

When assessing whether a statutory nuisance exists, local authorities will consider a number of relevant factors, including the noise level, its duration, how often it occurs, the time of day or night that it occurs and the 'character of the locality'. The factors influencing the 'character of the locality' may include long-established sources of noise in the vicinity - for example, church bells, industrial premises, music venues or public houses.

Ynghylch polisi cynllunio yn Lloegr, mae llythyr Ysgrifennydd y Cabinet yn datgan:

In England there was a commitment given in the UK Government's Housing White Paper (published 7 February 2017) to amend the National Planning Policy Framework (NPPF) in England to emphasise that account should be taken of existing businesses, such as music venues. This followed earlier changes to secondary legislation made in England to allow a number of commercial types and uses to be converted into residential properties without the need for planning permission ...

Mae'n mynd ymlaen i ddweud bod y newid hwn:

... has caused problems for live music venues in England. These changes to secondary legislation were not made in Wales and planning permission is still required before the commercial uses of buildings can be changed into residential ones.

Mae Sadiq Kahn, Maer Llundain, wedi ymrwymo eisoes i gyflwyno rheol o ran asiant dros newid i Gynllun Llundain a fyddai'n sicrhau mai datblygwyr tai ger lleoliadau hamdden presennol sy'n gyfrifol am reoli sŵn.

Cyn cyhoeddi Cynllun Llundain newydd yn yr hydref, cyhoeddwyd [Canllaw Cynllunio Atodol Drafft ar Ddiwylliant ac Economi'r Nos \(PDF 5.13MB\)](#) (Saesneg yn unig) ar gyfer ymgynghori yn ei gylch. Mae'r ddogfen yn dweud y dylai cynigion datblygu:

... should seek to manage noise without placing unreasonable restrictions on development or add unduly to the costs and administrative burdens of existing businesses.

Cultural venues should remain viable and continue in their present form, without the prospect of neighbour complaints, licensing restrictions or the threat of closure..

Mae hefyd yn pwysleisio bod polisi presennol Cynllun Llundain yn dweud y dylai cynigion datblygu geisio rheoli sŵn, gan gynnwys drwy:

... mitigating and minimising adverse impacts without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens of existing businesses.

Camau gweithredu Llywodraeth Cymru

Llythyr Ysgrifennydd y Cabinet

Yn ychwanegol at y sylwadau uchod, mae llythyr Ysgrifennydd y Cabinet yn nodi bod swyddogion wedi cwrdd â'r Ymddiriedolaeth Lleoliad Gerdd ac eraill i drafod egwyddor asiant dros newid. Dywed fod swyddogion yn edrych ar sut y gall hyn gael ei adlewyrchu'n well ym Mholisi Cynllunio Cymru, a sut y gall mesurau anneddfwriaethol eraill gael eu defnyddio i gefnogi lleoliadau cerddoriaeth.

Camau gweithredu Cynulliad Cenedlaethol Cymru

Mae'r achos penodol yn ymwneud â Stryd Womanby, Caerdydd, wedi cael ei godi ddwywaith yn Siambr y Cynulliad gan Neil McEvoy AC.

Ar [4 Ebrill 2017](#) dywedodd Neil McEvoy AC:

Ysgrifennydd y Cabinet, ardal sy'n enwog ledled Cymru am gerddoriaeth fyw yw Stryd Womanby, ac rwy'n siwr fod llawer ohonom yn y Siambr hon wedi treulio rhai nosweithiau hwyr iawn mewn manau fel hyn. Mae llawer o gerddorion enwog wedi dechrau ar eu gyrfaedd yn Stryd Womanby. Cenedl gerddorol yw Cymru a cherddoriaeth yw curiad ei chalon. A churiad calon y ddinas hon hefyd, ac mae angen i ni annog cerddoriaeth fyw yng Nghaerdydd a ledled Cymru. Ond y broblem yn syml yw nad ydyw'r gyfundrefn gynllunio bresennol yn gwneud hynny, oherwydd mae'n caniatáu i adeiladau gael eu datblygu weithiau mewn lleoliadau sy'n agos iawn at fan lle ceir cerddoriaeth fyw. Yna, pan fydd rhywun yn cwyno, bydd yn rhaid i'r man hwnnw gau am byth. Felly, gallai man i glywed cerddoriaeth fyw, fel yr un yn Stryd Womanby, fod yno am 35 mlynedd. Gall datblygiad ddigwydd y drws nesaf, gall fflat gael ei gynnwys yn yr adeilad, a bydd hynny'n ddigon i gyfiawnhau cau'r gyrchfan i glywed cerddoriaeth fyw. Nawr, yr hyn sydd ei angen yng Nghymru yw nodi'r egwyddor o asiant newid yng ngeiriad cyfraith cynllunio. Mae 'na ddeiseb, ac rwy'n deall bod mwy na 3,000 o bobl wedi ei lofnodi. Mae 'na ddatganiad barn hefyd, ac rwyf wedi ei chynnwys, a byddwn yn annog pob AC sydd yma i lofnodi'r ddeiseb honno. Nawr, yr hyn sydd angen ei wneud yw dynodi manau fel Stryd Womanby yn ganolfannau diwylliannol, y mae angen eu diogelu drwy gyfraith cynllunio. Mae Maer Llundain yn gwneud hynny, felly a fydd eich Llywodraeth chi? Drosodd atoch chi, Gweinidog.

Ymatebodd Jane Hutt AC, Arweinydd y Tŷ gan ddweud:

Mae'r Aelod wedi tynnu sylw at bwysigrwydd cerddoriaeth fyw yng Nghymru, y mae llawer ohonom, wrth gwrs, wedi ei mwynhau mewn manau cyhoeddus a phreifat ledled Cymru, ac rydych yn tynnu sylw at un ohonyn nhw yma yn y brifddinas, yng Nghaerdydd. Yn wir, rydych yn dweud hefyd bod deiseb ynglŷn â'r mater hwn i'w gyflwyno, ac rwy'n siŵr y bydd y Pwyllgor Deisebau yn ymdrin â hynny ac yn gwneud yn siŵr ei fod wedyn yn derbyn ein sylw ni.

Roedd y [Datganiad Barn](#) y cyfeirir ato uchod wedi'i godi gan Neil McEvoy AC a Simon Thomas AC ac mae'n nodi:

Mae'r Cynulliad hwn:

Yn cydnabod y bygythiad i leoliadau cerddoriaeth fyw ledled Cymru.

Yn cydnabod y rhan unigryw y mae Stryd Womanby yn ei chwarae o ran cerddoriaeth fyw yng Nghaerdydd.

Yn nodi'r nifer sylweddol o artistiaid sydd wedi dechrau eu gyrfaedd yn chwarae mewn lleoliadau yn Stryd Womanby.

Yn galw ar Lywodraeth Cymru i gyflwyno'r egwyddor o asiant dros newid i Gymru fel bod angen i ddatblygwyr ganfod atebion i swm o fusnesau gerllaw sydd eisoes yn cynnal digwyddiadau.

Ar adeg ysgrifennu'r papur ymchwil hwn roedd y Datganiad Barn wedi cael ei lofnodi gan saith Aelod Cynulliad arall.

Ar [5 Ebrill, 2017](#) gwnaeth Neil McEvoy AC, ddatganiad 90 eiliad:

Diolch, Lywydd. Mae tair mil a hanner o bobl bellach wedi llofnodi'r ddeiseb i'r Cynulliad hwn yn galw arnom i ddiogelu lleoliadau cerddoriaeth fyw yng Nghymru. Dechreuwyd y ddeiseb honno gan yr arweinydd a'r cyfansoddwr, Richard Vaughan. Y broblem yw bod dau gynnig i ddatblygu yn stryd cerddoriaeth fyw enwocaf Cymru, Stryd Womanby, ac mae'r datblygiadau yn fygythiad i'r lleoliadau cerddoriaeth oherwydd y deddfau cynllunio gwan sydd gennym yng Nghymru. Yn Lloegr, mae ganddynt egwyddor o asiant dros newid, sy'n golygu bod angen i ddatblygiadau newydd addasu i lleoliadau cerddoriaeth fyw sy'n bodoli eisoes ac nid y ffordd arall. Mae'n amser i ni feddwl am yr hyn y gallwn ei wneud, ac mae angen i bobl o bob plaid wleidyddol fynd ati i amddiffyn lleoliadau cerddoriaeth fyw yng Nghymru. Dylai'r cynigion ar gyfer Stryd Womanby gael eu gwrthod oni bai bod gwarantau cadarn na fydd y safleoedd cerddoriaeth fyw presennol yn cael eu heffeithio. Mae angen i'n Senedd wrando ar y miloedd o bobl sydd wedi rhoi amser i arwyddo'r ddeiseb, oherwydd mae angen newid yn y gyfraith gynllunio, ac rwy'n galw ar bawb sy'n bresennol i sicrhau ein bod yn newid y gyfraith yma yng Nghymru ac yn amddiffyn ein lleoliadau cerddoriaeth fyw. Diolch.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol, fodd bynnag, nad yw'r papurau briffio hyn yn cael eu diweddarau na'u diwygio fel arall o reidrwydd i adlewyrchu newidiadau dilynol.



Eich cyf/Your ref P-05-756
Ein cyf/Our ref KS/01327/17

Mike Hedges AM
Chair - Petitions Committee

government.committee.business@wales.gsi.gov.uk

23 April 2017

Dear

Mike,

Thank you for your letter on 3 April regarding Live Music Protection in Wales.
(Petition P-05-756)

The petition addresses two related areas; the agent of change principle and the use of legislation to allow for recognition of areas of cultural significance for music.

Existing policy in Planning Policy Wales already has a similar approach to the agent of change principle, in saying that new uses should not be introduced into an area without consideration of the existing uses. Ensuring effective noise mitigation is implemented as part of a new development, where appropriate, is also part of this approach. It is also already open to local planning authorities to consider the compatibility of uses in areas and afford appropriate protection where they consider it necessary, as part of their Local Development Plans. National policy does not however, explicitly reference the agent of change principle or the cultural significance of live music venues in this regard.

In England there was a commitment given in the UK Government's Housing White Paper (published 7 February 2017) to amend the National Planning Policy Framework (NPPF) in England to emphasise that account should be taken of existing businesses, such as music venues. This followed earlier changes to secondary legislation made in England to allow a number of commercial types of uses to be converted into residential properties without the need for planning permission, a change which has caused problems for live music venues in England. These changes to secondary legislation were not made in Wales and planning permission is still required before the commercial uses of buildings can be changed into residential ones.

Officials have met with the Music Venue Trust and other stakeholders to discuss the agent of change principle as part of the review of Planning Policy Wales. The challenges facing live music venues are acknowledged as well as the role these activities play in our cultural

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Ken.Skates@llyw.cymru
Correspondence.Ken.Skates@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 70
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

experience and in fostering creativity in the music sector. Ways in which this can be better reflected as part of Planning Policy Wales are currently being considered.

My officials in the creative sector team are also looking at other, non-legislative measures to support grassroots music venues and are speaking to local authorities, venue owners and industry stakeholders to understand their requirements better.

Yours ever,

Ken

Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith
Cabinet Secretary for Economy and Infrastructure

Eitem 3.1

P-04-408 : Gwasanaeth i Atal Anhwylder Bwyta ymysg Plant a Phobl Ifanc

Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ariannu'r Gwasanaeth i Atal Anhwylder Bwyta ymysg Plant a Phobl Ifanc yng Nghymru i'r un graddau â'r Gwasanaeth i Atal Anhwylder Bwyta ymysg Oedolion yng Nghymru.

Daeth i'm sylw bod symiau gwahanol o arian yn cael eu rhoi i Wasanaethau i Oedolion a Gwasanaethau i Blant a Phobl Ifanc ar gyfer ymdrin ag anhwylder bwyta. Ar hyn o bryd, mae'r Gwasanaeth i Atal Anhwylder Bwyta ymysg Oedolion yn cael £1 filiwn y flwyddyn gan Gynulliad Cymru, yn ogystal â phedwar grŵp darparu a hyfforddwyd gan arbenigwyr. Yn anffodus, mae gwaith ymchwil yn nodi'r ffaith bod pobl yn fwyaf tebygol o gael eu profiad cyntaf o anhwylder bwyta, yn enwedig Anorecsia Nerfosa, yn ystod eu glaslencyndod. Yn hanesyddol, roedd pobl yn cyrraedd glaslencyndod pan oeddent rhwng 12 a 15 oed. Fodd bynnag, bellach, mae hyn yn digwydd pan fydd pobl yn llawer iau ac felly mae'r ystadegau'n dechrau dangos bod mwy o blant iau yn dioddef o Anorecsia Nerfosa. Bydd pobl fel arfer yn dechrau dioddef o Fwlimia Nerfosa pan fyddant rhwng 18 a 25 oed. Fodd bynnag, fel gydag Anorecsia, gall hyn amrywio o berson i berson. Mae'r ffaith mai cymryd camau buan yw'r allwedd i sicrhau gwellhad cyflym mewn perthynas â'r ddau anhwylder, ac, yn ddiaw, pob anhwylder bwyta y gellir ei ddiagnosisio, sy'n atal goblygiadau ariannol hirdymor i'r Llywodraeth, yn gwneud y cais hwn yn fwy perthnasol. Felly, rwy'n ymbil ar y Cynulliad i ystyried hyn yn flaenoriaeth ar gyfer dadl i gael gwared ar y gwahaniaeth hwn drwy roi'r un swm o arian i'r Gwasanaeth i Atal Anhwylder Bwyta ymysg Plant a Phobl Ifanc Nghymru ag a roddir i'r Gwasanaeth i oedolion.

Cyflwynwyd y ddeiseb gan: Helen Missen

Ysytirwyd am y tro cyntaf gan y Pwyllgor: 17 Gorffennaf 2012

Nifer y llofnodion: . 246

Vaughan Gething AC/AM
Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon
Cabinet Secretary for Health, Well-being and Sport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: P-04-408
Ein cyf/Our ref VG/00560/17

Mike Hedges AM
Chair - Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

government.committee.business@wales.gsi.gov.uk

23 March 2017

Dear Mike,

Thank you for your letter of 23 February on behalf of the Petitions Committee regarding petition P-04-408 Child and Adolescent Eating Disorder services.

Our *Together for Mental Health Strategy Delivery Plan* committed us to ask for a review of the pattern and cost effectiveness of inpatient eating disorder treatment across all-age services. The final report was received in 2015 and proposed that the pathway of eating disorder services should be based on the 'recovery model' widely used elsewhere in mental health services. It acknowledged that community services were having a positive effect and that the balance of care should be shifted towards a range of early intervention and treatment services within communities and as close to home as possible. This should ensure that children are better supported to live at home with their families, both reducing need to go into more specialist provision and enabling people who do need such care to return home more quickly.

This model of care already exists within Child and Adolescent Mental Health Services (CAMHS) in Wales where admission to inpatient services is becoming increasingly rare. The review highlighted that investment in CAMHS in recent years, including £250,000 recurrently from 2013 onwards, is showing positive results. Due to the investments made in staff and training at that time, the vast majority of young people with an acute eating disorder can now be successfully managed through generic mental health services. It is now rare that a young person needs referral out of Wales to receive a highly specialist eating disorder service. However, there will always be a very small number of young people who require highly specialised care provided facilities which act as hubs for the whole UK.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Vaughan.Gething@llyw.cymru
Correspondence.Vaughan.Gething@gov.wales

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Tudalen y pecyn 73

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The review concluded that in 2015 there was no strong case for a dedicated eating disorder unit in Wales for a number of reasons, including a lack of critical mass with the number of cases where an eating disorder is the primary diagnosis requiring admission appearing to be a decreasing trend.

