

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 Hydref 2018	Kath Thomas – Dipwrwy Glerc
Amser: 09.30	0300 200 6565
	SeneddDeisebau@cynulliad.cymru

1 Cyflwyniad, ymddiheuriadau, dirprwyon a datgan buddiannau

(Tudalennau 1 – 30)

2 Deisebau newydd

- 2.1 P-05-840 Cyllid Teg i Gyngor Bwrdeistref Sirol Castell–nedd Port Talbot (CBSCNPT) a phob Awdurdod Lleol arall

(Tudalennau 31 – 40)

- 2.2 P-05-841 Cynnwys cynnig amgen ‘Pont Benidgeidfran’ ar gyfer trydedd bont dros y Fenai yn y broses asesu ffurfiol

(Tudalennau 41 – 48)

- 2.3 P-05-842 Rhowch lais i bobl ifanc yn y broses o gomisiynu gwasanaethau lleol yng Nghymru

(Tudalennau 49 – 63)

- 2.4 P-05-843 Mwy o hawliau trydydd parti mewn apeliadau cynllunio

(Tudalennau 64 – 74)

- 2.5 P-05-844 Adolygu Cynllun Datblygu Lleol Castell–nedd Port Talbot ar unwaith

(Tudalennau 75 – 83)

- 2.6 P-05-845 Rhowch Derfyn ar Wrthdaro Buddiant yng Nghyfansoddiad Awdurdodau Lleol

(Tudalennau 84 – 94)

3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol



Iechyd

- 3.1 P-05-771 Ailystyried y penderfyniad i roi'r gorau i Grant Byw'n Annibynnol
Cymru a'r angen i gefnogi pobl anabl i fyw'n annibynnol

(Tudalennau 95 – 114)

Amgylchedd

- 3.2 P-05-825 Diogelu ysgyfaint plant rhag llygredd niweidiol tra maent yn yr
ysgol

(Tudalennau 115 – 124)

Economi a Thrafnidiaeth

- 3.3 P-05-824 Ffordd Osgoi Derwen Brimmon y Drenwydd

(Tudalennau 125 – 130)

- 4 Cynnig o dan Reol Sefydlog 7.42 (ix) i benderfynu gwahardd y
cyhoedd ar gyfer eitem 5

- 5 Trafodaeth ar Flaenraglen Waith y Pwyllgor

(Tudalennau 131 – 133)

Mae cyfyngiadau ar y ddogfen hon

P-05-840 Cyllid Teg i Gyngor Bwrdeistref Sirol Castell-nedd Port Talbot (CBSCNPT) a phob Awdurdod Lleol arall

Cyflwynwyd y ddeiseb hon gan Unison, ar ôl casglu 225 o lofnodion.

Geiriad y ddeiseb

Mae angen i Lywodraeth Cymru fynd drwy ei chyllidebau fesul llinell a chael gwared ar wariant gwastraffus er mwyn sicrhau ei bod yn diogelu gwasanaethau cyhoeddus ledled Cymru. Rydym yn defnyddio Castell-nedd Port Talbot fel engraifft drwy gydol y ddeiseb hon, am ein bod yn byw yno ac yn gweithio i CBSCNPT, ond gan ddeall bod pob awdurdod unedol yng Nghymru dan bwysau ariannol eithafol.

Rydym yn cytuno bod gan bob awdurdod rôl wrth gael gwared ar wariant gwastraffus, ond wrth ystyried darpariaeth gwasanaeth nawr, yr unig gwestiwn ym mhob awdurdod yw "A yw'n ddigon da?" yn hytrach nag "A yw'n arfer gorau?"; ond mae Cyngor Castell-nedd Port Talbot wedi cael gwared ar unrhyw wariant gwastraffus ac, erbyn hyn, mae yn y sefyllfa lle mae angen iddo ystyried cau gwasanaethau anstatudol megis parciau a gwasanaethau hamdden, mewn gwrthwynebiad uniongyrchol i ddeddfwriaeth Llywodraeth Cymru, fel Deddf Llesiant Cenedlaethau'r Dyfodol a'r Ddeddf Gwasanaethau Cymdeithasol. Dim ond yr esgyrn sydd ar ôl erbyn hyn.

Erbyn hyn, mae angen i Lywodraeth Cymru wario'n glyfrach, nid gwario llai. Heb wariant clyfar gan Lywodraeth Cymru, bydd gwasanaethau allweddol ein cymuned yn cael eu cwtogi neu eu colli. Bydd rhagor o doriadau cyllidebol yn dinistrio swyddi, gwasanaethau a chymunedau lleol. Mae Cyngor Bwrdeistref Sirol Castell-nedd Port Talbot yn gyflogwr pwysig a bydd rhagor o ostyngiad mewn cyllid yn cael effaith enfawr ar yr economi leol fel ym mhob Awdurdod Lleol yng Nghymru.

Gwybodaeth Ychwanegol

Mae Cyngor Bwrdeistref Sirol Castell-nedd Port Talbot yn un o'r cynghorau mwyaf difreintiedig yng Nghymru ac mae angen cyllid ychwanegol arno i gynnal y gwasanaethau a ddarperir i'r rhai mwyaf agored i niwed yn y Fwrdeistref. Cyngor Bwrdeistref Sirol Castell-nedd Port Talbot yw'r prif gyflogwr yn yr ardal a bydd unrhyw ostyngiad mewn cyllid yn cael effaith andwyol ar gyflogaeth a'r gallu i'r gwasanaethau hanfodol hyn fod yn

gynaliadwy ac aros yn fewnol. Bydd toriadau cyllidebol yn arwain at fwy o amddifadedd yn ein cymunedau a cholli swyddi'n orfodol gyda gwasanaethau'n diflannu am byth.

Mae diffyg cyllid i Gyngor Bwrdeistref Sirol Castell-nedd Port Talbot yn arwain at ddarpariaeth gwasanaeth sy'n aflonyddgar, yn gostus ac o ansawdd gwael; colli cyfleoedd cyflogaeth, telerau ac amodau cyflogeion ac, yn bwysicaf oll, golli atebolrwydd democrataidd os caiff gwasanaethau eu colli i'r sector preifat neu'r trydydd sector a disbyddu cyllidebau wrth gefn. Rydym yn cytuno â gweledigaeth Llywodraeth Cymru y dylai pawb yng Nghymru fyw mewn cymunedau llewyrchus, llawn addewid a chynaliadwy sydd â chysylltiadau da, gydag economi leol gref ac ansawdd bywyd da. Er mwyn i'r weledigaeth hon Iwyddo, rhaid i ni ddiogelu gwasanaethau cyhoeddus a fydd yn sicrhau diogelwch a llesiant ein preswylwyr ledled Cymru gyda chanlyniadau gwell i bawb.

Mae dyrannu cyllid yn ddoethach yn hanfodol er mwyn sicrhau model gofal cymdeithasol llewyrchus ac integreiddiol sy'n addas ar gyfer yr unfed ganrif ar hugain. Mae angen dyfarnu cyllid trawsnewidiol i Awdurdodau Lleol yng Nghymru er mwyn sicrhau nad oedi wrth drosglwyddo gofal o ddarpariaethau ysbyty yw'r canlyniad i breswylwyr sy'n agored i niwed ac yn aml yn fregus. Rhaid i Lywodraeth Cymru ddod i'r penderfyniad na ddylai awdurdodau unedol fod y berthynas dlawd wrth ddyrannu pwrs y wlad ac ni ddylid disgwyl iddynt roi deddfwriaeth ddrud ar waith heb i'r cyllid priodol gael ei ddyfarnu.

Etholaeth a Rhanbarth y Cynulliad

- Aberafan
- Gorllewin De Cymru

Deiseb: Cyllid Teg i Gyngor Bwrdeistref Sirol Castell-nedd Port Talbot (CBSCNPT) a phob Awdurdod Lleol arall

Y Pwyllgor Deisebau | 23 Hydref 2018

Petitions Committee | 23 October 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-840

Teitl y ddeiseb: Cyllid Teg i Gyngor Bwrdeistref Sirol Castell-nedd Port Talbot (CBSCNPT) a phob Awdurdod Lleol arall.

Testun y ddeiseb:

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Y cefndir

Caiff y rhan fwyaf o'r cyllid refeniw cyffredinol ar gyfer awdurdodau lleol yng Nghymru ei ddarparu'n uniongyrchol gan Lywodraeth Cymru drwy'r **Grant Cynnal Refeniw** a thrwy ardreithi busnes a ailddosberthir. Mae hyn yn cyfateb i tua **75 y cant o gyllideb awdurdod lleol**. Caiff y gweddill ei gasglu drwy'r dreth gyngor a ffioedd a ffrydiau incwm eraill. Gall awdurdodau unedol hefyd gael gafael ar grantiau o amrywiaeth o ffynonellau, yn ogystal ag o'u cronfeydd wrth gefn.

Mae'r setliad llywodraeth leol dros dro ar gyfer 2019–20 yn dangos y bydd Cyllid Allanol Cyfun (CAC), sef y cyllid refeniw cyffredinol sydd ar gael i awdurdodau lleol, yn gostwng 0.3 y cant o'i gymharu â 2018–19 (wedi'i addasu).

Disgwylier mai cyfanswm y CAC ar gyfer 2019–20 fydd £4.2 biliwn, gostyngiad o £12.3 miliwn.. Mae CAC yn cynnwys Grant Cynnal Refeniw ac Ardrethi Annomestig wedi'u Hailddosbarthu ac, er bod gostyngiad cyffredinol, disgwylier y bydd Ardrethi Annomestig wedi'u Hailddosbarthu yn cynyddu ychydig o £997.5 miliwn i £1.0 biliwn.

O'r 22 o awdurdodau lleol, **bydd 7 yn cael cynnydd (arian parod) yn 2019–20.** Caerdydd fydd yn cael y cynnydd mwyaf, sef 0.4 y cant. Bydd y 15 awdurdod lleol sy'n weddill yn cael gostyngiad mewn cyllid ac, o'r 15 hynny, bydd **5 yn cael cyllid atodol** (y cyfeirir ato fel "cyllid gwaelodol") er mwyn sicrhau na fydd cyllid yn gostwng o fwy nag 1 y cant. **Mewn termau real, bydd pob awdurdod lleol yn cael toriad mewn cyllid.**

Blaenorriaethau Llywodraeth Cymru

Yn ei lythyr at Gadeirydd y Pwyllgor Deisebau, dywedodd Ysgrifennydd y Cabinet dros Gyllid, Mark Drakeford, fod Llywodraeth Cymru wedi gwneud popeth o fewn ei gallu i amddiffyn gwasanaethau rheng flaen rhag effaith waethaf cyni, ac y bydd yn parhau i wneud hynny. Aiff yn ei flaen i nodi y bydd **cylideb Cymru 5 y cant yn is mewn termau real yn 2019–20** (ar sail tebyg i debyg), nag yr oedd yn 2010–11. Mae hyn yn cyfateb i £800 miliwn yn llai i'w wario ar wasanaethau cyhoeddus yng Nghymru. Yn ôl Ysgrifennydd y Cabinet, pe bai gwariant wedi cadw i fyny gyda'r twf mewn CMC ers 2010–11, byddai gan Lywodraeth Cymru £4 biliwn yn ychwanegol i'w wario ar wasanaethau cyhoeddus yn 2019–20, dros 20 y cant yn uwch o'i gymharu â gwir gyllideb Llywodraeth Cymru.

Wrth osod cynlluniau dangosol ar gyfer 2019–20 pan gawsant eu cyhoeddi y llynedd, mae Mr Drakeford yn nodi bod Llywodraeth Cymru wedi cydnabod bod hyn yn cynrychioli **toriad ariannol i llywodraeth leol ar adeg pan mae awdurdodau yn wynebu pwysau o ganlyniad i boblogaeth sy'n heneiddio, cyflogau a chwyddiant o gyfeiriadau eraill.** Yn y cyd-destun hwn, y mae Ysgrifennydd y Cabinet yn datgan bod Llywodraeth Cymru wedi neilltuo £60 miliwn ychwanegol dros ddwy flynedd i llywodraeth leol yng Nghyllideb derfynol 2018–19.

Cyhoeddwyd cylideb ddrafft amlinellol Llywodraeth Cymru ar 2 Hydref, a chyhoeddwyd y setliad llywodraeth leol ar 9 Hydref. Cyhoeddir y cynlluniau gwario manwl ar 23 Hydref.

Yn Naratif y Gyllideb Ddrafft Amlinellol, mae'r Ysgrifennydd Cyllid yn nodi yn ei Ragair:

Yn ystod hanner cyntaf tymor y Cynulliad hwn, rwyf wedi cymryd agwedd lem tuag at gynllunio'r gyllideb, gan ddefnyddio Cronfa Wrth Gefn newydd Cymru i yrru cymaint o 2 refeniw ymlaen ag sy'n bosibl, mewn ymgais i wneud iawn am unrhyw doriadau cyni pellach. Yn ogystal â defnyddio rhywfaint

o gyllid Cronfa Wrth Gefn Cymru eleni, byddwn unwaith eto'n **buddsoddi yn ein meysydd blaenoriaeth – yn GIG Cymru; mewn llywodraeth leol; mewn addysg ac mewn gwasanaethau cymdeithasol.**

Mae tri o'r pedwar maes blaenoriaeth yn benodol i wasanaethau llywodraeth leol. Aiff yr Ysgrifennydd Cyllid yn ei flaen i nodi:

Drwy ein buddsoddiadau ar y cyd, mae hyn yn **setliad gwell na'r disgwyl** ar gyfer llywodraeth leol gan adlewyrchu ein blaenoriaeth i **amddiffyn gwasanaethau rheng flaen** yn erbyn effeithiau gwaethaf cyni.

Mewn [Ilythyr at Arweinwyr Awdurdodau Lleol yng Nghymru](#) mae Alun Davies, Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus yn esbonio bod Llywodraeth Cymru yn cydnabod y pwysau sy'n wynebu awdurdodau, ac y bydd Llywodraeth Cymru yn:

Byddwn yn parhau i'w hamddiffyn rhag effeithiau gwaethaf y cyni cyllidol. Yn dilyn Cyllideb yr Hydref Llywodraeth y DU ar 29 Hydref, os digwydd i Lywodraeth Cymru gael adnoddau ychwanegol, Llywodraeth Leol fydd yn cael blaenoriaeth ar gyfer cyllid ychwanegol gan y Llywodraeth.

Safbwyt Llywodraeth Leol

Mae Cymdeithas Llywodraeth Leol Cymru wedi rhybuddio yng hylch yr heriau a'r pwysau cynyddol ar eu gwasanaethau, ac maent wedi bod yn destun gostyngiadau sylweddol yn eu cyllidebau dros y blynnyddoedd diwethaf.

Yn ei datganiad diweddaraf i'r wasg ar setliad dros dro Llywodraeth Cymru i awdurdodau lleol yng Nghymru, nododd CLILC fod cyllid gan Lywodraeth Cymru i awdurdodau lleol wedi crebachu dros £1 biliwn ers y cyni, ac mae bellach yn rhybuddio yng hylch canlyniadau difrifol i gyllidebau ysgolion, a allai fod yn gyfatebol i golli nifer sylweddol o athrawon a chynorthwywyr ysgol. Aiff ymlaen drwy nodi **nad yw'r setliad, yn syml, yn darparu digon o adnoddau i ariannu gwasanaethau lleol**, yn enwedig o'u cymharu â meysydd y mae Llywodraeth Cymru yn eu rheoli'n uniongyrchol '.

Yn ddiwedd, cynhaliodd CLILC arolwg gydag arweinwyr awdurdodau lleol yn ymwneud â'u harian. Mae'r dystiolaeth, meddai, yn dangos bod isadeiledd gwasanaeth craidd rhai o'r cymunedau tloaf yng Nghymru o dan fgythiad fel na fu erioed o'r blaen. Nododd un ymateb feysydd o ran y penderfyniadau y gallai fod yn rhaid i'r awdurdod eu gwneud yn y flwyddyn ganlynol i gysoni ei gyllideb. Roedd y rhain yn cynnwys, ymysg eraill:

- Gostyngiad sylweddol i'r gefnogaeth i'r rhai sydd ag anghenion dysgu ychwanegol mewn addysg.
- Cau'r rhan fwyaf o lyfrgelloedd.
- Cau canolfannau amwynder dinesig a chanolfannau ailgylchu.
- Gostyngiad difrifol i'r gweithgarwch glanhau strydoedd.
- Gweithredu gostyngiadau difrifol o ran cymorth i'r henoed.
- Cyfyngu gwasanaethau'n sylweddol o ran y rheiny sydd ag anableddau dysgu difrifol.

Mae'n debyg bod y themâu hyn yn gyffredin trwy gydol yr ymatebion i'r arolwg yn ôl CLILC.

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



Ein cyf/Our ref MD/00474/18

David Rowlands AC
Cadeirydd
Y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

SeneddDeisebau@cynulliad.cymru

27 Medi 2018

Aniog David,

Diolch am eich llythyr dyddiedig 10 Medi, yn gofyn am fy marn yng hylch deiseb gan Unsain Castell-nedd Port Talbot am gyllid Llywodraeth leol a chyllideb arfaethedig Llywodraeth Cymru.

Mae Llywodraeth Cymru eisoes wedi bod yn gwneud popeth o fewn ei gallu i amddiffyn gwasanaethau rheng flaen rhag effeithiau gwaethaf y cyni, ac fe fydd yn parhau i wneud hynny. Ond mae'r her honno'n gynyddol anodd wrth i ni ddechrau ar y nawfed flwyddyn o gyni, yn wyneb costau a phwysau cynyddol. Bydd cyllideb Llywodraeth Cymru 5% yn is mewn termau real yn 2019-20 nag yr oedd yn 2010-11, wrth gymharu tebyg at ei debyg. Mae hyn yn cyfateb i £800m yn llai i'w wario ar wasanaethau cyhoeddus.

Fodd bynnag, pe bai gwariant wedi cadw i fyny gyda'r twf mewn GDP ers 2010-11, fe fyddem wedi cael £4bn arall i wario ar wasanaethau cyhoeddus yn 2019-20 - dros 20% yn fwy na'n gwir gyllideb.

Wrth osod cynlluniau dangosol ar gyfer 2019-20 pan gyhoeddwyd hwy llynedd, fe wnaethom gydnabod bod hyn yn doriad ariannol i lywodraeth leol ar adeg pan fo awdurdodau yn wynebu pwysau gwirioneddol o ganlyniad i boblogaeth sy'n heneiddio, cyflogau a chwyddiant o gyfeiriadau eraill. Yn y cyd-destun hwn, fe neilltuwyd £60m ychwanegol dros ddwy flynedd i lywodraeth leol yng Nghyllideb derfynol 2018-19.

Wrth baratoi Cyllideb 2019-20, rwyf wedi rhoi ystyriaeth ofalus iawn i'r amrywiol wasanaethau pwysig sy'n cael eu darparu gan lywodraeth leol ac yn cael eu defnyddio gan gannoedd o filoedd o bobl bob dydd ar draws Cymru.

Byddaf yn gosod Cyllideb ddrafft amlinellol Llywodraeth Cymru yr wythnos nesaf ar 2 Hydref; bydd y setliad llywodraeth leol yn cael ei gyhoeddi wythnos yn ddiweddarach a'r cynlluniau gwario manwl yn cael eu cyhoeddi ar 23 Hydref.

Bydd Pwyllgor Cyllid y Cynulliad Cenedlaethol yn craffu ar y Gyllideb ddrafft yn y ffordd arferol, a phwyllgorau craffu'r Cynulliad Cenedlaethol yn edrych ar y cynlluniau gwario manwl.

Byddaf yn barod i ddarparu rhagor o wybodaeth am oblygiadau'r Gyllideb ddrafft ar gyfer llywodraeth leol pan fydd y cynlluniau gwario manwl wedi'u cyhoeddi ar 23 Hydref, os byddai hynny o ddefnydd i'r Pwyllgor Deisebau.

In gywir,

Mark

Mark Drakeford AC/AM
Ysgrifennydd y Cabinet dros Gyllid
Cabinet Secretary for Finance

**P-05-840 Fair Funding for Neath Port Talbot County Borough Council –
Correspondence from the Petitioner to the Committee – 15.10.18**

The comment is that Welsh Government claim to be investing in Early intervention & Prevention, Health & Social Care integration and all sorts of partnerships. Clearly, they are NOT doing so. NPT for one, Are not prepared to be part of this fiction and they have been rumbled anyway by the likes of the Future Generations Commissioner who has challenged the budget on this basis.

Instead, they are investing the overwhelming bulk of the extra money in hospitals and the treatment of sickness. All bar £30m of the extra Health & Social Care has gone to the NHS and even that 30 has major strings attached as Hywel says below.

At this rate, we will reach a point where the Health Board will be on their own because we will not have the community care capacity to help them with bed blocking when the ambulances start to stack up outside Morriston's A&E Department at the end of January, if not before.

Just to confirm that the £30m you mention for Social Care is the total amount of additional monies for the whole of Wales. WG have not yet announced their specific grants and detailed budget allocations – they are due to be published on 23 October 2018. When they are announced we need to understand the grant conditions and purpose for these monies and how they can be bid for/received. Our share of this £30m would normally be circa 5% or £1.5m.

The Provisional Settlement announcement mentioned some extra monies in the settlement including for Teachers pay £13.7m, Education £15m, School meals £7m, Social Services £20m. However, given that the all Wales average was a cut of -0.3% and all of these extra monies are included in that cut this represents a significant reduction to the funding of Local Authorities. In addition the announcement made no reference to funding the increased costs for Teachers pensions which in Wales amounts to £41m next year and £71m in a full year. What we really needed for a standstill budget was an increase of circa 5% and hence the settlement fell way short of that at -0.3%. The First Minister in his radio interview earlier this week said that Local Government would be a priority for additional funds should they become available following the Chancellor's Budget of 29 October 2018.

Regards
Mark Fisher
Branch Chair / Cadeirydd Cangen

Further Correspondence – petitioner to the Committee, 16.10.18

Good afternoon,

Please see below part of our submission for the above petition.

Kind regards,

Mark Fisher
Branch Chair
UNISON Neath Port Talbot Branch

Question:

Will the Cabinet Secretary for Finance confirm that the £30m of additional funding for Social Care identified in the draft budget will be provided through the Revenue Support Grant to local authorities?

Supplementary

Will the Cabinet Secretary for Finance confirm whether it is the current intention to provide the additional £30m for Social Care via a specific grant and, if so, who will be the recipient: local authorities or local health boards, recognising that regional partnership boards are not able to be grant recipients in their own right?