Following this review, we also commissioned Public Health Wales to refresh the 2009 *Eating Disorders Framework for Wales* and have asked health boards to take account of the findings which were published in 2016. A more formal framework review will be undertaken following the publication of new NICE guidance *Eating Disorders – recognition and treatment*, which is due to be published in the spring of 2017.

The Welsh Government's 2017-18 budget also includes proposals to increase funding for eating disorder services in Wales by an additional £500,000. We are currently in the process of discussing with health boards how best to use this funding to benefit people with eating disorders.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V'.

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon
Cabinet Secretary for Health, Well-being and Sport

P-04-408 Child and Adolescent Eating Disorder Service – Correspondence from the Petitioner to the Committee, 17.05.17

Dear Mr Hedges

Thank you so much for considering the petition that I submitted some 5 years ago, and which the last committee felt was important to keep on the agenda.

I am extremely grateful to the now Minister Health Wellbeing and Sport, Gethin Vaughan, for taking time to respond to your letter and for considering this important topic.

I wonder if a rough outline as to how this petition came about, and also what has been achieved over the years might be of some help?

Over the years I have kept my personal experience to the minimum, deciding that the X factor sob story is not my style. There is one though!

In 2009 our then 15 year old daughter was diagnosed with anorexia nervosa. A high achieving A grade student had the bottom of her world pulled out from under her, as did we as a family. We took her to the GP within weeks of realising something was drastically wrong. All research indicated that early, specialised intervention was, and remains, key to recovery. (Neural pathways are laid down in mental illness, in children this is highly malleable at the early stages of the illness... The sooner these thought patterns are realigned, the quicker the recovery. The brains of those affected by malnutrition are not in a fit state to access help for themselves, thus families become central to the treatment, whilst refeeding is used to promote full nutrition alongside therapy.

<http://www.maudsleyparents.org/whatismaudsley.html>)

Unfortunately, the specialist service was not available in CAMHS at that time in our area. Our daughter was told she was 'not ill enough' to warrant a referral to the expert in North Wales, Dr Glaze. The long and short of our story is that our daughter is still unwell with anorexia. We have taken her privately now (at great cost to us, but that has been our choice), and she is in a strong recovery at present. She is about to graduate from Durham Uni having read Anthropology.

I do not have a bone to pick, I merely saw there was a need in CAMHS in Wales, to have investment.

The Eating Disorder Framework for Wales (2009), was put together for the benefit of adults with eating disorders. A million pounds, ring fenced and annual, was put in place for adult teams.

The thought then was that CAMHS could manage EDs in their general case load, and indeed did. Research and understanding has changed over the years, and the magnifying glass of early intervention has swung back to CAMHS.

The £250,000 for South Wales, given in 2013 by Mr Drakeford, was a nod to this very fact.

I intend for the now Minister for Health and Sport to give the remaining £750,000 that is outstanding for the rest of Wales in alignment to that which is given for adult services.

This, as I have said many times, enhances a better outcome for health boards expenditure on people who suffer for longer than is necessary.

To treat early, with effective evidence based treatment in an effective specialist way, causes the person with the illness to recover quickly!

Out of adversity comes strength, and I decided that I needed to understand these illnesses and so be able to help our daughter, and indeed many other families.

My thought remain that I want no other family to go through what we have, knowing now what I do: these illnesses can be recovered from. They are to all intents and purposes 'curable', with effective treatment.

I have been fortunate enough to be asked to participate in the Cross Party Group for EDs as well as being a carer representative on the Eating Disorder committees, Transition Sub committee and Research Development Group for eating disorders here in Wales.

I have over these past 7 years also been on the EDIC (Eating Disorder International Committee) planning committee, I am a managing trustee for Charlotte's Helix, and a member of the FEAST (Families Empowered and Supported in treatment of Eating disorders, www.feast-ed.org) task force for the UK. I am also an individual rep for PAVO.

I was also asked by Public Health Wales to represent carers by giving talks in the refresh of the framework last year.

There is no choice to eating disorders, much as there is no choice to appendicitis or a broken leg, heart disease, an autoimmune disease or breast cancer. None of which would be labelled as a disease of 'silly girls', these are serious, destructive physical illnesses as anorexia or bulimia are mental illnesses.

Eating disorders, especially anorexia, have the highest mortality rate of any mental illness, and this remains to this day.

Some people are genetically predisposed, with personality traits that may or may not cause the 'perfect storm' to occur, with environmental and social triggers being on the very edge of the loaded gun as to why some people succumb to an eating disorder.

Research into mental illness is beginning to uncover what is going on in the neurobiology of the people affected, as well as the genetics.

<http://www.psychiatrictimes.com/special-reports/neurobiology-eating-disorders-clinical-implications>. (www.charlotteshelix.net) Weight loss is merely a symptom of the illness, somewhat like a rash in chicken pox...shingles may or may not occur later in life with the right environment in place for an underlying illness to rear its head in another form.

As you may know the petition has given the last Health Minister, Mark Drakeford a leaping block to investment into CAMHS eating disorder services, which has brought much needed funds to create a new service based in the South of Wales. As Mr Vaughan rightly points out this service has provided training, both remotely and in conference style, to many CAMHS teams across Wales.

Dr Davies is a skilled and specialised psychiatrist in the area of Eating Disorders and brings a wealth of expertise and also the Maudlsey Method, as a recovery model, for best evidence based treatment for young people with Eating Disorders (ED).

I applaud her and her team.

However, this team, and indeed Dr Davies are part time. To be able to provide and facilitate as much training as possible, I do think that further investment, specifically in that team thus enabling expansion, would be prudent.

Training of all CAMHS teams across Wales takes time, and indeed the complexity of eating disorders means that teams must keep training and thus become embedded in the evidence base and practice with these specific illnesses.

To enable this I wonder if the minister would consider investing specifically in all Health Boards to make 'virtual teams' more robust, and within that provide dedicated staff for eating disorders?

The virtual teams that are in place, both in the north and south of the country are making some inroads into the training and diagnosis of patients.

The current standing, as I understand it, is that existing staff carve out some time from their job plans to undertake ED work. This causes extra strain and less time investment into the already heavy case loads.

Dr Glaze in North Wales (NWAS, North Wales Adolescent Services) runs a multidisciplinary team (MDT) specifically set up for the early intervention in eating disorder treatment, named aptly SPEED. It is centrally and locally delivered, and comprises of paediatric and psychiatric consultants, psychologists, family therapist, dietetics and is underpinned by the Maudsley method, which as Mr Vaughan rightly realises is the best practice for treatment.

The very fact this team is early intervention for referrals from across North Wales and North Powys is exemplary.

This has been set up with little funding from central government and needs more investment. The referral rates are massive and not enough time can be given to it, as there are other needs in CAMHS for Dr Glaze to turn his hand to.

He has an empty ward, which if more funding were given, could potentially be opened to the SPEED team and an outpatient setting specifically for eating disorders.

The south of Wales would benefit greatly from paediatric expertise and influence. Perhaps, as in North Wales a dedicated paediatrician to ensure sufficient and combined expertise.

The 'middle' of Wales needs some attention, as there is a population who do live in these areas!!!

To underpin all of these thoughts we should return to the Framework for eating disorders, which as Mr Vaughan mentioned, was refreshed last year by Public Health Wales.

In Dr Khesh's summary of findings from the refresh he quoted the Together for Children and Young People initiative:

"Previous reviews of specialist CAMHS in Wales have identified that the service is under more pressure than ever before, and inspire of additional investment and staffing, does not have the capacity to meet demand (PWH 2011)"

He goes on to point out: "Over the past 4 years it is reported that there has been over 100% increase in referrals to CAMHS, this adds to waiting times of children needing specialist services."

He highlights that there are some hotspots (my words) that need looking at, namely Powys and North Wales which are repeatedly flagged during the process by carers and service users.

Now, these findings clearly cover adult services as well, especially in North Wales, however, it remains a problem in Powys especially in the delivery of CAMHS services for eating disorders.

The NICE guidelines for EDs is being released imminently, and at the time of writing this, have not as yet been released. They will need to be looked at as to how to go forward with the refresh of the framework. Dr Khesh in the Public Health refresh document also suggests a re writing of the framework.<http://gov.wales/docs/dhss/publications/160824eating-disorderen.pdf>

I am aware that monies have been negotiated for all eating disorder services across Wales to the sum of £500,000 annually. I am also aware of the thoughts as to what this will be spent on.

The holes that will inevitably be plugged with this money, will not be at the grass roots of early intervention, but will be used more broadly.

As a summary then, I still stand by the fact that the Welsh Government have a duty to provide more funding specifically for the Early intervention within CAMHS for eating disorder treatment. This needs to be specifically for staffing and the rolling out of the already seen to be improving outcome services.

An injection into already functioning, and seen to be improving outcome measure services provided both by Dr Glaze and Dr Davies, plus an injection to all health boards specifically for ED services in CAMHS potentially increasing the VC service, thus enabling staff to concentrate their efforts into the treatment of children and adolescents at the onset of these illnesses.

Thank you again for taking the time to read and understand the thoughts behind this petition.

Helen Missen

Eitem 3.2

P-04-532 Gwella Gwasanaethau Niwrogyhyrol Arbenigol yng Nghymru

Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i anog Llywodraeth Cymru i sicrhau bod Byrddau Iechyd yn gweithredu'r buddsoddiad a gynigir yn Nogfen Weledigaeth Rhwydwaith Niwrogyhyrol Cymru i wella gwasanaethau niwrogyhyrol arbenigol yng Nghymru.

Gwybodaeth ychwanegol: Mae Rhwydwaith Niwrogyhyrol Cymru'n argymhell y dylid blaenoriaethu'r datblygiadau canlynol: 1. Cynyddu nifer y Cynghorwyr Gofal Teulu a lefel y gefnogaeth. 2. Ffisiotherapyddion niwrogyhyrol arbenigol ar gyfer oedolion. 3. Penodi ymgynghorydd anhwylderau niwrogyhyrol ar gyfer oedolion. 4. Cynyddu seicoleg glinigol. 5. Cyllideb offer at bryniannau mân a threfniadau lesio.

Prif ddeisebydd: Muscular Dystrophy Campaign

Ysytirwyd am y tro cyntaf gan y Pwyllgor: 4 Chwefror 2014

Vaughan Gething AC/AM
Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon
Cabinet Secretary for Health, Well-being and Sport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: Petition P-04-032
Ein cyf/Our ref VG/00769/17

Mike Hedges AM
Chair - Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

government.committee.business@wales.gsi.gov.uk

06 April 2017

Dear Mike,

Thank you for your letter of 21 March about the petition, P-04-032 Improving specialised neuromuscular services in Wales. I note that you and the Petitions Committee have had sight of my letter to Dr Dai Lloyd, Chair of Health, Social Care and Sport Committee. I hope it conveys both the progress made to date and actions still in train.

My officials have sought updates from both the Welsh Neuromuscular Network (WNMN) and Welsh Health Specialised Services Committee (WHSSC) in regards to the petitioner's additional queries.

In respect of the petitioners query relating to a national decision making forum, the Chief Executive Group, chaired by Andrew Goodall, Director General of Health and Social Services and Chief Executive, NHS Wales, is aware of the concerns. The group has asked that the WNMN liaise with the Neurological Conditions Implementation Group (NCIG) to seek a solution.

WHSSC instigated development of a clear strategy for specialised neurosciences services for patients, in order to set the direction for specialised services in this area. As neuromuscular services are not commissioned by WHSSC as they are predominantly delivered in primary and secondary care, they will not be covered by the WHSSC Commissioning Strategy for Specialised Neurosciences national review. The review has focused on the services that health boards have delegated to WHSSC to commission on their behalf, rather than disease specific services.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Vaughan.Gething@llyw.cymru
Correspondence.Vaughan.Gething@gov.wales


Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Tudalen y pecyn 81

Whilst I understand that these responses may not provide the assurances being sought, I would like to take this opportunity to reassure you that this issue remains high on the agenda. I have been advised that WHSSC will continue to work closely with the WNMN and NCIG to clarify referral and treatment pathways for the elements of the service they are responsible and that the Chief Executives Group and the NCIG will continue to receive regular updates.

Yours sincerely,

A handwritten signature in black ink, reading "Vaughan Gething". The signature is written in a cursive style with a large initial 'V' and a long, sweeping tail.

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon
Cabinet Secretary for Health, Well-being and Sport



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Cwm Taf
University Health Board

Your ref/eich cyf:
Our ref/ein cyf:
Date/Dyddiad:
Tel/ffôn:
Fax/ffacs:
Email/ebost:
Dept/adran:

AJW/TLT
6 April 2017
01443 744803
01443 744888
Allison.williams4@wales.nhs.uk
Chair and Chief Executive

Mike Hedges AC/AM
Chair
National Assembly for Wales
Petitions Committee
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Hedges

Petitions P-04-532 Improving Specialised Neuromuscular Services in Wales

I am writing in response to the above petition. Cwm Taf UHB is aware of the request from this campaign group for investment in services for this particular patient cohort.

Every year the Health Board considers investment in new services in the context of available resources through its 3-year plan (IMTP). I am very sorry to advise that in the context of all the competing demands on resources, we have not yet been able to identify funding for these developments. As a collaborative group of Health Board CEOs we have asked that the Neuromuscular Delivery Plan Group considers these proposed developments alongside the other investment priorities within the £1million fund they have available for such matters.

Yours sincerely

Mrs Allison Williams
Chief Executive/Prif Weithredydd

Return Address: Ynysmeurig House, Unit 3, Navigation Park, Abercynon, CF45 4SN



Ref: AL/SL/HJ/sj

7th April 2017

Mike Hedges AC/AM
Chair
National Assembly for Wales Petitions Committee
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Hedges

Re: P-04-532 Correspondence from the Chair of the Petitions Committee

I refer to your letter of 20th March 2017 seeking the views of Powys Teaching Health Board (PTHB) on the issues raised by the recent Petition, both generally and specifically on the Petitioner's most recent correspondence which was enclosed.

Based on data collected from GP practices across Powys there are 19 adults living with a neuromuscular condition in Powys.

From a local perspective, we include ongoing development of services for people with neuromuscular conditions into our Neurological Conditions Delivery Plan (NCDP). This is overseen by a Neurological Conditions Steering Group and the actions are incorporated into our Integrated Medium Term Plans.

Avoidance of unplanned admissions is a key outcome measure for the implementation of our NCDP.

1. Increase in Family Care Advisors and Support

It is important that people living with a neuromuscular condition, and their families, have access to an appropriate level of advice and support. To ensure equity of access to this service opportunities for providing this support via telephone and skype should be explored.

These advisors also need to link in with local services to ensure they are aware of any local services that these people may benefit from. An example of this in Powys would be the Neuro Café's, the Neuro Emotional Intervention Programme, Activate your Life Courses, Community Neuro Clinics and Neuro Out-Patient Services.

In Powys we have a Community Neuro Service Coordinator who is able to signpost to relevant Health and social Care sources of support and coordinates regular multidisciplinary reviews for people living with neurological conditions.

The Integrated Disability Service in Powys provides care and support for children and young adults and facilitates transition into adult services where appropriate. Health and social care professionals plan and deliver client specific care plans with service users through Team Around the Family (TAF) and Care Around the Family (CAF) processes. Any Family Care Advisors and support would need to link in with the CAF and TAF.

2. Specialist adult neuromuscular physiotherapists

In Powys we have Clinical Specialist Physiotherapists in neurorehabilitation. It would be valuable were these specialist physiotherapists to have access to highly specialist advice in managing complex cases, either by e-mail, telephone or through video conferencing. Any specialist Adult Neuromuscular Physiotherapists would need to put in place appropriate training and support for Neurorehabilitation Physiotherapists working across Wales.

3. Appointment of consultant in adult neuromuscular disease.

This would be welcomed by PTHB. Timely access to a Consultant in adult neuromuscular disease is important for diagnosis and ongoing management. Neurology is a commissioned service of which neuromuscular conditions is a sub speciality. We have a

service level agreement in place and are invoiced on a per contact basis.

4. Increase in clinical psychology

In Powys we are working to improve support for emotional, behavioural and cognitive problems for people with stroke and neurological conditions. We have recently piloted a Neuro Emotional Intervention Programme, based on Acceptance and Commitment Therapy. This is in the process of being evaluated as part of the development of a more robust and sustainable neuropsychology services for stroke and all neurological and neuromuscular conditions.

Psychological support for children and young people is provided by Children's Mental Health Service (CAMHS) and Educational Psychologists.

5. An equipment budget to enable minor purchases and lease arrangements.

In Powys all equipment is managed through the joint equipment stores or purchased through Individual Patient funding Requests (IPFR). It would be difficult to manage a budget like this on an all Wales basis and ensure equity of access and cost effectiveness.

6. a national decision-making forum with resources that is sufficiently aware of service risks and thereby assign an informed priority to the situation.

There is already a national group looking at the implementation of the neurological conditions delivery plan. The Welsh Neuromuscular Network is represented in this group. There is more value to be gained in looking at commonalities between the service needs of people with all neurological and neuromuscular conditions in the first instance, and making sure these are met in a cost and clinically effective way. It is not clear if there is a critical mass of service users to warrant a separate national decision-making forum. All services should be developed and delivered based on national guidelines and evidence based practice in a model that suits the health needs of local communities.

7. Neuromuscular services are included within the scope of the national review of neurosciences in Wales being led by WHSSC.

It would be helpful to have some guidance from WHSSC about what level of service is considered highly specialist and should be commissioned through them and what is considered core and should be commissioned or provided by local health boards in line with other neurological conditions.

In Powys many complex care packages are jointly funded through Health and Social care. This would complicate having health care funded through WHSSC.

I hope that the above answers your queries but if you have any further questions please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alan Lawrie', with a horizontal line underneath.

Alan Lawrie
Deputy CEO/Director of Primary Community Care and Mental Health



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Bwrdd Iechyd Prifysgol
Abertawe Bro Morgannwg
University Health Board

☎ (01639 683387)
☎ WHTN (3387)
✉ Christine.Morrell@wales.nhs.uk

**One Talbot Gateway,
Baglan Energy Park,
Baglan
Port Talbot,
SA12 7BR**

Mike Hedges AC/AM
Cadeirydd/ Chair

National Assembly for Wales
Petitions Committee

Petition P-04-532 Improving Specialised Neuromuscular Services in Wales

Dyddid/Date: 17th April, 201

Dear Mr Hedges

Abertawe Bro Morgannwg University Health Board has noted the recommendations within the Welsh Neuromuscular Network Vision Document for improving specialised neuromuscular services in Wales including the five priority developments outlined. We continue to develop our services to build sustainable long-term provision.

We follow the direction set in the Welsh Government's 'Together for Health, Neurological Conditions Delivery Plan, 2014-17. In line with this we update our delivery plan and review our milestones and actions annually. As the Neurological Conditions Delivery Plan is refreshed we will consider and align our local plans accordingly. As you would expect our local priorities would reflect our local populations needs assessment and also take into consideration of the needs of Hywel Dda as we provide regional services. Consideration is given to equity of access and prioritisation according to need to ensure we provide equitable services to utilise our finite resources in the most efficient and effective way we can.

The Physiotherapy Service of ABMU-HB currently provides a Physiotherapy Clinical Specialist in Neurosciences to attend the monthly Regional (ABMU & Hywel Dda) Adult Muscle clinics run by a Neurologist and the Family Care Advisor (FCA). This arrangement has been in place since 2013 and was implemented in response to a request from the FCA. No funding was identified for this role, it was achieved through reconfiguration of existing physiotherapy provision across neurosciences.

Individuals attending this clinic are given the choice of seeing the neurophysiotherapist or not, with approximately 60% of attendees wishing to. The majority of those who see the neurophysiotherapist will also do so during their annual reviews. Within clinic the neurophysiotherapist adopts co-production principles in terms of patient-centred assessment and decision-making. Individuals often ask advice about what is safe for them to do having previously been advised that there are no effective therapeutic interventions or even that exercising is unsafe and will accelerate their condition. Advice regarding the type and safety of general physical activity is given specific to their condition, alongside therapeutic interventions for postural management, pain, joint contracture and other impairments and activity limitations associated with their neuromuscular condition. Recent clinic developments include the inclusion of standardised assessment protocols including accurate muscle strength testing using a hand-held dynamometer. A standardised patient-reported outcome measure (ACTIVLIM) has also recently been implemented within clinic, although the clinic is cognisant to the joint plans of the All-Wales Stroke Implementation (SIG) and All-Wales Neurological Conditions (NCIG) groups to develop a PROM & PREM for individuals with long-term neurological conditions.

Conditions encountered within this clinic are:

FSH

Beckers

Inclusion Body Myositis

Duchenne Muscular Dystrophy

Limb Girdle Dystrophy

Spinal Muscle Atrophy

A developing role for this neurophysiotherapist is acting as an expert resource and providing support and advice to physiotherapy colleagues throughout ABMU & Hywel Dda Health Boards. This support currently ranges from remote advice giving via telephone or e-mail to joint consultations (often performed in the patient's home or local Therapy Dept. With the recent provision of an i-pad via the COPE Project it is anticipated that platforms such as Facetime and

Skype will offer an efficient range of support options. Currently adoption of the Neuro-inflammation Team's protocol for use of Facetime is being considered.

Alongside the FCA this neurophysiotherapist is contributing to a series of development events with the therapy teams of Hywel Dda Health Board. A full day workshop is planned for April, to identify the patient population across the Health Board and map the therapy service available.

This neurophysiotherapist also supported the development of a FCA-led Multidisciplinary clinic for individuals with Charcot Marie Tooth (CMT). The clinic runs monthly and is hosted within the Specialist Rehabilitation Centre at Morriston Hospital. The MDT comprises the FCA, a neurophysiotherapist, an orthotist and an individual with CMT. It is anticipated that the patient focus group that identified this need will reconvene in the near future and identify further service developments.

Individuals with neuromuscular conditions can often present with respiratory dysfunction, related to either weakness of the respiratory muscles or significant postural deficits such as scoliosis. Individuals may require ventilator support or cough augmentation. The neurophysiotherapist is currently involved with an ABMU Working Party looking at the Respiratory & Cardiac support for individuals with neuromuscular conditions. The provision of Non-invasive Ventilation is co-ordinated by a Consultant in Respiratory Medicine with a team of Clinical Nurse Specialists. Provision of cough augmentation is less well defined and supported, the Physiotherapy Service have submitted a case for a Neuro-ventilatory Physiotherapist and this business case is currently being refreshed in preparation for re-submission,

.

The neurophysiotherapist is an active member of the Wales Neuromuscular Network, they attend and contribute to the Cross-Party Group for Neuromuscular Conditions.

To provide equipment that is deemed necessary Occupational Therapists would work with colleagues in the local authority to provide what is needed in an equitable manner. Although we do not have a specific budget for this client group there was some one off money allocated from Welsh Government in 2014, some of which was for cough assist machines which were purchased by ABMU Health Board on behalf of all Health Boards in Wales.

The rest of the money was allocated to each HB to be spent on specific equipment for neuromuscular patients. The co-ordination of the expenditure is via the Neuromuscular Care

Advisors. A decision was made by the Neuromuscular network that a portion of the funding could be utilised for on-going maintenance costs.

I hope this information is helpful.

Best regards,



Christine Morrell

Cyfarwyddwr, Gwyddorau Therapi ac Iechyd

Executive Director of Therapies and Health Science

cc. Alex Howells

Interim Chief Executive, Abertawe Bro Morgannwg University Health Board



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Bwrdd Iechyd Prifysgol
Caerdydd a'r Fro

Ysbyty Athrofaol Cymru
University Hospital of Wales
UHB Headquarters

WALLES

University Health Board

Cardiff, CF14 4XW

Caerdydd, CF14 4XW

Eich cyf/Your ref: P-04-532
Ein cyf/Our ref: SH-ns-04-6134
Welsh Health Telephone Network:
Direct Line/Llinell unïongychol: 02920 745681

Dr Sharon Hopkins
Interim Chief Executive

20 April 2017

Mike Hedges AC/AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Hedges

Re: Petition P-04-532 Improving Specialised Neuromuscular Services in Wales

Thank you for your letter dated 20 March 2017 asking for Cardiff and Vale UHB to provide comments on the above petition.

Cardiff and Vale University Health Board has been making good progress in relation to improving the services provided to patients with neuromuscular conditions, but recognise there is more work to be done over next few years.

In general terms, by way of progress I am pleased to report that:

- All our consultants contribute to the Wales Neuromuscular Network and are supported in attending the Neuromuscular network meetings.
- We are working closely with MDUK and have an Advocacy and Information Officer who holds an honorary contract with the UHB and she attends the neuromuscular clinics providing patients with social support and support with advocacy issues.
- We have developed a transitional clinic to enable the smooth transfer of patients from paediatric care to adult care.

In relation to the specific points you raise in your letter, I am also pleased to report that we have already taken forward a number of actions in these key areas.

1. Increase in Family Care Advisers

Cardiff and Vale UHB is in the process of increasing the establishment of Family Care Advisers taking forward the recruitment of 3 new part-time Advisers. The additional staff will be employed by Cardiff and Vale UHB but will deliver services



across South East, South West and North Wales. It is envisaged that these additional staff will be in post by early summer.

2. Specialist Neuromuscular Physiotherapist

Similarly, there is a recruitment process underway to appoint a Specialist Neuromuscular Physiotherapist who will work closely with the Family Care Advisers.

3. Appointment of a Consultant in Adult Neuromuscular Disease

In 2006 the UHB appointed Dr Ellie Marsh, Consultant Neurologist and Specialist in Adult Neuromuscular Disease. Dr Marsh works closely with the Family Care Advisers and with the Paediatric Neuromuscular Team to ensure a smooth transition from paediatric to adult care. It should be noted that there are several other specialist consultants who provide a service for the management of neuromuscular disease in adults.

4. Increase in Clinical Psychology

The UHB provides a limited psychology service for patients with neuromuscular conditions but recognises that this is insufficient to meet the needs of all patients and their families. In 2015 the UHB submitted a bid for funding from the Neurological Conditions and Stroke Rehabilitation Delivery Plan for increased resources to support the appointment of a Psychologist to work with both adult and paediatric patients. Unfortunately, given the number of bids received and the limited funds available the bid was unsuccessful. We are therefore unable to progress this appointment at the current time.

5. An equipment budget to enable minor purchases, lease arrangements

Whilst there is no allocated equipment budget in order to purchase minor pieces of equipment or to provide lease arrangements, we have taken advantage of one off opportunities to access funding where possible. For example, at the end of last year a sum of money was provided to the UHB from Welsh Government to purchase equipment for patients. This money was invested wisely and large pieces of equipment were purchased in order for these to be provided on a loan basis to patients. The service also purchased a number of individual items for patients where required.

In summary, the UHB has been progressing improving the care and treatment for patients with neuromuscular conditions but recognises there is more work to be undertaken. In discussions with the clinical team a number of priorities have been identified and we will work closely with the clinical team in addressing these issues.

- Increasing the capacity in the adult Neuromuscular service to enable a weekly clinic to be undertaken at the University Hospital Llandough where the clinic can be held alongside other respiratory clinics. The timescale for this is likely to coincide with the transfer of Rookwood Hospital to UHL.
- Development of a Neuromuscular “hub” in Cardiff with physical space enabling all professionals to work closely together.

- Establishing an improved integrated nerve and muscle biopsy service to aid diagnostics.
- Improving psychology input for paediatric and adult patients.

Should you require any further information on this matter, please do not hesitate to contact me.

Yours sincerely



Dr Sharon Hopkins
Interim Chief Executive



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Bwrdd Iechyd Prifysgol
Aneurin Bevan
University Health Board

Our Ref:

Direct Line:

24th April 2017

Mike Hedges AM
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Hedges

Thank you for your recent correspondence dated 20 March 2017. Please find attached the response from Aneurin Bevan University Health Board (ABUHB) and my apologies that this is outside the 4 week requested response time.

Firstly, may I provide assurance that the Health Board is aware of the need for further development of neuromuscular services in Wales and has been fully engaged in conversation with the Wales Neuromuscular Network (WNMN) in this regard, both directly at Chief Executive Officer level and via the national Neurological Conditions Implementation Group (NCIG), which is chaired by the Health Board's Director of Therapies & Health Science.

Since the development of the WNMN Vision Document in 2013, the WNMN has developed a number of proposals to secure funding for the expansion of this area of service provision across Wales. This response provides detail around neuro-muscular service development on a national basis followed by an update on neurological condition service development specifically within ABUHB.

Cont/d.....

Bwrdd Iechyd Prifysgol Aneurin Bevan

Pencadlys,
Ysbyty Sant Cadog
Ffordd Y Lodj
Caerllion
Casnewydd
De Cymru NP18 3XQ
Ffôn: 01633 436700
E-bost: abhb.enquiries@wales.nhs.uk

Aneurin Bevan University Health Board

Headquarters
St Cadoc's Hospital
Lodge Road
Caerleon
Newport
South Wales NP18 3XQ
Tel No: 01633 436700
Email: abhb.enquiries@wales.nhs.uk



Bwrdd Iechyd Prifysgol Aneurin Bevan yw enw gweithredol Bwrdd Iechyd Lleol Prifysgol Aneurin Bevan
Aneurin Bevan University Health Board is the operational name of Aneurin Bevan University Local Health Board

With the much welcomed Welsh Government announcement in 2015 of an additional £1 million resource annually for neurological conditions, I understand from the Chair of the NCIG that NCIG members debated at length the priority areas for investment across all neurological conditions in Wales as it was recognised that to achieve all areas for development would exceed the resource available. I am advised that the NCIG took the decision to invest the majority of the funding (£900k) specifically in the development of neuro-rehabilitation services as this was deemed to be the area most urgently in need of development.

In addition, the Stroke Implementation Group (SIG) agreed to fund £300k for community neuro-rehabilitation. There was a strong view from both Groups that neuro-rehabilitation services should not 'disease or condition focussed' but should be based on addressing the rehabilitation requirements of patients irrespective of their condition. This was deemed to be both clinically appropriate and a way of ensuring the best return against the available resource. As there was significant variation in the baseline service provision across Wales, both Groups agreed that this funding should be used to improve neuro-rehabilitation services locally in ways that built upon existing levels of service provision in a stepped way to achieving consistent service provision across Wales.

The Chair of NCIG advises me that as a result, organisations were invited to bid against a combined resource of £1.2m for improving neuro-rehabilitation services locally in line with their highest priority areas for specific development. Bids in excess of £4.2m were received, including three separate bids specifically for neuro-muscular services:

- One from WNMN for IT kit for the Family Care Advisors £7.5k
- One from Cardiff & Vale UHB to host psychologists in a hub and spoke model to support training of other Health Board psychologists to deliver local services to neuromuscular patients £93k recurrently
- One from Cardiff & Vale UHB for 1-2 physiotherapists based in Cardiff to train and provide specialist advice to physiotherapists across Wales in neuro muscular conditions and provide clinical input specifically to Cardiff patients £60-110k recurrently

I understand that all bids were thoroughly evaluated against an agreed set of criteria. No organisation received the full amount they requested and where they had more than one bid they were asked to prioritise.

In relation to neuromuscular conditions, the physiotherapy bid was prioritised and supported to the sum of £60k recurrently. In addition, outside the neuro-rehabilitation funding the WNMN was also awarded £60k recurrently to expand the Neuromuscular Family Care Advisors in South Wales.

Cont/d.....

In total the WNMN received £120k recurrently, which although did not fully meet their requirements was proportionate to the amounts received by other organisations against their bids. The WNMN was made aware of the funding decision in December 2015 but has only in recent months secured appointments into these roles.