P-05-841 Cynnwys cynnig amgen 'Pont Benidgeidfran' ar gyfer trydedd bont dros y Fenai yn y broses asesu ffurfiol

Cyflwynwyd y ddeiseb hon gan Benji Poulton, ar ôl casglu 278 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ystyried yn ffurfiol y cynnig amgen ar gyfer trydedd bont dros y Fenai, a gaiff ei hadnabod fel 'Pont Bendigeidfran' (fel y'i disgrifir yn y fideo hwn <https://www.youtube.com/watch?v=Ty2q-ctJZKM>).

Mae'r cynnig hwn yn cynnig buddion cynyddol o ran cost oes gyfan, ei allu i wella'r tirlun arbennig, buddion o ran traffig (o ran llif traffig a chadernid y rhwydwaith), lleddfu amgylcheddol, hybu twristiaeth, a hyrwyddo diwylliant Cymru. Mae hefyd yn cyd-fynd yn well â'r ddeddfwriaeth gyfredol, er enghraift Deddf Llesiant Cenedlaethau'r Dyfodol. Ymddengys bod modd cyflawni'r cynnig hwn o safbwyt peirianyddol, a bydd yn ychwanegiad mwy priodol i'r ddwy bont fydd enwog y ceir eioes yn y lleoliad hwn.

Rydym felly'n galw am asesu'r cynnig amgen hwn yn llawn ochr yn ochr â'r opsiynau gwreiddiol a gyflwynwyd yn ymgynghoriad cyhoeddus diweddar Llywodraeth Cymru ynghylch trydedd bont dros y Fenai.

Etholaeth a Rhanbarth y Cynulliad

- Arfon
- Gogledd Cymru

Deiseb: Cynnwys cynnig amgen ‘Pont Bendigeidfran’ ar gyfer trydedd bont dros y Fenai yn y broses asesu ffurfiol.

Y Pwyllgor Deisebau | 23 Hydref 2018
Petitions Committee | 23 October 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-841

Teitl y ddeiseb: Cynnwys cynnig amgen ‘Pont Bendigeidfran’ ar gyfer trydedd bont dros y Fenai yn y broses asesu ffurfiol.

Testun y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ystyried yn ffurfiol y cynnig amgen ar gyfer trydedd bont dros y Fenai, a gaiff ei hadnabod fel ‘Pont Bendigeidfran’ (fel y'i disgrifir yn y fideo hwn <https://www.youtube.com/watch?v=Ty2q-ctJZKM>).

Mae'r cynnig hwn yn cynnig buddion cynyddol o ran cost oes gyfan, ei allu i wella'r tirlun arbennig, buddion o ran traffig (o ran llif traffig a chadernid y rhwydwaith), lleddfu amgylcheddol, hybu twristiaeth, a hyrwyddo diwylliant Cymru. Mae hefyd yn cyd-fynd yn well â'r ddeddfwriaeth gyfredol, er enghraift Deddf Llesiant Cenedlaethau'r Dyfodol. Ymddengys bod modd cyflawni'r cynnig hwn o safbwyt peirianyddol, a bydd yn ychwanegiad mwy priodol i'r ddwy bont fyd enwog y ceir eisoes yn y lleoliad hwn.

Rydym felly'n galw am asesu'r cynnig amgen hwn yn llawn ochr yn ochr â'r opsiynau gwreiddiol a gyflwynwyd yn ymgynghoriad cyhoeddus diweddar Llywodraeth Cymru ynghylch trydedd bont dros y Fenai.

Y cefndir

Llywodraeth Cymru yw'r awdurdod priffyrrdd ar gyfer rhwydwaith cefnffyrdd a thraffyrrdd Cymru ac mae'n gyfrifol am gynnal a chadw a gwella'r rhwydwaith, gan gynnwys yr A55.

Mae [Pont Britannia](#) yr A55 dros yr Afon Menai yn darparu cyswllt rhwng y tir mawr ac Ynys Môn. Mae'r bont yn cludo traffig y ffordd a'r rheilffordd, a hi yw'r unig ran o lwybr yr A55 sy'n ffordd unffrwd. Mae [Pont Menai](#) yn darparu cyswllt arall rhwng y tir mawr ac Ynys Môn ar hyd llwybr yr A55.

Nododd Llywodraeth Cymru fel a ganlyn:

Mae'r A55 yn bwysig yn lleol, yn genedlaethol ac yn rhyngwladol. Hon yw prif ffordd economaidd Gogledd Cymru ac mae'n rhan o lwybr yr Euro 22 ar y rhwydwaith ffyrdd ledled Ewrop. Pont Britannia yw'r unig ran o'r ffordd ym Mhrydain sydd heb ffordd ddeuol.

Mae hyn yn arwain at dagfeydd ar y bont, ac mae Llywodraeth Cymru nawr yn bwriadu adeiladu trydedd bont dros y Fenai.

Trydedd bont dros y Fenai

Mae [Cynllun Cyllid Trafnidiaeth Cenedlaethol 2015](#) Llywodraeth Cymru yn nodi sut y mae'n bwriadu cyflawni'r canlyniadau a nodir yn [Strategaeth Drafnidiaeth Cymru](#) rhwng mis Ebrill 2015 a mis Mawrth 2020 (y tymor byr) a thu hwnt (y tymor canolig). Mae'r Cynllun yn darparu amserlenni ar gyfer ariannu a darparu cynlluniau sydd i'w cyflawni gan Lywodraeth Cymru. Rhestrodd Cynllun 2015 welliannau'r 'A55 Pont dros y Fenai' fel un o gynlluniau seilwaith ffyrdd newydd Llywodraeth Cymru.

Nododd Llywodraeth Cymru fel a ganlyn:

... Daeth astudiaeth ddiweddar i'r casgliad na fyddai gwella capaciti drwy gyflwyno system draffig llanw a thrai dair ffordd ar y Bont Britannia bresennol yn bodloni safonau diogelwch gofynnol.

Felly, cwblhawyd achos busnes amlinellol strategol yn y Gwanwyn 2016 a gadarnhaodd yr angen am drydedd bont dros y Fenai. Atgyfnerthwyd hyn yn y [Diweddariad 2017 o'r Cynllun Cyllid Trafnidiaeth Cenedlaethol](#) a oedd yn cynnwys 'Trydedd bont dros y Fenai' fel cynllun newydd.

Cynigion o ran llwybr

Penododd Llywodraeth Cymru ymgynghorwyr i gynnal astudiaeth dewis llwybr, gyda'r bwriad o ddewis y llwybr a ffefrir ar gyfer y bont, ac [ymgyngorwyd yngylch nifer o opsiynau](#) rhwng mis Rhagfyr 2017 a mis Mawrth 2018.

Mae pob opsiwn wedi'i werthuso gan ddefnyddio'r [Canllawiau Cynllunio ac Arfarnu Trafnidiaeth Cymru](#) (WelTAG) a chynhwyswyd canlyniadau'r gwerthusiad hwn ar gyfer pob llwybr [yn y ddogfen ymgynghori](#) (PDF, 36.4MB). Ynghyd ag awgrymu llwybrau newydd, mae'r ymgynghoriad yn amlinellu gwahanol opsiynau ar gyfer strwythur a dyluniad pont newydd.

Cynnig ‘Pont Bendigeidfran’

Mae'r ddeiseb yn cynnig dewis arall i'r rhai a nodir yn ymgynghoriad Llywodraeth Cymru, ac mae'n galw am gynnal asesiad llawn o'r dewis hwn ochr yn ochr â'r opsiynau eraill.

Nodir opsiwn y deisebydd yn y [fideo hwn](#), ac mae'n awgrymu y dylai pont newydd gael ei chynllunio i ddangos Bendigeidfran, o [Straeon y Mabinogion](#), yn dal y bont. Mae'r cynnig yn amlinellu dyluniad a awgrymir ar gyfer y bont, a fyddai'n defnyddio'r 'llwybr porffor,' fel y'i nodir yn [y ddogfen ymgynghori](#) (PDF, 36.4MB). Mae'r deisebydd yn awgrymu y dylai'r bont gael ei henwi yn 'Bont Bendigeidfran'.

Camau a gymerwyd gan Lywodraeth Cymru a Chynulliad Cenedlaethol Cymru

Yn ei lythyr at Gadeirydd y Pwyllgor Deisebau, dyddiedig 24 Medi 2018, mae Ken Skates, Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth, yn nodi bod cynnig y deisebydd:

... wedi'i asesu gyda'r ymatebion eraill i'r ymgynghoriad hwn ... [a byddaf] yn cyhoeddi'r Llwybr a Ffefrir yn seiliedig ar y gwaith hwn yn fuan.

Mae Ysgrifennydd y Cabinet hefyd yn amlygu yn ei lythyr, ar ôl nodi'r llwybr a ffefrir:

... bydd angen mwy o ddadansoddi i ddatblygu strwythur addas ... fel rhan o gam nesaf datblygu'r cynllun. (Gellir asesu cynigion y deisebwr) ymhellach felly, a'u hystyried yn ystod y cam nesaf hwn.

Cyhoeddwyd datganiad o ran y llwybr a ffefrir ar 11 Hydref 2018 a chyhoeddwyd [crynnodeb o'r ymatebion i'r ymgynghoriad](#) (PDF, 1MB). [Cyhoeddodd Carwyn Jones, y Prif Weinidog](#) bod Llywodraeth Cymru wedi dewis y llwybr 'porffor' fel y llwybr a ffefrir. Gwneir rhagor o waith yn awr ar ddyluniad y bont a'r cynllun cyffredinol.

Ym mis Ebrill 2018, yn ystod a [Dadl Plaid Cymru ar ailienwi Ail Bont Hafren](#), dywedodd [Ysgrifennydd y Cabinet](#) ei fod ef:

yn awyddus i gynnal ymgynghoriad lleol ynghylch enwi trydedd bont y Fenai. [Rhaid imi bwysleisio] mai ymgynghoriadau lleol fydd y rhain, i roi hawl i'r bobl sy'n byw yn y cymunedau y maent yn rhoi hunaniaeth iddynt gael rhan yn y broses o'u henwi.

Gofynnwyd i Ysgrifennydd y Cabinet am y wybodaeth ddiweddaraf o ran y prosiect yn y Cyfarfod Llawn sawl gwaith. Yn fwyaf diweddar, mae trafodaethau wedi canolbwytio ar y posibilrwydd i'r bont ddal seilwaith y Grid Cenedlaethol er mwyn croesi Afon Menai.

Ym mis Ebrill 2018, cyhoeddodd Llywodraeth Cymru [y cynhelir astudiaeth ddichonoldeb](#) i ymchwilio a oes modd cludo cysylltiad trydan ar drydedd bont arfaethedig y Fenai.



Eich cyf/Your ref P-05-841
Ein cyf/Our ref KS/02689/18

Llywodraeth Cymru
Welsh Government

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau.
government.committee.business@wales..Cymru.

24 Medi 2018

Annwyl



Diolch i chi am eich llythyr dyddiedig 10 Medi ynghylch Deiseb P-05-841 i gynnwys y dewis arall i'r cynnig 'Pont Bendigeidfran' ar gyfer y 3ydd Bont ar draws y Fenai yn y broses asesu ffurfiol.

Cawsom ymateb manwl gan Mr Poulton yn hyrwyddo Pont Bendigeidfran fel rhan o'r ymgyngoriad cyhoeddus a ddaeth i ben ym mis Mawrth 2018. Rwyf hefyd yn ymwybodol o'r fideo manwl oedd Mr Poulton wedi'i baratoi oedd yn dogfennu hanes pontydd Menai a Britannia a'i ysbrydoliaeth o storïau'r Mabinogi i adeiladu cofgolofn o Bendigeidfran fel dull o gynnal y bont ar hyd y Llwybr Porffor. Rwy'n cymeradwyo'r gwaith y mae wedi'i wneud.

Mae ymateb Mr Poulton wedi'i asesu gyda'r ymatebion eraill i'r ymgyngoriad ac ar y cyd â'r gwerthusiadau technegol, amgylcheddol, cymdeithasol ac ariannol a byddaf yn cyhoeddi'r Llwybr a Ffefrir yn seiliedig ar y gwaith hwn yn fuan.

Yn amlwg, dim ond dechrau'r datblygiadau ar gyfer y 3ydd Bont ar draws y Fenai yw hyn a bydd angen mwy o ddadansoddi i ddatblygu strwythur addas ar gyfer tirwedd sensitif yr Afon Menai fel rhan o gam nesaf datblygu'r cynllun. Gellir asesu cynigion Mr Poulton ymhellach felly a'u hystyried yn ystod y cam nesaf hwn.

Yn gywir



Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport

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 dderbynir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 45

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

**P-05-841 Include the alternative 3rd Menai Crossing proposal 'Pont Bendigeidfran'
– Correspondence from the petitioner to the Committee, 14.10.18**

Dear Petition Committee Members,

Thank you for this further opportunity to comment on the petition to have the Pont Bendigeidfran proposal formally included alongside the other options for the proposed third Menai crossing. I was very grateful that so many committee members and officers were able to take the time out of your busy schedules to meet me at the Senedd on the 9th October, and that you had clearly taken the time to look through the proposals and had lots of interesting questions and comments. The level of continuing engagement shown has pleasantly surpassed my expectations, and I would like to register my appreciation.

In the week since the petition was submitted, First Minister Carwyn Jones has announced the preferred route option for the crossing. I was pleased to see that this was chosen as the 'purple route'. As explained in the video proposal, this route option appears to be the most beneficial, and is the route option that the Pont Bendigeidfran proposal is based on.

I also note that within the 'Consultation – summary of response' report (published by the Welsh Government following the First Minister's announcement), that the structure type preferred by the largest proportion of respondents was the 'Balanced Cantilever Bridge'. This is the structure type that the Pont Bendigeidfran proposal is based upon. This report also states in Section 6.6 that 'The Purple Option also provides better opportunity to maximise the separation from the Britannia Bridge which allows more freedom to adopt an aesthetically outstanding design'.

Making the announcement on Anglesey, Mr Jones said he would like the new bridge to be "equally iconic" as the Menai Bridge – built by Thomas Telford in the 1820s – and Robert Stephenson's Britannia Bridge – opened to carry rail traffic in 1850 (BBC News website 11th October 2018). I fully agree with this sentiment.

I believe that the developments highlighted above add even more weight to the argument that the Pont Bendigeidfran proposal should be formally included within the remaining appraisal processes.

Further to this, Design Commission for Wales' Design Review Report 'A55 Proposed Third Menai Crossing, Menai Strait' DCFW Ref: N160 Meeting of 15th March 2018 provides the following guidance (cropped and emphasis added):

'clear objectives must be established from which defined outcomes arise, leading directly to enhancement and public benefit.

Such justification is also necessary to allow the proper weighing of all benefits set against the scale of intervention in a location of such high landscape, historic and tourism value and in one of the most important views in Wales. The existing Stephenson and Telford structures are of national historic importance and represent outstanding engineering innovation of their time.

Wider scheme objectives should be determined and communicated, such as environmental impact and potential for enhancement as well as ensuring a high quality visitor and user experience. Establishing such objectives will help identify the opportunities provided by the scheme and avoid an approach solely based on the mitigation of negative constraints and impact.

Although this may seem to represent analysis above and beyond the requirements of the current WeTAG stage, it is imperative to ensure that changes to this highly sensitive and important environment are fully justified and delivered to the highest possible quality.'

Justification for the changes related to Pont Bendigeidfran are provided within the YouTube video mentioned in the wording of the petition. What is required from the Welsh Government is the courage and ambition necessary to deliver something that is truly iconic for the people of Wales.

I fully accept that this may be a daunting decision to make, to move away from the 'tried and tested' standard solutions. I therefore would like to take this opportunity to suggest a number of actions that will provide comfort and encouragement to the Welsh Government, and to further allow them to justify any bold decisions made:

1. As part of the appraisal process, a Contingent Value Assessment could be carried out to assign a financial value to the relative additional benefits provided by all the options. This was the mechanism used very effectively in the appraisal of the successful Colwyn Bay Waterfront Project, which allowed a new beach to be installed instead of a large rock revetment along the frontage. The beach nourishment option provided many additional regeneration benefits to the town, and was justified through the improved adjusted Cost/Benefit ratio that was able to be formally demonstrated.

Due to the decades (centuries even) that the new bridge will be in place, any additional tourism benefits will be multiplied by very large timescales, and would therefore lead to huge gains in the Cost/Benefit ratios.

2. In addition to the views of the Cabinet Secretary for Economy and Transport, the views of the Ministers with responsibility for Culture, Tourism, and the Welsh Language should be sought. The Pont Bendigeidfran proposal provides significant benefits within their portfolios, this is therefore a fantastic opportunity for some joined-up thinking across a number of sectors, and they may be able to provide further support and guidance.
3. Further to this, the views of organisations such as Visit Wales (responsible for marketing Wales within the UK and internationally), Design Commission for Wales, and the Wellbeing of Future Generations Act Commissioner could be sought.

I thank Cabinet Secretary Ken Skates for the kind sentiments expressed in his letter to the chair of the Petitions Committee dated 24th September 2018. I note he closes with the following statement:

'Clearly this is only the beginning of the 3rd Menai Crossing development and further analysis will need to be undertaken to develop a suitable form of structure that best fits within the Menai Strait landscape as part of the next stage of design development. Mr Poulton's proposals can therefore be further assessed and considered during this next stage.'

This response goes 90% of the way to addressing the request highlighted in the petition. If this could be strengthened to a firm commitment to formally include the Pont Bendigeidfran proposal (described in the YouTube video quoted), as one of the options to be fully assessed alongside the original options, then the petition will have achieved its overarching goal.

This is a fantastic opportunity to add significant value to the project, and has the potential to provide an incredible centrepiece for the A55 Culture Corridor.

Many thanks,

Benji Poulton

P-05-842 Rhowch lais i bobl ifanc yn y broses o gomisiynu gwasanaethau lleol yng Nghymru

Cyflwynwyd y ddeiseb hon gan Changing Minds Campaign Group, wedi iddi gasglu 1,387 o lofnodion ar-lein a 1,640 ar bapur, sef cyfanswm o 3,027 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gydnabod y ffaith nad yw'r lefel bresennol o gyfranogiad pobl ifanc yn y broses o gomisiynu gwasanaethau yn caniatáu i grwpiau ymylol gael eu cynnwys yn y broses honno. Rydym yn gofyn am adolygiad o'r polisiau a'r canllawiau sydd ar waith, ynghyd ag argymhelliaid bod canllawiau newydd gorfodol ar waith ar gyfer gwasanaethau a gomisiynir ar gyfer pobl ifanc.

Mae angen i holl bobl ifanc Cymru gael y cyfle i leisio barn a rhannu eu profiadau mewn modd ystyrlon, a hynny at ddibenion llunio'r gwasanaethau sydd ar gael i'w cefnogi. Rydym yn gofyn i chi gefnogi'r broses o hyrwyddo newidiadau a fydd yn arwain at gyflawni'r nod hwn. Fel pobl ifanc, rhaid inni gael y cyfle i rannu ein syniadau a'n safbwytiau ynghylch y prosiectau y mae arnom eu hangen yn ein hardaloedd ni.

Ar hyn o bryd, dim ond cynghorau/fforymau ieuengtid sy'n destun ymgynghoriadau, ac nid yw'r drefn hon yn cynrychioli'r rheini sy'n ei chael yn anodd bod yn rhan o fforymau o'r fath, fel yr un o bob pump o oedolion ifanc sydd ag anhwylder iechyd meddwl y gellir gwneud diagnosis ohono. Mae angen llwyfan ar y bobl ifanc hynny na fyddant, o bosibl, yn gallu cymryd rhan yn y cynlluniau presennol yn sgil eu problemau iechyd meddwl, er mwyn iddynt gael cyfle i leisio barn ar wasanaethau a phrosiectau sy'n effeithio arnynt yn uniongyrchol.

Rydym yn grŵp o bobl ifanc sydd wedi bod yn rhan o'r Prosiect Newid Meddyliau, sy'n cael ei gydlyn gan sefydliad Newport Mind. Disgwylir i'r prosiect hwn golli arian ym mis Tachwedd. Yn sgil y sefyllfa hon, rydym wedi bod yn dysgu am y broses gomisiynu, sydd wedi arwain at greu'r ddeiseb hon ac i'n hymgyrch ehangach, sef #changeit.

Bydd cynnwys pobl ifanc â phroblemau iechyd meddwl yn uniongyrchol y

broses gomisiynu yn hwyluso'r broses o deilwra gwasanaethau ac yn gwella hyder y bobl a dargedir gan y gwasanaethau a ddarperir.

"Roedd y cyfle i gyfrannu at y prosiect hwn yn gyfle imi wir ddeall pryderon pobl ifanc a'r problemau y maent yn eu hwynebu. Heb fod y pryderon hyn yn cael eu codi a'u cynnwys wrth lansio unrhyw bolisi sy'n effeithio ar bobl ifanc, bydd unrhyw fenter sy'n effeithio arnynt yn ddiffygiol".

Gwybodaeth Ychwanegol

Mae'r ddogfen 'Dull Gweithredu Seiliedig ar Hawliau Plant yng Nghymru' gan Comisiynydd Plant Cymru yn fframwaith ar gyfer ymgorffori hawliau plant mewn gwasanaethau sy'n ymwneud â phobl ifanc. Mae'r rhain yn ganllawiau, ac felly nid ydynt yn orfodol. Maent yn seiliedig ar Erthygl 12 o Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn (UNCRC), sy'n amlinellu hawl plant i fod yn rhan o greu a gweithredu polisiau—yn enwedig y rhai sy'n effeithio ar eu demograffig nhw.

Mae Adroddiad Blynnyddol Comisiynydd Plant Cymru ar gyfer 2016/2017 (yr Adroddiad) yn tynnu sylw penodol at y ffaith bod y Comisiynydd yn dymuno gweld pobl ifanc yn cael eu hintegreiddio yn y broses gomisiynu i raddau mwy helaeth.

Mae'r canllawiau cyfredol ar gyfer cyfranogiad pobl ifanc yng Nghymru wedi'u cynnwys yn nogfen 'Cyfranogiad Plant a Phobl Ifanc yng Nghymru Arfer Da 2016', ymhllith pethau eraill. Mae'r saith 'safon graidd' sydd wedi'u nodi yn y canllaw yn gamau cychwynnol ardderchog.

O ran y safonau a'r dulliau hyn, er eu bod yn cael eu bodloni'n rhannol mewn rhai awdurdodau yng Nghymru, mae'r ffaith nad ydynt yn orfodol yn golygu nad ydynt yn ddigonol ar gyfer sicrhau atebolrwydd ynghylch yr holl wasanaethau sy'n ymwneud â phobl ifanc.

Rydym yn ceisio sicrhau bod gan bobl ifanc o grwpiau ymylol lais yn y broses o wneud penderfyniadau, yn ogystal â sicrhau bod y gwasanaethau sy'n cael eu darparu ar gyfer pobl ifanc ledled Cymru o safon ragorol a chyson.

Mae ein deiseb yn cyd-fynd ag Argymhelliaid 10 o'r adroddiad 'Cadernid Meddwl', sy'n tynnu sylw at lefelau'r gwasanaethau iechyd meddwl sy'n cael

eu darparu i bobl ifanc ar hyn o bryd, ac yn ategu'r gwaith a wneir gan y Rhaglen Law yn Llaw at Blant a Phobl Ifanc.

Heb newid y canllawiau presennol, bydd pobl ifanc ledled Cymru yn parhau i gael eu gwthio i'r cyrion. Yn benodol, bydd y rhai sydd â phroblemau iechyd meddwl neu anghenion ychwanegol, sef y rhai nad ydynt, o bosibl, yn gallu cymryd rhan yn y mentrau cyfranogiad ieuengtaid cyfyngedig sydd ar gael ar hyn o bryd, yn parhau i'w chael yn anodd lleisio barn.

Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Casnewydd
- Dwyrain De Cymru

Y Pwyllgor Deisebau

Y Pwyllgor Deisebau | 23 Hydref 2018

Petitions Committee | 23 October 2018

Cyfranogiad pobl ifanc wrth gomisiynu gwasanaethau

Teitl y ddeiseb: [P-05-842](#) Rhowch lais i bobl ifanc yn y broses o gomisiynu gwasanaethau lleol yng Nghymru

Testun y ddeiseb: Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gydnabod y ffaith nad yw'r lefel bresennol o gyfranogiad pobl ifanc yn y broses o gomisiynu gwasanaethau yn caniatáu i grwpiau ymylol gael eu cynnwys yn y broses honno. Rydym yn gofyn am adolygiad o'r polisiau a'r canllawiau sydd ar waith, ynghyd ag argymhelliaid bod canllawiau newydd gorfodol ar waith ar gyfer gwasanaethau a gomisiynir ar gyfer pobl ifanc.

Mae angen i holl bobl ifanc Cymru gael y cyfreithiol i leisio barn a rhannu eu profiadau mewn modd ystyrlon, a hynny at ddibenion llunio'r gwasanaethau sydd ar gael i'w cefnogi. Rydym yn gofyn i chi gefnogi'r broses o hyrwyddo newidiadau a fydd yn arwain at gyflawni'r nod hwn. Fel pobl ifanc, rhaid inni gael y cyfreithiol i rannu ein syniadau a'n safbwytiau ynghylch y prosiectau y mae arnom eu hangen yn ein hardaloedd ni.

Ar hyn o bryd, dim ond cynghorau/fforymau ieuengtidoedd sy'n destun ymgynghoriadau, ac nid yw'r drefn hon yn cynrychioli'r rheini sy'n ei chael yn anodd bod yn rhan o fforymau o'r fath, fel yr un o bob pump o oedolion ifanc sydd ag anhwylder iechyd meddwl y gellir gwneud diagnosis ohono. Mae angen llwyfan ar y bobl ifanc hynny na fyddant, o bosibl, yn gallu cymryd rhan yn y cynlluniau presennol yn sgil eu problemau iechyd meddwl, er mwyn iddynt gael cyfreithiol i leisio barn ar wasanaethau a phrosiectau sy'n effeithio arnynt yn uniongyrchol.

Rydym yn grŵp o bobl ifanc sydd wedi bod yn rhan o'r Prosiect Newid Meddyliau, sy'n cael ei gydlyn gan sefydliad Newport Mind. Disgwylir i'r prosiect hwn golli arian ym mis Tachwedd. Yn sgil y sefydliad hon, rydym wedi bod yn dysgu am y broses gomisiynu, sydd wedi arwain at greu'r ddeiseb hon ac i'n hymgyrch ehangach, sef #changeit. Bydd cynnwys pobl ifanc â phroblemau iechyd meddwl yn uniongyrchol y broses gomisiynu yn hwyluso'r broses o deilwra gwasanaethau ac yn gwella hyder y bobl a dargedir gan y gwasanaethau a ddarperir.

"Roedd y cyfle i gyfrannu at y prosiect hwn yn gyfle imi wir ddeall pryderon pobl ifanc a'r problemau y maent yn eu hwynebu. Heb fod y pryderon hyn yn cael eu codi a'u cynnwys wrth lansio unrhyw bolisi sy'n effeithio ar bobl ifanc, bydd unrhyw fenter sy'n effeithio arnynt yn ddiffygiol".

Mae'r ddogfen 'Dull Gweithredu Seiliedig ar Hawliau Plant yng Nghymru' gan Comisiynydd Plant Cymru yn fframwaith ar gyfer ymgorffori hawliau plant mewn gwasanaethau sy'n ymwneud â phobl ifanc. Mae'r rhain yn ganllawiau, ac felly nid ydynt yn orfodol. Maent yn seiliedig ar Erthygl 12 o Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn (UNCRC), sy'n amlinellu hawl plant i fod yn rhan o greu a gweithredu polisiau—yn enwedig y rhai sy'n effeithio ar eu demograffig nhw. Mae Adroddiad Blynnyddol Comisiynydd Plant Cymru ar gyfer 2016/2017 (yr Adroddiad) yn tynnu sylw penodol at y ffaith bod y Comisiynydd yn dymuno gweld pobl ifanc yn cael eu hintegreiddio yn y broses gomisiynu i raddau mwy helaeth. Mae'r canllawiau cyfredol ar gyfer cyfranogiad pobl ifanc yng Nghymru wedi'u cynnwys yn nogfen 'Cyfranogiad Plant a Phobl Ifanc yng Nghymru Arfer Da 2016', ymhliith pethau eraill. Mae'r saith 'safon graidd' sydd wedi'u nodi yn y canllaw yn gamau cychwynnol ardderchog. O ran y safonau a'r dulliau hyn, er eu bod yn cael eu bodloni'n rhannol mewn rhai awdurdodau yng Nghymru, mae'r ffaith nad ydynt yn orfodol yn golygu nad ydynt yn ddigonol ar gyfer sicrhau atebolrwydd yngylch yr holl wasanaethau sy'n ymwneud â phobl ifanc. Rydym yn ceisio sicrhau bod gan bobl ifanc o grwpiau ymylol lais yn y broses o wneud penderfyniadau, yn ogystal â sicrhau bod y gwasanaethau sy'n cael eu darparu ar gyfer pobl ifanc ledled Cymru o safon ragorol a chyson. Mae ein deiseb yn cyd-fynd ag Argymhelliaid 10 o'r adroddiad 'Cadernid Meddwl', sy'n tynnu sylw at lefelau'r gwasanaethau iechyd meddwl sy'n cael eu darparu i bobl ifanc ar hyn o bryd, ac yn ategu'r gwaith a wneir gan y Rhaglen Law yn Llaw at Blant a Phobl Ifanc. Heb newid y canllawiau presennol, bydd pobl ifanc ledled Cymru yn parhau i gael eu gwthio i'r cyrion. Yn benodol, bydd y rhai sydd â phroblemau iechyd meddwl neu anghenion ychwanegol, sef y rhai nad ydynt, o bosibl, yn gallu cymryd rhan yn y mentrau cyfranogiad ieuengtid cyfyngedig sydd ar gael ar hyn o bryd, yn parhau i'w chael yn anodd lleisio barn.

Cyfranogiad pobl ifanc wrth wneud penderfyniadau a fydd yn effeithio arnynt

Hawl gyfreithiol i gael dweud eich dweud mewn penderfyniadau sy'n effeithio arnoch chi

Mae plant a phobl ifanc hyd at 18 oed yn meddu ar ystod o hawliau fel y'u nodir yng Nghonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn, gan gynnwys hawliau i warchodaeth, iechyd, teulu, addysg, diwylliant a hamdden (gweler [crynnodeb o'r hawliau](#)).

Mae Llywodraeth Cymru wedi cael cydnabyddiaeth ryngwladol am gyflwyno [Mesur Hawliau Plant a Phobl Ifanc \(Cymru\) 2011](#), sy'n ymgorffori Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn yn y gyfraith ddomestig yng Nghymru. Mae'r gyfraith hon yn golygu bod rhaid i Weinidogion Cymru, wrth arfer unrhyw un o'u swyddogaethau, roi ystyriaeth briodol i Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn. Mae'r term 'ystyriaeth briodol' yn gofyn am ystyriaeth gytbwys o'r materion, sef erthyglau Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn yn yr achos hwn. Mae hyn yn golygu bod rhaid i Weinidogion ystyried sut y mae'r hyn a wnânt yn gysylltiedig â hawliau a rhwymedigaethau Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn. Wrth nodi unrhyw effaith negyddol ar blant a phobl ifanc, rhaid i Weinidogion ystyried sut i osgoi'r effaith hon, neu liniaru'r effaith.

I grynhoi, mae Erthygl 12 o'r Confensiwn yn dweud **bod gan blant yr hawl i fynegi'r hyn a ddylai ddigwydd yn eu barn hwy, pan fydd oedolion yn gwneud penderfyniadau sy'n effeithio arnynt, a'r hawl i'w safbwytiau gael eu hystyried.**

Mae Erthygl 24 o'r Confensiwn hefyd yn berthnasol i'r ddeiseb hon gan ei bod yn dweud, â chrynhoi, y dylai gofal iechyd plant a phobl ifanc fod cystal â phosibl.

Safonau Cyfranogiad Cenedlaethol yng Nghymru

Mae Cymru wedi gweithredu set o [safonau cyfranogiad cenedlaethol](#) ar gyfer plant a phobl ifanc ers dros 10 mlynedd, ac fe'u [diweddarwyd](#) yn 2016. [Dyweddodd Llywodraeth Cymru](#):

Mae'r Safonau Cyfranogiad Cenedlaethol wrth wraidd ein gwaith. Maent yn dweud beth ddylid ei ddisgwyl o'ch gwasanaethau, a sut y dylai ymarferwyr a sefydliadau eich cynnwys chi.

Mae'r safonau'n gwneud yr ymrwymiadau a ganlyn i blant a phobl ifanc:

- Darparu gwybodaeth sydd o ansawdd dda, sy'n glir ac sy'n hygyrch.
- Rhoi gwybod ichi pwy sy'n mynd i wrando ac egluro'r gwahaniaeth y gallai eich cyfranogiad ei wneud.
- Rhoi digon o gymorth ac amser ichi ddewis a ydych am gymryd rhan.
- Herio gwahaniaethu.
- Darparu ystod o wahanol gyfleoedd a chymorth i ddiwallu anghenion plant a phobl ifanc.
- Gwrando ar eich sylwadau, eich profiadau a'ch syniadau a'ch cymryd chi o ddifri.
- Cydweithio â chi ar bethau sy'n bwysig yn eich tyb chi.
- Gwerthfawrogi'r hyn yr ydych yn ei gynnig.
- Cydweithio â chi mewn ffyrdd diogel, hwyllog.

- Gwneud y mwyaf o'r hyn yr ydych chi'n ei wybod, a gwneud pethau i feithrin eich hyder a'ch sgiliau.
- Sicrhau bob amser eich bod yn cael adborth o fewn amser y cytunir arno.
- Dweud wrthym sut a pham y cafodd eich syniadau eu defnyddio.
- Dweud wrthych beth sy'n digwydd nesaf.
- Cydweithio â chi a dysgu sut y gallwn weithio'n well.
- Sicrhau bod eich sylwadau yn gwneud gwahaniaeth i'r ffordd yr ydym yn gwneud cynlluniau a phenderfyniadau.

Mae'r Canllawiau Statudol a wneir o dan Ddeddf Cenedlaethau'r Dydadol 2015 yn gosod y disgwyliadau o ran sut y dylai cyrff cyhoeddus gymhwysor safonau hyn. Mae'n dweud y canlynol:

Er nad yw'n ofyniad o dan y Ddeddf, byddai Gweinidogion Cymru yn annog cyrff cyhoeddus yn grif i gymhwysor [...] Safonau Cyfranogiad Cenedlaethol ar gyfer Plant a Phobl Ifanc.

Gwasanaethau iechyd emosiynol ac iechyd meddwl i bobl ifanc

Ymchwiliad a gynhaliwyd gan un o bwyllgorau'r Cynulliad yn 2014 yn arwain at adolygiad cynhwysfawr

Yn ystod ymchwiliad y Pwyllgor Plant, Pobl Ifanc ac Addysg yn 2014 i Wasanaethau Iechyd Meddwl Plant a'r Glasoed, cyhoeddodd y Gweinidog Iechyd ar y pryd, Mark Drakeford, ei fod wedi sefydlu adolygiad cynhwysfawr i foderneiddio ac ailddylunio'r gwasanaeth ar gyfer y dyfodol. Arweiniodd hyn at greu'r rhaglen Law yn Llaw at Blant a Phobl Ifanc yn 2015. Rhaglen aml-asiantaeth ydyw sy'n gwella gwasanaethau gyda'r nod o ailstrwythuro, ailddylunio ac ailffocysu'r gwasanaethau iechyd emosiynol ac iechyd meddwl a ddarperir i blant a phobl ifanc yng Nghymru.

Adroddiad un o bwyllgorau'r Cynulliad yn 2018 yn galw am 'weithredu brys'

Cyhoeddodd y Pwyllgor Plant, Pobl Ifanc ac Addysg ei adroddiad 'Cadernid Meddwl' fis Ebrill 2018, gan alw am newid mawr yn y cymorth sydd ei angen i fynd i'r afael â phroblemau iechyd meddwl ac i feithrin cadernid emosiynol ymhliith plant a phobl ifanc yng Nghymru. Prif argymhelliaid yr adroddiad yw bod Llywodraeth Cymru yn gwneud llesiant a chadernid iechyd meddwl ac iechyd emosiynol plant a phobl ifanc yn flaenoriaeth genedlaethol ddatganedig. Mae'n galw am ymyrraeth llawer cynharach ac yn datgan bod yr 'her frys bellach ym mhen blaen y llwybr gofal – lles emosiynol, gwydnwch ac ymyrraeth gynnar'.

Prosiect Changing Minds

Cyflwynwyd y ddeiseb gan y prosiect Changing Minds, sydd wedi'i gydlyn u gan Mind Casnewydd a'i greu ar gyfer pobl ifanc rhwng 14 a 25 oed sydd â phroblemau iechyd meddwl, neu sydd wedi cael problemau o'r fath. Mae'r prosiect wedi cynnig y cyfleoedd a ganlyn i bobl ifanc: cymorth gan gyfoedion; cymorth pontio 1:1; gweithdai ar hunan-reoli; a gwirfoddoli.

Mae gwefan y prosiect yn nodi bod ei gyllid pum mlynedd a gafwyd gan y Gronfa Loteri Fawr yn dod i ben ac y bydd yn cau ei ddrysau ar 28 Tachwedd 2018 oni bai y gellir dod o hyd i gyllid i barhau â'r prosiect.

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



Ein cyf/Our ref VG/02983/18

Llywodraeth Cymru
Welsh Government

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau.
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
Bae Caerdydd
CF99 1NA

Government.Committee.Business@llyw.cymru

30 Medi 2018

Annwyl David,

Diolch am eich llythyr dyddiedig 10 Hydref ar ran y Pwyllgor Deisebau ynglŷn â Deiseb: P-05-842 – Rhowch lais i bobl ifanc yn y broses o gomisiynu gwasanaethau lleol yng Nghymru.

Mae Llywodraeth Cymru wedi croesawu cyhoeddi adroddiad y Pwyllgor Plant, Pobl Ifanc ac Addysg, sef *Cadernid Meddwl*, yn sgil ei ymchwiliad i'r ddarpariaeth o wasanaethau iechyd emosiynol ac iechyd meddwl ar gyfer plant a phobl ifanc. Rydym yn falch bod y Pwyllgor wedi cydnabod bod gwasanaethau iechyd meddwl arbenigol wedi gwella yn ystod y blynnyddoedd diweddar, ac rydym yn gweithio gyda'r Pwyllgor a rhanddeiliaid i weithredu'r argymhellion a wneir yn *Cadernid Meddwl*. I'r perwyl hwn, ar 7 Medi, cyhoeddodd Ysgrifennydd y Cabinet dros Addysg a finnau y byddem yn trefnu grŵp gorchwyl a gorffen gweinidogol ar y cyd i ystyried y dull gweithredu ysgol-gyfan ar gyfer llesiant emosiynol a meddyliol mewn ysgolion, gan fwrw ymlaen â'r argymhellion sy'n ymwneud ag addysg yn yr adroddiad hwn.

Rydym hefyd yn parhau i gefnogi'r Rhaglen Law yn Llaw at Blant a Phobl Ifanc, a gafodd ei lansio ym mis Chwefror 2015, ac a fydd yn rhedeg tan 2019. Mae'r rhaglen hon, sy'n cael ei harwain gan y GIG, yn gweithio i sicrhau bod y system bresennol ar gyfer ymateb i anghenion iechyd meddwl ac iechyd emosiynol yn gweithio'n fwy effeithiol ar draws pob sector, ac nid dim ond yng ngwasanaethau'r GIG.

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 dderbynir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 57

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

Mae sicrhau bod plant a phobl ifanc yn cael cyfrannu at y gwaith o ddatblygu a gweithredu gweithgarwch yn ganolog i'r rhaglen. Rhoddir cyfle i blant a phobl ifanc ddylanwadu ar y gwaith o ddatblygu a chynllunio gwasanaethau iechyd emosiynol ac iechyd meddwl yn y dyfodol, drwy ymgysylltu'n helaeth â nhw mewn modd sy'n canolbwyntio ar lesiant pob plentyn, ac nid dim ond y rhai sy'n defnyddio'r Gwasanaethau Iechyd Meddwl Plant a'r Glasoed. Mae hyn yn cynnwys gweithio'n agos gyda Plant yng Nghymru, swyddfa'r Comisiynydd Plant, Amser i Newid Cymru, a Grŵp Cydweithredol Anghenion Uchel y trydydd sector.

Bydd y cynigion sy'n deillio o'r rhaglen yn cael eu profi'n barhaus wrth iddynt gael eu datblygu drwy rwydwaith plant a pobl ifanc y Comisiynydd, a Fforwm Plant yng Nghymru Cymru Ifanc. Mae'r olaf yn rhoi'r cyfle i blant a phobl ifanc gyfrannu'n uniongyrchol at faterion sy'n bwysig iddynt.

Hefyd, mae Cylchlythyrau'r Rhaglen Law yn Llaw at Blant a Phobl Ifanc yn cael eu cynhyrchu'n rheolaidd a'u dosbarthu i amrywiaeth eang o randdeiliaid. Mae hyn yn sicrhau bod plant a phobl ifanc, a hefyd y sefydliadau partner sy'n ymwneud â darparu gwasanaethau, yn cael clywed am y syniadau a'r datblygiadau diweddaraf a'u bod yn gallu dylanwadu ar y gwaith o ddatblygu cynigion. Mae'r rhaglen hefyd yn cydnabod pwysigrwydd rhoi adborth i'r plant a phobl ifanc sy'n cyfrannu eu sylwadau. Er mwyn darparu sicrwydd bod eu sylwadau a'u barn yn arwain at weithredu ymarferol a gwasanaethau gwell, mae'r rhaglen wedi datblygu adroddiad sy'n tynnu sylw at y camau a gymerir i ymateb i'r materion sy'n cael eu codi.

Yn gynharach eleni, cwrddais ag Ieuenciad Abertawe Bro Morgannwg, sef grŵp o bobl ifanc sy'n gweithio'n agos gyda Bwrdd Iechyd Prifysgol Abertawe Bro Morgannwg, er mwyn sicrhau bod eu barn a'u hanghenion yn cael eu hystyried yn llawn wrth gomisiynu gwasanaethau iechyd. Mae hwn yn gam cadarnhaol iawn, a hoffwn annog byrddau iechyd eraill i ystyried a ddylid rhoi trefniadau tebyg ar waith yn eu hardaloedd nhw.

Diolch ichi unwaith eto am ysgrifennu ataf yng hylch y mater hwn. Gobeithio bod yr ymateb wedi bod o fudd ichi.

Yn gywir,



Vaughan Gething AC / AM

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
Cabinet Secretary for Health and Social Services

P-05-842 Give young people a voice when commissioning local services in Wales – Correspondence from the petitioner to the Committee, 17.10.18

Dear Sirs,

Thank you for your response to our Petition, including the letter dated 30 September 2018 from Mr Gething AM.

Having read the correspondence, we are disappointed by the response given. We feel that the letter only regurgitates generic replies and has not addressed the Petition with sufficient specificity.

Therefore, we wish to take this opportunity to voice a number of comments on the letter.

Firstly, regarding the Mind Over Matter Report (the Report), this is an excellent first step in exploring the impact of mental health services on young people, alongside recommending continued initiatives. As contributors to the Report, National Mind has already adopted some of the recommended initiatives contained within, in particular the Whole School Approach (WSA). While we can testify to the efficacy of the WSA – the pilot was successful enough to continue to full scale roll-out (the reports can be found in full on Mind's website Mind.org.uk) – this does not address the main point of the Petition.

The main thrust of the Petition revolves around the notion of enhanced participation of young people within the commissioning process of mental health and youth services. Therefore, we wish to question what initiatives, if any, are being implemented in order to further this objective?

Secondly, the T4CYP is another theoretically effective initiative. The High-Level Working Board's stipulation of the engagement with children and young people as a workstream is undoubtedly in line with the Petition's objective.

However, there are again concerns we must raise. In the first instance, this project runs until 2019. This is a short time away. Post the terminus, what will be put in place in order to continue the push for inclusion of young people in mental health and youth service provisioning?

In addition to this, some investigation of the T4CYP website suggests that there has been no board meeting since September 2017, no newsletters since August 2017,

and there has been indication that a lack of personnel and appropriate resources has hindered the project. Further to this, the T4CYP Twitter account has been inactive since June 2016.

While we understand there may be times where there are extended hiatuses between meetings and the flow of information, we find the length of these unacceptable for an initiative that claims to be in operation with a close terminal date.

As a further point to note, many young people within the Campaign Group have found accessing this information particularly difficult. This refers not only to finding the information from the relevant sources, but also in terms of understanding the content. While the need to use context specific and technical wording is clearly important, the abundance of content with inaccessible wording is detrimental to the inclusion of a broad swath of young people.