In February 2016 Tracy Cooper as Chair of the WNMN approached the Health Boards' CEOs to fund a second physiotherapist, one psychologist (as per their bids to the NCIG) plus an additional 1.5wte Family Care Advisors and 1.5wte band 3 admin support (not included in their previous bids to NCIG). This request totalled £205k per annum. Whilst this area of further service development for circa 3400 patients across Wales was recognised, it is set against a list of competing service developments across a range of clinical conditions, including but not exclusive to neurological conditions. The CEOs were mindful of the level of investment and robust prioritisation process adopted by the NCIG and Health Boards were unable to commit additional resources to the service at that time.

Whilst this may not be of comfort to the WNMN or individuals championing neuro-muscular service development, I am sure you will appreciate that this is one of many areas of service development recognised within the Health Boards IMTPs within a challenging financial context.

In relation to the two additional areas of priority identified in your letter (additional consultant in neuro-muscular disease and an equipment budget), I am not aware that the WNMN has made any requests for these areas of development over the past 4 years.

To provide a local context, the ABUHB bid submitted to NCIG prioritised the expansion of our existing stroke community neuro-rehabilitation service (CNRS) to enable the team to support patients with acquired brain injury as this group of patients had no access to services within the ABUHB area. The bid was partially successful and the CNRS is now a fully multi-disciplinary service including the provision of physiotherapy and psychology support for stroke patients and those with acquired brain injury. Further expansion of this service for wider neurological condition groups is one of our priorities for the future, in addition to further development of wider neurological condition services including multiple sclerosis, Parkinson's disease and epilepsy.

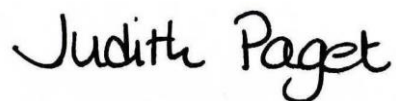
With respect specifically to supporting patients with neuro-muscular conditions, the Health Board provides multi-disciplinary clinics but recognises that further development is required. It is also worth noting that the Health Boards in South Wales are continuing to provide tapered funding to support the South Wales Motor Neurone Disease Care Network to the sum of £30,022 in 2017/18 and £46,062 in 2018/19.

Cont/d.....

I trust that this will provide some assurance that Aneurin Bevan University Health Board is committed to improving service provision for all clinical specialities, including neuro-muscular conditions and is working hard to manage a number of competing priorities.

Once again, please accept my apologies for the delay in responding to your request.

Yours sincerely

A handwritten signature in black ink that reads "Judith Paget". The script is cursive and fluid.

Judith Paget
Chief Executive/ Prif Weithredwr



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Bwrdd Iechyd Prifysgol
Hywel Dda
University Health Board

Ein cyf/Our ref: CEO.535.0417
Gofynnwch am/Please ask for: Sian-Marie James
Rhif Ffôn /Telephone: 01267 239581
Ffacs/Facsimile: 01267 239579
E-bost/E-mail: Sian-marie.james@wales.nhs.uk
Dyddiad/Date: 21 April 2017

Swyddfeydd Corfforaethol, Adeilad Ystwyth
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building
Hafan Derwen, St Davids Park, Job's Well Road,
Carmarthen, Carmarthenshire, SA31 3BB

Mike Hedges AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Mike

Thank you for your letter of 20 March 2017, seeking Hywel Dda University Health Board's view regarding the petition received by the Petition's Committee from the Muscular Dystrophy campaign.

The petition calls for ongoing development of local services for people with neuromuscular conditions, including:

- additional physiotherapy support
- psychology support
- dedicated neuromuscular consultant time

Currently Hywel Dda accesses a specialist neuromuscular service hosted by Abertawe Bro Morgannwg University Health Board. The Neuromuscular Family Care Advisor is working in partnership with the local professionals providing hands on intervention and support. Of the one hundred and eighty seven (187) people who are projected to have a neuromuscular disorder in this area, sixty (60) adults and eighteen (18) children currently access this specialist service.

Swyddfeydd Corfforaethol, Adeilad Ystwyth,
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job,
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building,
Hafan Derwen, St Davids Park, Job's Well Road,
Carmarthen, Carmarthenshire, SA31 3BB

Cadeirydd / Chair
Mrs Bernardine Rees OBE

Prif Weithredwr/Chief Executive
Mr Steve Moore

Tudalen y pecyn 100

Bwrdd Iechyd Prifysgol Hywel Dda yw enw gweithredol Bwrdd Iechyd Lleol Prifysgol Hywel Dda
Hywel Dda University Health Board is the operational name of Hywel Dda University Local Health Board

Mae Bwrdd Iechyd Prifysgol Hywel Dda yn amgylchedd di-fwg Hywel Dda University Health Board operates a smoke free environment

The service is supported by Dr Walters, a Neurologist specialising in neuromuscular disorders. All neuromuscular patients known to Dr Walters attend an annual review at the Adult Multi Disciplinary Team Muscle Clinic in Morriston hospital. People with neuromuscular disorders may also be managed by Dr Hirst at her general Neurology Clinic in Glangwili Hospital based on local agreement. Paediatric Muscle Clinics are held in Singleton and Withybush Hospitals by Dr White, Paediatric Neurologist.

One of the recent local service developments relating to neurology is the establishment of a Specialist Community Neurology Team. This comprised a Neuropsychologist, Advanced Scope Physiotherapist and Occupational Therapist and also a Specialist Speech and Language Therapist. Local experience of a regional approach to condition specific rehabilitation services indicates that the local therapists continue to deliver the on-going hands on neuro rehabilitation. The team members are newly appointed and their role will include working closely with the Neuromuscular Family Care Advisor. This team will establish core specialist community neuro rehabilitation multidisciplinary working for a range of neurological conditions, including muscular dystrophy. This model is believed to match the needs of a rural population.

Children with neuromuscular disorders access local therapists for ongoing support through childhood and also have access to local paediatricians as needed. Physiotherapists and occupational therapists that deliver a community paediatric service are supported to develop highly specialist skills in supporting children with neurological conditions as this makes up the bulk of their clinical practice. Paediatric Physiotherapists exchange knowledge and information with the regional Specialist Neuromuscular Physiotherapist.

In addition, access to Neurologists has been reviewed and there is acknowledgement that the service should be more responsive. Hywel Dda University Health Board is working in partnership with Abertawe Bro Morgannwg University Health Board to increase local access to neurologists.

There are some concerns that the further investment of regional or national specialist posts advocated to support people with neuromuscular disorders may not best meet the needs of people living in a rural area. These specialist posts often don't provide the best access for more distant populations such as ours.

I hope you find this information helpful and that it addresses your recent query.

Yours sincerely

A handwritten signature in black ink that reads "Steve Moore". The signature is written in a cursive style with a large, looping "S" and "M".

Steve Moore
Chief Executive



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Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

Block 5, Carlton Court
St Asaph Business Park
St Asaph
Denbighshire
LL17 0JG

Mr Mike Hedges AC / AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff,
CF99 1NA

Ein cyf / Our ref: GD/AM/3348/720

Eich cyf / Your ref:

☎: 01745 448788 ext 6364

Gofynnwch am / Ask for: Renné Evans

E-bost / Email: Renné.Evans@wales.nhs.uk

Dyddiad / Date: 27th March 2017

Dear Mr Hedges,

RE: Petition P-04-532 Improving Specialised Neuromuscular Services in Wales.

Thank you for your e-mail dated 20th March 2017 regarding the petition received from the Muscular Dystrophy Campaign and asking for our views on the Petition.

The Wales Neuromuscular Network has recommended a number of priority developments as highlighted below:

1. Increase in Family Care Advisors and support

It is agreed that these posts can benefit patient and family by acting as advocates and can help patients and families through health, social and voluntary care services to ensure optimum treatment and experience as highlighted.

2. Specialist adult neuromuscular physiotherapists

North Wales does not specifically have a specialist adult neuromuscular physiotherapist. We do, however, have specialist neurological physiotherapists who have the appropriate training and skills to manage adults with neuromuscular conditions. Physiotherapy services would be in support of a neurological physiotherapist who would work with people with neuromuscular conditions to participate in further training specific to neuromuscular conditions and to continually improve the quality and efficiency of services provided.

Physiotherapy intervention for people with neuromuscular conditions involves developing a programme alongside the person with a neuromuscular condition, for example:

- to minimise the development of contractures and postural deformities through a programme of positioning, stretches and exercises;
- to anticipate and minimise any secondary physical complications through the above to include seating;



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- to identify and prescribe aids and equipment, including positional equipment, and working with wheelchair services on seating equipment;
- to advise on moving and handling;
- to monitor respiratory function and advise on techniques to assist with breathing exercises and methods of clearing secretions.

The above therapeutic interventions could be carried out safely and effectively by neurologically trained physiotherapists; which is a specialism within Physiotherapy. Depending on the clinical presentation, physiotherapists with different specialisms have the most appropriate knowledge and skills to treat the person (for example, a physiotherapist specialist in respiratory care if the current problem is a chest infection).

It is important that there is a specialist neurological physiotherapist with the awareness and knowledge of neuromuscular conditions involved in the care of people with neuromuscular conditions to ensure that these people receive maximally effective therapy. The neuromuscular specialist Physiotherapist would have a more in depth knowledge of those conditions, (such as muscular dystrophy), increased awareness and knowledge about the amount/intensity of exercise appropriate for these conditions. Treatment techniques are the same as other neurological conditions; stretches, positioning, exercise but knowledge of suitable intensity is an acquired skill. The evidence base is less than supportive currently to the profession in this remit, hence each case is considered individually and experience is invaluable.

Our neurological physiotherapists will hold the core principles of treatment, and if treating this group of patients they are professionally required to develop the necessary additional knowledge required of the condition. They would be supported by the organisation in this regard.

It would not be effective use of time to employ one physiotherapist to treat adult neuromuscular conditions in North Wales given the low volumes and excessive travel time, however we would wholly support additional training/teaching/workshops for professionals working with people with this group of conditions to increase knowledge and skills to highlight any differences in therapeutic management to optimise the quality of the service provided, as suggested. The Therapies division in BCUHB are considering a sessional role for existing Physiotherapists delivering neuro-rehabilitation within the Area structure to work collaboratively across BCUHB to support this service.

3. Appointment of consultant in adult neuromuscular disease

Consultants specialising in neuromuscular disease could provide leadership within multidisciplinary teams and focus on education and support for partners and also lead the development and implementation of care pathways. An assessment would need to be undertaken to determine whether the appointment of a consultant in adult neuromuscular disease would be the best way forward.



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Betsi Cadwaladr
University Health Board

4. Increase in clinical psychology

We recognise the valuable contribution made by clinical psychologist to the care provided to both adults and children with neuromuscular disease. We employ over a 100 qualified clinical psychologists in the Health Board with a range of expertise and are working hard to meet the needs of patients in a timely and appropriate way.

5. Equipment budget

We note the recommendations from the Welsh Neuromuscular Network for the provision of designated equipment budgets to enable minor purchases and care arrangements. We continue to work with partners across health and social care to support patients in promptly accessing the vital equipment needed.

Once again, I would like to thank you for seeking the views of the Health Board on the Petition.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Gary Doherty'.

Gary Doherty
Prif Weithredwr
Chief Executive

Eitem 3.3

P-05-718 – Cyflogau GIG Cymru

Cyflwynwyd y ddeiseb hon gan Chris Neilsen ar ôl casglu 24 llofnod.

Geiriad y ddeiseb

Sut all hi fod yn iawn bod gweithwyr y GIG yng Nghymru, sy'n gwneud swyddi angenrheidiol, yn ennill cyflog mor isel â £7.80 yr awr pan fo Llywodraeth Cymru yn ariannu'r fath swyddi di-ddim â Chomisiynydd y Dyfodol ar £100k y flwyddyn a Chomisiynydd y Gymraeg ar £90k a nifer o swyddi newydd tebyg. Mae'r haenau newydd hyn o swyddi di-ddim yn wirion a dylid eu diddymu a rhoi'r arian i staff y GIG sydd ar gyflogau isel.

Etholaeth a Rhanbarth y Cynulliad

Dwyrain Casnewydd

Dwyrain De Cymru

P-05-736- Darparu Gwasanaethau Iechyd Meddwl Mwy Hygyrch.

Cyflwynwyd y ddeiseb hon gan Laura Williams ar ôl casglu 73 llofnod.

Geiriad y ddeiseb

Er mwyn darparu gwasanaethau iechyd meddwl mwy hygyrch, dylai Llywodraeth Cymru wneud yn siŵr nad oes neb sy'n gofyn am gymorth gan wasanaeth iechyd meddwl gael ei droi ymaith heb help. Os oes unrhyw un yn mynd at eu meddyg teulu neu unrhyw weithiwr gofal iechyd proffesiynol i ofyn am gymorth ar gyfer problem iechyd meddwl, dylid eu cyfeirio'n awtomatig at y Tîm Argyfwng a dylai'r tîm hwn gymryd camau ar unwaith i'w helpu. Nid yr unigolyn ddylai fod yn gyfrifol am gysylltu â'r Tîm Argyfwng ei hun. Dylid cynnig therapi un i un, yn hytrach a therapi grŵp, bawb.

Fel y gŵyr nifer, nid yw fy mywyd i wedi bod yn hawdd ac rwyf wedi cael problemau iechyd meddwl; rwy'n cael pyliau o iselder, gorbryder, anhwylder straen wedi trawma (PTSD) ac OCD. Cyrhaeddais y gwaelod un yn ddiweddar, a sgrechian am help ond, er i mi gredu y byddai'r gwasanaethau iechyd meddwl yn fy helpu, cefais fy siomi'n arw ganddynt.

Rwyf am i'm profiad i helpu eraill yng Nghymru i gael y cymorth sydd ei angen arnynt.

Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Caerdydd
- Canol De Cymru



Mike Hedges AM
Chair – Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

Dear Mike,

Petition: P-05-736 - To Make Mental Health Services More Accessible

Thank you for your letter of 22 February 2017 seeking our views on the issues raised by the above petition and the subsequent response from the Cabinet Secretary.

Hafal fully supports the points that have been made in the petition. Despite having unique and pioneering mental health legislation in Wales (*Mental Health (Wales) Measure 2010*), and an all Wales Cross Government Mental Health Strategy in place (*Together for Mental Health*), many people who require fast and easy access to mental health services are still not receiving the support they need.

Many people living with a mental health problem, and carers, have told us about how they have been unable to access mental health services when they need them. We regularly hear comments such as, *'I have to reach a crisis point before I receive any help or support'*, or hear carers telling us that as a result of ignoring their concerns the person they care for has deteriorated to an extent that they are in need of a crisis service or are admitted to hospital.

We also hear from people how they have difficulty in knowing which part of the service they need to contact in order to receive help and support. For people experiencing a mental health problem or illness for the first time it is usually the GP who is the first point of contact, whilst for people who have previously received a secondary (or specialist) mental health service it is often appropriate to make contact directly with that service.

Irrespective of which part of the service someone seeking help and support initially makes contact with, people expect to receive an early and accessible intervention that addresses their needs. A particular issue we frequently hear about is the lack of communication across and between services. This despite the intention of Welsh legislation such as the Mental Health Measure and the Social Services and Wellbeing Act to ensure greater joined up and integrated services.



Many people who experience mental health problems need support from a broad range of services such as health, social care, housing and employment, and we think it is crucial for all these services to work together in a seamless and co-ordinated way. But often we find that organisational interests and budget constraints outweigh working together for the common good or in the best interests of the individual. Too often silo working comes first and successful outcomes come second.