Another point regarding the T4CYP regards empirical evidence. We have noted that within the board meetings it has been highlighted that there is a lack of reliable data and data collection methods (T4CYP Board Minutes Sep. 2017). As this was indicated in the last set of board minutes, we have to assume that this status has not changed.

A lack of testable, empirical results leaves the outcome of the project in the realms of a priori statements at best, or sweeping theoretical assertions at worst. Therefore, how can it be possible to deem the project a success without a posteriori knowledge that young people are being included within the mental health and youth service commissioning process?

Again, this is the point of the Campaign: to include young people in this process via a standardised, measurable inclusion framework across Wales.

The final point regarding the T4CYP is the creation of the Making Sense report by Hafal, part of the High Needs Collaborative. This report highlighted a number of key recommendations put forward by a panel of young people. Of particular note are suggestions one and ten.

The first suggestion is that young people indicate that they would prefer an informal, non-medical (i.e not CAMHS) approach to mental health and wellbeing. Despite this, the Welsh Government has seen fit to spend many millions of pounds on the expansion of CAMHS.

This clearly shows that the Welsh Government has disregarded the voices of young people. Ironically, this is in contradiction to suggestion ten of the report – listening to young people.

Regarding the task and finish group for the Mind Over Matter report, we have concerns history may repeat itself. The outcomes of the Making Sense report show no indication of continued young people's participation and the recommendations went unheeded. Therefore, how can we be sure that the task and finish group for the Mind Over Matter report will not follow suit? How involved will young people be in the group? Will this simply be another high-level board, disconnected with the voices of young people?

We therefore call for young people to participate in this working group for a minimum of the duration of the Mind Over Matter consultation. This would be a welcomed first step to increase the level of youth participation in the provision of mental health services.

Thirdly, as touched upon above, the methods for engagement of young people are inconsistent or, at worst, lacklustre. The Welsh Government is itself guilty of failing to include the voice of young people in significant programmes, most recently the allocation of £1.4 million for a CAMHS in reach pilot into schools. The development and rollout of the initiative had no engagement with young people. In addition to this, the programme is the opposite of the non-medicalised interventions that young people asked for in the Making Sense report.

To address a positive, the engagement of ABMYouth is certainly of benefit to furthering the voices of young people. Engagement in this manner is something that the Campaign Group would welcome. Indeed, this falls in line with the model utilised by the Changing Minds Campaign.

However, there is still a concern with this panel. While engagement of any young person is good, we question exactly how representative this panel is of marginalised groups. A lack of transparency in the appointment of this panel has served only to raise further questions amongst the Campaign Group and the wider youth demographic.

Additionally, we question the efficacy of a newsletter. While certainly one important way of informing young people, it is by no means the only way. Further, the newsletter itself is not particularly well publicised and it is mentioned that it is circulated to a wide range of stakeholders. Again, who are these stakeholders and

how does this actively inculcate a culture of youth inclusion in the commissioning processes?

We believe that a simple, one sided newsletter is an insufficient modality through which to engage young people. There is little scope in this medium to reply to the comments made within, especially for those young people who, through their mental health or otherwise, find it difficult to effectively engage and express their opinions.

Finally, regarding the inconsistency, there is a distinct lack of standardised engagement methods across Wales. While we have seen engagement on a broad roots level (such as via the ABMYouth panel), we also see a light touch engagement method (such as through mere provision of a newsletter) plus strata of other levels of engagement in between. Our experience arising from working across five local authorities in Gwent has highlighted the variation in opportunities for participation of young people in decision making, such as via youth forums and councils. Many initiatives are local in scope and are not representative of provisions in Wales as whole. Our Petition is calling for this to be addressed.

We believe that the Welsh Government should introduce a mandatory, baseline level of engagement for Wales. This may be more than a newsletter but perhaps less than weekly panel meetings, with scope for local authorities to develop extra initiatives alongside the mandatory baseline. This semi-hard approach mandates a minimum level of youth engagement while encouraging continued innovation of further engagement methods via a soft-law guidance framework.

While much of this letter has been critiquing the programmes the Senedd is conducting, we also wish to point out that we, and young people as a whole, are extremely appreciative of the effort the Welsh Assembly is putting in to improving the standard of young people's mental health. The Petition is only trying to help the Government guide their propositions and initiatives to promote a more equal, economic and efficient commissioning process.

To this end, the Campaign Group has significant experience of the utilisation of young persons' participation modalities. For example, the young persons' advisory panel, implemented at the beginning of the Project, has ensured that young people have had a voice consistently throughout the service delivery. This has since developed into further working groups such as the #Changeit Campaign Group. It is this kind of delivery model that cultivates a transparent and inclusive participation framework.

Other engagement methods could include a greater digital presence amongst young people. This could, for example, take the form of a webpage. It would simultaneously increase both participation and accessibility of key information for young people in their local areas. In addition, it provides a less formal platform for young people to voice their opinions, informality being a key outcome of the Making Sense report.

We believe that this is a model of engagement that has potential for inclusion into the overall commissioning process in Wales.

Again, we wish to wholeheartedly thank you for taking the time to read this letter.

Kindest regards,

The Changing Minds Campaign Group

Eitem 2.4

P-05-843 Mwy o hawliau trydydd parti mewn apeliadau cynllunio

Cyflwynwyd y ddeiseb hon gan Emma Eynon, ar ôl casglu 59 o lofnodion.

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru gyflwyno deddfwriaeth a fyddai'n rhoi mwy o hawliau i drydydd partïon apelio penderfyniadau cynllunio. Ar hyn o bryd, ystyrir bod hyd yn oed y rhai yr effeithir arnynt yn uniongyrchol yn drydydd partïon i geisiadau cynllunio a gymeradwyir ac nad oes ganddynt fawr o hawl, os o gwbl, i apelio na hyd yn oed cynnig mewnbwn i amodau cynllunio. Mae'r broses adolygu barnwrol wedi'i hanelu at ddatblygwyr ac nid yw'r terfyn amser o chwe wythnos ar gyfer cyflwyno cais o'r fath yn addas ar gyfer grwpiau gweithredu cymunedol. Dylai fod gan drydydd partïon yr un hawliau â datblygwr i apelio penderfyniadau cynllunio ac ni ddylai fod rhaid iddynt anfon pob cyfathrebiad drwy law'r aelod ward etholedig.

Etholaeth a Rhanbarth y Cynulliad

- Castell-nedd
- Gorllewin De Cymru

Deiseb: P-05-843 Mwy o hawliau trydydd parti mewn apeliadau cynllunio

Y Pwyllgor Deisebau | 23 Hydref 2018
Petitions Committee | 23 October 2018

Papur briffo gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-843

Teitl y ddeiseb: Mwy o hawliau trydydd parti mewn apeliadau cynllunio

Geiriad y ddeiseb:

Rydym ni sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru gyflwyno deddfwriaeth a fyddai'n rhoi mwy o hawliau i drydydd partïon apelio penderfyniadau cynllunio. Ar hyn o bryd, ystyrir bod hyd yn oed y rhai yr effeithir arnynt yn uniongyrchol yn drydydd partïon i geisiadau cynllunio a gymeradwyir ac nad oes ganddynt fawr o hawl, os o gwbl, i apelio na hyd yn oed cynnig mewnbwn i amodau cynllunio. Mae'r broses adolygu barnwrol wedi'i hanelu at ddatblygwyr ac nid yw'r terfyn amser o chwe wythnos ar gyfer cyflwyno cais o'r fath yn addas ar gyfer grwpiau gweithredu cymunedol. Dylai fod gan drydydd partïon yr un hawliau â datblygwr i apelio penderfyniadau cynllunio ac ni ddylai fod rhaid iddynt anfon pob cyfathrebiad drwy law'r aelod ward etholedig.

Y cefndir

Nid oes hawl trydydd parti i apelio yn erbyn penderfyniadau cynllunio yng Nghymru. O dan y system gynllunio bresennol, yr ymgeisydd a'r awdurdod cynllunio lleol yw'r prif bartïon i apêl a chaiff partïon eraill a chanddynt fuddiant eu dosbarthu fel trydydd parti.

Caiff ymgeiswyr apelio ar ystod o seiliau, gan gynnwys pan fo'r awdurdod cynllunio lleol wedi gwrthod caniatâd cynllunio neu wedi cymeradwyo caniatâd cynllunio, ond gosod amodau.

Camau Llywodraeth Cymru

Roedd y gwaith paratoi cyn datblygu'r Bil a ddaeth yn *Ddeddf Cynllunio (Cymru) 2015* (y Ddeddf Gynllunio), yn cynnwys adolygiad o'r system gynllunio yng Nghymru gan Grŵp Cynggori

Annibynnol (GCA). Roedd gwaith yr GCA yn trafod hawliau apelio trydydd partiōn a chyflwynwyd adroddiad i Lywodraeth Cymru yn 2012.

Daeth yr GCA i'r casgliad nad oedd y risg o orlwytho'r system gynllunio'n cyfiawnhau unrhyw fantais a geir o gyflwyno hawliau apelio trydydd parti. Yn lle hynny, nododd fod ymgysylltiad cyhoeddus gwell wrth lunio Cynlluniau Datblygu Lleol (CDLI) ac ymgynghoriad cymunedol cyn ymgeisio ffurfiol ar gyfer ceisiadau cynllunio mawr yn ddulliau ymgysylltu cymunedol mwy priodol.

Mae adroddiad yr GCA yn dweud y canlynol:

3.45 In our view such a significant change risks overburdening the system and shifting resources away from decision and plan making. We believe that the arguments in favour do not justify the burden that would be placed on the Planning Inspectorate and LPA [local planning authority] planning officers. We are satisfied that the problem applications cited to us during the debate are not the norm and do not justify the shift of resources implied by the introduction of third party appeals. We do not consider that a third party appeal right would benefit those sections of the community who are traditionally seldom heard. Resourcing confidence in the planning system is a better solution. Most importantly, none of those arguing in favour were able to produce a set of clear criteria that did not run the risk of abuse of the right of appeal by people acting in a vexatious manner.

3.46 Our conclusion is that measures are needed to ensure those who may be affected by a development are made aware of it from the earliest stage and those who consider they might be affected are given every opportunity to be heard. Front loading the planning process and involving third parties in planning decisions from the earliest stages would address the types of problems that have been described to us and go some way towards improving public perception and confidence in the planning system. ...

...

3.52 In summary, we do not consider there is a case for introducing third party rights of appeal in Wales. The issues that were raised with us can be overcome by other measures to ensure that the rights of the public to be involved in decisions affecting them are properly protected. We make a number of recommendations ... designed to widen public involvement in the planning process.

Gellir gweld trafodaeth lawn yr GCA o'r mater hwn ar dudalennau 23 i 25 o'r adroddiad.

Mae'r llythyr gan Lesley Griffiths, Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig, at y Pwyllgor (dyddiedig 25 Medi) yn ailadrodd safbwyt yr GCA:

Since that time [of the IAG report] no persuasive evidence has emerged to suggest the introduction of a third party right of appeal would be a step forward or an improvement in the panning system. We remain of the view, therefore, it would not be appropriate to introduce such changes to the planning appeals process. Ensuring we have up to date LDPs which have been subject to comprehensive public engagement is the best way to ensure the rights of all groups are taken into account when planning decisions are made.

Camau Cynulliad Cenedlaethol Cymru

Wrth basio Bil y Ddeddf Gynllunio drwy'r Pedwerydd Cynulliad, cafodd y Pwyllgor Amgylchedd a Chynaliadwyedd ar y pryd rywfaint o dystiolaeth o blaid cyflwyno hawl apelio trydydd parti mewn rhai amgylchiadau, er enghraift pan fo cymeradwyaeth yn groes i CDLI mabwysiedig yr ardal. Fodd bynnag, penderfynodd y Pwyllgor yn erbyn gwneud argymhelliaid yn y maes hwn yn ei [Adroddiad Cyfnod 1](#).

Fel y nodwyd yn llythyr Ysgrifennydd y Cabinet, hefyd wrth basio'r Bil drwy'r Cynulliad, [cynigiodd Aelodau'r Gwrthbleidiau welliannau arfaethedig](#) i gynnwys hawl apelio gymunedol yn y Ddeddf. Gwrthodwyd y gwelliannau, felly ni chawsant eu cynnwys yn y Ddeddf.

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

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Eich cyf/Your ref: Petition P-05-843
Ein cyf/Our ref LG/01762/18

Llywodraeth Cymru
Welsh Government

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
CF99 1NA

Government.Committee.Business@gov.wales

25

September 2018

Dear David,

Thank you for your letter of 14 September, seeking my views on a petition by Emma Eynon calling on the Welsh Government to introduce legislation to grant more rights for third parties to appeal planning decisions.

Under the current planning system, the applicant and the local planning authority are the main parties to an appeal and any other interested parties which includes the local community, are classed as a third party. Whilst the planning system gives third parties the opportunity to make representations to the planning authority before it takes its decision, and to make representations as a third party at planning appeals, it does not give them a right of appeal against the planning authority's decision.

The issue of third party rights of appeal has been the subject of significant discussion for some years and has been raised in responses to consultation exercises carried out in relation to changes to the development management system.

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 dderbynir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 68

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

An Independent Advisory Group (IAG), set up by the Welsh Government to advise on the need for change to Welsh planning legislation, whose findings informed the Planning (Wales) Act 2015, considered third party rights of appeal in detail. Following extensive evidence gathering, including a dedicated round table discussion with stakeholders it unanimously concluded the significant risk of overburdening the planning system did not justify any benefits to be gained from introducing third party rights of appeal. Instead, the IAG identified improved public engagement in Local Development Plan preparation and formal pre application community consultation for major planning applications as more appropriate community engagement mechanisms.

Provisions relating to third party right of appeal were, therefore, not included in the Planning Bill. During the passage of the Bill through the Assembly an amendment was proposed to introduce third party rights of appeal. The Assembly debated the proposed amendment and voted not to include the provisions in the legislation. The Planning (Wales) Act 2015 makes provision for Pre Application Community Consultation as recommended by the IAG which was brought into force on 16 March 2016 by the Town and Country Planning (Development Management Procedure) (Wales)(Amendment) Order 2016.

Since that time no persuasive evidence has emerged to suggest the introduction of a third party right of appeal would be a step forward or an improvement in the planning system. We remain of the view, therefore, it would not be appropriate to introduce such changes to the planning appeals process. Ensuring we have up to date LDPs which have been subject to comprehensive public engagement is the best way to ensure the rights of all groups are taken into account when planning decisions are made.

Regards
Lesley

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Blaengwrach Community Action Group

P-05-843 More Third party rights in planning appeals – Correspondence from the Petitioner to the Committee, 17.10.18

This petition asks for legislation to be introduced which will grant more rights to third parties affected by planning applications. In order to elaborate on this, and to demonstrate why the current legislation is simply not adequate, I have used our own experience with a recent planning approval (for a major development of a petrol filling station and a fast food drive-through restaurant) which is set to devastate the way of life for our small village.

We ask for:

1. Direct communication about planning applications to affected third parties

We believe that if a planning application is going to affect the home or travel of any local resident, that resident should be considered as an affected third party. This should also apply to sensitive institutions such as affected health centres or schools. An affected third party should be **directly notified by letter and directly invited to consultations** to allow for the opportunity to input into planning conditions or to be given the chance to appeal.

Notices on random lampposts in the area should no longer be a sufficient means of communication. Nor should there be a sole reliance on local councillors to directly inform all affected parties. The residents affected by the Blaengwrach development were not sent letters or direct communications and were unaware of the planning application until 2 days before the planning meeting. We are absolutely certain that, had we been given the opportunity to form this action group in the pre application stages, this development would never have been granted approval.

Many residents staged a protest at the site for the Planning Committee visit. Numbers were such that a police presence was requested to ensure Planning Committee safety at the ensuing Planning Meeting later that same day. Despite this, it was officially recorded that there was *little* protest to the planning application.

This demonstrates the need for mandatory direct communication to affected third parties in order to give residents ample notice of applications and to form any official responses.



Blaengwrach Community Action Group

2. Mandatory consultation invitations to affected residents

Consultations between the Local Planning Authority and affected third parties should be made freely available, in good time, and with flexible options for working people and those with dependents. Each affected party should be able to have their concerns recorded and assessed as each situation is unique and important.

In our case, access to and from our houses and the primary school will be severely impacted. Affected residents deserve to have their situations considered by an objective public body who should be putting the best interests of our residents first, and implementing appropriate remedial action or conditions.

3. More advice to be freely given at the point of notifying third parties of a planning application.

Information and advice on legal rights and responsibilities is severely lacking and inadequate.

In our case, residents were told in the planning application meeting (P2017/0112) by the Head of Planning, that there was no legal way to challenge their decision to approve, and that we had no recourse to appeal in any way.

We since learned that this was not correct and third parties have a 6 week window to request a judicial review. We were hampered by this misinformation and were not able to challenge the application in time.

Our residents were surprised to learn that the LPA has unrestricted and unchallenged powers in the land. As Lesley Griffiths AM herself has directly stated to us, there is no official body or authority that will intervene once that 6 week deadline has passed.

Our action group later learned of the Planning Aid charity which deals with giving objective advice. Our residents have been hesitant to use this service, as the same planning official names listed as advisors in this organisation are the ones we have been unsuccessfully dealing with during our own appeal.

We ask that when affected third parties are directly notified of planning applications and invited to consultations, they are also provided with correct information and guidance including actions available to take, avenues for appeal and relevant timescales.



Blaengwrach Community Action Group

4. More time to submit third party planning appeals

Communities and action groups take longer to organise and form official responses. Residents are not experts in planning, process, or legislation and have much to learn in their spare time before they can even begin to form an appeal via a judicial review.

Information must then be gathered from Freedom of Information requests which, using our experience with NPTC, typically take the full 4 weeks to elicit a response. This is an especially long process where follow-up correspondence is required.

As such, the current 6 week window for third parties to formally request a judicial review is completely unrealistic and merely plays lip service to the whole process.

5. The right for recognised Community Action Groups to have direct consultations with the Local Planning Authority

With a view to save public resources, Community Action Groups can be a better method to represent large numbers of affected third parties in a residential area. With the approval of the Local Councillor, these groups should be given the rights to represent those in their community to work with the Local Planning Authority and take positive action in direct consultations. This is not the case currently.

6. Special consideration be given to appeals where vulnerable people are affected in a community

We have a large number of elderly and mobility impaired people in our community who rely on public transport (Active Travel) to reach health centres and grocery shops. Our school children use the only pedestrian route through the village to travel to school. Not everyone is able to own and drive private vehicles, and developments that impact Active Travel have a severe effect on residential lives.

Vulnerable residents, and those community groups that represent them, should be given more consideration by the local authority when appealing against detrimental planning applications.

In our case, a realistic traffic assessment has been requested numerous times and summarily dismissed every time. If conducted, this would mean a much needed major change to the conditions imposed on this development, and which is sorely needed for the safety of local residents.



Blaengwrach Community Action Group

We would also like to take this opportunity to address the comments received from the Cabinet Secretary, Lesley Griffiths AM, on this subject.

More rights for third parties in planning appeals are still sorely needed and is a long running topic that will not go away while our (third party) needs remain unaddressed.

The provisions advised by the Independent Advisory Group for the Planning (Wales) Act 2015 are simply not adequate and are not being enforced. Improved public engagement is desperately needed in Local Planning Authorities. More opportunities to attend pre application and pre approval consultations are something we are asking for in this petition and more importantly, a mechanism to enforce such processes. It is all well and good to implement a facility for consultation but it is ultimately useless, unless steps are taken to ensure consultations are carried out and the feedback from third parties taken seriously.

Local Development Plans are very important to communities and yet ours is inaccurate and needs updating. The development approval in our community was rushed through by our Local Planning Authority using an inconsistent interpretation of the policies in our LDP. This was facilitated by a lack of detail around these policies, (some of which do not even exist) as well as missing key information. Indeed we have also submitted another petition to allow us the opportunity to update and amend our LDP rather than to wait another 2 years; as there is no mechanism in place to force our local authority to keep this current and up to date.

We also agree that it is more efficient to involve third parties in the pre application stages than in post approval, and this would alleviate the planning system in many ways. But in cases such as ours, where we have had no opportunity to input and discuss the implications of such a major development, we should also have some avenue to appeal. We have serious concerns over school route safety, and pedestrian walkways to public transport, as the planning conditions on the development are wholly insufficient.

These planning conditions were created by a Planning Committee Member and read out to us at the planning meeting. They were based on incorrect information and with no avenue for us to appeal or to make changes. We were told in the meeting that we were lucky that he had taken it upon himself to implement his conditions, as it was made clear to him before the meeting that this approval was going ahead. He also informed us that if it were not for him, we would have had no conditions implemented for any pedestrian and traffic safety, however insufficient we believe them to be. Despite over a thousand letters and complaints to our local authority



Blaengwrach Community Action Group

from our residents, we are met with blank refusals to even discuss our safety concerns and provisions in planning conditions.

Indeed, the Public Services Ombudsman for Wales is the only recourse available to us (as the public) where we believe the planning authority have failed to uphold our best interests in a planning application. The Ombudsman regularly writes to advise local authorities in Wales about the sheer number of complaints his office has to deal with, which could be prevented with more proactive steps taken by local planning authorities.

We would ask the Welsh Government, in the aftermath of voting against the amendment to the Planning Bill in 2015, to consider that the provisions intended by the Planning (Wales) Act 2015 have proven insufficient to meet the needs and rights of third parties. Community Action Groups such as ours are still on the rise and complaints about planning are being generated in higher numbers than ever. The requests we have submitted for consideration under this petition are absolutely critical to improve the planning system in this country and to rebalance the system which is weighed so heavily in favour of profit heavy corporations.

Our Welsh culture is under threat and more of our traditional towns and villages are suffering from what we perceive as a massive injustice. We are asking for the tools and mechanisms to be put in place so we may work with our local authorities toward suitable developments and appropriate remediation. The system as we know it today simply does not work and we need to look to the well-being of future generations and the rights of everyone in our communities.

P-05-844 Adolygu Cynllun Datblygu Lleol Castell-nedd Port Talbot ar unwaith

Cyflwynwyd y ddeiseb hon gan Emma Eynon, ar ôl casglu 56 o lofnodion.