Moving forward, we think greater clarity is needed in defining the role of GPs, the Local Primary Mental Health Support Service (LPMHSS) and secondary (specialist) mental health services so that people are better able to access the right service at the right time and in the right place. We would like to see access and eligibility criteria be more transparent, and we want services to be more flexible ensuring that, *'no-one who approaches a mental health service should be turned away without help.'*

We want to see better communication and better relationships between and within primary and secondary mental health services, and to see more service provision aimed at preventing people reaching a crisis point rather than delivering what often looks like a crisis driven service. Welsh Government policy commitments such as those set out in the Mental Health Crisis Care Concordat and in various early intervention initiatives are welcome but are not yet fully embedded in service models across Wales.

We want to see carers and families being listened to when they tell professionals their loved one needs help and support. We want to see services designed in such a way that they can act swiftly and where appropriate immediately. Often the urgency and risk is not realised until a formal assessment is undertaken, and sometimes this can be too late and sometimes result in a tragedy occurring.

In Wales we know how many people are accessing Local Primary Mental Health Support Services, how many people are being assessed within 28 days and how many people are receiving treatment within 28 days of referral. In secondary mental health services we know how many people have a valid Care and Treatment Plan. But we struggle to know how many people are getting any better as a result of the care and treatment they receive. We can't measure how many people are achieving successful outcomes, or receiving therapy that is meeting their needs. We therefore want to see better and smarter outcome focused performance indicators that include capturing service user/patient experience.

Prif Swyddfa Hafal
Uned B3
Parc Technoleg Lakeside
Ffordd y Ffenics
Llansamlet
Abertawe
SA7 9FE

*dros adferiad
o afiechyd
meddwl dijrifol*

hafal

*for recovery
from serious
mental illness*

Hafal Head Office
Unit B3
Lakeside Technology park
Phoenix Way
Llansamlet
Swansea
SA7 9FE

Ffôn: 01792 816600/832400
e-bost: hafal@hafal.org

www.hafal.org



Tel: 01792 816600/832400
e-mail: hafal@hafal.org

Hafal continues to work closely on all of these issues and many more with the Welsh Government, Health Boards, local authorities and others to try helping tackle many of the long standing problems there have been relating to mental health services in Wales. We know that there is a strong political commitment to improve mental health services and a strong willingness amongst health and social care professionals to ensure people receive the best possible service.

I hope that we have provided some helpful comments and suggestions on how to improve mental health services in Wales, and that in developing better services we ensure that the views and the voices of those who use services, and carers, are heard the loudest. Please let me know if you would like any further information or advice.

Yours sincerely,

Alun Thomas
Chief Executive

www.iechydmeddwcymru.net

Mae Hafal yn gwmni cyfyngedig trwy warrant, wedi'i gofrestru yng Nghymru a Lloegr Rhif: 4504443
Croesewir goheblaeth yn y Gymraeg a'r Saesneg
Swyddfa Gofrestredig Uned B3, Parc Technoleg Lakeside
Ffordd y Ffenics, Llansamlet, Abertawe, SA7 9FE
Ffôn: 01792 816600/832400, Ffacs: 01792 813056,
e-bost: hafal@hafal.org, Rhif Elusen: 1093747



www.mentalhealthwales.net

Hafal (meaning 'equal') is a company limited by guarantee, registered in England and Wales Number: 4504443
Correspondence welcomed in Welsh and English
Registered Office Unit B3, Lakeside Technology Park
Phoenix Way, Llansamlet, Swansea, SA7 9FE
Tel: 01792 816600/832400, Fax: 01792 813056,
e-mail: hafal@hafal.org, Charity Number: 1093747

**P-05-736 To Make Mental Health Services More Accessible –
Correspondence from the Petitioner to the Committee, 10.05.17**

Hi,

I'm writing regarding my petition and what more comments could be added having seen that mind have not replied I would like to add that before I did receive mental health support from my local mental health centre I rang mind for help to be told there was a 12 month waiting list which I hope this information can be used which shows that more support is needed for mental health charities and waiting lists.

My key points are..

More communication via mental health professionals and gps For a gp to act upon a persons mental health and not a patient to ring mental health services I.e crisis team More 1 to 1 therapy than group work Easier access to mental health services Less waiting time to see a mental health professional Better crisis team More funding for mental health services.

More information leaflets to be given prior to seeing a gp or mental health professional And more follow ups and care plans with a patient and mental health professional.

Also pip claims should be separate for mental health and illnesses.

Also more gps could be trained regarding mental health as I find a lot of doctors do not understand mental health therefore people find it harder to turn to there gps for help.

I hope that some of these points could be taken into consideration and acted upon.

I hope that I can improve mental health services around wales as more and more people are suffering and not getting the help they need I hope with the Welsh governments support we could move forward and put more into place for the future for children and adults.

If you would like me to come down and give more evidence then I am more than happy to discuss it with the correct people.

Hope to hear from you soon.

Thank you

Laura Williams

Eitem 3.5

P-04-485 Camddefnyddio contractau dros dro yn y sector Addysg Bellach bach

Geiriad y ddeiseb:

Galwn ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddefnyddio i dylanwad i sicrhau nad yw'r sector Addysg Bellach yn camddefnyddio contractau i dalu staff fesul awr (contractau dim oriau) a chontractau cyfnod penodol ac mai dim ond pan fydd cyfiawnhad gwrthrychol gwirioneddol dros ddefnyddio contract tymor byr hyblyg y gwneir hynny.

Prif ddeisebydd: Briony Knibbs

Ysytirwyd am y tro cyntaf gan y Pwyllgor: 4 Mehefin 2013

Nifer y llofnodion : 674

P-04-522 Asbestos mewn Ysgolion

Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i roi mesurau ar waith i sicrhau bod rhieni a gwarcheidwaid plant yng Nghymru yn gallu cael mynediad rhwydd at wybodaeth am bresenoldeb asbestos mewn adeiladau ysgolion a beth a wneir i'w reoli.

O ystyried y risg i iechyd sy'n gysylltiedig â phresenoldeb asbestos mewn adeiladau cyhoeddus, credwn fod gan rieni a gwarcheidwaid yng Nghymru yr hawl i:

- gael gwybod os oes asbestos yn ysgolion eu plant;
- cael gwybod, os oes asbestos yn yr ysgol, ei fod yn cael ei reoli yn unol â Rheoliadau Rheoli Asbestos 2012;
- cael mynediad rhwydd at y wybodaeth honno ar-lein.

Prif ddeisebydd: Cenric Clement-Evans

Ysytirwyd am y tro cyntaf gan y Pwyllgor: 10 Rhagfyr 2013

Nifer y llofnodion: 448



Ein cyf/Our ref HL/00686/16
William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

05 April 2016

Dear William

Thank you for your letter of 21 March to which you attached comments from Mr Cenric Clement-Evans following my appearance at the Petitions Committee last autumn.

For ease of reference I will address the issues which Mr Clement-Evans raises in the order in which they appear in his letter.

Accessing Asbestos Information Online

I note the points raised by Mr Clement Evans but, as I have explained, I do not intend to require local authorities to make information about asbestos management available online.

Asbestos Management in School Working Group in Wales

Mr Clement-Evans queried whether the initial meeting of the Working Group was held in the summer of 2014. I would like to clarify that a meeting was in fact held on 29 June 2015 to discuss the review of policy by the Department for Education in England (DfE). As we considered that the group's input was of value to Wales we agreed that it should be established formally as an Asbestos Management in Schools Working Group. A further meeting was then held in January 2016 to discuss the draft terms of reference for the group and to agree the way forward.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Huw.Lewis@wales.gsi.gov.uk

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The members of the group continue to monitor progress in England. When developments occur the Welsh Ministers will consider the implications for Wales with respect to guidance and policy decisions. It is at this stage that additional key stakeholder groups will be consulted, including the teaching unions.

Terms of reference

The petitioner has highlighted that the terms of reference for the Welsh Asbestos Management in Schools Working Group differ from those for the DfE Asbestos in Schools Steering Group. This reflects the complementary role of the two groups. As asbestos in schools presents similar problems in both England and Wales, we are satisfied that the work carried out in England will provide Wales with enough information to take any appropriate action.

Department of Education Steering Group

My officials continue to liaise with colleagues in England, so that the Welsh Government is kept informed of developments in this area. They attended the DfE Asbestos in Schools Steering Group meeting on 31 March and will also attend future meetings.

The health and safety of children and staff are very important to me and I would like to assure you of my continued commitment to this issue



Huw Lewis AC / AM

Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills

Mae cyfyngiadau ar y ddogfen hon

P-04-522 Asbestos in Schools – Correspondence from the Petitioner to the Committee, 17.05.17

Petitioner's response to the Petitions Committee 17th May 2017

1. Response to the Petitions Committee 1st March 2016

I would repeat this response together with the appended items. This was intended to bring together the main issues relating to the petition. The Committee agreed to seek the Minister's views on my further comments and he responded on the 5th April 2016.

I would ask that these matters be put to the Cabinet Secretary for Education as her views on these important matters would be welcomed

2. Phased removal of asbestos from schools in Wales

In its booklet "The asbestos crisis—Why Britain needs an eradication law", the All-Party Parliamentary Group on Occupational Health (which is chaired by Ian Lavery MP), with the support of the TUC, called for the phased removal of asbestos from schools.¹ At page 9 a date for phased removal in schools is set out,

*"Where asbestos is identified in any premises, all refurbishment, repair or remedial work done in the vicinity of the asbestos containing material should include the removal of the asbestos. Where no such work takes place, or is planned within the foreseeable future, the duty holder must develop and implement a plan for the removal of all asbestos which ensures that removal is completed as soon as is reasonably practical, but certainly no later than 2035. **In the case of public buildings and educational establishments, such as schools, this should be done by 2028².**"*

Phased removal of asbestos from schools is now Labour Party policy and I refer to 2017 manifesto³. Specifically it set out with regard to schools,

*"1. Investment – we will make sure schools are properly resourced by reversing the Conservatives' cuts and ensuring that all schools have the resources they need. We will introduce a fairer funding formula that leaves no school worse off, while redressing the historical underfunding of certain schools. **Labour will also invest in***

¹ <https://www.tuc.org.uk/sites/default/files/asbestoseradication.pdf>

² The passage in bold is the Petitioner's emphasis

³ <http://www.labour.org.uk/page/-/Images/manifesto-2017/Labour%20Manifesto%202017.pdf>

new school buildings, including the phased removal of asbestos from existing schools.”⁴

In light of this manifestos commitment I would request that the Petitions Committee ask Welsh Government for confirmation that this is now Welsh Government policy insofar as schools in Wales are concerned.

3. Responsibility for policy on asbestos in schools in Wales

The Committee will be aware that during its consideration of the petition a significant issue that has arisen has been the question of responsibility whether it be Welsh Government or UK Government. I have previously used the inelegant description of schools sliding into “a devolutionary crack”.

The latest statement from UK Government was made on 1st November 2016, when the Minister of State for Schools, Nick Gibb MP, in response to a written question from Amanda Solloway MP (Derby North) (and addressed to the Secretary of State for Education) regarding the removal of the presence of asbestos from school sites in England and Wales advised,

“Policy on the effective management and removal of asbestos at Welsh school sites is devolved to the Welsh Government, but in England it is one of the department’s priorities in order to ensure that our schools are safe for children and teachers.”⁵

In my respectful submission the UK Government’s position cannot be clearer as to where responsibility for management and removal lies.

On the 6th October 2016, together with Joseph Carter, the Head of the British Lung Foundation in Wales, I met with the Cabinet Secretary for Education, Kirsty Williams AM. She considered that the issue of responsibility had been determined and I assured her that this was not the case. She was willing for me to contact her further on the matter, although sadly pressures of work have led to my not having done so to date. The response of the Minister of State for Schools has not been put to her as far as I am aware. It is however in line with all previous UK Government statements made in both Houses at Westminster.

⁴ Ibid Page 37 with the Petitioner’s emphasis

⁵ <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-10-07/47204/>

I refer also to the email of Mike Green, the Chair of Department for Education (DfE) Asbestos in Schools Steering Group dated 19th October 2015, which has been shared with the Petitions Committee both when I gave evidence and subsequently. He stated clearly in his email,

“The Department for Education’s remit is for schools in England. As such, the Asbestos in Schools Steering Group, which was set up by the department in 2012, only covers the issue of asbestos management in schools in England.

Focussing on schools in England enables the group to consider the specific issues faced by English schools, which exist in a different policy framework to those in Wales. I would therefore suggest it is right that the remit of the Steering Group is to consider schools in England.”

Again in my respectful position the position could not be clearer. The DfE Asbestos in Schools Steering Group is concerned with schools in England. (I do welcome that officials on behalf of Welsh Government are now attending Steering Group meetings, but the remit of the Group remains schools in England.)

Those Welsh Government officials will be able to confirm that the Education Funding Agency have produced draft “Proposals for an Asbestos Management Assurance Process” which are provided with authority of the Joint Union Asbestos Committee but are not for wider circulation at the present time.

It is stated therein,

“1.1 The Asbestos Management in Schools Data Collection report was published in February. This voluntary data collection provided a partial picture of the management of asbestos in schools, **in England**. The Secretary of State has agreed with the recommendation to seek assurances from **all** duty holders who have a responsibility for the management of asbestos in their schools, **in England**, to improve our understanding of the management of asbestos in schools. All duty holders will be expected to undertake the necessary due diligence checks, to ensure that the assurances they provide are based on evidence from all their respective schools.”⁶

Further it is stated,

“5.1 Although not mandatory, as the department does not have the powers to compel all duty holders to complete the assurance process, it is expected that

⁶ The petitioner’s emphasis

all duty holders (approximately 3,500) will participate in the assurance process. We intend to validate our list of duty holders against other sources to ensure that they are all captured. We would expect that this approach should then cover **the estimated 25,000 schools, in England**. The department will communicate the importance of managing asbestos effectively and will set a clear expectation in this communication that all duty holders participate in the assurance process.”

Again in my respectful submission it is clear that the work of the Asbestos in Schools Steering Group on behalf of the DfE is concerned with schools in England and is not concerned with schools in Wales. I am not aware that there has been any similar Asbestos Management in Schools Data Collection relating to schools in Wales. In my respectful submission such work is essential to assess the extent of the issue and further that it is clearly a matter for Welsh Government to put in hand.

It should be noted that DfE has updated its Guidance on Asbestos in Schools in February 2017.⁷ This demonstrates that it is continuing to actively review matters, whereas in Wales Welsh Government has not updated its Guidance since May 2014.⁸

On the 26th April 2017 the House of Commons Committee of Public Accounts released the report entitled “Capital funding for schools” and specifically commented upon the Department for Education’s knowledge on the school estate and asbestos. Set out below is the relevant conclusion and recommendation.

“5. The Department still does not know enough about the state of the school estate, meaning that it cannot make well-informed decisions about how best to use its limited resources.

The Department now has a better understanding of the condition of school buildings after completing a survey of the estate in 2014. This property data survey estimated that it would cost £6.7 billion to return all school buildings to satisfactory or better condition, and a further £7.1 billion to bring parts of school buildings from satisfactory to good condition. Much of the school estate is over 40 years old, with 60% built before 1976. The Department estimates that the cost of dealing with major defects will double between 2015–16 and 2020–21, even with current levels of investment, as many buildings near the end of their useful lives.

The property data survey did not assess the safety or suitability of school buildings or the extent of asbestos. Over 80% of schools responding to a

⁷ <https://www.gov.uk/government/publications/asbestos-management-in-schools--2>

⁸ <http://gov.wales/topics/educationandskills/publications/guidance/asbestos-management-in-schools/?lang=en>

separate survey by the Department had asbestos, with 19% reporting that they were not complying with asbestos management guidance. However, only a quarter of schools responded to the survey, meaning that the Department does not have a complete picture. The Department estimates that it would cost at least £100 billion to replace the entire school estate which it believes would be the only way to eradicate asbestos from school buildings. The Department is undertaking a second property data survey but, until this is complete, it cannot assess reliably how the school estate is changing and does not know the extent to which its funding is helping to improve the condition of school buildings.