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru drefnu adolygiad o'r Cynllun Datblygu Lleol ar gyfer Ardal Castell-nedd Port Talbot, a hynny ar unwaith. Mae angen newidiadau brys er mwyn adolygu'r canllawiau ar gyfer ardaloedd gwledig, yn benodol ynghylch Adfywio Cymoedd Cymru. Fel trigolion lleol, nid ydym yn teimlo bod digon o fesurau ar waith i gadw ein cymunedau rhag datblygiadau masnachol negyddol sy'n effeithio'n ddifrifol iawn ar ardaloedd preswyl. Mae angen newid i orfodi polisiau Teithio Llesol, diogelu anheddu preswyl a Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015. Ni ddarparwyd yn ddigonol ar gyfer ein cymuned ym Mlaengwrach yn y Cynllun Datblygu Lleol a gofynnwn i gamau gael eu cymryd yn gynt na'r adolygiad a drefnwyd ar gyfer 2020. Gofynnwn am y cyfle, o leiaf, i allu ychwanegu eithriadau a chanllawiau i'r Cynllun Datblygu Lleol ynghylch datblygiadau sy'n arwain at gryn lawer o draffig, megis Gorsafodd petrol a bwytai min ffordd.

Etholaeth a Rhanbarth y Cynulliad

- Castell-nedd
- Gorllewin De Cymru

Deiseb: P-05-844 Adolygu Cynllun Datblygu Lleol Castell-nedd Port Talbot ar unwaith

Y Pwyllgor Deisebau | 23 Hydref 2018
Petitions Committee | 23 October 2018

Papur briffo gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-844

Teitl y ddeiseb: Adolygu Cynllun Datblygu Lleol Castell-nedd Port Talbot ar unwaith

Testun y ddeiseb:

Rydym ni sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru drefnu adolygiad o'r Cynllun Datblygu Lleol ar gyfer Ardal Castell-nedd Port Talbot, a hynny ar unwaith. Mae angen newidiadau brys er mwyn adolygu'r canllawiau ar gyfer ardaloedd gwledig, yn benodol ynghyllch Adfywio Cymoedd Cymru. Fel trigolion lleol, nid ydym yn teimlo bod digon o fesurau ar waith i gadw ein cymunedau rhag datblygiadau masnachol negyddol sy'n effeithio'n ddifrifol iawn ar ardaloedd preswyl. Mae angen newid i orfodi polisiau Teithio Llesol, diogelu anheddu preswyl a Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015. Ni ddarparwyd yn ddigonol ar gyfer ein cymuned ym Mlaengwrach yn y Cynllun Datblygu Lleol a gofynnwn i gamau gael eu cymryd yn gynt na'r adolygiad a drefnwyd ar gyfer 2020. Gofynnwn am y cyfle, o leiaf, i allu ychwanegu eithriadau a chanllawiau i'r Cynllun Datblygu Lleol ynghyllch datblygiadau sy'n arwain at gryn lawer o draffig, megis Gorsafon petrol a bwytai min ffordd.

Y cefndir

Mae gan Gymru system gynllunio sy'n dilyn y cynllun. Mae Cynlluniau Datblygu Lleol (CDLlau) yn rhan allweddol o'r dull hwn gan y disgwylir iddynt greu'r cyd-destun ar gyfer penderfyniadau rhesymegol a chyson yn unol â pholisiau cenedlaethol. Rhaid i geisiadau cynllunio gael eu penderfynu yn unol â'r CDL a fabwysiadwyd oni bai bod ystyriaethau perthnasol yn nodi fel arall.

Yn ei llythyr at y Pwyllgor (dyddiedig 25 Medi), mae Lesley Griffiths, Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig, yn esbonio'n gryno'r gofyniad statudol i awdurdodau cynllunio lleol baratoi, monitro ac adolygu eu Cynlluniau Datblygu Lleol:

The Planning and Compulsory Purchase Act (PCPA) 2004 requires Local Planning Authorities (LPAs) to prepare a statutory development plan for their administrative area. Neath Port Talbot adopted their LDP in January 2016.

The PCPA Act 2004 also requires LPAs to keep adopted plans under review (section 69). The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, as amended 2015, specifies the time period when a LDP should be reviewed as no longer than four years from adoption (Regulation 41). Neath Port Talbot are due to commence a review of their adopted LDP in January 2020.

The PCPA Act 2004 also requires every LPA to prepare an Annual Monitoring Report (AMR) setting out whether the objectives of the plan are being achieved or not. This includes the effectiveness of the policies, as well as any new legislation or external circumstances which require the plan to be reviewed (section 76). Neath Port Talbot's first AMR was published in October 2017:

https://www.npt.gov.uk/media/8100/amr_final_oct17.pdf

AMRs are the mechanism for reviewing a LDP and identify if changes to the plan, including strategy and policies, are required and contain indicators which assess the effectiveness of the plan. Neath Port Talbot's next AMR is due to be published October 2018.

Mae Deddf Cynllunio a Phrynu Gorfodol 2004 hefyd yn rhoi pwerau cyfarwyddyd eang i Lywodraeth Cymru mewn perthynas â Chynlluniau Datblygu Lleol. Mae'r rhain yn cynnwys pŵer i gyfarwyddo y dylid diwygio cynllun (adran 70).

Fodd bynnag, mae paragraff 2.13.4 o [Polisi Cynllunio Cymru, Rhifyn 9](#) (polisi cynllunio cenedlaethol Llywodraeth Cymru) yn nodi mai fel yr opsiwn olaf y byddai Llywodraeth Cymru yn ystyried defnyddio ei phwerau cyfarwyddo, lle mae deialog wedi methu a lle mae CDLI:

- yn codi materion o bwysigrwydd cenedlaethol; neu
- o bosibl yn cael effeithiau eang y tu hwnt i ardal yr awdurdod sy'n gwneud y cynllun.

Camau Llywodraeth Cymru

Fel y nodwyd uchod, mae Ysgrifennydd y Cabinet wedi ysgrifennu at y Pwyllgor mewn perthynas â'r ddeiseb hon. Yn ychwanegol at nodi'r gofynion statudol sy'n ymwneud â CDLlau, mae'r llythyr hefyd yn nodi mai mater i'r awdurdod cynllunio lleol yw monitro ac adolygu Cynllun Datblygu Lleol, ac os oes gan drigolion bryderon, dylid eu cyfeirio at yr awdurdod cynllunio lleol perthnasol.

Mae Ysgrifennydd y Cabinet hefyd yn nodi nad mater i Weinidogion Cymru yw ymyrryd yn y broses adolygu statudol.

Camau Cynulliad Cenedlaethol Cymru

Nid yw'r mater hwn wedi cael ei ystyried gan y Cynulliad.

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

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: Petition P-05-844

Ein cyf/Our ref: LG/01763/18

David John Rowlands AM
Chair - Petitions committee
National Assembly for Wales
Cardiff Bay
Cardiff Bay
CF99 1NA
Government.Committee.Business@gov.wales



September 2018

Dear David

Thank you for your letter dated 14 September, regarding Petition P-05-844, which relates to the Neath Port Talbot Local Development Plan (LDP).

The Planning and Compulsory Purchase Act (PCPA) 2004 requires Local Planning Authorities (LPAs) to prepare a statutory development plan for their administrative area. Neath Port Talbot adopted their LDP in January 2016.

The PCPA Act 2004 also requires LPAs to keep adopted plans under review (section 69). The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, as amended 2015, specifies the time period when a LDP should be reviewed as no longer than four years from adoption (Regulation 41). Neath Port Talbot are due to commence a review of their adopted LDP in January 2020.

The PCPA Act 2004 also requires every LPA to prepare an Annual Monitoring Report (AMR) setting out whether the objectives of the plan are being achieved or not. This includes the effectiveness of the policies, as well as any new legislation or external circumstances which require the plan to be reviewed (section 76). Neath Port Talbot's first AMR was published in October 2017:

https://www.npt.gov.uk/media/8100/amr_final_oct17.pdf

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 dderbynir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 78

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

AMRs are the mechanism for reviewing a LDP and identify if any changes to the plan, including strategy and policies, are required and contain indicators which assess the effectiveness of the plan. Neath Port Talbot's next AMR is due to be published October 2018.

The monitoring and review of an adopted LDP is the responsibility of the LPA, as set out in primary legislation and supported by Regulations. If residents have concerns regarding the content or application of the LDP these should be made directly to the respective LPA, in this instance Neath Port Talbot. Such comments will assist the LPA when reviewing their LDP. It is not for the Welsh Ministers to intervene in the statutory review process.

Regards
Lesley

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Blaengwrach Community Action Group

P-05-844 Immediate review of the Neath Port Talbot LDP Correspondence from the Petitioner to the Committee, 17.10.18

This petition asks for a mechanism or process to be implemented to enable communities to request immediate exceptions into their Local Development Plans.

As highlighted in the response from Lesley Griffiths AM, the next scheduled review of the NPT LDP is set for 2020 although it is lacking key information now. This has severely impacted our ward of Blaengwrach with a devastating roadside services development and could affect many more planning applications in the Neath Valley before this is next reviewed.

The reasons behind approving this development are largely due to what we believe are inconsistent interpretations of the LDP by our Local Planning Authority. As highlighted in various letters to the Local Planning Authority and to Lesley Griffiths AM, many policies in this LDP are being broken to accommodate this development. We even found that a policy on local valley regeneration in our LDP, (*VRS1/1 Park Avenue, Glynneath Development Framework Supplementary Planning Guidance*), due in April 2017, that was used in the decision making process, has not even been produced and there is still no idea when this may happen or when a public consultation may be available.

Unfortunately for residents, the only method to address the content or application of the Local Development Plan is with the Local Planning Authority. This can prove impossible when, arguably, they can use the ambiguity of information in the LDP to enjoy almost unlimited freedom in planning decisions. Also, if relationships are already strained over difficult planning applications, many communications and requests are refused directly.

As residents, we should have more rights and powers to ensure the best interests for our wellbeing and local environment. For many of us not in the planning profession, LDP issues are only highlighted when policies are interpreted poorly in planning decisions.

We are not asking to interfere in the statutory review process, but instead for a method to submit immediate changes into the LDP to correct mistakes or missing information that cannot wait until the statutory review schedule. This process



Blaengwrach Community Action Group

needs to give residents confidence that these changes are officially logged and duly considered, despite any previous correspondence with their LPA.

Please find below details of what we are urgently looking to change in our own LDP, should we be given the opportunity, and why these are needed for our community. Please note that these points have been raised with our Local Planning Authority to no avail leaving us with no real avenue to pursue. This, however, does not negate the necessity of making these changes.

1. Blaengwrach Settlement is missing from the Settlement Hierarchy

A planned Petrol Filling Station and Fast Food Drive-Through Restaurant has been approved by the Local Planning Authority for a site in the settlement of Blaengwrach under the settlement type for Cwmgwrach. Although both are identified as separate settlements in the same planning application, Blaenwgwrach is missing completely from the LDP settlement hierarchy table. This means that this development was passed under the settlement type for Cwmgwrach which was a ‘small local centre’.

If Blaengwrach were in the hierarchy table it would be the lowest category consisting of only a church as a ‘Dormitory Settlement’. This development will now change this category to ‘small local centre’ which is something that the Local Development Plan should have been safeguarding against.

We ask that Blaengwrach Settlement (not ward) is added to the LDP and appropriately classifies as a Dormitory Settlement.

2. Guidance on Petrol Filling Stations and retail units attracting high volumes of traffic.

There is no guidance for petrol filling stations in our LDP in the current version. Any developments attracting a high volume of traffic should surely be allowed outside of a settlement area for reasons of residential safety. Policy R3 is aimed at safeguarding the retail centres in the Neath Valley and is meant to ensure that ‘large scale’ developments serve a local community instead of taking business away from their heart.

In our case, this policy was used to refuse this petrol station development from being built on a more suitable piece of land outside of our residential area. This would have been safer for residents and our primary school and would have allowed for larger vehicles, fulfilling the original brief to provide services on the A465 for HGVs. Instead, the Local Planning Authority deemed it more appropriate to approve this in our tiny residential community, blocking the only access point into our



Blaengwrach Community Action Group

villages with high volumes of traffic because this site was attached to a settlement area.

LDP guidelines make it clear that planning decisions in rural areas should be more flexible with settlement boundaries (however, in our case, the more suitable site was refused for being just 49 metres outside of Glynneath). By agreeing for this development to be constructed 100 metres across the road into our village, more business will be taken away from the Glynneath retail centre, as vehicles from the same A465 stretch of road will turn into the opposite side of the junction into our residential area. This will not even serve our settlement area as we already have a shop, a local PFS and even a fast food restaurant. It will certainly inhibit Active Travel for residents and will be detrimental to our health and safety – as well as visual amenity.

We ask that where high volumes of traffic are involved, these developments should be added into policy R3 as being allowed outside of settlement areas.

3. An enforcement policy is needed to ensure that the size and scale of developments are kept in proportion to the attached settlement (amendment to Policy SC1)

Policy SC1 is aimed at ensuring that developments are in scale to their attached settlement. In our case of a major scale development of 2 retail units, this development is aimed at the passing traffic on the A465 which receives over 18000 vehicles daily. It is up to the ‘opinion’ of the Planning Officers to determine the size of a development (referred to as minor in the application). There is no official guidance to determine the size and scale of this settlement and no policies to enforce this according to the hierarchy table. Policy SC1 is used according to the ‘whim’ of the LPA and with no supporting guidance to ensure consistency across the board which is missing from the LDP.

We ask for an amendment to Policy SC1 which requires evidence of the size of a development in scale to an attached settlement.

In summary, we are asking for the facility to enable residents throughout Wales to correct and question details in their LDP which urgently affect their communities. We understand the high cost implication involved in reviewing and producing a full LDP, however the importance of an up to date and correct LDP is more vital than ever. This is especially highlighted with regard to third party rights and the comments regarding the Planning (Wales) Act 2015 in our other submitted petition response.



Blaengwrach Community Action Group

The Annual Monitoring Report (AMR) as described by Lesley Griffiths is simply a compilation of key indicators for the council to review. Contrary to the wording used in her response, it is not a mechanism to review the LDP as we the public would be involved in. It is not a call nor a means for residents to input or make amendments. If, however, the AMR is indeed meant in this capacity, it means that we have been grossly misinformed by the leader of our Local Authority.

A mechanism to ensure that content changes to an LDP, between statutory reviews, to be logged and properly considered is much needed for residents. This would also save time, money and resource for the Local Authorities rather than producing full reviews and would keep information updated more accurately. Currently, requests for changes from residents have been met with a blanket refusal followed with advice to simply attend the next statutory review. We need the intervention of the Welsh Government to add improvements and governance to this system, in the interest of Welsh Residents across the country which will benefit everyone and contribute to a more cooperative and efficient future.

Eitem 2.6

P-05-845 Rhowch Derfyn ar Wrthdaro Buddiant yng Nghyfansoddiad Awdurdodau Lleol

Cyflwynwyd y ddeiseb hon gan Emma Eynon, ar ôl casglu 56 o lofnodion.

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru orfodi gwell bolisiāu cod ymddygiad i gyflogel awdurdodau lleol. Ar hyn o bryd, mae swyddogion awdurdod cynllunio yn cael rhedeg cwmnīau ymgynghori cynllunio preifat a chyflawni eu rolau cyhoeddus ar yr un pryd. Nid oes adnodd ar gael y gellir ei fuddsoddi er mwyn plismona'r cwmnīau preifat hyn, lle y'u datgenir yn y ffurflenni angenrheidiol, er atal twyll a llygredd.

A chymryd swyddogion cynllunio fel enghraift, mae potensial y gallai rhedeg busnesau ymgynghori preifat 'yn ddistaw bach' hwyluso llygredd, gan fod llawer o fathau, yn gyffredinol yn ymwneud â chamdefnyddio swydd. Mae angen rhoi terfyn ar yr arfer hwn ar unwaith a rhaid diwygio'r cyfansoddiadau fel na cheir ymddwyn yn y modd hwn mwyach. Rydym yn galw am fwy o atebolrwydd a thryloywder gan ein hawdurdodau lleol, a rhaid pennu safonau ymddygiad mewn swyddogaethau cyhoeddus o'r fath a fyddai'n uwch na rhai'r sector preifat, lle mae hyn yn hynod annerbyniol.

Etholaeth a Rhanbarth y Cynulliad

- Castell-nedd
- Gorllewin De Cymru

Cyfansoddiad Awdurdodau Lleol

Y Pwyllgor Deisebau | 23 Hydref 2018
Petitions Committee | 23 October 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-845

Teitl y ddeiseb: Rhowch Derfyn ar Wrthdarol Buddiant yng Nghyfansoddiad Awdurdodau Lleol

Testun y ddeiseb:

Rydym ni, sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru orfodi gwell bolisiau cod ymddygiad i gyflogeion awdurdodau lleol. Ar hyn o bryd, mae swyddogion awdurdod cynllunio yn cael rhedeg cwmnïau ymgynghori cynllunio preifat a chyflawni eu rolau cyhoeddus ar yr un pryd. Nid oes adnodd ar gael y gellir ei fuddsoddi er mwyn plismona'r cwmnïau preifat hyn, lle y'u datgenir yn y ffurflenni angenrheidiol, er atal twyll a llygredd a chymryd swyddogion cynllunio fel enghraift, mae potensial y gallai rhedeg busnesau ymgynghori preifat 'yn ddistaw bach' hwyluso llygredd, gan fod llawer o fathau, yn gyffredinol yn ymwneud â chamdefnyddio swydd. Mae angen rhoi terfyn ar yr arfer hwn ar unwaith a rhaid diwygio'r cyfansoddiadau fel na cheir ymddwyn yn y modd hwn mwyach. Rydym yn galw am fwy o atebolrwydd a thryloywder gan ein hawdurdodau lleol, a rhaid pennu safonau ymddygiad mewn swyddogaethau cyhoeddus o'r fath a fyddai'n uwch na rhai'r sector preifat, lle mae hyn yn hynod annerbyniol.

Y cefndir

Mae Adran 82(7) o Deddf Llywodraeth Leol 2000 yn gwneud Cod Ymddygiad yn rhan o delerau penodi, neu amodau cyflogaeth, pob gweithiwr cymwys. Mae Adrannau 82(2) a 105(1) o Deddf Llywodraeth Leol 2000 yn rhoi pwerau i Weinidogion Cymru wneud gorchmynion neu reoliadau ar y mater hwn.

Daeth Gorchymyn Cod Ymddygiad (Gweithwyr Cymwys Llywodraeth Leol) (Cymru) 2001 i rym ym mis Gorffennaf 2001. Mae'r Atodlen sydd ynghlwm i'r Gorchymyn yn nodi'r egwyddorion allweddol o ran yr hyn a ddisgwylir gan weithwyr awdurdodau lleol yn eu hymddygiad o

ddydd i ddydd. Mae atebolrwydd, buddiannau personol ac ymdrin â gwybodaeth yn cael eu cynnwys yn y Cod.

Swyddogion Monitro awdurdodau lleol sy'n gyfrifol am sicrhau bod Aelodau a gweithwyr yn cynnal y safonau ymddygiad uchaf wrth gyflawni eu dyletswyddau.

Mae prif ddyletswyddau'r Swyddog Monitro wedi'u nodi isod. Mae sail gyfreithiol y Swyddogion Monitro i'w gweld yn [Adran 5 Deddf Llywodraeth Leol a Thai 1989](#), fel y'i diwygiwyd gan [Atodlen 5 i baragraff 24 Deddf Llywodraeth Leol 2000](#).

Mae gan y Swyddog Monitro dair prif rôl:

1. Adrodd ar faterion y mae o'r farn sy'n anghyfreithlon neu'n debygol o fod yn anghyfreithlon neu'n gyfystyr â chamweinyddu.
2. Bod yn gyfrifol am Faterion yn ymwneud ag ymddygiad cynghorwyr a swyddogion.
3. Bod yn gyfrifol am weithredu cyfansoddiad y cyngor.

Er mwyn sicrhau gwahanu rolau, ni chaiff y swyddog monitro gyflawni dyletswyddau'r Prif Swyddog Cyllid hefyd na dyletswyddau'r Cyfarwyddwr Cyllid.

Camau gweithredu Llywodraeth Cymru

Mewn llythyr at Gadeirydd y Pwyllgor Deisebau, dywedodd Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus:

Mae angen i swyddogion Awdurdodau Cynllunio Lleol, ynghyd â swyddogion eraill i gyd gadw at god ymddygiad eu hawdurdod. Nid yw hyn yn rhwystro iddynt rhag ymgymryd â gwaith yn eu maes y tu allan i faes o gyfrifoldeb eu hawdurdod, cyhyd ag y cofrestrir eu buddiannau preifat yn briodol yn unol â'r rheolau ac nid ydynt yn caniatáu i'w buddiannau preifat wrthdaro â'u dyletswydd gyhoeddus.

Mae Ysgrifennydd y Cabinet hefyd yn tynnu sylw at y potensial i godi unrhyw bryderon ynghylch ymddygiad anfoesegol gyda'r corff proffesiynol perthnasol, sef y Sefydliad Cynllunio Trefol Brenhinol, yn yr achos hwn.

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



Ein cyf/Our ref ARD/00656/18

David John Rowlands AC
Cadeirydd – Y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Tŷ Hywel
Bae Caerdydd
CF99 1NA

Government.Committee.Business@gov.wales

2 Hydref 2018

Annwyl David,

Diolch am eich llythyr dyddiedig 14 Medi 2018 yn gofyn am fy marn ar e-ddeiseb P-05-845 *Rhowch Derfyn ar Wrthdaro Buddiant yng Nghyfansoddiad Awdurdodau Lleol.*

Disgwyllir gweithwyr Llywodraeth Leol yng Nghymru (ac eithrio diffoddwyr tân ac athrawon, ceir trefniadau ar wahân ar eu cyfer) i gadw at ddarpariaethau cod ymddygiad safonol a ragnodir gan y ‘Gorchymyn Cod Ymddygiad (Cyfleoion Cymwys Llywodraeth Leol) (Cymru) 2001.’

Nodir y cod ymddygiad, ymhlið pethau eraill, bod rhaid i weithwyr gweithredu gydag unplygrwydd, gonestrwydd, didueddrwydd a gwrthrychedd wrth gyflawni eu dyletswyddau. Mae'n rhaid iddynt beidio â gadael i’w buddiannau preifat wrthdaro â'u dyletswyddau cyhoeddus a rhaid iddynt gydymffurfio ag unrhyw reolau eu hawdurdod ar gofrestru a datgan buddiannau ariannol ac anariannol.

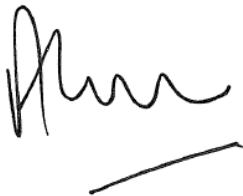
O dan delerau adran 82(7) o Ddeddf Llywodraeth Leol 2000, mae'r cod ymddygiad yn ffurio rhan o'r telerau penodi neu amodau cyflogaeth gweithwyr cymwys. Unrhyw fethiant gan gyflogai i gydymffurfio â'r cod ymddygiad yn fater i'r awdurdod lleol dan sylw fel y cyflogwr.

Mae angen i swyddogion cynllunio awdurdodau lleol ynghyd â swyddogion eraill i gyd gadw at god ymddygiad eu hawdurdod. Nid yw hyn yn rhwystru iddynt rhag ymgymryd â gwaith yn eu maes y tu allan i ardal o gyfrifoldeb eu hawdurdod, cyhyd ag y cofrestrir eu buddiannau preifat yn briodol yn unol â'r rheolau ac nid ydynt yn caniatáu i'w buddiannau preifat wrthdaro â'u dyletswydd gyhoeddus.

Yn ogystal, mae'r rhan fwyaf o gynllunwyr tref yng Nghymru yn aelodau o'r Sefydliad Cynllunio Trefol Brenhinol (RTPI). Gellir honiadau bod aelodau RTPI wedi ymddwyn yn anfoesol cael eu hystyried gan Bwyllgor Safonau'r RTPI.

Credaf fod y trefniadau presennol yn ddigonol, a dyletswydd yr awdurdodau lleol yw monitro a gorfodi'r cod ymddygiad presennol.

Yn gywir,



Alun Davies AC/AM

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus
Cabinet Secretary for Local Government and Public Services



Blaengwrach Community Action Group

P-05-845 End Conflict of Interest in Local Authority Constitution – Correspondence from the petitioner to the Committee, 17.10.18

End Conflict of Interest in Local Authority Constitution

This petition asks for urgent changes to the Constitution in our Local Authorities to remove policies which facilitate Conflicts of Interest. Currently, each Local Authority sets out an employee Code of Conduct which simply asks public officials to declare such conflicts on a form and to inform their manager. Our recent experiences, highlight why this is so detrimental to both Local Authorities and to the public, across Wales.

In order to illustrate the scale of how this affects the ill-feelings of residents toward their local authorities, I would first like to use our own situation as an example.

Our residents have an ongoing dispute with our Local Planning Authority over a major petrol filling station and fast food drive-through restaurant to be built in the Dormitory Settlement of Blaengwrach. There is a considerably low opinion of the LPA in our community and many residents continue to question what are considered to be inconsistent decision-making processes and poor communication handling skills.

We are seriously dissatisfied with the reasons that this planning application has been approved and with the lack of input that we have been able to make. Our community even generated over 1000 letters and requests to the local authority on this matter. Over 620 protests were hand delivered in person and our action group has continued to request simple discussions on serious safety concerns that are all being dismissed. The development passed approval in just 6 weeks and the minimum effort was taken to notify residents or consult with other authorities on matters of public health and safety, especially when compared to similar developments in our area.

This site was originally sold by Neath Port Talbot Council in 2007 to a previous developer who then made half a million pounds of profit when selling on the land with planning permission for a petrol station. To enable this, a restrictive covenant was lifted from the site after the planning approval was given, for an exceptionally low fee.

This matter has been referred to the Wales Audit Office as our residents were extremely unhappy that this covenant, which restricted development to residential



Blaengwrach Community Action Group

housing, was revoked to facilitate these major commercial retail units. We do not see the logic behind the amounts of public money involved, and no 106 agreement has been sought to compensate residents on the devastation that this will cause. This is further called into question, when considering that the Chief Executive of NPTC recently gave a talk to nearby residents in Glynneath about how important 106 agreements are in order to fund communities in the Welsh Valleys (as per Valley Regeneration schemes).

Our residents also requested help from the Public Services Ombudsman for Wales as we have had no single concern appropriately investigated by our Local Authority. Unfortunately the Ombudsman is under-resourced and overwhelmed with similar requests around Wales, so did not have enough initial evidence to proceed with a full investigation.

It is understandable then, how it caused further anger and resentment when residents learned that planning officers involved in this development also run private consultancy firms. Our requests to learn more about this from our Local Authority under the Freedom of Information Act have been refused. This, along with a blunt response to say that it is not something that falls under the public interest, simply raises suspicion rather than diffusing the already tense and difficult situation. We know that some officers even advertise their private company hours as full-time, and answer the same mobile phone during the day as used in their public role.

This is not to say that any of these officers are working counter to the Code of Conduct in the NPT Local Authority. I use this information here only to highlight how easily misconceptions can begin for members of the public and can then be made worse with poor communication handling and a lack of transparency. In the world of planning, for example, it is next to impossible for public officials working in Local Authorities to form no relationships or experience with each other. It is therefore, even harder, to police the Code of Conduct especially with regard to Conflicts of Interest and to prove when Fraud or Corruption is actually taking place.

As a small country, it is to be noted that many key officials will work with each other around different Local Authorities and even migrate to the private sector. Indeed, the current Head of Planning for NPTC used to work in Swansea Local Authority with the Planning Director of the petrol station company planned for Blaengwrach. After volunteering this information, the Planning Director also told our action group that this relationship has had no bearing on his submissions to meet the planning conditions.



Blaengwrach Community Action Group

This petition would serve to enhance the reputation of employees in public roles which, in turn, affects each Local Authority. Simply operating outside of their public area of responsibility is not sufficient when considering these aspects.

The financial management and governance in our local authorities must be protected and kept beyond reproof. The temptation to profit from collusion and “revolving door” corruption can be hard to resist and it is the responsibility of the Local Authority to be aware of the risks and prevent this from happening. To this end, the Code of Conduct set out in Local Authorities needs to be improved to further prevent this. We cannot afford to spend public money on the resources to police cases where such conflicts may (or may not) exist.

There is no strategy in place to enforce any rules on this matter and no official strategy for Local Authorities in Wales on countering fraud and corruption. The English publication for “The Local Government Counter Fraud and Corruption Strategy 2016–2019” makes for a good illustration into how this saves public money and resource. Considering the number of media stories published by undercover journalists and the investigations by English Government into Local Authorities for corruption (such as in Northamptonshire County Council earlier this year), one can see why this is so important.

To respond to the comments of Alun Davies AM, Cabinet Secretary for Local Government and Public Services, we do not agree that the current arrangements are sufficient which allow public officials to work outside of their public role. Simply working outside of a public area of responsibility does not preclude the ability to use the same contacts or knowledge which effectively undercuts full time private workers in that same field. If, for example, a local councillor is also running a planning consultancy firm, how do constituents have any assurance that developments made for their area are in their best interest only?

Mr Davies also referred to the Institute of Royal Town Planning in the case of Planning Officers. There are of course other institutions which perform similar roles in other vocations. I would argue that in our case, when members of our action group have tried to communicate with such institutes, including the RTPI, we have been met with blank refusals to enter into discussions on the topic. As membership for this organisation is voluntary, there is no statutory obligation to protect the public from the misconduct of their members or to treat with us on any issues.



Blaengwrach Community Action Group

In summary, as residents, we rely on public officials such as our Local Councillors and Planning Officials to do their best for our public interest. In many cases, however, our Local Authorities are losing the trust and respect of the public. We are also seeing a massive increase in the number of residential action groups and cases to the Public Services Ombudsman for Wales.

As members of the public, the private sector does not allow for any secondary role or earnings which may be deemed as a ‘conflict of interest’ and it is hard to understand why those representing us in public roles are allowed to do so.

We ask the Welsh Government to enforce a higher standard in the working practices of our Local Authorities to prevent fraud and corruption from happening. Counter to the comments offered by Mr Davies, there is no Government Strategy in place for our Local Authorities to follow, in order to appropriately enforce the Code of Conduct with regard to Conflicts of Interest. **Change the Code of Conduct in our Local Authorities to disallow public officials from working outside of their public roles in any manner which could be deemed as a Conflict of Interest.**

(Please see also the submitted letter from Carwyn Jones AM, dated on 16th June 2003 which reiterates the importance of the Code of Conduct in improving public confidence in Local Authorities.)

Carwyn Jones AM
Minister for Environment,
Planning and Countryside



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Our Ref: MB/CJ/5005/03

To: Leaders and Chairpersons
County Councils and National Parks in Wales
Welsh Local Government Association
National Association of Local Councils in Wales
Welsh Association of Community and Town Councils
Association of Larger Local Councils
North Wales Association of Town Councils

16 June 2003

I recently wrote to you to clarify some concerns about the implications of the Code of Conduct for members of planning committees. As you know, the code underpins the sound, openly taken, consistent planning decisions we all have a right to expect. In particular, it provides the basis for dealing with the personal interests of members involved in the planning process.

The Audit Commission recently made public the report of its investigation into member conduct and planning decisions in Montgomeryshire. Copies of the report should be available from Powys County Council.

The report concludes that certain decisions were taken with the participation of a member who should have declared a personal interest. More generally, it emphasises the need for clear meeting records, for decisions to be taken on planning grounds and for reasons for decisions to be given, for the provision of member training and for hospitality to be properly registered in order to avoid undermining the planning system.

Some of these issues were identified when the Commons Welsh Affairs Committee considered Rural Housing in Wales in 1992-3. Much has been done in recent years in Powys, and elsewhere, to improve the planning system. However, letters from the public, and organisations in the voluntary and private sectors continue to show dissatisfaction with decisions which are either inconsistent, unreasoned or do not appear to be based on planning considerations. It is clear that more work is needed across Wales to ensure that we maintain and, in some cases, restore public confidence in the operation of the planning system.

The Welsh Assembly Government consulted widely, in early 2002, on the package of reforms to the planning system set out in "Planning: delivering for Wales". These are intended to improve development plan preparation so that clear, up to date plans are in place as the basis for decisions. They are also intended to ensure that decisions are based on planning considerations, that reasons for decisions are stated, that member training is available and that the system is able to deliver decisions efficiently. The package of proposals is being taken forward in partnership with you, with the Welsh Local Government Association and with the private and voluntary sectors.

Some of the proposals require legislation. Others will be introduced over the next few years by new technical advice, by encouraging member training, and by the regular reports which will enable each authority to monitor the quality of the planning service it provides. The programme is intended, with the Code of Conduct and other measures, to change the way in which the planning service is provided in Wales.

The Assembly Government has responsibility for setting the policy and procedural framework within which we all operate. We will continue to develop this with you and other stakeholders to ensure that it is as practical, clear and unambiguous as possible. As you are aware, we also have the power to intervene in the development plan or decision making processes where this is clearly justified.

Responsibility for the effective operation of the planning system will continue to depend upon each local planning authority in Wales, and on the commitment and integrity of every member and officer of those authorities to deliver decisions which are clear, consistent and soundly based.

I look forward to working with you to build on the work already in hand to give Wales a planning service of which we can all be proud.

A handwritten signature in black ink, appearing to read "Carwyn Jones".

P-05-771 Ailystyried y penderfyniad i roi'r gorau i Grant Byw'n Annibynnol Cymru a'r angen i gefnogi pobl anabl i fyw'n annibynnol

Cyflwynwyd y ddeiseb hon gan Nathan Lee Davies ac ystyriwyd am y tro cyntaf gan y Pwyllogr yn ystod Hydref 2017, ar ôl casglu 324 o lofnodion ar-lein a 307 ar bapur – cyfanswm o 631 lofnodion.

Geiriad y ddeiseb

Fel rhywun sy'n cael Grant Byw'n Annibynnol Cymru ac yn ymgyrchu dros bobl anabl, rwy'n bwriadu gofyn i Lywodraeth Cymru ailystyried ei phenderfyniad i roi'r gorau i Grant Byw'n Annibynnol Cymru o fis Ebrill 2019 ymlaen.

Cyflwynwyd Grant Byw'n Annibynnol Cymru i helpu pobl a oedd yn arfer hawlio arian gan Gronfa Byw'n Annibynnol Llywodraeth y DU, a gaewyd yn 2015. Mae'r cynllun yn helpu mwy na 1,500 o bobl ledled Cymru. Mae gan bawb sy'n cael y Grant lefel uchel o anghenion gofal a chymorth.

Y bwriad oedd rhoi'r gorau i'r cynllun ym mis Mawrth 2017, ond ym mis Tachwedd, dywedodd Rebecca Evans, y Gweinidog gwasanaethau cymdeithasol, y byddai'r cyllid yn parhau am flwyddyn arall.

Yna, bydd y gronfa £27 miliwn yn cael ei throsglwyddo'n uniongyrchol i awdurdodau lleol yn ystod 2018–19 fel y gallant ddiwallu anghenion cymorth y rhai a oedd yn arfer cael arian drwy'r Gronfa Byw'n Annibynnol erbyn 31 Mawrth 2019.

Gwybodaeth ychwanegol

Pam yr ydym yn gwrthwynebu'r penderfyniad:

Dywedodd Llywodraeth Cymru fod y penderfyniad wedi'i wneud ar sail cyngor gan randdeiliaid. Cynrychiolwyr o'r trydydd sector neu ddinasyyddion oedd y mwyafrif ar y grŵp rhanddeiliaid. Ond nid oeddynt eisiau cael gwared ar Grant Byw'n Annibynnol Cymru, a'r pwynt allwedd ol yw na chafodd ein cyngor ei dderbyn.

Dylid cofio hefyd nad oes yn rhaid rhoi'r gorau i Grant Byw'n Annibynnol Cymru, ac mae llwyddiant Cronfa Byw'n Annibynnol yr Alban yn brawf o hyunny; sydd hefyd yn ddadl o blaid cefnogi Cronfa Byw'n Annibynnol Gogledd Iwerddon.

At hyn ny, roedd maniffesto poblogaidd y blaid Lafur yn nodi cynlluniau i sefydlu system ofal gene dlaethol a fyddai'n annibynnol ar awdurdodai lleol.

Dyma'r union amser y dylai'r Blaid Lafur uno yn erbyn y Torïaid ar faterion o'r fath. Rhaid i ni gwestiynu pam nad yw Plaid Lafur Cymru yn chwarae ei rhan wrth newid y tirlun gwleidyddol?

Yn wir, yn y pen draw, dylem fod yn anelu at sefydlu Cronfa Byw'n Annibynnol i Gymru fel nad oes yn rhaid i unrhyw berson anabl ddioddef yr ansicrwydd a'r unigedd a wynebir gan y rheini sy'n cael Grant Byw'n Annibynnol Cymru ar hyn o bryd. Ni allwn ddechrau credu bod gwir gyfiawnder cymdeithasol a chydraddoldeb i bawb yn bosibl oni fydd Llafur Cymru yn ailystyried ei benderfyniad ynghylch Grant Byw'n Annibynnol Cymru.

Mae'n siŵr y bydd Llafur Cymru yn dadlau y dylem roi cyfle i Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) Iwyddo. Fodd bynnag, mae angen buddsoddiad ac adnoddau sylweddol ar y Ddeddf ddelfrydyddol hon i sicrhau ei bod yn llwyddo – ac nid oes dim golwg o'r gwelliannau sydd eu hangen ar ein seilwaith er mwyn sicrhau bod y Ddeddf yn llwyddo. Efallai'n wir ei bod yn bryd cael chwyldro yn y ffordd y darperir gofal cymdeithasol, ond gallai'r fath drawsnewid gymryd degawd neu ragor, ac nid yw'r rhai sy'n derbyn Grant Byw'n Annibynnol Cymru yn haeddu cael eu trin fel arbrawf pan fo'u hanghenion o ran gofal a chymorth yn gofyn am sefydlogrwydd a strwythur hirdymor.

Etholaeth a Rhanbarth y Cynulliad

- Wrecsam
- Gogledd Cymru

Stakeholder response 1 – Torfaen County Borough Council, Social Care and Housing

- The Welsh Government's decision to transfer funding for the Welsh Independent Living Grant to local authorities. – This transfer may have been more prudent to have taken place in the initial year of ILF closing. The ILF effectively created a two tier system to people who required managed care and support. The initial purpose of ILF met the shortfall in the benefits system at the time but in more recent years it meant there was inequity. Therefore, transferring to Local Authority enables a more equitable approach as everyone is assessed in the same way under the SSWB Act. The transfer has been protracted and this has caused some uncertainty and confusion. The additional administrative impact has been quite arduous. The additional impact on the support services and also the employment responsibilities for individuals has been cause for concern.
- The potential benefits or problems which may arise from supporting WILG recipients through local authority social care provision in the future. – The biggest area of concern has been the staffing implications for vulnerable individuals and their carers to manage on top of a change management process that has had the potential to change the levels of independence people aspire to and hence the routines and familiarity of their daily lives. The main staffing issues being, pay, redundancy and other employment issues for those individuals who have employed staff. There are limited resources and understanding available from sources independent of the local authority in order for people to find the most appropriate support with employment matters. The assessment process has meant increased work but also has increased clarity and transparency around what services are in place, both for social care professionals, commissioners and the individuals and their families. The majority of those assessed and moving over from WILG are choosing to access Direct Payments particularly where they have staff employed. Most are also benefitting from the Welsh Assembly domiciliary care client contribution cap; and are now paying less contribution towards their care and support costs, however the flip side to this is that the Local Authority has had to increase their budgetary contribution to the care and support packages to meet any shortfall resulting in potential budget pressure. Many recipients of WILG were previously advised by ILF to return unspent monies, this has led to little or no reserve for many recipients to cover statutory costs such as redundancy for staff where working terms and conditions have changed reduced or employment has ended.
- The current transition process, including assessment by local authorities, and any feedback from WILG recipients. – The transition process has been very

long and social care professionals have taken time to complete assessments, agree new care and support plans with individuals and ensure that people are informed and clear on the process of transition. To date there has been no formal complaints or feedback from individuals.

- If you (or your organisation) was involved in the work of the ILF stakeholder advisory group, your experience of this process and the extent to which the group's deliberations and final recommendation reflected the views of members – N/A However, the organisation was not directly involved in the stakeholder group but was represented nationally. It is felt that information shared with the stakeholder group was not always acted upon or given appropriate consideration.
- Any alternative approaches that you believe should have been taken by the Welsh Government, or any changes which should be made at this stage. – WG should ensure that LA's continue to receive sufficient funding and resources through the funding allocated to the RSG to meet the increase to the new alternative social care packages agreed. The majority of individuals will receive the same or more equivalent funding to that which they received via ILF. The ILF and subsequently WILG did not keep pace with actual costs of care, on costs and statutory obligations of ILF recipients for some years. This effectively means that Local Authorities are having to increase the cost of all packages.

Any other views or comments that you have in relation to the petition.

Stakeholder response 2 – Conwy Social Care Services

Good afternoon,

In relation to the above; the attached comments are submitted on behalf of Conwy Social Care Services, in particular, from Manager and Practitioners from the Disabilities Services.

- The Welsh Government's decision to transfer funding for the Welsh Independent Living Grant to local authorities. – **In terms of an equitable approach to the needs of all disabled people who require managed care and support we are in agreement with the transfer. The creation of a new body in Wales to administer the ILF would have been costly and presumably diverted funding from front line to the administration of the scheme. Whilst transferring to the LA has not been without additional cost, most of the recipients are known to and supported by the LA and therefore the additional administrative costs ongoing post transfer would be less.**
- The potential benefits or problems which may arise from supporting WILG recipients through local authority social care provision in the future. – **We do not foresee any issues for individuals once social care packages are agreed with service users and any issues in relation to staffing, pay and remuneration are resolved. If anything, care and support packages being fully commissioned via the LA has increased clarity and transparency around what services are in place, both for commissioners and the individuals and their families. Most that have been assessed and are going through the process of moving over from WILG are welcoming the fact that they will not have to manage the financial side of ILF anymore. From the cases financially assessed thus far, many individuals are benefitting from the Welsh Assembly domiciliary care client contribution cap; and are now paying less contribution towards their care and support costs. Of course this then means that the Local Authority needs to increase their contribution to meet the shortfall. There are further financial implications to the LA, as many recipients at the point to transfer were advised by ILF to return all unspent monies, this means that there is no or little reserve for many recipients to cover supplementary costs, such as redundancy for staff where they are choosing to no longer self-manage their support needs.**
- The current transition process, including assessment by local authorities, and any feedback from WILG recipients. – **Conwy have had no issues raised by former recipients in relation to the transfer.**
- If you (or your organisation) was involved in the work of the ILF stakeholder advisory group, your experience of this process and the extent to which the group's deliberations and final recommendation reflected the views of members – **N/A**
- Any alternative approaches that you believe should have been taken by the Welsh Government, or any changes which should be made at this stage. – **the WG should ensure that LA's have sufficient resources through the funding allocated to the RSG to meet the alternative social care packages agreed. The WILG did not keep pace with the true cost of care for some years, with recipients packages effectively frozen. As a result we are seeing an increase in the cost of all packages.**
- Any other views or comments that you have in relation to the petition.

With kind regards

Carol Walker



Stakeholder response 3 – Learning Disability Wales

To: Submission to: P-05-771 Reconsider the closure of the Welsh Independent Living Grant and support disabled people to live independently, National Assembly for Wales Petitions Committee

From: Learning Disability Wales

Date 13 September 2018

We are submitting a story and 25 picture slideshow that gives feedback from a WILG recipient in support of retaining the fund:

The story of Sonny and why we need to keep the Welsh Independent Living Grant

This story of Sonny, who has a learning disability, is being told to show how important the Independent Living Fund (now known as Welsh Independent Living Grant or WILG) is for him to lead a happy independent life.

Please watch the slideshow of Sonny enjoying his independent life.

https://1drv.ms/p/s!AuqmW_Vn_PKliNgSrREux1iowkf – also attached as a pdf

'A picture is worth a thousand words'.

Karen Warner from Learning Disability Wales met with Jacky, Sonny's mum to hear her story about how crucial the fund is to Sonny's life. She wants her story to be presented to the National Assembly petitions committee that is looking for wider views on a petition to 'reconsider the closure of the Welsh Independent Living Grant and support disabled people to live independently'.

Jacky from Llantwit Fardre is the mother of 29 year old Sonny who has a learning disability.

Jacky is no stranger to fighting for services and support for Sonny. As a child Sonny had a Special Educational Needs Statement, but Jacky had to fight to get the right provision for him such as speech and language therapy. Sonny went to college in Powys. Shortly after leaving college, Jacky helped Sonny make choices and plans about his life that included living in his own home with support. Jacky helped him create a pictorial plan. Jacky was used to managing direct payments for Sonny for the support he needed as a young person, so she was looking to have direct payments for him as an adult.

Jacky approached social services to talk about Sonny's plans. Sonny wanted to live in a home of his own, not a shared house. Jacky found a house for him 5 minutes from where they lived in Llantwit Fardre. At a local jobs fair she began recruiting people who could be lined up to be Sonny's support team. Social services told her that they did not have enough money for the support package he needed. In fact they could only offer her just over half of the funding Sonny needed.