Recommendation: The Department should set out a plan by December 2017 for how it will fill gaps in its knowledge about the school estate in areas not covered by the property data survey. Specifically it needs to understand the prevalence, condition and management of asbestos, and know more about the general suitability and safety of school buildings.⁹

Once again it is clear that none of this is by reference to schools in Wales and I would respectfully suggest that there needs to be a review of the school estate in Wales including in particular to understand the prevalence, condition and management of asbestos in schools.

This is of course at the very heart of the Petition. Freedom of information requests have been raised of all local authority schools in Wales and England by Lucie Stephens whose mother Sue Stephens, a school teacher, died last summer from mesothelioma. For convenience I have collated all the responses in Wales.¹⁰ Once again I would urge that Welsh Government takes responsibility for the management the issue with regard to schools in Wales. It is not I would submit acceptable simply to rely upon a series of ad hoc responses of varying standards to Freedom of Information requests.

4. Working Group on Asbestos

I refer to my previous response on this issue on 1st March 2016 and I would respectfully ask the Committee to consider this, including the response of Wales TUC

In summary I stated,

“It can be seen from the above that there are significant differences between the Steering Group in England and the Working Group here in Wales.

⁹⁹ <https://www.publications.parliament.uk/pa/cm201617/cmselect/cmpublic/961/961.pdf>

¹⁰ <http://www.righttoknowasbestos.org/How-you-can-help/FOI-request.html>

Wales needs either a steering group to mirror that of the DfE or as a very minimum full representation at the DfE Steering Group which leads to action here in Wales.”

At the meeting of the Cross Party on Asbestos on 21st September 2016 the minutes record that Tim Cox representing the NASUWT stated,

“...that the group should mirror the DfE group in terms of composition and that it should not be confined to government bodies. The present composition should be challenged. Victim support groups and parent organisations should also be represented. There is currently a lack of transparency and openness.”

The Cross Party Group which included representatives from NASUWT and UCAC agreed the Welsh Government should be asked to expand the group to include other stakeholders.

In his letter to the Chair of Committee the Minister for Education and Skills Huw Lewis AM 5th April 2016 provided further detail regarding the Asbestos Management in School Working Group in Wales

“I would like to clarify that a meeting was in fact held on 29 June 2015 to discuss the review of policy by the Department for Education in England (DfE). As we considered that the group’s input was of value to Wales we agreed that it should be established formally as an Asbestos Management in Schools Working Group. A further meeting was then held in in January 2016 to discuss the draft terms of reference for the group and to agree the way forward.

“The members of the group continue to monitor progress in England. When developments occur the Welsh Ministers will consider the implications for Wales with respect to guidance and policy decisions. It is at this stage that additional key stakeholder groups will be consulted, including the teaching unions.”

I would respectfully submit that irrespective of the strong views held by those attending the Cross Party Group on Asbestos including in particular the Wales TUC and the teaching unions in Wales that the group needs to be expanded, that bearing in mind the developments in England as outlined above, that now is the time has been reached where key stakeholder groups should be consulted. I would remind that school workers are represented by additional unions to the teaching unions, whose members are also affected by asbestos, including teaching assistants, caretakers and domestic and cooking staff.

5. Conclusion

On the 1st March 2016 I wrote,

“In the meantime the issue of asbestos in schools in Wales is clearly not receiving the same attention as in schools in England. This cannot be right.”

Over 12 months later I would repeat this statement. It would seem that the gap between England and Wales with regard to asbestos in schools is widening rather than narrowing. This is not acceptable.

Cenric Clement-Evans 17th May 2017

Yn rhinwedd paragraff(au) ix o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon

Eitem 3.7

P-04-606 Sicrhau bod ysgolion yn defnyddio eu pwerau statudol o dan reoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010 heb unrhyw ymyrraeth neu ragfarn.

Manylion

Gofynnwn i Gynulliad Cenedlaethol Cymru sicrhau bod ysgolion yn rhydd i ddefnyddio eu pwerau statudol o dan reoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010 heb ymyrraeth gan gyrff fel awdurdodau lleol a chonsortia addysg rhanbarthol, a heb fygythiad o gael eu cosbi drwy'r prosesau arolygu ysgolion, dyfarniadau perfformiad a bandio.

Mae'r awdurdodau lleol yng Nghymru a'u consortia yn argymhell na ddylai ysgolion ddefnyddio eu pwerau statudol o dan y ddeddfwriaeth uchod, gan adael mwy o deuluoedd yn agored i'r bygythiad o hysbysiadau cosb o dan Reoliadau Addysg (Hysbysiadau Cosb) (Cymru) 2013 nag a fyddai wedi bod fel arall. Gwneir yr argymhellion hyn ar y sail eu bod yn gallu gwella cyrhaeddiad er gwaethaf y diffyg tystiolaeth bod absenoldeb o'r math a ganiateir o dan reoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010 yn arwain at gyrhaeddiad gwaeth.

Ar hyn o bryd gellir cosbi ysgolion yng Nghymru trwy'r prosesau arolygu, dyfarniadau perfformiad a bandio ysgolion am awdurdodi absenoldebau cyfreithlon fel salwch, gwyliau teuluol neu ddigwyddiadau ac achosion eraill sy'n galluogi teuluoedd i gymryd rhan lawn mewn bywyd teuluol preifat arferol.

Mae'r argymhellion a'r prosesau hyn yn gogwyddo ysgolion yn erbyn awdurdodi absenoldeb cyfreithlon, ac yn gwneud ysgolion yn amharod i arfer eu pwerau statudol o dan reoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010. Gall hyn niweidio'r berthynas rhwng y cartref a'r ysgol a lles plant. Lle bydd teulu yn anghytuno â'r penderfyniad i wrthod awdurdodi absenoldeb ar sail cydraddoldeb, hawliau dynol neu les plant

does dim llwybr apêl annibynnol. Lle mae teulu yn anwybyddu'r penderfyniad i wrthod awdurdodi absenoldeb gall hynny arwain at hysbysiad cosb a throeddoli posibl. Ceir effaith economaidd ar y diwydiant twristiaeth a hamdden yng Nghymru sy'n darparu cyflogaeth ac incwm i lawer o'n teuluoedd.

Gwybodaeth Ychwanegol

Mae Rheoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010 yn rhoi pŵer disgrisiynol i ysgolion i awdurdodi hyd at 10 diwrnod o absenoldeb yn ystod y flwyddyn ysgol ar gyfer gwyliau teuluol a mwy na 10 diwrnod o absenoldeb mewn amgylchiadau eithriadol.

Cynghorir ysgolion yn erbyn defnyddio'r pŵer hwn gan eu hawdurdodau lleol. Maent yn teimlo dan bwysau i wella ffigurau presenoldeb ysgolion gan Estyn, arolygiaeth addysg a hyfforddiant Cymru, a all eu cosbi os yw presenoldeb yn is na lefel benodol.

Mae'r ymgyrch i wella presenoldeb yn seiliedig ar y dybiaeth y bydd yn gwella cyrhaeddiad addysgol. Mae hyn yn gor-symleiddio mater cymhleth iawn. Mae presenoldeb a chyrhaeddiad yn gysylltiedig ond ni phrofwyd bod cysylltiad achosol. Mae ymchwil yn dangos nad yw absenoldeb ar gyfer gwyliau teuluol yn effeithio ar gyrhaeddiad ar lefel ysgol gynradd, a bod rhywfaint o absenoldeb yn annhebygol o gael unrhyw effaith ar lefel ysgol uwchradd. ("Proffil o Absenoldeb Disgyblion, 2011, DfE").

Gall penderfyniad ysgol i wrthod awdurdodi absenoldeb a ganiateir o dan y gyfraith niweidio o ddifrif y berthynas rhwng y cartref a'r ysgol, yn enwedig os bydd y teulu yn credu bod yr absenoldeb yn bwysig i les eu plentyn, ac yn cymryd eu plentyn o'r ysgol beth bynnag. Gall y teulu gael hysbysiad cosb (dirwy) neu gael eu troseddoli.

Mae llawer o resymau dilys pam bod plant a theuluoedd angen yr hyblygrwydd i fod yn absennol o'r ysgol yn ystod amser tymor. Mae hynny'n cynnwys anhawster i gael gwyliau blynyddol yn ystod gwyliau'r ysgol, digwyddiadau teuluol pwysig, yn byw'n bell o rieni dibreswyl, neiniau a

theidiau, a theulu estynedig. Mae teuluoedd sy'n cael eu cyflogi yn y diwydiant twristiaeth a hamdden yng Nghymru wedi teimlo effaith economaidd sylweddol o'r gwaharddiad ar wyliau amser tymor yn Lloegr eleni. Nododd Adroddiad Plentyndod Da 2014 bod yr ysgol yn ddim ond un o'r deg agwedd ar fywyd sy'n cael y dylanwad mwyaf ar les plant. Y lleill oedd y teulu, y cartref, sefyllfa ariannol, ffrindiau, iechyd a dewis.

Prif ddeisebydd: Pembs Parents Want a Say / Rhieni Pembs eisiau cael dweud

Ysytirwyd am y tro cyntaf gan y Pwyllgor: 9 Rhagfyr 2014

Nifer y llofnodion: 812 llofnod a'r lein

P-04-539 Achub Cyfnewidfa Glo Caerdydd

Cyflwynwyd y ddeiseb hon gan Jon Avent a chafodd ei hystyried am y tro cyntaf ar 11 Mawrth 2014 ar ôl casglu 389 o lofnodion. Mae deiseb gysylltiedig ar wefan arall wedi casglu 2680 o lofnodion.

Geiriad y ddeiseb:

Mae'r ddeiseb hon yn gofyn am ymrwymiad gan Lywodraeth Cymru i sefydlu ymchwiliad cyhoeddus i'r digwyddiadau o amgylch y Gyfnewidfa Lo ac i gefnogi'r farn gyhoeddus sy'n ceisio diogelu a gwarchod yr adeilad.

Mae'r Gyfnewidfa Lo yn un o adeiladau pwysicaf Caerdydd ac yn un o'r adeiladau mwyaf godidog yng Nghymru. Yn y Gyfnewidfa Lo y cafodd y cytundeb miliwn o bunnoedd cyntaf ei wneud yn ystod oes aur ddiwydiannol y ddinas (mae hyn yn cyfateb i dros £100 miliwn heddiw). Fodd bynnag, yn hytrach na pharchu'r adeilad arbennig hwn, mae Cyngor Caerdydd yn cynnig dymchwel prif gorff yr adeilad, gan gadw dim ond y ffasadau.

Os bydd hyn yn digwydd, yna bydd y tu mewn godidog gyda'i arwyddocâd hanesyddol aruthrol yn cael ei golli am byth. Mae'r adeilad gradd 2* rhestredig hwn yn haeddu gwell, ac mae'n rhaid i farn y cyhoedd gael ei chlywed.

Mae'r Cyngor wedi bod yn dweud ers blwyddyn ei fod ar fin cwmpo. Nid oes unrhyw waith wedi cael ei wneud, ond nid oes unrhyw dystiolaeth amlwg bod yr adeilad ar fin cwmpo. Mae yna amheuaeth a fyddai Cyngor Caerdydd yn gallu defnyddio pwerau adran 78 o dan y Ddeddf Adeiladu i ddatblygu'i gynlluniau, ac mae angen ymchwilio hyn yn agored.

Mae cymaint o dreftadaeth gymdeithasol ac adeiledig Bae Caerdydd wedi cael ei dinistrio.

Mae'n aneglur pam mae'r cyngor yn gwrthod gweld y gwerth o adfer y Gyfnewidfa Lo i warchod yr adeilad eiconig hwn ar gyfer defnydd a mwynhad cenedlaethau'r dyfodol.

Mae'r materion hyn o ddiddordeb mawr i'r cyhoedd, ac mae'n hanfodol bod ymgynghoriad cyhoeddus agored yn digwydd i adolygu'r materion.

Etholaeth a Rhanbarth y Cynulliad

De Caerdydd a Phenarth

Canol De Cymru



Eich cyf/Your ref P-04-539
Ein cyf/Our ref KS/00771/17

Mike Hedges AM
Chair - Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

government.committee.business@wales.gsi.gov.uk

26 April 2017

Dear Mike

Thank you for your letter of 23 February 2017, regarding Petition P-04-539 Save Cardiff Coal Exchange. You have asked on behalf of the petitioner whether the Welsh Ministers would consider calling a public inquiry to investigate the events surrounding the re-development of the Coal Exchange.

Welsh Ministers can call in any planning application and, should they consider it necessary, hold a public inquiry as part of their consideration of the called in application. However, once planning permission is granted there is no longer a planning application for the Welsh Ministers to call in. Cardiff City Council granted planning permission for the change of use of the Coal Exchange building to a hotel and nominated ancillary uses on 15 July 2016. It is no longer possible, therefore, to call in the application and the permission has established the use of the building in planning terms.

Cardiff City Council is currently considering an application by Coal Exchange Limited for listed building consent (ref: 16/02939/MJR) for the phase 1 works associated with the change of use to provide 170 no. hotel suites with associated uses, including reception, function space, heritage zone, restaurant/bars, spa and circulation and at the Coal Exchange. It is also possible for the Welsh Ministers to consider calling in an application for listed building consent, however no requests to do so have been received by them. It is very rare for the Welsh Ministers to call in a listed building application and will only do so where, in their view, it raises issues of exceptional significance or controversy or is linked to a planning application that has been called in. The Welsh Ministers will not call in an application because of concerns about the way in which it has been handled by the Local Planning Authority as there are established routes for handling such concerns through the authority's Monitoring Officer and the Public Services Ombudsman for Wales.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Ken.Skates@llyw.cymru
Correspondence.Ken.Skates@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I understand the application for listed building consent has been referred to Cadw by Cardiff City Council for consideration and it is due to provide advice to the Council on 28 April. I will provide you with a further response to your letter once Cadw has concluded its consideration of the listed building consent application referred to above.

Yours ever,

A handwritten signature in black ink, appearing to read 'Ken', written in a cursive style.

Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith
Cabinet Secretary for Economy and Infrastructure

**SWYDDFA'R ARWEINYDD
OFFICE OF THE LEADER**

Phil Bale
Arweinydd Cyngor Dinas Caerdydd
Leader of the City of Cardiff Council

Neuadd y Sir
Caerdydd, CF10 4UW
Ffon:(029)2087 2500
E: Arweinydd@caerdydd.gov.uk



County Hall
Cardiff, CF10 4UW
Tel: (029)2087 2500
E: leader@cardiff.gov.uk

www.caerdydd.gov.uk
www.cardiff.gov.uk



Fy Nghyf / My Ref: CM37094

Eich Cyf / Your Ref: P-04-539

Dyddiad / Date: 28 April 2017

Mike Hedges AM
National Assembly Wales
Cardiff Bay
Cardiff
CF99 1NA

Annwyl / Dear Mr Hedges,

Thank you for your letter dated 23rd February 2017, I apologise for the delay in responding to you.

As you may be aware, progress is being made with the Coal Exchange redevelopment and whilst there are some people who are not fully supportive of the development, generally the response to the scheme has been welcomed. I have no doubt that whilst some opposition to the redevelopment in its current guise remains, everyone wants to see the renovation of the Coal Exchange taken forward in a way that secures the long-term future of the building.

With regard to the query raised, my correspondence referred to in the letter you attached reflected the position at the time of writing. The development proposal has since progressed and should be considered a matter for the developer and the planning authority.

Notwithstanding this, the Memorandum of Understanding was put in place to help facilitate a redevelopment of the Coal Exchange in a way that reflects and respects its heritage, enables a sustainable model for regeneration and does not expose the public purse to any further financial risk. We remain committed to working with the developer to ensure that the obligations within the Memorandum of Understanding are kept and that includes addressing the Car Park area in the front of the building.

It should be noted that the Memorandum of Understanding is not intended as a means of restricting or controlling development which must be managed by the local planning authority as the statutory body in line with the correct legal processes and procedures. From the outset Signature Living were asked to follow the correct procedures and to apply for permissions before progressing works. I understand they

have done this and work has begun on the entrance to the Coal Exchange, which includes work on the concrete structure described as 'extremely ugly' in the attached correspondence. In terms of public procurement, the City of Cardiff Council has followed legal advice.

Please let me or my office know if you need any further information.

Yn gywir,
Yours sincerely,

A handwritten signature in black ink, appearing to read 'Phil Bale', with a stylized flourish at the end.

**CYNGHORYDD / COUNCILLOR PHIL BALE
ARWEINYDD, CYNGOR DINAS CAERDYDD
LEADER, THE CITY OF CARDIFF COUNCIL**

P-04-539 Save the Coal Exchange – Correspondence from the Petitioner to the Committee, 17.05.17

Dear Petitions Committee

Thank you for persevering with my petition, which I remain committed to. Primarily I seek to have the facts surrounding the handling of the building by Cardiff Council investigated openly and transparently with proper public scrutiny. The justifications for this seem to be compelling and wide ranging, and I sincerely hope that we can achieve this reasonable objective.

In many respects it is superficially good to see repairs being carried out, but surprising and somewhat suspicious that all this seems to be progressing with little apparent conservation focused control or monitoring.

The listed building application appears to have been pushed through without any recognition of serious concerns raised by the likes of the Victorian Society (see attached letter).

With Cardiff council having a significant financial interest in the building, and being closely embedded with the developer through their procurement of them (without any publicly advertised tender/procurement.... Apparently in breach of WG procurement rules??), it has to be questioned where the necessary independence existed in the process, and why the likes of the Victorian Society were apparently ignored?

..... Although this simply demonstrates the ongoing concerns that require scrutiny of the whole process to occur.

Regards

Jon Avent

Eitem 3.9

P-05-690 – Arwynebu Ffordd A40 Rhaglan–Y Fenni.

Cyflwynwyd y ddeiseb hon gan Sara Jones ar ôl casglu 22 llofnod.

Mae'r ddeiseb wedi casglu 142 o lofnodion ar wefan e- ddeiseb arall.

Geiriad y ddeiseb

Mae'r ddeiseb hon yn galw ar Lywodraeth Cymru i newid yr hen arwyneb concrit ar ffordd yr A40 o Rhaglan i'r Fenni, am darmac tawel (Whispering Tarmac).

Mae'r Cynllun Gweithredu ynghylch Sŵn (2013–18) yn nodi y dylid rhoi blaenoriaeth i'r ffordd hon, ar ôl derbyn yr ymatebion i'r ymgynghoriad ac ar ôl gwneud y mesuriadau. Er hynny, ni chafwyd unrhyw gynnydd er gwaethaf galwadau parhaus gan drigolion, y Cynghorydd Sir lleol, yr Aelod Cynulliad a'r Aelod Seneddol.

Rydym ni, sydd wedi llofnodi isod, yn nodi y dylid rhoi'r flaenoriaeth gyntaf i'r ffordd hon, o ystyried y pryderon niferus a godwyd gan y cyhoedd a chynrychiolwyr a'i bod wedi'i nodi o dan Gynllun Gweithredu ynghylch Sŵn presennol Llywodraeth Cymru.

Etholaeth a Rhanbarth y Cynulliad

- Mynwy
- Dwyrain De Cymru

Ken Skates AC/AM
Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith
Cabinet Secretary for Economy and Infrastructure



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref KS/01166/17

Mike Hedges AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

2 May 2017

Dear Mike,

Thank you for your letter of 4 October 2016, which we received on 23 March, regarding the road surface on the A40 at Raglan.

Further to my reply of 16 August 2016, the position with regard to surfacing remains unchanged. However, work will commence in 2017/18 designing suitable noise mitigation measures for the priority 1 section of the A40 / Usk Road roundabout.

The current priority list will also be reviewed this financial year following a new noise survey of the motorway and trunk road network.

Priorities could therefore change and new sections enter the programme.

*Yours ever,
Ken*

Ken Skates AC/AM
Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith
Cabinet Secretary for Economy and Infrastructure

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Ken.Skates@llyw.cymru
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Tudalen y pecyn 147

**P-05-690 Resurfacing of the A40 Raglan–Abergavenny Road –
Correspondence from the Petitioner to the Committee, 15.05.17**

Hi Kayleigh

Please could the committee read the attached letter from 3 November 2014 which commits to resurfacing of the A40 and suggests a scheme is being designed up. I therefore would ask that the Minister confirms the commitment that the noise mitigation he references includes re-surfacing.

Furthermore –

The Welsh Government conducted a consultation in 2012 to identify priority areas under the Noise Action Plan. The following excerpt is taken from the 2013–18 Plan.

Road traffic noise is highly dependent on the nature of the road surface, particularly at high speeds, and concrete is the noisiest surface to be found nowadays on the Welsh trunk road network. There are three stretches of concrete trunk road remaining in Wales:

the A465 between the Aberdulais interchange and Cwmgwrach roundabout; the A40 between Raglan and Abergavenny; and the A4232 between Culverhouse Cross and Junction 33 of the M4.

In 2013 the South Wales Trunk Road Agent commissioned noise assessments for all three remaining stretches of concrete trunk road. The measurements taken showed elevated noise levels along all three roads. In addition, the 2012 noise mapping has flagged parts of the concrete A465 and A4232 as candidate priority areas, and fourteen responses to the consultation on this plan concerned excessive noise from the concrete A40, including from residents of three different villages and the managing director of a residential home. All fourteen strongly advocated an improved road surface.

In light of the consultation responses and the measurements taken, all the residential properties situated along the three concrete stretches of trunk road will be listed as priority areas under this action plan.

We call for a commitment to resurfacing as part of any noise mitigation and that the priorities identified in the plan be met. There are only three concrete trunk roads remaining in Wales, we ask that as part of noise mitigation measures the WG bring

forward resurfacing as a priority – as identified by the many consultation responses received.

We fail to understand why a further noise survey is being carried out when the existing commitments under the current action plan have yet to be met.

The road noise has got progressively worse over the past year and affects all the communities alongside the A40, not just The Bryn.

The only solution is for full resurfacing of the A40 from Raglan to Abergavenny.

This has been an nine year campaign – we have been led to believe that resurfacing would take place.

Regards

Sara

Edwina Hart MBE CStJ AC / AM
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth
Minister for Economy, Science and Transport



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref EH/05432/14

Cllr Sara Jones
Llanover Ward
Monmouthshire County Council

SaraJones2@monmouthshire.gov.uk

3 November 2014

Dear Cllr Jones,

Thank you for your email of 12 October regarding timescales for resurfacing the A40.

Parts of this road were identified as priority areas for mitigation work in our Noise Action Plan. A resurfacing scheme is being designed in the current financial year. However timing of the actual works will be dependent on available funding in 2015/16. I will update you once next year's programme has been agreed.

A handwritten signature in black ink, appearing to read 'Edwina Hart'.

**P-05-690 Resurfacing of the A40 Raglan–Abergavenny Road –
Correspondence from Nick Ramsey AM to the Committee, 15.05.17**

To the Petitions Committee

Meeting 23rd May 2017 Ref: FW P-04-690

I was disappointed to see a letter dated 2nd May 2017 from the Cabinet Secretary for Economy and Infrastructure to Mike Hedges AM as Chair of the Petitions Committee (ref KS/01166/17) regarding the road surface on the A40 in my constituency.

I have been campaigning with constituents for many years for the old concrete surface of the A40 between Abergavenny and Raglan to be resurfaced to reduce noise levels for local residents. This remains one of the very few sections of noisy concrete Trunk Road surface in Wales, and needs to be resurfaced as a matter of priority. Following the results of the 2013–18 Noise Action Plan I was led to believe that the road was to be resurfaced at last, but we are still waiting for this to happen.

The Cabinet Secretary's letter of 2nd May 2017 refers to yet another noise survey and seems to imply that the work required to resurface the A40 between Raglan and Abergavenny is to be delayed yet again.

This matter deserves priority given the length of time this campaign has been running and in view of the previous findings and assurances provided to carry out resurfacing rather than other lesser noise mitigation schemes.

Kind regards

Nick

Nick Ramsay AM

Eitem 3.10

P-05-737- Achubwch ein bus.

Cyflwynwyd y ddeiseb hon gan Patricia Threadgill ar ôl casglu 60 llofnod.

Geiriad y ddeiseb

Newydd ddod i ddeall heddiw bod y bus rydw i'n ei ddefnyddio'n rheolaidd o Gilfach Goch i Bontypridd yn diflannu. Ym mis Ionawr 2016 dywedodd Llywodraeth Cymru ei bod wedi ymrwmo i wella ansawdd gwasanaethau bus lleol a'u gwneud yn fwy hygyrch. Mae pobl hŷn, pobl dlotach a phobl ag anableddau yng Ngilfach Goch sy'n defnyddio'r bus hwn, a gall wneud y gwahaniaeth rhwng teithio o le i le a theimlo'n gaeth. Felly achubwch y 150 i BONTYPRIDD !!!!

Etholaeth a Rhanbarth y Cynulliad

- Ogwr
- Gorllewin De Cymru

Dear Ms England

Thank you for your e-mail of 22nd February regarding service 150.

We have received some complaints from users of this service that terminates now at Porth as opposed to Pontypridd.

The reasons for this given by Stagecoach at the time were as detailed in the paperwork you have supplied.

I have contacted Mr Edward Reid, Commercial Manager at Stagecoach in South Wales who confirms that they currently have no plans to reintroduce a through service between Gilfach Goch and Pontypridd. They did indicate however that they have recently conducted a survey of passengers on this service.

I have also contacted Me Charlie Nelson, Transportation Manager at Rhondda Cynon Taff CBC who comments as follows

“As we discussed this afternoon, I am aware of the concerns surrounding Stagecoach’s decision to reduce the frequency and withdraw the Pontypridd to Porth section of the 150 service, which previously had run between Gilfach Goch and Pontypridd.

The Council Leader and I met with some of the local Councillors, who represent a number of deprived and hill top areas on the line of the route that are remote from shopping areas, health and leisure facilities, as well as basic necessities such as Dentists, Opticians, Banks. From that meeting in January 2017, it was clear that such communities rely on a frequent and direct public transport link and any reduction or loss of services is regrettable.

At the Leader’s request, as agreed at the meeting, I met with Stagecoach’s Managing Director in the hope that as a major partner of the Council, and its major public transport provider, the impact of the changes on the affected communities and the loss of the through service to Pontypridd could be re-examined.

As a consequence of these discussions, it was agreed that an on bus survey, with a 200+ sample size, would be carried out by the operator within February 2017, so as to collect objective data against which Stagecoach could review the commercial business options. I am awaiting the results from that survey.

In the meantime, in recognition that having to change buses in Porth is more inconvenient for the public, especially the elderly, I have managed to secure through ticketing onto the remaining 11 buses an hour that operate between Porth and Pontypridd. This means that customers travelling from / to Gilfach Goch can purchase through single or return tickets to / from Pontypridd.

I trust the above information is of assistance and should you require anything further please do not hesitate to contact me.”

I hope that this information is of use to you.

Kind Regards

Barclay Davies

Barclay Davies | Deputy Director for Cymru/Wales

0300 111 0001 – PO Box 1045, Cardiff CF11 1JE

www.bususers.org   



P-04-683 – Coed mewn Trefi

Cyflwynwyd y ddeiseb hon gan Coed Cadw ar ôl casglu **2,258**

llofnod bapur

Geiriad y ddeiseb

Rwy'n cefnogi'r dyhead y dylai pob dinas, tref a phentref yng Nghymru fanteisio ar o leiaf 20% o orchudd canopi coed, i gyd fynd â maestrefi deiliog y lleoedd gorau i fyw

- *Rwy'n galw ar Lywodraeth Cymru i gefnogi hyn drwy sefydlu cronfa her ar gyfer plannu coed er mwyn gwella'r amgylchedd lle mae pobl yn byw*
- *Dylai hyn gefnogi'n arbennig, plannu coed brodorol a all ddarparu cynefin a ffynhonnell neithdar i bryfed peillio, a hefyd coed ffrwythau, a fydd yn darparu ffynhonnell gynaliadwy o fwyd.*
- *Byddwn yn ddiolchgar pe gallech roi gwybod i mi os ydych yn gallu dod.*

Etholaeth a Rhanbarth y Cynulliad

- De Caerdydd a Phenarth
- Canol De Cymru

Eitem 3.12

P-04-687 – Adolygiad o Bysgota Cregyn Bylchog ym Mae Ceredigion

Cyflwynwyd y ddeiseb hon gan Harry Hayfield ar ôl casglu 33 llofnod ar lein

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru atal treillio am gregyn bylchog ym Mae Ceredigion a sicrhau bod y dolffiniaid a'r llamhidyddion sy'n sefydlog yno yn cael eu diogelu yn awr ac yn y dyfodol.

Etholaeth a Rhanbarth y Cynulliad

- Ceredigion
- Canolbarth a Gorllewin Cymru

P-04-687 Review of Scalping in Cardigan Bay – Correspondence from the Petitioner to the Committee, 11.05.17

I do apologise about that, but it turned out that all of your messages were sent to my spam filter (perhaps that is something that your technical team could investigate in case it has happened to other petitioners). I have read the Minister's views and generally agree with them, but would like to suggest that, if possible, that community councils in the areas where concerns have been raised (as well as county councillors, AM's, MP's and MEP's where suitable) are also involved in the discussions

Eitem 3.13

P-05-733- Dim gweithredu pellach ar Barthau Perygl Nitradau (NVZ) yng Nghymru o gwbl

Cyflwynwyd y ddeiseb hon gan Nicola Savage ar ôl 30 o lofnodion ar-lein a dros 400 o lofnodion papur. Casglodd deiseb gysylltiedig 497 o lofnodion ar wefan e-ddeiseb amgen

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i beidio â chymryd camau pellach o ran NVZ yng Nghymru. Byddai cyflwyno'r gyfarwydddeb hon yn rhoi pwysau aruthrol ar ddiwydiant llaeth sydd eisoes yn crebachu, ynghyd â chymunedau gwledig yn ehangach. Ni yw asgwrn cefn economi Cymru, Dim Ffermwyr, Dim Bwyd.

Etholaeth a Rhanbarth y Cynulliad

- Preseli Sir Benfro
- Canolbarth a Gorllewin Cymru

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig
Cabinet Secretary for Environment and Rural Affairs




Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-733
Ein cyf/Our ref LG/00598/17

Mike Hedges AM
Chair - Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

government.committee.business@wales.gsi.gov.uk

 April 2017

Dear Mike

Thank you for your letter of 21 March, regarding further correspondence received in relation to petition P-05-733.

The Cleddau catchment was recommended for designation by Natural Resources Wales based on the best available evidence. The proposed designation is a human health issue, irrespective of the type of designation. Eutrophication is the excessive development of certain types of algae which disturbs aquatic ecosystems and becomes a threat to human health. Algal toxins in marine ecosystems can accumulate in shellfish and more generally in seafood, reaching dangerous levels.

There are a number of algal species which can produce toxins harmful to human health and represent a risk to seafood consumers. They can cause various effects such as Diarrhoeic Shellfish Poisoning which leads to gastrointestinal symptoms and Paralytic Shellfish Poisoning which leads to tingling, numbness, shaking, slurring of speech, burning of the stomach and fever for which there is no antidote. Amnesic Shellfish Poisoning symptoms include mental confusion and loss of memory, disorientation and sometimes coma. Neurotoxic Shellfish Poisoning leads to muscular paralysis, state of shock and sometimes death. Venerupin Shellfish Poisoning leads to gastrointestinal, nervous, haemorrhagic, hepatic symptoms and in extreme cases delirium and hepatic coma.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 159

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The presence of bacteria potentially harmful to human health such as *Escherichia coli*, *Salmonella* spp or *Vibrio Cholerae* can represent a threat to people bathing in water. Under normal conditions, these bacteria do not survive very long in seawater. The major reasons for this is a lack of nutrients in seawater, the exposure of bacteria to UV rays which have a bactericidal effect, and, finally, the osmolarity of sea water which is much higher than that of bacteria. During algal blooms, the conditions are reversed, food becomes abundant, light is diminished and some algae may also release chemicals that produce osmo-protection for the bacteria.