Jacky wasn't giving up. She knew he would not be able to live in a shared house. He needed his own space. She was prepared to fight but was equally in despair as she didn't know what to do next. Her own mental health suffered as a result of the uncertainty of Sonny's future and other issues in her personal life at the time.

Jacky was in contact with Reach Supported Living during that time who told her about the Independent Living Fund. She applied to the fund and was successful in getting the higher hourly rate for the hours of support that Sonny needed. But it took her 2 years to fight for Sonny to have an ordinary life in an ordinary street. That was 10 years ago.

So Sonny's support package was put in place. He gets 90 hours a week support from social services as a direct payment and 25 hours a week from the Welsh Independent Living Grant. Sonny gets 1 to 1 support all the time, but sometimes he needs 2 to 1 support when he finds himself in stressful situations such as the dentist, doctor or hospital.

Sonny loves his life. He is independent. He knows and trusts his staff. He takes risks, staff know him well enough to assess what risks to take. He learns. He is helped to cook, clean and shops for himself. He loves being outdoors, cycling up the Taff Trail, walking in the woods, going to Ogmore-by-Sea on the beach. He also loves his computer and computer games.

Jacky is extremely worried about the possible transfer of the fund and the uncertainty of Sonny's support package in the future. She said "*His support and services need to be maintained otherwise they will be taking away his independence, his well-being, his support, his happiness. I won't let that happen*"

By:

Jacky Roe, parent to Sonny and

Karen Warner, Learning Disability Wales

11 September 2018

Stakeholder response 4 – Trevor Palmer

Attn. Petitions Committee. – Petition P-05-771 Reconsider the closure of the Welsh Independent Living Grant and support disabled people to live independently.

I am a Welsh citizen living in Newport and for many years received support from the Independent Living Fund (ILF) and later the Welsh Independent Living Grant (WILG). As a disabled person who requires support to get around and live independently I was able to pursue some voluntary activities and personal interests with the ILF & WILG support. Earlier this year my local Authority reviewed my support and it has now been cut by sixty percent. This has had a dramatic effect on not only my life but my family and others.

I appeal to the Petitions Committee to have a semblance of Social Justice and be aware of how by closing the WILG is, in my case, not only restricting my independence but my families. The connotations of which have created additional complications.

The ILF and WILF support which I received has enabled me to maintain direction in life and earlier this year in the Queens Birthday Honours I was awarded a British Empire Medal for Services to Disabled People in Wales. My voluntary activities have now been reduced denying me the opportunity to integrate and live as independently as before, which indecently is only a trace of how ninety nine percent of Welsh adults live.

It is sad that in our society that matters of basic social justice have been handled in such a way that the lives of vulnerable people have been disrupted resulting in the exact opposite of what the ILF and WILG was all about. In logical terms this is regression.

In Wales we must not simply just tow the political line but act in a Socially responsible way. One of the principal themes of the 2014 Social Services and Wellbeing Act (Wales) is to give people (yes, that is supposed to be me and other disabled people) a stronger voice and increased control of their lives. As Chair I respect that David J Rowlands AM and the Petitions Committee will recommend that the Welsh Independent Living Grant is reinstated.

Trevor Palmer

Stakeholder response 5 – Luke Clements and Ann James

16th August 2018

Mr. David Rowlands AM,
Chair of the Petitions Committee,
National Assembly for Wales,

Dear David Rowlands AM

Re: Petition P-05-771

**Reconsider the closure of the Welsh Independent Living Grant(WILG)
and support disabled people to live independently**

Many thanks for your letter of the 8 August 2018 in which you invite us to share our views on the closure of the WILG from March 2019.

Sadly, due to our commitments we are unable to submit detailed comments. We would, however, wish to stress our support for Nathan Lee Davies' petition and his vigorous campaign aimed at getting the Welsh Government to reconsider its decision to close the WILG.

The Independent Living Fund was established to compensate disabled people who suffered significant financial loss as a result of the abolition of supplementary benefits 'additional requirements' payments in 1988. It was a national scheme to ensure that people with profound impairments were protected from the vagaries of local authority funding priorities.

Wales has a high proportion of relatively small local authorities – and for many of these councils the budgetary impact of funding a disabled person with profound impairments can be substantial. Austerity measures over the last 8 years has left many Local Authorities in Wales (and in England) facing immense challenges in ensuring that they meet their statutory obligations to disabled people in need of care and support. It is in this context, that there is a high likelihood that the needs of disabled people with profound impairments may be severely compromised. It is for this reason (among many others) that there continues to be a need for a Wales wide ILF scheme.

We have written a paper which can be found in the **Rhydian: Social Welfare Law in Wales Journal** <http://www.lukeclements.co.uk/journal/journal-2018-volume-2/>

For ease of access a copy of the paper is attached to the email.

The paper provides an overview of the contentious decision to close the WILG and highlights some of the challenges that may accrue from this decision.

Your sincerely,

Luke Clements and Ann James

Ann James is a retired social worker, social work academic and more recently worked as a Manager in the Care Council for Wales. She was a carer for her son Rhydian;

Luke Clements is the Cerebra Professor of Law and Social Justice at the School of Law, Leeds University.

P-05-771 Reconsider the closure of the Welsh Independent Living Grant and support disabled people to live independently – Correspondence from the Petitioner to the Committee, 16.10.18

<https://nathanleedavies.wordpress.com/>

Eich cyf/Your ref Petition P-05-771

David J Rowlands AM
Chair
Petitions Committee
National Assembly for Wales

SeneddPetitions@assembly.wales

16th September 2018

Dear Mr Rowlands,

I would like to begin by thanking you and all the members of the Petitions Committee for your work in collecting responses from other parties in relation to the planned closure of the Welsh Independent Living Grant.

The responses that I have read are all critical – to some extent – of the Welsh Governments handling of the closure of WILG. Other recipients and their families agree with #SaveWILG campaigners that this grant must be saved. Surely it is only right to listen to those that will be affected?

The responses from Conwy and Torfaen Council both argue that the end of WILG can be seen as a positive that will streamline an unfair two-tiered system. As you can imagine, I strongly disagree with this and have submitted over 100 pages of evidence to the committee over the past 12 months to support my opinions.

- WILG recipients all have high care and support needs. They rely on the tripartite system of support as without this they are solely reliant on Local Authorities and left without support should they experience any problems with their care and support. The consequences of so-called streamlining are deeply concerning as disabled people do not wish to be reliant on cash strapped local authorities. Indeed, during the consultation process disabled people and their families agreed wholeheartedly that it would be better to receive less hours of support while maintaining the tripartite system rather

than relying on Local Authorities and putting all their eggs in one hole-ridden basket.

- To address concerns of a two-tiered system, surely it would be fairer on everyone to open up WILG to ALL disabled people with high care and support needs.
- I would also like to remind the committee that there are still questions that have been inadequately answered regarding the stakeholder group set up to decide the future of WILG. It is claimed that the group was united in agreement with the closure of WILG and the transferring of funds to local authorities. This was quite simply not the case. Was a vote held in the stakeholder advisory group? If so, on what date, what was the result, and can the minutes of that meeting please be provided?

I would also like to draw attention to the minutes of a Health and Social Care Committee from January 2014. Stephen Gulliford, the Charging Policy Manager at the Welsh Government. He was talking about the Four Options that emerged from the Stakeholder group and said:

I don't know if I'm allowed to say this, but opinions were stressed that they didn't really trust that the local authorities, if they were given the responsibility, would continue to have the same level of support they receive under ILF currently, although some service users did go for option 4, where a specific grant would be purely for ILF to carry on in the current form, at least with the same level of payment.

Gulliford continues:

Options 3 and 4 obviously found more support through local authorities and local authority organisations,

This supports the theory that I have always had – that the Welsh Government were put under pressure from Local Authorities and merely crumbled because they believed they could save a bit of money and a lot of hassle.

- #SaveWILG campaigners have also undertaken extensive **Freedom of Information research involving all Local Authorities**. The emerging picture gives us extreme cause for concern, particularly around inconsistency of approaches and the lack of clear details so that a postcode lottery could be a

serious issue. Subsequently we make the following 11 observations from our findings:

1. **Lack of Awareness:** We sense a lack of awareness or perception about what exactly the local authorities have taken on hence the diversity of responses we are receiving. What preparation or briefing and training has been given to each Local Authority about this transfer of WILG responsibility?
2. **Lack of Statistical data:** Some councils have a lack of even the most basic statistical data. This leads to at least 2 concerns: (a) Are they or will they keep any stats in the longer term? (b) Without stats how will they assess actual progress and achievements, or even refute claims that they are providing a poor service? Of course, it could be that the councils have simply failed to provide a decent quality response to our FOI; but it doesn't inspire confidence.
3. **Failure to analyse or interpret:** Some councils do have the stats but when questioned further they couldn't interpret some basic data in a more definite way. Cardiff state they have assessed 97 % of WILG recipients but they cannot say whether the outcomes in each case will be for more hours of care, or less hours of care, or the same hours as before. This is crucial for a real understanding of what is actually happening on the ground and we expect such data at a minimum. It is not too much to ask. Failure to respond naturally raises more concerns, until we can be presented with the fuller picture.
4. **Care Packages with Reduced Hours:** We are concerned, to note even at the point of transfer and transition that a significant number of individuals are receiving fewer hours of care under their new re-assessed weekly care package. We wonder if costs or expenditure are being trimmed for the most vulnerable in our society who are not best placed to represent and advocate for themselves. We cite Denbighshire, Wrexham, Monmouthshire and Conwy as councils raising concern. What are the reasons for reduced care packages?
5. **Clear Disputes Process:** We have real concerns about any defined disputes process. Clearly not everyone will agree with their new proposed care package, so the route to dispute resolution should be very clear and signposted. Again, the lack of response and the diversity give cause for concern and a feeling of postcode lottery; not the way the service should be operating on the ground. Cardiff Council said they were setting up a new review procedure and Ceredigion refer to a complaints procedure; but are these in line with the Social Services and Wellbeing (Wales) Act 2014? Worse,

at least 2 councils in response to this question simply state with smug satisfaction everyone is happy with the new arrangement (Anglesey and Caerphilly councils).

6. We note the developments at Powys Council with mixture of hope and concern. They confirm 59 recipients are to receive a care package with more hours and just 3 to receive fewer hours. This is in line with what we'd expect on the basis that WILG recipients as they get older are likely to need either the same or more care, but very rarely less care, which would suggest they were improving. WILG recipients with a progressive disability will unfortunately deteriorate over the years rather than improve. Furthermore, Powys Council refer to an overspend to deliver the appropriate service. How will this be funded long term? What reassurances can the minister give to these WILG recipients?
7. Transitional Funding: In terms of funding we are concerned to note that some councils do anticipate the need for additional funding from the WAG such as Gwynedd Council who put the figure required at £100,000.
8. Ring Fencing & Long-Term Provision: We naturally asked about the security of the WILG transitional funding and if it would be ring fenced and also protected against future cuts. Some councils gave no response (Anglesey), most made clear that there was ring fencing of funding up to 31/3/2019, but thereafter three explained that the funding via the RSG (Revenue Support Grant) would be subsumed within the adult social services budget (Ceredigion and Torfaen) or the Community Care budget (Conwy). Again, and of concern was the split between those saying there were no guarantees re the budget (Torfaen, Merthyr Tydfil, Cardiff, Port Talbot), and others who recognised that the local authority had a duty under the Social Services and Wellbeing (Wales) Act 2014 to provide care, which wasn't budgetary (Ceredigion, Rhondda, Caerphilly, Carmarthen and Conwy).
9. Social Services and Wellbeing (Wales) Act 2014: Point 8 is crucial if the legislation is to mean anything. Looking ahead local authorities cannot simply reduce the hours of care packages for recipients when times are tight (austerity). Surely these are minimum legal obligations which must be preserved or maintained, as appropriate. Do the social services staff in each local authority understand this fact? Should the minister impress this concern upon the 22 local authorities as a matter of urgency?

10. Ministerial Oversight and responsibility: Having decided to transfer the WILG to the 22 local authorities the Minister nevertheless still has a role of oversight, responsibility and regulation for the conduct of the WILG transition. To what extent is the Minister for Children, Older People and Social Care undertaking that role at this stage? Surely the divergence of approaches and shortcomings we have outlined would give rise to ministerial concern and intervention to get the transition process back on track? Further, if it is the case that the Minister is aware and he accepts responsibility has he in fact intervened in any way? If he has not intervened because he is satisfied with transition progress, on what information does he base that decision? If he has a solid base of transition information from the 22 local authorities, why did you feel the need to ask for the information contained within our FOI's, which is minimal?

11. Finally, to re-enforce the national legislation we refer to the UN Convention on the Rights of Persons with Disabilities guideline (specifically article 19):

Article 19 – Living independently and being included in the community

States Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

- a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- b) Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
- c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

- The short-sightedness of the Welsh Government is also highlighted by developments in Scotland and Northern Ireland where they have recently decided to use the ILF model to support all community living for disabled people. This can be achieved in these neighbouring countries, so why not Wales?
- We have always accepted that WILG has limitations and have always made it clear that once we save the tripartite principle of WILG, our next objective will be to improve on WILG.
- I would like to draw your attention to the situation in England following the closure of the Independent Living Fund in 2015 when money was transferred to Local Authorities in the same manner that is being proposed by the Welsh Government. This cannot be allowed to happen in Wales. A report by the Department for Work and Pensions (DWP) shows that former recipients of the ILF in England experienced a loss of support, a greater reliance on unpaid care and an “adverse” impact on their physical and mental health after its closure. All of these concerns were raised by disabled activists who campaigned against the decision to close the fund, before it shut in June 2015.

Those former recipients who saw their support “heavily reduced” as a result of the closure – which saw non-ring-fenced funding passed by the government to local authorities – “experienced multiple changes” to their lives.

The report says: “They argued that reductions in care were unfair and denied them opportunities to participate fully in society.

“They encountered changes and restrictions to daily activities, including less support for engaging in leisure activities, work and volunteering.”

Some of those who took part in the DWP study said that the “heavy reduction in care” they had experienced had damaged their physical and mental health, with effects such as loneliness, weight loss, and frailty “due to worry, or due to the physical demands of having to perform everyday activities without the support of a carer”.

I have also included three links at the bottom of this letter that will lead you to further information and reports on the dire situation that disabled people find

themselves living with in 21st Century England. This is hardly in keeping with the Welsh Government's landmark SSWb Act.

- The publication of [UK Independent mechanism update report to the UN Committee on the Rights of Persons with Disabilities](#) is also of crucial importance. I have provided a link to this report below.

This is a very illuminating document that shows just how far behind the United Kingdom is slipping in terms of Disability Rights. The sections about Independent Living is of particular interest to me and my comrades as it is critical of the current arrangements that we are having to put up with. It provides yet more evidence of the need to save WILG as well as some worrying news that the Welsh Government are rushing through a new framework on Independent Living for disabled people that is bound to be a huge disappointment to those with high care and support needs. Welsh Labour have proved time and again that they do not want to listen to party members, unions, Labour MP's, supporters from across the political spectrum or some of their own politicians and are determined to stop WILG.

I am doing everything I can but I am not being listened to at all. I have been robbed of three years of my life and the effect of this campaign has taken a huge toll on my health.

I will carry on the fight until the bitter end because I believe in what I am fighting for and have no confidence in the Welsh Government – as it stands – to produce a suitable alternative.

The section on Wales, reads as follows:

- The EHRC is concerned that disabled people's right to independent living may be harmed by the Welsh Government's decision to potentially merge the Supporting People programme with other budget lines from 2020. Concerns have been raised that disabled people's rights have been negatively affected when equivalent funding programmes elsewhere in the UK have been lost.
- I could go on and on about the problems that the closure of WILG will present to disabled people and their families. I haven't even mentioned the impact it will have on support workers who rely on WILG for their income. As

an employer, I do not want to have to tell my team of personal assistants that I will no longer be able to employ them.

I wish I could write more but time is at a premium. The #SaveWILG campaign has won so much popular support from across the political spectrum, but the future is still clouded in deep uncertainty. Despite pages of evidence to support our claims, despite Scotland and Northern Ireland retaining their equivalent of WILG, despite the evidence already there to see from England and Scotland, despite the UN report on this, despite Disability Labour passing a motion to save WILG, despite political backing from Unite the Union and others, the membership, Jeremy Corbyn, John McDonnell, Ken Loach, Welsh MPs, Wrexham AFC, the vast majority of Assembly Members, we are still in a state of uncertainty about the future of the Welsh Independent Living Grant. I look forward to hearing the outcome of the petition committee's discussions and have faith that the National Assembly will not turn their backs on disabled people with high care and support needs.

Should you need any further information please do not hesitate to get in touch using my contact details above.

Yours sincerely

Nathan Lee Davies

Please find below links to three different reports into the effects of the ILF closure in England:

<https://www.gov.uk/government/publications/independent-living-fund-post-closure-review>

<https://www.inclusionlondon.org.uk/campaigns-and-policy/facts-and-information/independent-living-social-care-and-health/ilf-one-year-on/>

<https://www.disabilitynewsservice.com/independent-living-fund-shocking-drop-in-support-after-ilf-closure/>

UK Independent mechanism update report to the UN Committee on the Rights of Persons with Disabilities.

http://www.nihrc.org/uploads/publications/Progress_on_disability_rights_in_the_UK_CRPD_-_Shadow_Report_2018.pdf

In addition, I have added some links below concerning my own fight for the continuation of WILG:

<http://www.leaderlive.co.uk/news/2015/07/07/gallery/our-fight-to-fund-independent-lives-in-flintshire-and-wrexham-74959/#.VZu96zMTWf4.twitter>

<http://www.disabilitynewsservice.com/welsh-government-has-sold-disabled-people-down-the-river-on-post-ilf-plans/>

<http://www.bbc.co.uk/news/uk-wales-politics-38385381?SThisFB>

<https://nathanleedavies.wordpress.com/save-wilg-campaign/>

<https://www.disabilitynewsservice.com/disabled-activist-is-fighting-for-his-life-as-he-hands-petition-to-welsh-government/>

<https://nathanleedavies.wordpress.com/2018/10/09/progress-on-disability-rights-in-the-united-kingdom-savewilg/>

P-05-825 Diogelu ysgyfaint plant rhag llygredd niweidiol tra maent yn yr ysgol

Cyflwynwyd y ddeiseb hon gan British Lung Foundation Cymru, ar ôl casglu 159 o lofnodion.

Geiriad y ddeiseb

Mewn trefi a dinasoedd ledled Cymru, mae pobl yn anadlu lefelau llygredd aer sy'n anghyfreithlon ac sy'n niweidiol i'w hiechyd. Mae plant ymysg y rheiny sydd fwyaf diamddiffyn rhag llygredd aer. Mae eu hysgyfaint yn dal i dyfu, a gall aer llygredig arafu twf eu hysgyfaint, a golygu eu bod yn fwy tebygol o gael asthma, a phroblemau iechyd eraill, yn nes ymlaen yn eu bywyd.

Yn ôl cais rhyddid gwybodaeth gan y BLF i awdurdodau lleol yn 2017, gwelwyd nad oedd 68 y cant o ymatebwyr (15 o 22) yn monitro llygredd aer o fewn 10 metr o unrhyw un o'u hysgolion.

Yr ydym ni, sydd wedi arwyddo isod, yn galw ar Lywodraeth Cymru i fynnu bod pob Awdurdod Lleol yn monitro ansawdd yr aer y mae plant yn ei anadlu pan fyddant yn yr ysgol, fel bod gan y rheiny sy'n gwneud penderfyniadau y wybodaeth angenrheidiol i ymateb i lygredd aer.

Etholaeth a Rhanbarth y Cynulliad

- De Caerdydd a Phenarth
- Canol de Cymru



Eich cyf/Your ref P-05-825
Ein cyf/Our ref HB/00577/18

Llywodraeth Cymru
Welsh Government

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
Cardiff Bay
CF99 1NA

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

18 July 2018

Dear David,

Thank you for your letter of 5 June providing me with details of petition P-05-825 concerning the protection of children's lungs from harmful pollution whilst at school.

This is a matter in which I have a close interest, and I am fully supportive of the case for action in this area.

Local authorities have an existing duty, under the Environment Act 1995, to review air quality in their areas to assess whether air quality standards and objectives are being achieved or are likely to be achieved. Where they are not, local authorities must designate an Air Quality Management Area and develop an action plan, setting out the measures they will take to address the identified issues.

To inform this process, we issued new Local Air Quality Management guidance in June last which ensures that the ways of working enshrined in the Well-being of Future Generations Act are applied fully in local authorities' air quality management work.

In working towards the well-being of future generations, the guidance requires local authorities to give special consideration to the long-term risks posed to babies and children by exposure to air pollution, whether in their homes, at school or nursery, or travelling between the two.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:

0300 0604400

Gohebiaeth.Hannah.Blythyn@llyw.cymru
Correspondence.Hannah.Blythyn@gov.wales

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

Tudalen y pecyn 1.16

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

The guidance recognises schools and active travel routes, amongst others, as “sensitive receptor locations”. Two key points are made relating to schools and air quality. The first is the significant contribution made by the ‘school run’ to levels of air pollution and traffic congestion on roads within many school catchment areas during term-time rush-hours. The second is the potential for schools to help educate children and parents on the issues around air quality and explore potential solutions.

In addition to the Guidance, I have agreed funding for the Young Dragons initiative which will engage children and young people in understanding air quality and the factors which impact on it. Through this project pupils in 140 schools are being introduced to the causes and impacts of air pollution and encouraged to explore how changes in behaviour by children, parents and staff can make a difference in reducing pollution levels.

On 25 April I announced the publication of the draft Clean Air Zone Framework for Wales. Clean Air Zones, where they are introduced in Wales, will be expected to deliver a reduction in the overall volume of traffic on the roads, and lower emissions from remaining road vehicles. Our draft Clean Air Zone Framework for Wales references travel to school, setting out that local authorities should engage with schools within (or near) a Clean Air Zone to support education around pollution and active travel options, and to explore ways of reducing emissions from motor vehicles. The presence of sensitive receptor locations such as schools should be considered when determining the boundaries of a proposed Clean Air Zone, and monitoring of potential engine idling hotspots should be undertaken at these locations in particular.

Officials are currently analysing responses to the consultation on the draft Framework, which closed on 19 June, and I intend to announce publication of the final document later this month.

Early next year I intend to launch a consultation on proposals for a Clean Air Plan for Wales. This Plan will set out key pollutants and their effects on public health and the natural environment in Wales. This will include measures to achieve compliance with European and domestic legislative requirements. It will also identify cross-Government and sectoral actions required to achieve clean air in Wales. In the development of the Plan, further consideration will be given to the particular issue of poor air at sensitive receptor locations, and what more can be done to address this.