While reliance on manufactured fertilisers and livestock numbers have reduced since the 1980's this does not reflect other factors, including how agricultural practices have also led to a reduction of permanent grassland and other "buffer" areas such as ditches, hedges and wetlands, a situation which favours erosion, run-off and drainage of nutrients to water bodies. It should not be concluded measures are not needed now as fertiliser use is reduced compared to the 1980's. Prior to the 1980's, fertiliser use and stocking levels increased continuously for over 100 years to unsustainable levels. Due to the complexity of catchment functioning and historical losses of nitrates to the environment, concentrations of nitrate in certain aquifers are unlikely to recover for many years. Nitrate levels in carboniferous limestone aquifers in North East Wales, for example, are not expected to reach a peak until around 2050. It is for this reason we need to take action now for the benefit of future generations.

The economic, environmental, social and cultural well-being of future generations, and in particular rural communities, is dependant upon achieving the objectives of the Nitrates Directive, the protection of water quality by preventing nitrates from agricultural sources polluting ground and surface waters. Wales will shortly be leaving the European Union following which the Common Agricultural Policy and related financial payments to the agricultural industry will no longer apply. It is disappointing, at a time when I am considering the development of an alternative agricultural support scheme, the petitioner is critical of the tourism sector. It should be recognised that rural communities and agricultural businesses are highly reliant on the economic benefits of tourism, which support the rural economy.

Over the last three years, there have been 248 agricultural point source pollution incidents in Wales, an average of 1.6 per week, including 14 category 1 incidents. A Category 1 incident is an event which has a major, serious, persistent and/or extensive impact on the environment. The latest Category 1 slurry pollution incident occurred on 21 February on a tributary of the Gwili, near Llanpumsaint, Carmarthenshire. Nearly the entire length of the unnamed tributary (approximately 2.5km) was affected with hundreds of fish carcasses counted. The number of carcasses is only an indication of the significance of the incident and the total fish kill will be far greater. Invertebrate populations will also have been significantly effected, with associated impacts upon the capacity for fish to return and bird life.

In December an even more significant Category 1 incident occurred on the Teifi. The Teifi, designated a Special Area of Conservation due to the presence of Annex II species including bullhead, lamprey and Atlantic salmon, has benefitted from an international reputation as one of the top producing rivers for salmon and sea trout in the U.K. The Gwili is also a popular angling destination. Such incidents risk damage to the rural economy. Stock levels have been clearly identified as being in a very poor condition in 21 of the 23 principle salmon rivers in Wales, potentially leading to an outright ban on the killing of salmon. The value of recreational freshwater angling tourism to Wales was estimated to be worth well over £100m to the Welsh economy, £32 million in rural household incomes.

Natural Resources Wales are currently investigating another 8 agricultural pollution incidents reported over the period 16-20 March. Cemaes Bay, Anglesey recently failed to meet the required standards under the Bathing Water Directive and advisory signs will be posted in the Bay to notify bathers. Livestock bacteria and excrement have been linked to the pollution and Councillors have raised their fears that tourism numbers will dip unless the water quality drastically improves. The implications of these events are clear and I am greatly concerned about their frequency and the impact they will have on rural communities.

If we are to learn from the experiences of others, there are a number of examples which demonstrate how the implementation of the Nitrates Directive is compatible with our well-being goals. In 1999 the Scottish Government implemented a temporary ban on the fishing for scallops and queen scallops in specific areas, necessitated by high levels of Amnesic Shellfish Poisoning caused by algal blooms. The reported economic loss was £800,000 and resulted in job losses and significant loss of income within the affected rural communities.

Over the last 30 years the environmental quality of the Black Sea has deteriorated due to the eutrophication of the water, resulting in alarming algal overgrowth. Following the break up of the ecosystem between the 1970s and the 1980s, fish deaths were estimated at five million tons between 1973 and 1990, representing US\$ 2 billion at market cost. A further consequence is that tourists have stopped visiting the coasts of the Black Sea leading to losses for the tourist industry. A study performed in the framework of the Black Sea Environmental Programme estimated in 1995 that the annual economic loss due to tourist disaffection in this region was close to US\$ 360 million for a 10% decrease in the environmental quality.

The Environment (Wales) Act 2016 provides the Welsh Ministers with powers to suspend statutory requirements for experimental schemes upon application from Natural Resources Wales. However, under the Government of Wales Act 2006 the Welsh Ministers have no power to make subordinate legislation or to do any other act incompatible with EU law. In this respect, it is not possible to experiment with alternatives to the Nitrate Vulnerable Zone Action Programme which are incompatible with the Nitrates Directive, while we remain within the European Union. Approximately 97.6% of Wales is not designated and voluntary measures could be applied in these areas with the aim of reducing the risk of future designation. Unfortunately studies suggest that over two thirds of farms are not yet compliant with slurry storage regulations which have been in place since 1991, which suggests that voluntary measures are unlikely to be successful. Insufficient storage means slurry has to be spread on the land irrespective of weather conditions and leads to pollution of watercourses.

The Nitrates Directive requires certain measures to be introduced by member states but there is flexibility as to how each member state implements these measures. There appears to be a misconception that the measures are dictated by the European Union and are not applicable to Wales. However, the implementation of the Nitrates Directive in Wales, which differs from that of other member states, is supported by evidence established as part of the initial transposition of the Nitrates Directive and subsequent reviews. The evidence suggests that the Action Programme measures will be effective in reducing agricultural pollution, in particular the loss of nitrates to water. The extent to which the Action Programme measures are expected to reduce levels of nitrate pollution has been determined by previous regulatory impact assessments. A regulatory impact assessment is being developed as part of the current review.

Until we formally exit the EU, we are obliged to comply with all European law. I am interested to hear people's views if they feel alternative approaches to those included in the consultation can achieve the same or better outcome whilst satisfying the requirements of the Directive. My officials are exploring the opportunities available to us and recently met with a major UK dairy to discuss their proposals for an alternative approach. I am highly supportive of such proposals and of industry lead initiatives. My officials will continue to work with the dairy to further explore possible options.

Regards
Lesley

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig
Cabinet Secretary for Environment and Rural Affairs

P-05-711 – Sicrhau bod Anghenion Pobl Anabl am Addasiadau i Dai yn cael eu Diwallu'n Ddigonol

Cyflwynwyd y ddeiseb hon gan Whizz-Kidz, Cardiff Ambassador Club, ar ôl casglu 30 llofnod ar lein a 95 llofnod bapur = 125 llofnod

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ymrwymo i sicrhau nad oes yn rhaid i bobl anabl yng Nghymru aros mwy na thair blynedd i gael yr addasiadau hanfodol i'w tai / y tai y mae arnynt eu hangen, ac i weithio gydag awdurdodau lleol i sicrhau bod staff sy'n ymdrin ag achosion tai ag addasiadau wedi cael hyfforddiant digonol a'u bod yn atebol am sicrhau bod anghenion unigol yn cael eu diwallu.

Gwybodaeth ychwanegol

Mae rhai o'r Llysgenhadon Ifanc yng nghlwb Whizz-Kidz Caerdydd wedi brwydo'n hir i gael eu hanghenion o ran tai wedi'u diwallu. Mae llawer o anghysondeb wrth fynd i'r afael ag achosion ac mae un person ifanc yn y grŵp wedi methu byw gyda'r teulu ers dros saith mlynedd am nad oes tŷ addas ar gael. Credwn fod hyn yn annerbyniol, a gyda rhagor o gysondeb ac atebolrwydd wrth fynd i'r afael ag achosion a gwell hyfforddiant i staff, gallai'r sefyllfa wella.

Etholaeth a Rhanbarth y Cynulliad

- N/A

Ein Cyf /Our Ref:
Eich Cyf /Your Ref:
Dyddiad /Date:
Gofynnwch am/Please ask for:
Llinell uniongyrchol/Direct line:
Ebost/Email:

ST/SS
11/04/2017
Steve Thomas
029 2046 8610
steve.thomas@wlga.gov.uk



Kayleigh Driscoll
Deputy Clerk – Petitions Committee
Chamber and Committee Service
National Assembly for Wales

Dear Kayleigh,

Petition P-05-711 Ensure Disabled People's Housing Adaptation Needs are adequately met

Thank you for your letter dated 2nd November 2016, my apologies for the delay in providing you with a response.

Following the review of Independent Living Adaptations published in 2015, the WLGA has welcomed the focus that the new framework *ENABLE – Support for independent living* has brought to simplifying and standardising approval mechanisms and the processes for delivering adaptations as quickly as possible. We have also welcomed the additional funding made available by Welsh Government to support the roll out of the system which boosts the help available for people in need. While the new framework brings improvements to the processes around providing adaptations, it will also sometimes be necessary for advice and assistance to be given to help people to find a suitable alternative home, which meets their needs.

An adequately trained and accountable workforce is essential in the delivery of services and ensuring that people receive the best care and support. Proper training and development for staff in front-line roles is essential, and this is particularly the case given changed requirements under the Social Care and Well-being (Wales) Act. Social Care Wales has developed a training strategy and a range of training resources to support the implementation of the Act, and it will be essential that all relevant staff are able to access these resources to enable them to deliver the ambitions of the Act, and ensure that the needs of individuals are met.

Please let me know if you require any further information on this matter.

Steve Thomas CBE
Prif Weithredwr
Chief Executive

Cymdeithas Llywodraeth
Leol Cymru
Tŷ Llywodraeth Leol
Rhodfa Drake
CAERDYDD CF10 4LG
Ffôn: 029 2046 8600

Welsh Local Government
Association
Local Government House
Drake Walk
CARDIFF CF10 4LG
Tel: 029 2046 8600

wlga.cymru
wlga.wales

@WelshLGA

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.

Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

Tudalen y pecyn 164
We welcome correspondence in Welsh and English and will respond to correspondence in the same language.
Use of either language will not lead to a delay.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Thomas'.

Steve Thomas CBE
Prif Weithredwr/Chief Executive

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.

Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

We welcome correspondence in Welsh and English and will respond to correspondence in the same language.

Use of either language will not lead to a delay.

Eitem 4

Yn rhinwedd paragraff(au) ix o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon

Mike Hedges AC
Cadeirydd y Pwyllgor Deisebau
SeneddDeisebau@Cynulliad.Cymru

27 Ebrill 2017

Annwyl Mike

Papur Gwyn Bil y Diddymu Mawr

Yn dilyn ein trafodaeth am faterion gadael yr Undeb Ewropeaidd yn y Fforwm Cadeiryddion ar 5 Ebrill 2017 ac yng ngoleuni penderfyniadau a wnaed gan y Pwyllgor Materion Allanol yn ei gyfarfod ar 3 Ebrill 2017, rwy'n ysgrifennu i roi gwybod i chi am y gwaith y mae'r Pwyllgor Materion Allanol yn ei gynllunio mewn perthynas â Phapur Gwyn Bil y Diddymu Mawr.

Rwyf hefyd yn ysgrifennu atoch i'ch gwahodd chi a'ch pwyllgor i gyfrannu at y gwaith hwn.

Mae Bil y Diddymu Mawr a dull gweithredu ehangach Llywodraeth y DU o ran deddfu ar gyfer gadael yr Undeb Ewropeaidd, yn cyflwyno rhai heriau sylweddol i'r Cynulliad a'i bwyllgorau.

Bydd goblygiadau sylweddol i'r Bil hwn yn ei ffurf derfynol o ran rôl y Cynulliad yn y broses o adael yr Undeb Ewropeaidd a'i le yn nhrefn gyfansoddiadol y Deyrnas Unedig.

Mae'r Papur Gwyn yn cynnig ei gyfle cyntaf, a gellid dadlau, ei gyfle gorau, i'r Cynulliad ddylanwadu ar y ddeddfwriaeth.



Rwy'n gweld dwy agwedd allweddol ar y gwaith craffu hwn:

1. **Datganoli:** sicrhau nad yw'r Cynulliad a Gweinidogion Cymru yn cael eu hatal rhag cymryd rhan briodol yn y broses; a
2. **Cydbwysedd o rym gweithredol:** bod cydbwysedd priodol rhwng y pwerau a'r cyflymder sydd eu hangen ar Weinidogion Cymru i gwblhau eu tasg ddeddfwriaethol â'r angen am oruchwyliaeth briodol gan y Cynulliad.

Er bod y Pwyllgor Materion Allanol wedi cael ei sefydlu gan y Cynulliad i gymryd yr awenau ar y materion hyn, cymaint yw maint y dasg o'n blaenau nes fy mod yn credu y bydd angen i'r rhan fwyaf o bwyllgorau'r Cynulliad chwarae rhan yn ymateb y Cynulliad. Byddwn yn gwneud y defnydd gorau o allu'r Cynulliad i ddylanwadu ar ffurf derfynol y ddeddfwriaeth drwy gydweithio a chydlynu ein gwaith lle bo hynny'n bosibl.

Byddwn yn croesawu eich barn ar Bapur Gwyn Bil y Diddymu Mawr a dull deddfwriaethol ehangach Llywodraeth y DU o ran gadael yr Undeb Ewropeaidd. Dyma ein cylch gorchwyl:

Yng nghyd-destun Papur Gwyn Llywodraeth y DU, i asesu:

- a ddiogelir rôl y Cynulliad ym mhroses deddfwriaethol gadael yr Undeb Ewropeaidd, ac o ran craffu ar swyddogaethau gweithredol, yn y meysydd cymhwysedd datganoledig;
- a ddilynir egwyddorion deddfu effeithiol;
- a oes gan bobl, rhanddeiliaid a sefydliadau Cymru ddigon o gyfle i gyfrannu at y prosesau deddfwriaethol a sefydlir gan y Bil;
- a yw'r Bil yn galluogi'r Cynulliad i arfer rheolaeth briodol dros y pwerau dirprwyedig a ddarperir gan y Bil; ac
- a yw ymateb Llywodraeth Cymru yn ddigonol.

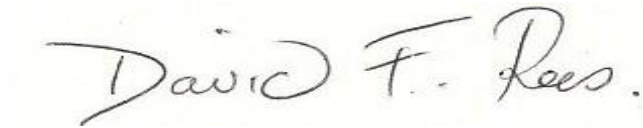
Mae'r Pwyllgor Materion Allanol yn paratoi i gasglu tystiolaeth yn ystod hanner cyntaf tymor yr haf, gyda'r bwriad o gyflwyno adroddiad yn gynnar ym mis



Mehefin. Os hoffech ymateb i'r llythyr hwn, yna byddwn yn ddiolchgar o gael ymatebion erbyn dydd Gwener, 2 Mehefin 2017.

Rydym yn bwriadu parhau â'n gwaith craffu ar y ddeddfwriaeth hon (a'r goblygiadau sydd iddi drwy gydol y broses o adael yr Undeb Ewropeaidd ac yn dilyn hynny) pe bai Bil y Diddymu Mawr yn cael ei gyflwyno yn ddiweddarach eleni, a byddaf yn ysgrifennu atoch eto pe bai'r amserlen yn hyn o beth yn dod yn fwy eglur.

Yn gywir

A handwritten signature in black ink that reads "David F. Rees." The signature is written in a cursive style with a large initial 'D' and 'R'.

David Rees AC

Cadeirydd y Pwyllgor Materion Allanol a Deddfwriaeth Ychwanegol