Yours Sincerely,



Hannah Blythyn AC/AM
Gweinidog yr Amgylchedd
Minister for Environment

Ein Cyf /Our Ref: ST/SJW/AQ
Eich Cyf /Your Ref:
Dyddiad /Date: 06/08/18
Gofynnwch am/Please ask for: Steve Thomas
Llinell uniongyrchol/Direct line: 029 2046 8610
Ebost/Email: steve.thomas@wlga.gov.uk



Mr David J Rowlands AC/AM
Cynulliad Cenedlaethol Cymru/National Assembly for Wales
Pwyllgor Deisebau/Petitions Committee
Bae Caerdydd/Cardiff Bay
Caerdydd/Cardiff
CF99 1NA

Annwyl Mr Rowlands AC/AM,

Deiseb P-05-825 Amddiffyn ysgyfaint plant rhag llygredd niweidiol tra byddant yn yr ysgol

Mae Cymdeithas Llywodraeth Leol Cymru (CLILC) yn ymroddedig i gynorthwyo awdurdodau lleol weithio i gyflawni aer glanach i'n holl gymunedau.

O'r herwydd, rydym yn ymgysylltu â Fforwm Ansawdd Aer Cymru, Panel Arbenigol Ansawdd Aer Cymru Gyfan, a Chyfarwyddwyr Gwarchod y Cyhoedd Cymru, sy'n gweithio ar y cyd i hwyluso polisi a chamau gweithredu, ar lefel leol a Chymru.

Ym Mehefin 2018, fe wnaeth CLILC hefyd dderbyn gwahoddiad i gyfranogi yn nadl Aer Iach Cymru i nodi Diwrnod Aer Glân, digwyddiad a gynhaliwyd gan David Melding AC.

Ar y cyd â Chyfarwyddwyr Gwarchod y Cyhoedd yng Nghymru, rydym yn cytuno bod angen i bawb leihau eu hymgysylltiad â llygredd aer. Rydym yn credu y gellid gwneud mwy i amddiffyn iechyd y boblogaeth, yn enwedig plant, o'r niwed posibl a achosir gan ansawdd aer gwael.

Monitro safleoedd ysgol

Fodd bynnag, nid ydym yn ystyried y bydd monitro ansawdd aer y tu allan i bob ysgol o reidrwydd yn helpu i lywio'r polisiau cywir.

Ar gyfer y mwyafrif o ysgolion yng Nghymru, mae ansawdd aer yn ystod y llwybr i'r ysgol yn llawer mwy pwysig na'r ysgol ei hun. Mae angen gweithio ar systemau gwell i roi gwybod i rieni (mewn amser go iawn gobeithio) am y llwybr gorau i'r ysgol, gyda'r ymgysylltiad isaf

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.

**We welcome correspondence in either language and will respond to correspondence in the same language.
Use of either language will not lead to a delay.**

ar gyfer y diwrnod hwnnw. Mae lleihau effaith y daith i'r ysgol yn fater allweddol arall.

Mae gan ystyriaethau ehangach ynghylch polisi cyhoeddus effaith bosibl yma hefyd. Mae'r duedd tuag at nifer lai o ysgolion mwy yn golygu bod plant yn teithio mwy o bellter i gyrraedd ysgol, gyda chynnydd o ganlyniad mewn dibyniaeth ar geir a bysiau, a heriau cynyddol o ran hyrwyddo beicio a cherdded.

Lles Cenedlaethau'r Dyfodol

Mae canlyniadau iechyd o benderfyniadau polisiau cyhoeddus angen eu hystyried yn well yn gyffredinol, yn enwedig o ran cyd-destun Asesiad Effaith Iechyd a Deddf Lles Cenedlaethau'r Dyfodol.

Y tu allan i giât yr ysgol, fe all fod ymgysylltiad byr â nitrogen deuocsid a gronynnau mân, yn dibynnu ar y trefniadau parcio a'r topograffi lleol.

Canllaw Llywodraeth

Mae gan Awdurdodau Lleol ddyletswydd statudol i fonitro ansawdd aer yn eu hardal ac maent oll yn bodloni'r cyfrifoldeb hwn. Mae sut y cynhelir hyn yn cael ei siapio a'i fanylu yn ei gylch mewn canllaw Llywodraeth. Gall ein technegau sgrinio ond mesur cyfartaleddau tymor hir, ond mae'r dull hwn yn seiliedig ar gyngor gwyddonol da i nodi meysydd lle mae ymgysylltiad yn debygol o gael ei gynyddu'n sylweddol. Mae hyn yn ystyried sawl astudiaeth flaenorol i gymharu gwerthoedd brig â gwerthoedd cyfartalog, ac yn caniatáu bwlcw diogelwch eithaf mawr i sicrhau nad ydym yn methu safleoedd y dylem fod yn eu hasesu.

Asesiad parhaus

Bydd unrhyw ysgol yng Nghymru gyda llif traffig rhesymol ar y ffyrdd tu allan wedi cael eu hasesu'n barod gan yr awdurdod lleol, a bydd data wedi'i gasglu am o leiaf 12 mis. Os nad ydym yn mesur yn yr ysgol honno mwyach, mae hynny oherwydd bod ansawdd cyfredol yr aer yn llawer is na'r gwerth targed.

Yn ffodus, dim ond nifer fach o ysgolion yng Nghymru y ceir ansawdd aer ar y safle sy'n dal yn bryder. Mae yna rai prosiectau ar y gweill lle rydym yn chwilio am fesuriadau gronynnau mân tymor byr mewn ysgolion. Mae'r rhain yn dibynnu ar gydweithredu â Phrifysgol Abertawe, fel arall ni fyddai'r awdurdodau lleol hynny'n gallu cyflawnhau cost y cyfarpar monitro.

Byddai'n well o lawer gan awdurdodau lleol Cymru ganolbwytio eu hymdrehchion ar waith a fyddai'n lleihau effaith y daith i'r ysgol a rhoi gwell gwybodaeth i rieni am ymgysylltiad eu plentyn yn ystod y daith honno.

Mae yna hefyd faterion polisi i'w hystyried o amgylch darwahanu amseroedd ysgol a rhannu contractau cludiant ysgol. Gallai mesur nitrogen deuocsid y tu allan i ysgolion, yn defnyddio technoleg gyfredol, roi camargraff nad yw plant yn gyffredinol yn cael eu heffeithio gan allyriadau cerbydau.

Teithio Llesol

Mae yna sawl gweithgaredd neu gam y mae'r cyngor yn eu cymryd, neu yn eu cynllunio, mewn perthynas â theithio llesol a hyrwyddo cludiant cynaliadwy sy'n berthnasol i'r mater o ansawdd aer o amgylch ysgolion. Mae'r rhain yn cynnwys mesurau peirianneg, addysgol a gorfodi.

Gallai mesurau '**peirianneg**' gynnwys:

- Cynllunio defnydd tir, lle mae ardaloedd tai newydd ac ysgolion yn cael eu dylunio i ymgorffori llwybrau diogel sy'n gallu annog cerdded a beicio i'r ysgol
- Gosod pwyntiau gwefru ar gyfer cerbydau trydan (EV) i annog pobl i ddefnyddio EV (gweler e.e. [Abertawe - Mwy o bwyntiau gwefru ar y gweill ar gyfer cerbydau trydan; Caerdydd yn gwneud cynnig i gael mwy o bwyntiau gwefru ceir trydan - Wales Online](#); [Wrecsam: Cynllun ehangu pwyntiau gwefru ceir ar gyfer y dref | The Leader](#))
- darparu cludiant o'r cartref i'r ysgol, sy'n lleihau nifer y teithiau ceir gofynnol
- gosod mesurau gostegu traffig sy'n gwella diogelwch ac yn gallu annog modurwyr nad ydynt ar daith i'r ysgol i gymryd llwybrau eraill (lle maent ar gael)
- defnyddio cyfyngiadau cyflymder o amgylch ysgolion sy'n gwella diogelwch (yn cynnwys atal traffig nad ydyw'n ymwneud â'r ysgol) ac felly gall gyfrannu at ymdrechion i gael plant i gerdded a beicio
- camau sy'n codi o Ddeddf Teithio Llesol (Cymru) 2013.

Mapio Rhwydwaith Integredig

Mewn perthynas â'r Ddeddf Teithio Llesol, roedd yn ofynnol i bob awdurdod lleol gynhyrchu Mapiau Rhwydwaith Integredig. Roedd y rhain yn nodi llwybrau cerdded a beicio y bydd cynghorau'n ceisio eu darparu dros y 15 mlynedd nesaf.

Diffinnir teithio llesol fel: "taith a wneir i weithle *neu sefydliad addysgo/ neu oddi yno, er mwyn cael mynediad at iechyd, hamdden neu wasanaethau neu gyfleusterau eraill*".¹ Wrth ddatblygu eu cynlluniau teithio llesol felly, mae teithiau i'r ysgol wedi bod yn ystyriaeth bwysig.

O'r herwydd, datblygir llwybrau, y bwriad yw y bydd plant yn cael eu hannog i gerdded neu feicio i'r ysgol. Bydd hyn yn lleihau tagfeydd ar adegau gollwng a chasglu, gan felly wella ansawdd aer yn yr y cyffiniau.

Addysg

Yn ogystal â mesurau ffisegol i wella llwybrau, mae cynghorau hefyd yn gwneud gweithgaredd **addysgol** mewn perthynas â diogelwch ffyrrdd (y gellir ei anelu at yrwyr yn ogystal â phlant – e.e. drwy weithgaredd ysgol eco ar rannu ceir ac ymgyrchoedd peidio â gadael injans ceir i droi).

¹ <https://beta.gov.wales/sites/default/files/publications/2017-09/statutory-guidance-for-the-delivery-of-the-active-travel-wales-act-2013.pdf> (tudalen 5, pwyslais wedi'i ychwanegu).

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 either language and will respond to correspondence in the same language.

Use of either language will not lead to a delay.

Fel rhan o hyn, mae nifer o gynghorau ac ysgolion yn annog cerdded i'r ysgol, yn cynnwys defnyddio 'bysiau cerdded', lle mae plant yn cerdded i'r ysgol gyda gwirfoddolwyr ar y blaen a'r cefn (ar ôl gwneud asesiadau risg a gwiriadau) - gweler er enghraifft:

[Estyn camau yng Nghaerffili](#)

[Cerdded i'r Ysgol](#) (Sir Gaerfyrrdin)

[Ysgol yng Nghymru'n cael ei gwobrwyd am annog plant i feicio, cerdded a mynd ar sgwter i'r ysgol | Sustrans](#) (Sir Ddinbych)

[Ysgol Gynradd Hafren yn derbyn yr her | Living Streets](#) (Caerdydd)

Gorfodaeth

O ran **gorfodaeth**, gall mesurau ffisegol fel mesurau gostegu traffig fod yn 'hunan-orfodaeth' o ran cyfyngu ar gyflymder. Mae mesurau weithiau'n cynnwys cynlluniau plannu, sy'n gallu cyfrannu at ansawdd aer yn eu hunain.

Mewn rhai achosion, mae arwyddion sy'n cael eu hail-ddangos yn cael eu defnyddio i dynnu sylw at gyflymder y gyrrwr, a gall cynghorau hefyd weithio gyda Gan Bwyll, y bartneriaeth camerâu diogelwch ffyrdd yn yr achosion hynny lle mae camerâu (sefydlog neu symudol) yn cael eu hystyried yn hanfodol.

Rydym yn gobeithio y bydd yr wybodaeth hon yn cynorthwyo gyda gwaith y Pwyllgor. Cysylltwch â CLILC eto os ydych chi angen rhagor o wybodaeth neu gymorth.

Yn ddiffuant,

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 we will respond to correspondence in the same language.
Use of either language will not lead to a delay.**

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 either language and will respond to correspondence in the same language.
Use of either language will not lead to a delay.

Fudalen y pecyn 12



Petition P-05-825: Response to correspondence

We are grateful to the Minister and to the WLGA for responding to our petition calling for greater intervention to protect children's lungs whilst at school.

In particular, we welcome the detailed response provided by the WLGA outlining the range of policy levers local authorities are able to utilise to reduce children's exposure to harmful pollutants on the route to and whilst at school. We welcome the emphasis placed on schools as sensitive receptors throughout government guidance, and the focus placed on behaviour change such as through active travel and education.

Our response is as follows;

Current monitoring only captures background levels of pollution and fails to capture the individual's exposure to harmful pollutants¹. As such, current monitoring fails to capture or recognise that persistent exposure to even levels below target values, is still harmful to children's health and lung development. This is why we are calling for a greater number of monitoring sites and for monitoring to reflect the individual's exposure rather than kerbside levels.

Long term exposure whilst at school is just as important as exposure on the route to school. A Californian study found that children living in highly polluted areas are four times more likely to have significantly reduced lung function². A European cohort study suggests pollution increases infection susceptibility³. Anecdotal evidence from schools near busy roads suggests that even where pollution levels at the building are below target values, there is a growing number of children suffering from harmful emissions, particularly those with lung conditions.

¹ <https://www.airqualitynews.com/2018/01/26/defra-defends-air-quality-plan-high-court-2/>

² Chen Z, Salam MT, Eckel SP, Breton CV, Gilliland FD (2015) Chronic effects of air pollution on respiratory health in Southern California children: findings from the Southern California Children's Health Study. J Thorac Dis 2015;7:46-58.

³ Macintyre, E.A et al. (2014). Air pollution and respiratory infections during early childhood: An analysis of 10 European birth cohorts within the escape project. Environmental Health Perspectives, 122(1), 107-113. p.112

We welcome the emphasis on the route or journey to and from school, but we believe that we need more measures on school grounds. As such, whilst engineering measures are welcome to reduce traffic speeds and deter unnecessary traffic flows other measures should be considered. There is growing evidence that ‘living walls’ are an effective way of reducing exposure to harmful emissions whilst at school. A 2012 paper by the University of Birmingham suggests that green infrastructure could reduce pollution levels by up to 30%⁴ ⁵. It is important that we measure the effectiveness of any measures utilised to tackle air quality, which is why we are calling for an increase in the level of monitoring stations located at schools.

Current monitoring levels do not reflect the risk posed to individuals by pollution levels. An estimated 165,000 children (0-18 years old) are growing up in areas of Wales with unsafe levels of PM2.5, with the greatest number living in Cardiff, followed by Swansea and then Newport⁶. Despite this only 6 schools across those 3 Local Authority areas are being monitored for the quality of the air around them, according to an FOI submitted by the BLF in 2017. We would question whether current monitoring patterns are responsive to the actual risk.

Therefore, we believe that revisions need to be made to the approach Local Authorities take to identifying and monitoring air quality near ‘at risk’ sensitive receptors. This will provide a clearer understanding of individual and actual exposure to harmful levels of air pollution, recognising that persistent exposure to any level of air pollution is harmful to health.

Thank you again for considering our petition and for the opportunity to provide a response for the committee’s consideration.

Yours sincerely,
Rhys Taylor

⁴ <https://www.birmingham.ac.uk/research/activity/environmental-health/news-events/29Aug12-mackenzie-green-walls.aspx>

⁵ <https://www.eastlothiancourier.com/news/16953589.giant-sponge-of-mosses-tackling-air-pollution-in-musselburgh/?ref=twtrec>

⁶ Unicef UK (2018) A breath of toxic air

P-05-824 Ffordd Osgoi Derwen Brimmon y Drenwydd

Cyflwynwyd y ddeiseb hon gan Mervyn Lloyd Jones ar ôl casglu 402 o llofnodion.

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ystyried ein cynnig i roi 'Ffordd Osgoi Derwen Brimmon y Drenwydd' yn enw swyddogol ar adran newydd o ffordd yr A483—adran hanesyddol yr oedd mawr ei hangen.

Dylid gwneud hyn i gydnabod y cyhoeddusrwydd cadarnhaol iawn y mae un o 'Henebion Naturiol' mwyaf arwyddocaol Sir Drefaldwyn, sef Derwen Brimmon, wedi'i greu i'r Drenwydd, i'r rhanbarth ac i Gymru.

Yn gyntaf, enillodd wobr Coeden Gymreig y Flwyddyn cyn ennill gwobr 'UK Tree of the Year'—cystadleuaeth a ddarlledwyd ar deledu cenedlaethol. Yna, cafodd ail yng nghystadleuaeth fawreddog 'European Tree of the Year' (2017), mewn seremoni yn Senedd yr UE ym Mrwsel a gafodd lawer o sylw. Teimlwn y dylai'r dderwen hynafol hon, sydd o bwysigrwydd diwylliannol mawr, ac sydd bellach yn adnabyddus ledled Cymru, y DU ac yn wir y byd, gael ei hanrhydeddu yn y modd hwn.

Etholaeth a Rhanbarth y Cynulliad

- Sir Drefaldwyn
- Canolbarth a Gorllewin Cymru



Ein cyf/Our ref KS/02332/18

Llywodraeth Cymru
Welsh Government

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau

government.committee.business@llyw.cymru

28 Awst 2018

Annwyl David,

Diolch i chi am eich llythyr dyddiedig 27 Gorffennaf ynghylch Deiseb P-05-824: Ffordd Osgoi Derwen Brimmon y Drenowydd.

Yn gyntaf, hoffwn ddiolch i'r deisebwyr am gyflwyno rhagor o sylwadau.

Fel y nodais yn fy llythyr dyddiedig 30 Mehefin, nid wyf o'r farn mai galw'r Ffordd Osgoi yn 'Ffordd Osgoi Derwen Brimmon y Drenowydd' fyddai'r ffordd fwyaf priodol o gydnabod y goeden.

Rwyf hefyd yn ymwybodol fod sawl cais arall i ailensi'r ffordd osgoi wedi'u cyflwyno er mwyn hyrwyddo a chydnabod hanes y Drenowydd. O'r herwydd, ni fyddwn yn newid yr enw 'Ffordd Osgoi y Drenowydd' ond fel y nodais yn fy llythyr blaenorol, byddwn yn croesawu rhestr o opsiynau a ffefrir a luniwyd drwy ymgynghori â phobl leol ar gyfer hyrwyddo'r Drenowydd.

Yn gywir,



Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport

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 dderbynir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecynn 126
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and responding in Welsh will not lead to a delay in responding.

P-05-824 Newtown Brimmon Oak Bypass – Correspondence from Powys County Council to the Chair, 08.10.18

Dear Mr Rowlands,

Further to your letter regarding the naming of the Newtown Bypass, I can confirm that there is significant local interest in the construction of the bypass and its usage thereafter. Powys County Council has been very supportive of the Newtown Bypass and it will be a significant improvement for Mid Wales offering major benefits to both the economic and social landscapes of the region.

With regards to your query, we have recently written to Ken Skates, Cabinet Secretary requesting that engagement takes place with the local community to fully explore the many local ideas and move forward a potential suite of preferred options that could be implemented to ensure the opportunity is taken to promote Newtown's history and what the mid-wales region has to offer both now and in the future.

We look forward to a positive response from the Cabinet Secretary and facilitating discussions with the local community between now and the opening of the bypass.

Yours sincerely

Adrian

Adrian Jervis
Acting Head of Highways, Transport & Recycling
Powys County Council

P-05-824 Newtown Brimmon Oak Bypass – Correspondence from the Petitioner to the Committee, 11.10.18

Dear David

petition – P-05-824

In response to ken skate's comments, as stated the Brimmon Oak has benefited from a huge amount of local support.

I feel that naming the new bypass after the tree reflects WG commitment to preserving the environment by accommodating the tree at the same time as moving the welsh transport infrastructure into the 21st century. By using the name "Newtown Brimmon Oak Bypass" I believe, brings together a welsh icon that represents Wales beautiful scenery that attracts many visitors along with state of the art engineering that will make west Wales as a whole, more accessible and thus beneficial to all.

WG agreeing to name the bypass after this iconic tree would be a present and future statement to the people of Newtown that they have an ongoing respect for their local environment.

I hope you can give the matter further consideration.

Kind Regards

Mervyn Jones

Dear David,

With respect to Minister Ken Skates' recent reply to our joint petition regarding the naming of the new road the Newtown Brimmon Oak Bypass. '*Most appropriate*'. This is an interesting phrase used oft these days. However, I would like to use several other phrases that could more correctly apply to our petition and your opportunity.

'Enduring Legacy'

'Vision'

'Recognition'

'Forward thinking'

'Opportunity'

'Positive'

'Brave'

'Wales could be leading the way'

If I may be so bold, I would like to quickly reference what I feel are connected, recently reported events around the globe in the press. (See added recent press comments below)

Recent communications from the UN Intergovernmental Panel on Climate Change (IPCC Oct. 2018) on just where we are heading as a species and our shared planet, predict a disastrous future for many around the world unless we change our environmentally destructive ways. This really is now critical and we may only have a short window of opportunity to facilitate this enormous change in our relationship with the planet if the UN/ IPCC are to be believed. Moreover, plastic pollution has now, rightly, also been recognised and publicised as out of control, and massively harmful to many species across the planet. Plastic is polluting our oceans and continents to levels not really known until this last year or so to the general public.

What is this to do with a big old tree in Wales?

Let me paint you a picture, a vision for the future. One where '*Wales could be leading the way*' into a more harmonious future with our shared planet.

You (The Welsh Government), now have the '*opportunity*' to be '*visionary*' to be '*forward thinking*'. An opportunity to leave an '*enduring legacy*' for your children, grand children & generations to come. If the committee do decide to be '*brave*', and name the road *The Newtown Brimmon Oak Bypass*, this will send a signal around the world! A '*positive*' signal that Wales is in tune with its people, in tune with nature, in tune with its role on a global scale in the 21st Century. Not a country held back by its past but celebrating its past, a past when trees especially were far more valued and celebrated, a past when our connection to the planet was much, much closer than now, than the internet, smart-phone generations.

Imagine...***The Newtown Brimmon Oak Bypass*** ... famous around the world!

Kind Regards,

Robert McBride,

We have 12 years to limit climate change catastrophe, warns UN

The authors of the landmark report by the UN Intergovernmental Panel on Climate Change (IPCC) released on Monday say urgent and unprecedented changes are needed to reach the target, which they say is affordable and feasible although it lies at the most ambitious end of the Paris agreement to keep temperatures between 1.5C and 2C.

The IPCC says that to achieve this target would require “rapid, far-reaching, and unprecedented changes in all aspects of society”. It would, however, deliver “clear benefits to people and natural eco-systems”, as well as “ensuring a more sustainable and equitable society”.

Mae cyfyngiadau ar y ddogfen hon